



CENTERVILLE CITY

250 North Main • Centerville, Utah 84014-1824 • (801) 295-3477 • Fax: (801) 292-8034

Incorporated in 1915

Mayor

Ronald G. Russell

City Council

Justin Y. Allen

Ken S. Averett

John T. Higginson

Sherri L. Lindstrom

Lawrence Wright

City Manager

Steve H. Thacker

interoffice MEMORANDUM

to: Mayor Russell
City Council
cc: Department Heads
Planning Commission
from: Steve Thacker, City Manager *A. Thacker*
subject: City Manager's Summary of August 20, 2013 Council Meeting
date: August 16, 2013

6:45 **Canvass of August 13, 2013 Primary Election** – The City Council, sitting as the Board of Municipal Canvassers, will meet at 6:45 p.m. to canvass the returns from the recent Municipal Primary Election, as required by State law.

7:00 **Regular City Council meeting**

E.1. **Minutes Review and Acceptance** – The minutes to be approved are enclosed.

E.2 **Summary Action Calendar**

- a. **NovusAgenda Program** – Staff recommend the Council approve the purchase of the NovusAgenda meeting management program which staff have now used for two Council meetings during a pilot period. The current budget includes funding for this purpose. The annual cost would be \$4,200 (\$350 per month).
- b. **Chapel Ridge Cove Subdivision** – This subdivision is ready to commence its warranty period.
- c. **Legacy Crossing Lot 6** – This project, which was Building D of the Legacy Crossing Apartments Phase, is ready to commence warranty period.
- d. **Waterline Bid Award** – These two bids for labor and materials are for the construction of a waterline to serve the new office building on Lot 4 of the Legacy Crossing development. The developer is responsible for the full costs of this waterline, but the work is administered by the City Engineer.

E.3. **Public Hearing – Chapel Ridge Cove PUD Amended Plat** – This plat amendment was requested by staff for reasons explained in the staff report. The Planning Commission recommends approval. However, the Clipper newspaper failed to publish notice of the public hearing on the date requested by the City; therefore, this matter will have to be postponed until the September 3 Council meeting. This matter is not delaying the construction of homes within the subdivision, several of which have already been permitted. Since the public hearing has been advertised on the City's website and posted on site, staff concluded the matter should still be shown on the agenda but with a note indicating it will be tabled to the later meeting. The public notice error was not the fault of staff but of the Clipper newspaper.

- E.4. **Public Hearing – King Commercial Development Final Subdivision Plat** – This commercial subdivision involves the redevelopment of two lots on Parrish Lane which currently contain the Good Spray Carwash and Subway. The Carwash will be demolished and the site will be redeveloped to include Subway in its present location plus a Beans and Brew business and Jiffy Lube.
- E.5. **Public Hearing – Subdivision Ordinance Text Amendment** – The need for this text amendment to the City's Subdivision Ordinance became apparent when staff were processing a flag lot development application. These amendments will allow a flag lot to be divided into more than two lots but still meet the small subdivision waiver allowance criteria. A plat will also be required for flag lot development. See the enclosed staff report from Cory Snyder for more explanation.
- E.6. **Fee Schedule Amendments** – At their August 6 meeting the City Council approved an ordinance revising Culinary Water Impact Fees effective November 4, 2013. As a follow up, the City's Fee Schedule needs to be amended to reflect these new fees.
- E.7. **Report Regarding Deer Within City Limits** – This is a continuation of a discussion that began in an earlier meeting. Staff have received complaints from a few residents whose landscaping and gardens have been damaged by deer living within the city limits. Chief Worsley has researched this matter further and will report that to the City Council. In their earlier meeting the City Council requested staff bring back an ordinance for their consideration, which would prohibit the feeding of deer within city limits. However, based on his additional research and evaluation, Chief Worsley does not believe such an ordinance would have a meaningful impact and would be difficult to enforce. Therefore, he is not recommending such an ordinance.
- E.8. **Construction Code Updates** – Earlier this year the Utah State Legislature adopted the 2012 editions of the various construction codes. Utah cities are subject to these codes as adopted by the Legislature; therefore, Centerville's Code needs to be amended to adopt these same editions.
- E.9. **Mayor's Report** – Mayor Russell may wish to report on a few matters.
- E.10. **City Manager's Report** – I am proposing a fieldtrip to the gun range on Tuesday, September 17 prior to the regular meeting that evening. I will also provide an update on the Davis-SLC Community Connector Study. Cory Snyder and I recently met with UTA officials to be updated on this matter and will share that information with the City Council.
- E.11. **Miscellaneous Business** – Please note the attachment regarding the ULCT Annual Conference, and in particular, the early registration deadline.
- E.12. **Closed meeting** – At this time I do not know of a need for a closed meeting, but the agenda allows for that possibility.
- E.13. **Action following closed meeting** – I have attached for the Mayor and Council a Statement of Interest from someone willing to serve on the Parks and Recreation Committee. Mayor Russell recommends this appointment. The attachment is a confidential document until this appointment is approved.

Potential Agenda Items for September 3 regular City Council Meeting (subject to change):

- Police vehicle purchase
- Chapel Ridge Cove Amended Plat
- Financial report (unaudited) for FY 2013
- Report re: business regulations review

CENTERVILLE CITY COUNCIL AGENDA

NOTICE IS HEREBY GIVEN THAT THE CENTERVILLE CITY COUNCIL WILL HOLD ITS REGULAR PUBLIC MEETING AT 7:00 P.M. ON TUESDAY, AUGUST 20, 2013 AT THE CENTERVILLE CITY COMMUNITY CENTER AND CITY HALL COUNCIL CHAMBERS, 250 NORTH MAIN STREET, CENTERVILLE, UTAH. THE AGENDA IS SHOWN BELOW.

Meetings of the City Council of Centerville City may be conducted via electronic means pursuant to Utah Code Ann. § 52-4-207, as amended. In such circumstances, contact will be established and maintained via electronic means and the meeting will be conducted pursuant to the Electronic Meetings Policy established by the City Council for electronic meetings.

Centerville City, in compliance with the Americans With Disabilities Act, provides accommodations and auxiliary communicative aids and services for all those citizens in need of assistance, including hearing devices. Persons requesting these accommodations for City-sponsored public meetings, services, programs, or events should call Blaine Lutz, Centerville Finance Director, at 295-3477, giving at least 24 hours notice prior to the meeting.

A notebook containing supporting materials for the business agenda items is available for public inspection and review at City Hall and will be available for review at the meeting. Upon request, a citizen may obtain (without charge) the City Manager's memo summarizing the agenda business, or may read this memo on the City's website: www.centervilleut.net.

Tentative - The times shown below are tentative and are subject to change during the meeting.
Time:

6:45 Canvass of August 13, 2013 Primary Election

According to State law (UCA 20A-4-301(2)(ii)) the board of municipal canvassers shall meet to canvass the returns from a municipal primary election no sooner than seven (7) days and no later than fourteen (14) days after the election

7:00 A. ROLL CALL

B. PLEDGE OF ALLEGIANCE

C. PRAYER OR THOUGHT

Councilwoman Sherri Lyn Lindstrom

7:05 D. OPEN SESSION (This item allows for the public to comment on any subject of municipal concern, including agenda items that are not scheduled for a public hearing. Citizens are encouraged to limit their comments to two (2) minutes per person. Citizens may request a time to speak during Open Session by calling the City Recorder's office at 295-3477, or may make such request at the beginning of Open Session.) Please state your name and city of residence.

City Manager Summary Memo

E. BUSINESS

7:10 1. Minutes Review and Acceptance
Review and acceptance of August 6, 2013 meeting minutes

(OVER)

- 7:10 2. Summary Action Calendar
- a. Approve NovusAgenda Program meeting management program
 - b. Chapel Ridge Cove Subdivision – Commence warranty period
 - c. Legacy Crossing Lot 6 – Commence warranty period
 - d. Award bids for Legacy Crossing Lot 4 Waterline to Kapp Construction in the amount of \$45,150.50 for labor and Mountain States Supply in the amount of \$26,767.50 plus tax for materials
- 7:10 3. Public Hearing - Chapel Ridge Cove PUD Subdivision - 2250 North 150 East
- Consider amended plat for the Chapel Ridge Cove PUD Subdivision, located at approximately 2250 North 150 East, in the R-L(PD) Zone. Alan Prince, Prince Development LLC, Applicant **(ITEM TO BE TALBED TO THE SEPTEMBER 3, 2013 CITY COUNCIL MEETING)**
- 7:10 4. Public Hearing – King Commercial Development Final Subdivision Plat
- Consider final plat for the King Commercial Development located on Lots 2 & 3 of Parrish Park Subdivision, approximately 330 West Parrish Lane in the C-VH Zone, Eldon Haake, TerraForm Companies, Applicant
- 7:20 5. Public hearing – Subdivision Ordinance Text Amendment
- Public Hearing - Subdivision Ordinance Text Amendment - Flag Lots - Text amendment to Title 15, Subdivision Ordinance, regarding small subdivisions and flag lots. Centerville City, Applicant - Consider Ordinance No. 2013-12
- 7:35 6. Fee Schedule Amendments – Culinary Water Impact Fees
- Fee Schedule Amendments – Culinary Water Impact Fees – Consider Resolution No. 2013-21 Amending the Centerville City Fee Schedule Regarding Culinary Water Impact Fees
- 7:40 7. Report Regarding Deer Within City Limits
- Report from Police Chief Neal Worsley regarding deer within the City and related issues
- 8:00 8. Municipal Code Amendments - Construction Code Updates
- Consider Ordinance No. 2013-13 Amending Title 10A, Chapter 2, of the Centerville Municipal Code Regarding Updated Versions of the Construction Codes
- 8:10 9. Mayor's Report
- 8:15 10. City Manager's Report
- a. Schedule gun range fieldtrip
 - b. Davis-Salt Lake City Community Connector Study
- 8:25 11. Miscellaneous Business
- a. ULCT Annual Conference – September 11 – 13, 2013
 - b. Approve purchase of 1-ton truck with snowplowing equipment

- 8:30 12. Closed meeting, if necessary, for reasons allowed by state law , including, but not limited to, the provisions of Section 52-4-205 of the Utah Open and Public Meetings Act, and for attorney-client matters that are privileged pursuant to *Utah Code Ann.* § 78B-1-137, as amended
- 8:30 13. Possible action following closed meeting, including appointments to boards and committees

F. ADJOURNMENT

Marsha L. Morrow, MMC
Centerville City Recorder

CENTERVILLE CITY COUNCIL

Staff Backup Report

Item No. 1.

Short Title: Canvass of August 13, 2013 Primary Election

Initiated By: City Recorder

Scheduled Time: 6:45 p.m.

SUBJECT

According to State law (UCA 20A-4-301(2)(ii) the board of municipal canvassers shall meet to canvass the returns from a municipal primary election no sooner than seven (7) days and no later than fourteen (14) after the election

RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Name:

Description:

No Attachments Available

PRELIMINARY DRAFT

Minutes of the Centerville **City Council** meeting held Tuesday, August 6, 2013 at 7:00 p.m. in the Centerville City Hall Council Chambers, 250 North Main Street, Centerville, Utah.

MEMBERS PRESENT

Council Members Ronald G. Russell, Mayor
 Justin Y. Allen
 Ken S. Averett
 Sherri Lyn Lindstrom
 Lawrence Wright

MEMBER ABSENT

John T. Higginson

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
Jacob Smith, Management Assistant
Katie Rust, Recording Secretary

VISITORS

Cami Hamilton, Lewis Young Robertson Burningham
Interested citizens (see attached sign-in sheet)

PLEDGE OF ALLEGIANCE

PRAYER OR THOUGHT

Loren Pankratz, The Bridge Community

OPEN SESSION

Gayle Davis – Ms. Davis is a resident of the Riviera Townhomes. She thanked the Council for their efforts to secure the CDBG Grant. She stated they are thrilled to have enough to complete the entire project.

MINUTES REVIEW AND APPROVAL

The minutes of the Tuesday, July 16, 2013 work session and July 16, 2013 Council meeting were reviewed. Councilwoman Lindstrom made a **motion** to approve both sets of minutes. The motion was seconded by Councilman Wright and passed with unanimous vote (3-0). Councilman Averett abstained from voting.

SUMMARY ACTION CALENDAR

- a. Approve CDBG Grant Contracts for Riviera Townhomes Street and Drainage Improvements
- b. Award bid for CDBG Project (Riviera Townhomes street and drainage improvements) to Kilgore Contracting in the amount of \$133,673.60
- c. Award bid to Cate for the purchase of a portable light tower in the amount of \$12,930
- d. Renew Drainage Maintenance Contract with Twin "D" in the estimated amount of \$103,410 for 2013-2014
- e. Renew Street Sweeping Contract with Jacketta in the estimated amount of \$42,840 for 2013-2014

1 Councilman Allen made a **motion** to approve all items on the Summary Action Calendar.
2 Councilwoman Lindstrom seconded the motion. Councilman Wright asked if the portable light
3 tower in item (c) was approved in the budget. Mr. Thacker confirmed that it was included in the
4 budget. Referring to item (e) on the Summary Action Calendar, Councilman Wright asked if the
5 street sweeping contract was put up for bid to ensure the lowest available rate. Mr. Thacker
6 responded that the City solicited and received two bids in 2012. The lowest bid was accepted
7 and an option included in the contract to renew at the same rate for two consecutive years.
8 Staff feels the ability to renew at the 2012 rate is beneficial, and they do not have reason to
9 believe a better price is available. The motion to approve passed by unanimous vote (4-0).

10
11 **PUBLIC HEARING – CULINARY WATER IMPACT FEE**
12

13 Cami Hamilton of Lewis Young Robertson Burningham explained that the purpose of
14 collecting impact fees from new development is to mitigate the impact of the growth on public
15 infrastructure. The existing culinary water capacity and the cost to keep up with growth were
16 analyzed as part of the impact fee study. The proposed fee is \$2,027 per ERC. Mr. Thacker
17 added that the existing water impact fee of \$1,200 was adopted in the 1990s. The City Council
18 spent considerable time discussing the analysis and proposed increase at a previous meeting.

19
20 At 7:19 p.m. Mayor Russell opened a public hearing. Seeing that no one wished to
21 comment the Mayor closed the public hearing.
22

23 Councilman Averett asked for the opinion of the Public Works Director. Randy Randall,
24 Public Works Director, responded that he feels the proposed fee is in line with the actual cost to
25 provide service to new residents moving into the city. The new well on Chase Lane has been
26 drilled to serve growth and development. Councilman Averett asked Mr. Randall how current
27 water capacity in Centerville compares to demand now and in the future. Mr. Randall stated
28 Centerville has managed its resources well, and planned for growth rather than waiting until
29 after the growth has occurred. With the drilling of the Chase Lane well, and with Weber Basin to
30 draw from, he feels Centerville is well off. City Manager Thacker commended Mr. Randall for
31 his success in saving energy and money with a pump schedule that avoids the peak hours of
32 the day. Mr. Randall also stated that in an emergency situation, the City would be able to
33 provide one gallon of water per citizen per day with the solar power available at the Church
34 Well. Councilwoman Lindstrom asked how long it will be before another well is needed. Mr.
35 Randall responded that current supplies should be sufficient for at least ten years. Councilman
36 Allen asked if the impact on multi-family developments was adequately considered and covered
37 in the study and analysis. Mr. Randall responded that the fee is determined based on meter
38 size, which results in fair fee assessment.
39

40 Lisa Romney, City Attorney, requested the addition of a footnote to the fee schedule on
41 page 7 of Ordinance No. 2013-10. The addition clarifies that the City uses a 5/8" x 3/4" meter
42 for 3/4" connections. This clarification does not change the study or analysis. Councilman
43 Averett made a **motion** to approve Ordinance No. 2013-10 adopting an amended and updated
44 Culinary Water Impact Fee Facilities Plan and a Culinary Water Impact Fee Analysis; adopting
45 amended and updated Culinary Water Impact Fees; adopting certain policies related to Culinary
46 Water Impact Fees; and establishing a service area for purposes of the Culinary Water Impact
47 Fees, including the changes noted by the City Attorney. Councilwoman Lindstrom seconded
48 the motion, which passed by unanimous vote (4-0).
49

PUBLIC HEARING – WOODS PARK SUBDIVISION – FINAL PLAT

Cory Snyder, Community Development Director, explained the final plans for the Woods Park Subdivision located at 690 West 2400 North. One of the major components in originally considering the property for rezone was the need for improved infrastructure for drainage. In addition to applying a Planned Development Overlay Zone, a Development Agreement is associated with the project to deal with drainage infrastructure. Staff feels the final plan is at a point eligible for approval as per the Planning Commission's recommendation.

Mr. Snyder advised the Council of a joint project between the developer and the City regarding drainage as part of the Development Agreement. A condition of the Development Agreement allows the developer to proceed with obtaining approvals, but prevents the developer from obtaining a building permit for any of the units until permits approving a pipe underneath the UTA Frontrunner and Union Pacific Rail Road tracks are received by the City. Once approval for the pipe is obtained, the developer can proceed with requesting building permits, but none of the units can be occupied until the pipe/drainage project is completed. In addition, four of the proposed units are currently in the FEMA floodplain, and until the FEMA map has been altered those units are not eligible for permits. Mr. Snyder requested the addition of a condition (#13) to the conditions of approval, which should state that the developer shall remain responsible for payment of all outstanding professional service fees related to the review of the subdivision plans and plat.

Randy Randall, Public Works Director, explained that at the time the project was initiated the City applied with Union Pacific to be able to put the pipe under the railroad. Union Pacific has responded and denied the permit. Since the City submitted the request, Union Pacific has changed the rules and now requires an outer casing or sleeve for the pipe. This requirement, combined with a requirement for 5 ½ feet of cover between the casing and the rails, would force the City to install two smaller pipes instead of one larger pipe, which could increase the project cost 1½ to 2 times. Staff have met with Union Pacific representatives and requested a variance. Mr. Thacker asked if Mr. Randall is optimistic. Mr. Randall responded that after visiting with the local representatives he is optimistic. He does not question whether a permit will be granted. He questions whether or not they will require two pipes instead of one, and whether the cost of the project will substantially increase.

At 7:43 p.m. Mayor Russell opened a public hearing.

Paul Cutler – Mr. Cutler stated he was not originally in favor of the proposed density, but he has reviewed the current proposed plans and feels improvements have been made. He has concerns regarding the Home Owners Association (HOA), stating he knows HOAs do not always continue to function adequately over time.

Alan Prince – Mr. Prince represents the property owners and developer. He responded to Mr. Cutler that the State has adopted more stringent regulations governing registration and operation of HOAs. Mr. Prince stated that Henry Walker Homes is an experienced home builder and HOA manager. The City Attorney has reviewed the HOA documents, and Mr. Prince does not feel they could have been more carefully crafted. Referring to the pipe project, Mr. Prince stated that before agreeing to the \$150,000 contribution to the project, his firm approached a firm that puts pipes under the railways regularly to have an understanding of the cost involved. As the developer, they agreed to bear the cost of a 24-inch pipe going under the tracks. The City wanted to take the opportunity to upgrade the pipe to 36 inches. Mid-project the requirements have changed, and now a sleeve big enough to house the pipe is required, and the bedding is required to be deeper. Mr. Prince stated that switching from one 36-inch pipe to

two 24-inch pipes would not double the cost. He is confident the permit will be granted by Union Pacific, it is just a matter of what format it will take. The Agreement provides for the sharing of additional costs.

Steve Thacker, City Manager, stated there are differences between this HOA situation and the other situations Mr. Cutler may have been referring to. The Woods Park Subdivision has improvements and amenities that will create incentive for the HOA to continue functioning.

Mayor Russell closed the public hearing at 7:56 p.m.

Councilman Allen commended the developer for willingness to participate in infrastructure improvements. Councilwoman Lindstrom commended staff for their diligent efforts to improve drainage issues throughout Centerville. She believes the project will benefit the community, and she commended Mr. Prince for being as thorough as he has been.

Councilman Averett made a **motion** to approve the final subdivision plat and plans for the Woods Park Development at 690 West 2400 North with the conditions and findings listed in the staff report and with the addition of condition #13 as recommended by staff. Councilwoman Lindstrom seconded the motion, which passed by unanimous vote (4-0).

Conditions

1. The proposed plat notes should be revised and resubmitted (in redline form) to address the following:
 - a) Add to the first part of Note #1: "Unless otherwise noted,"
 - b) Add "(P.U.E.)" after the first use of the term Public Utility Easements in Note #2.
 - c) Delete "and the City Engineer" from the end of Note #3.
 - d) Revise Note #4 to reflect that the Developer shall install and the HOA shall be responsible to maintain, irrigate, provide irrigation water, and mow the Detention Basin Areas and Drainage Ways as shown on the plat.
 - e) Have City Engineer or Public Works Director check the City responsibility provisions at the end of Note #4 regarding silt removal.
 - f) Add to the end of Note #6: ", the Woods Park Development Agreement, and terms and conditions of PDO Zoning Approval granted by Centerville City. Any and all development and construction within the subdivision shall comply with such recorded documents and approvals."
 - g) Compare Note #4 and Note #7 and make sure they are consistent.
 - h) Add to the first part of Note #8: "Unless otherwise noted,"
 - i) Have City Engineer check the provisions regarding finished floor elevations in Note #9. Compare with language in Section 12 of the Development Agreement which provides "The finished base floor elevation for any dwelling within the subdivision, including basements, whether finished or unfinished, shall be one foot (1') above the projected 100-year flood event for the Property."
 - j) Add to Note #9 the Development Agreement requirement as follows: "Builders shall be required to provide an engineer's certificate of all base floor elevations prior to pouring the footings for any structure."
 - k) Eliminate the word "statue" as used in Note #10.
 - l) Add to the end of Note #11: "and all terms and conditions of PDO Zoning Approval and final plat approval by Centerville City."

- m) In Note #14, replace the term "community" with "subdivision," delete the "a" before inclusion, and replace the term "items" with "architectural design elements"
 - n) Compare Note #15 to Note #18. Is Note #15 regarding individual fencing?
 - o) Consider eliminating "elevated" from Note #17 regarding decks in the setback area. Confirm with Community Development Director whether it is "any deck" or just "elevated decks" that are subject to the encroachment restriction. Compare plat note language to PC Condition #1(g). Change the "or" to "nor" in first sentence.
 - p) In Note #18, change the first "to be" to "shall be" and add "than" after the word "other" in second line.
2. Add the following plat notes:
- a) All coordinates shown are based on Davis County Surveyor's Office Datum.
 - b) No building permit for any lot within the subdivision shall be issued until and unless all wet utilities have been installed and completed and all streets are rough graded in accordance with applicable City ordinances, including the storm drain improvements along Lund Lane, and until the Detention Basin is installed, completed and functioning, as more particularly provided in Section 11 of the Development Agreement as recorded against the property.
 - c) No building permit for any lots within the subdivision shall be issued until and unless the City has obtained all required permits from UPRR and UTA for the construction of the Drainage Culvert and no certificate of occupancy shall be issued for any building within the subdivision until and unless the Drainage Culvert has been installed, completed and is functioning, as more particularly provided in Section 11 of the Development Agreement as recorded against the property.
 - d) No building permit for any lots within Flood Pain Zone A, shown as Lots 2-5, shall be issued until and unless the Detention Basin and the Drainage Culvert have been installed, completed and are functioning, and Developer has received LOMR approval and all conditions of the LOMR have been met, as more particularly provided in Section 11 of the Development Agreement as recorded against the property.
 - e) All property within the subdivision shall be developed in accordance with the City ordinances, PDO Rezone Approval, Final Plat Approval, and all subsequent applicable final plans and construction drawings for individual lots within the subdivision. All applicable City, State and Federal construction standards and specifications shall be met. All owners, users, lots and development within the subdivision shall be subject to all agreements, easements, and restrictions governing the property, including, but not limited to, the Woods Park PDO Development Agreement, as amended, and the Centerville City Planned Development Overlay Ordinances, as amended.
 - f) All designated common areas shall be owned and maintained by the HOA and shall be prohibited from future development.
3. Approval of the final plat for the Woods Park PDO is subject to and conditioned upon compliance with all terms and conditions of the Development Agreement dated April 4, 2013, as recorded against the property.
4. Final plat approval is conditioned upon and subject to Developer obtaining a Letter of Map Revision (LOMR) from FEMA pursuant to Section 10 of the Development Agreement as recorded against the property.
5. Prior to recording the final plat, Developer shall record and complete the boundary line adjustment acquiring the 50' strip of real property to be acquired from the Wrights and included within the subdivision.

6. Prior to recording the final plat, Developer shall ensure that all property within the subdivision is subject to the Development Agreement and PDO Zoning. If any boundary line adjustment has increased the size of the subdivision or added property thereto that is not subject to the Development Agreement, the Development Agreement shall be recorded against such additional property in a manner acceptable to the City Attorney. Any PDO Zoning issues shall be addressed in accordance with applicable City ordinances.
7. Applicant shall show all easements of record on the plat or submit a vacation of easement prior to recording the plat and subject to review by the City Engineer.
8. Prior to recording the final plat, applicant shall submit an updated title report (current within 30 days) for the entire subdivision for review and approval of encumbrances and ownership issues by the City Attorney and City Engineer.
9. Developer to designate on final plat Parcels A, B and C as "Common Area to be owned and maintained by HOA" with associated plat note regarding HOA maintenance requirements and CC&R's. Provide adequate guarantees to protect such common areas from future development as required by PDO Ordinance (Section 12-41-110).
10. Revise CC&R's to comply with requirements of PDO Ordinance (Section 12-41-110) and suggested revisions from City Attorney. CC&R's shall be recorded prior to or concurrently with final plat. See, CC&R Review dated July 30, 2013.
11. Show existing and proposed Flood Plain Zones on the plat in accordance with Section 10 of the Development Agreement.
12. Except as specifically agreed to by the City in the Development Agreement for off-site drainage culvert improvements under the UPRR, Developer shall be required to pay for and install all required on-site and off-site public improvements and infrastructure for the Property to the extent reasonably necessary and related to the impact of the development in accordance with City ordinances and engineering standards, including, but not limited to, streets, curbs, gutters, sidewalks, culinary waterlines and facilities, fire hydrants, street lights, sewer lines and facilities, secondary irrigation waterlines and facilities, storm drainage facilities, subdrain facilities, utilities, and detention facilities. All such improvements shall be bonded for and constructed and installed in accordance with applicable City ordinances and specifications as determined necessary by the City Engineer. All plans and construction for water, sewer, street and drainage improvements shall be reviewed and approved by the City Engineer.
13. The applicant or subsequent developer/owners of the project shall remain responsible for payment of all outstanding professional service fees related to the review of the subdivision plans and plat.

Findings

- a) The City Council finds that the final subdivision plat and plan is to comply with the terms and conditions of Wood Park PDO Zone Map Amendment and associated conceptual plan acceptance that was approved in April of 2013.
- b) The City Council finds that the Conditions of the final plat and plan recommendation, subject to terms and conditions of the PDO, are consistent with Woods Park PDO Zone Map Amendment.
- c) The City Council finds that the terms and conditions of the final plat and plan recommendation are consistent with preliminary subdivision approval by the Planning Commission, dated June 12, 2013.

WOODS PARK ASSIGNMENT AND ASSUMPTION AGREEMENT

Ms. Romney explained that the current developer of the Woods Park Subdivision project desires to transfer development of the property to Henry Walker Homes. Since the property is subject to a Development Agreement, Henry Walker Homes is required to enter into an Assignment and Assumption Agreement, agreeing to take on the obligations in the Development Agreement as well as obtain the rights. Staff recommends the Council approve the Assignment and Assumption Agreement between the City and various parties, specifically Henry Walker Land of Northern Utah, LLC. Councilwoman Lindstrom asked if there was anything Henry Walker Homes took issue with. Mr. Prince read excerpts from the purchase agreement with Henry Walker, stating that they have been completely apprised of all issues:

"The Development Agreement attached hereto as Exhibit D shall be in full force and effect, and the Purchaser acknowledges and agrees that: (a) it has reviewed the Development Agreement; (b) it understands the conditions and obligations imposed thereunder on the Developer; and (c) shall assume full responsibility for the performance and satisfaction of all obligations of the Developer under the Development Agreement."

"This cost-sharing provision regarding the drainage lines shall survive the closing."

Councilman Allen made a **motion** to approve the Assignment and Assumption Agreement for the Development Agreement between Centerville City, Val D. Wood Trust, William J. and Suzanne B. Wright and David L. Ellis for the Woods Park Planned Development (PDO) to Henry Walker Land of Northern Utah, LLC. Councilwoman Lindstrom seconded the motion, which passed by unanimous vote (4-0).

PUBLIC HEARING – ZONING CODE TEXT AMENDMENT

Lisa Romney, City Attorney, explained that earlier this year, the City conducted a comprehensive review of civil code enforcement procedures and penalties. In response to such review and analysis, the City Council adopted various amendments to Title 1, Chapter 6 of the Centerville Municipal Code regarding civil code enforcement. Staff has prepared similar revisions and proposed amendments to Title 12, Chapter 23 of the Zoning Code regarding enforcement procedures and penalties for Zoning Code Violations. The edits to Title 12, Chapter 23 are intended to mirror those amendments that were made earlier in the year to Title 1, Chapter 6.

At 8:06 p.m. Mayor Russell opened a public hearing regarding the Zoning Code Text Amendment, and closed the public hearing seeing that no one wished to comment.

Councilwoman Lindstrom made a **motion** to approve Ordinance No. 2013-11 amending Chapter 12-23 of the Centerville City Zoning Ordinance regarding remedies, penalties and procedures for enforcement. Councilman Allen seconded the motion, which passed by unanimous vote (4-0).

FEE SCHEDULE AMENDMENTS – CIVIL PENALTIES

Ms. Romney explained that, in response to the review of procedures and penalties conducted earlier this year, the Council adopted amendments to the Centerville City Fee Schedule to add a graduated civil penalty provision for Municipal Code violations and subsequent or recurring violations within a 12-month period. Staff has prepared similar revisions and proposed amendments to the Fee Schedule regarding civil penalties for Zoning

1 Code violations. The edits to the Fee Schedule regarding civil penalties for Zoning Code
2 violations are intended to mirror those amendments and civil penalties for Municipal Code
3 violations.

4
5 Councilwoman Lindstrom made a **motion** to adopt Resolution No. 2013-19 amending
6 Section XII of the Centerville City Fee Schedule regarding civil penalties for Zoning Code
7 violations. Councilman Averett seconded the motion, which passed by unanimous vote (4-0).

8
9 **10-WHEEL DUMP TRUCK FOR PUBLIC WORKS**

10
11 The FY 2014 Public Works Budget includes the purchase of a 10-Wheel dump truck with
12 front plow and wing plow, under a 5-year Lease Purchase Agreement. Randy Randall, Public
13 Works Director, explained the purpose of acquiring the 10-Wheel truck in a work session earlier
14 this year. The City Manager met with both the Public Works Director and Parks Director in an
15 earlier budget session to review their requests for trucks and the current fleet status. As a
16 result, they agreed to share one new one-ton dump truck instead of each department
17 purchasing one. The Parks Director also expressed support for the purchase of a 10-Wheel
18 dump truck for Public Works, noting it could be used by his department as well. The 10-Wheel
19 truck will reduce the cost of hauling materials for both departments. The 10-Wheel truck will do
20 the snow-plow work of two bobtail snowplows clearing the City's arterial roads, reducing the
21 man-hours and fuel expense required. Mr. Thacker explained that the 5-year Lease Purchase
22 Agreement was deemed prudent to allow other equipment to also be replaced with the funds
23 available in the budget. Blaine Lutz, Finance Director/Assistant City Manager, explained that
24 because of the amount of steel required for a 10-Wheel dump truck, the cost of these vehicles
25 increases every six months.

26
27 Councilman Wright asked if the lease purchase agreement places limitations on the
28 equipment during the lease period. Mr. Lutz responded the City will be required to keep the
29 vehicle in good repair, similar to a regular commercial car loan. All equipment needed with the
30 truck is included in the lease. Councilman Wright stated it seems like a great way to extend the
31 budget. Councilman Averett stated he feels it makes sense from a financial standpoint.

32
33 Steve Thacker, City Manager, pointed out a minor change necessary on one of the
34 exhibits. Councilwoman Lindstrom made a **motion** to approve Resolution No. 2013-20,
35 approving the 5-year Lease Purchase Agreement with Zions First National Bank for the
36 financing of equipment in the amount of \$215,813; and approving the purchase of cab and
37 chassis and equipment from Rush Truck Center and Legacy Equipment in the amount of
38 \$215,813, including the change pointed out by Mr. Thacker. Councilman Allen seconded the
39 motion, which passed by unanimous vote (4-0). Councilwoman Lindstrom expressed
40 appreciation for staff's efforts to reduce expenses and be more efficient.

41
42 **PARK PAVILION RESERVATION POLICIES AND APPLICATION FORMS**

43
44 The Council increased Park Pavilion Reservation Fees in 2012, and expressed at that
45 time a desire to revise and simplify the related policies and application forms. Jake Smith,
46 Management Assistant, explained the proposed policy changes and revised Park Pavilion
47 Reservation form and Addendum. Under the new policy, limited sales are allowed in City parks
48 at the discretion of the Parks and Recreation Director. Mr. Thacker stated it is not the intention
49 of staff to allow purely commercial sales in the parks. Mr. Smith explained restrictions involved
50 with using inflatable toys at the parks.

1 Councilman Wright asked if staff has looked at Title 8 and correlated it with these
2 changes. Lisa Romney, City Attorney, responded that adopting a pavilion reservation policy is
3 consistent with Title 8. The desire was to have the reservation policy and forms in place as
4 soon as possible. Staff intends to conduct a more comprehensive review of Title 8. Paul Cutler
5 stated from the audience that he would like to see the ability to reserve a pavilion online.

6
7 Councilwoman Lindstrom made a **motion** to approve Resolution No. 2013-11 adopting
8 Park Pavilion Reservation Policies and Application forms. Councilman Allen seconded the
9 motion, which passed by unanimous vote (4-0). Councilman Allen complimented Mr. Smith on
10 his work. Mr. Smith stated that adding electronic submission of the reservation form to the
11 website is possible, for an additional cost to the City. Mayor Russell requested that Mr. Smith
12 look into the cost and methods of implementing electronic submission. Mr. Lutz commented
13 that many of the citizens utilizing the reservation option are older and may not respond well to
14 an electronic reservation format. He suggested keeping the first few days of reservations in-
15 person at the City offices.

16
17 **RECONSIDERATION OF APPROVAL OF UTA TRAIL LICENSE AGREEMENT**
18

19 On July 16, 2013, the City Council approved a Trail License Agreement between the City
20 and UTA for the use and maintenance of a pedestrian pathway and trail system within the
21 DRGW Corridor, conditioned upon and subject to review and approval of the City's insurance
22 company regarding the environmental liability clauses and coverage. Staff contacted URMMA,
23 the City's insurance company, and asked whether the City would be insured for the Trail
24 License Agreement's environmental liability clauses that allocate liability and responsibility to
25 the City. URMMA indicated that the City would most likely not be insured for personal injury
26 claims to trail users arising from or due to exposure to preexisting environmental contamination.
27 Coverage would be dependent upon type of injury and claim. Given URMMA's response
28 regarding insurance coverage for such risks, staff contacted UTA representatives to see if they
29 would reconsider eliminating the environmental liability clauses. UTA again reiterated that these
30 provisions are mandatory and that such provisions are in most of the trail license agreements
31 that they have entered into more recently. Earlier contracts, however, such as the one entered
32 into with Farmington, did not have these clauses. It is up to the Council to determine whether to
33 approve the contract with these mandatory provisions or not. Given the public benefit of the rail
34 corridor trail and the low risk of environmental liability exposure, it is staff's recommendation the
35 Council approve the Trail License Agreement. Ms. Romney reported that she did some
36 research to see if there had been any environmental liability claims associated with the national
37 Rails-to-Trails program. She found a Federal National Trails System Act which talks about the
38 local agencies assuming all liability, which supports the position UTA is taking. Mr. Thacker
39 stated he intends to ask UTA officials at a higher level about the possibility of making the
40 agreement with Centerville more like the agreement with Farmington. Approval of the
41 agreement is time sensitive since UTA would like to begin work on the Centerville portion of the
42 trail in September.

43
44 Councilwoman Lindstrom made a **motion** to approve the UTA Trail License Agreement
45 between the City and UTA for the use and maintenance of a pedestrian pathway and trail
46 system within the DRGW Corridor (without condition of approval regarding environmental
47 liability coverage), directing staff to talk to UTA officials regarding the possibility of leaving out
48 the indemnity clause as in the agreement with Farmington. Councilman Wright seconded the
49 motion, which passed by unanimous vote (4-0).
50

CITY MANAGER'S REPORT

- City Manager Thacker updated the Council regarding the Parrish/Main Intersection Project. Rocky Mountain Power has resolved the Buy America steel issue. The right-of-way acquisition process has not gone smoothly. Five residential parcels north of Parrish and two properties south of Parrish, one commercial and one residential, have not been purchased. Four of the residential property owners north of Parrish requested the involvement of the Ombudsman, who ordered appraisals for those four properties. The appraisals returned with higher property values than had been obtained a few years ago at the beginning of the process. The right-of-way agent is in the process of making offers to the property owners based on the new appraisals.

As part of the recent attempt to complete the remaining purchases, the right-of way agent has given some feedback to Mr. Thacker regarding comments made to him. The right-of-way agent was informed that one of the property owners was told by other property owners not to sign anything because the upcoming election may change the City Council, and therefore result in killing the project. The project was approved by majority vote of the Council last year, and Mr. Thacker has been told by UDOT that if the project were cancelled the City would be responsible to repay the funds that have been spent thus far for design and right-of-way activities – over \$300,000. City Manager Thacker has tried, but been unable, to trace the comment to its source. He is greatly concerned by the comment. He feels canceling the project would cause damage beyond the financial obligation. It would harm a partnership with UDOT that would have ramifications in other areas, referring to the next item on the City Manager's Report. Ms. Romney added that the City is contractually bound with the Federal Government on the grant.

- The I-15 express lane project is scheduled for next year, and will add an express lane northbound through Centerville, and possibly southbound depending on funds available. The project will also involve replacement of several of the interchange bridges in Davis County south of Centerville. Several months ago Mr. Thacker, Justin Allen, and the Mayor met with UDOT representatives and State Senator Stuart Adams to ask how Centerville can get a pedestrian pathway. At that time it was suggested that UDOT consider including a pedestrian pathway with the express lane project. A few weeks ago Mr. Thacker was contacted by engineers under contract with UDOT to prepare the design/build specifications, to discuss the pedestrian pathway idea. Councilman Allen and Mr. Thacker met with the engineers and identified four things that would be desirable to accomplish for the benefit of Centerville:
 - Replace the whole interchange, which would take more money than currently available. Councilman Allen has agreed to contact Legislators about the possibility of adding enough money to the project in the next Legislative Session to rebuild the Parrish Lane bridge along with all of the other bridges included in the project.
 - Pedestrian Pathway – either a separate structure, an attachment to the existing bridge, or part of a new bridge.
 - Landscape the interchange.
 - Enlarge a number of culverts under I-15 that are now undersized compared to culverts on both sides.

At the conclusion of the meeting the engineers recommended staff meet with UDOT Region One to discuss these desires with the Project Manager. Mr. Thacker and

1 other members of staff met with the Project Manager on August 1st, having added a
2 fifth item that would be desirable:

- 3 o Extension of the sound wall.

4 The Project Manager stressed the cost involved in an interchange replacement and
5 stated that more money would be needed from the Legislature. The pedestrian
6 crossing has been included as a potential enhancement – not a part of the minimum
7 bid requirement, but as a desired enhancement. The Project Manager sees it most
8 feasible as an attachment to the north side of the existing bridge structure. UDOT
9 will not pay for landscaping enhancements for any of the interchanges in the project.
10 Regarding drainage, staff has identified 17 culverts under the freeway that need to
11 be replaced or enlarged. UDOT asked staff to identify two or three that would be
12 most desirable to add to the express lane project. Mr. Thacker feels there is a good
13 chance that two or three will be included in the project. Based on a sound analysis
14 done by UDOT, standards will not be met for extending the sound wall.
15

16 City Manager Thacker stated he believes if the City does not move forward with the
17 Parrish/Main Intersection Project, the City's credibility is at stake in the partnership,
18 and it may affect UDOT's willingness to work with the City on the other projects he
19 has mentioned.
20

21 Councilman Allen reported that he has had follow-up conversations with Senator
22 Adams, who represents half of Centerville and is influential regarding transportation
23 issues in the Legislature. If there is additional funding for transportation, Councilman
24 Allen feels there is a good argument in favor of replacing the Parrish Lane bridge.
25 Regarding the pedestrian crossing, Councilman Allen feels it would be beneficial for
26 the bid to include a standalone walkway as well as a new interchange with
27 pedestrian walkway.
28

- 29 • Steve Thacker reported that for the 14th year in a row the City has been awarded a
30 Certificate for Excellence in Financial Reporting (for Fiscal Year 2012).
31

32 The Council took a brief recess at 9:19 p.m. and returned at 9:25 p.m.
33

34 **MISCELLANEOUS BUSINESS**
35

36 The Council discussed the possibility of sending a letter to Utah's congressional
37 delegation expressing support for the Market Place Fairness Act legislation pending in the U.S.
38 House of Representatives. The bill would not impose a new tax, but would enable the collection
39 of existing tax that online retailers are not currently collecting and remitting. Councilman Allen
40 stated he does not feel strongly that Centerville needs to send a letter. Mayor Russell stated he
41 agrees with the concept of the bill, but does not feel he understands the issue well enough to
42 argue one way or the other.
43

PRELIMINARY DRAFT

Centerville City Council
Minutes of Meeting of August 6, 2013

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ADJOURNMENT

At 9:30 p.m. Councilman Wright made a **motion** to adjourn the meeting. Councilwoman Lindstrom seconded the motion, which passed by unanimous vote (4-0).

Marsha L. Morrow, City Recorder

Date Approved

Katie Rust, Recording Secretary

CENTERVILLE CITY COUNCIL

Staff Backup Report

Item No. 2.

Short Title: Summary Action Calendar

Initiated By:

Scheduled Time: 7:10

SUBJECT

- a. Approve purchase of NovusAgenda meeting management program
- b. Chapel Ridge Cove Subdivision - Commence warranty period
- c. Legacy Crossing Lot 6 - Commence warranty period
- d. Award bids for Legacy Crossing Lot 4 Waterline to Kapp Construction in the amount of \$45,150.50 for labor and Mountain States Supply in the amount of \$26,767.50 plus tax for materials

RECOMMENDATION

- a. Approve the Agreement with NovusAgenda in the annual amount of \$4,200.00.
- b. Approve commencement of the warranty period for the Chapel Ridge Cove Subdivision, effective August 20, 2013.
- c. Approve commencement of the warranty period for Legacy Crossing Lot 6 effective August 20, 2013
- d. Award bids for construction of the Legacy Crossing Lot 4 waterline to Kapp Construction in the amount of \$45,150.50 for labor and to Mountain States Supply in the amount of \$26,767.50 plus tax for materials, conditioned upon receipt of the appropriate deposit from the developer.

BACKGROUND

- a. The August 20, 2013 Council meeting is the second of two allowed meetings under the NovusAgenda pilot period. The Council needs to decide if we continue implementation of the agenda management system and approve the agreement with NovusAgenda. Staff recommends that we continue with implementation.

Staff recommends that we accept Option 1, NovusAgenda hosting the

Novusolutions cloud servers. The cost is \$4,200 annually (\$350.00 per month). The current budget includes funding for this expenditure. Staff recommends that we evaluate the optional In Meeting Tools before committing to the additional \$50 per month. This can be added at a later date.

- b. The Chapel Ridge Cove PDO, located at approximately 2250 North 150 East, was given final approval by the City Council on November 20, 2012. According to the City Engineer, all public improvements have been completed and he recommends commencement of the warranty period. The amount of security posted for the warranty period will be \$58,010.25.
- c. Legacy Crossing Lot 6, located at 1250 West Legacy Crossing Boulevard, was given final approval by the City Council on October 2, 2012. According to the City Engineer, all public improvements have been completed and he recommends commencement of the warranty period. The amount of security posted for the warranty period will be \$6,400.
- d. Bids for this project were solicited by ESI Engineering and the Public Works Department for the Legacy Crossing Lot 4 waterline. See attached bid results. The developer will be responsible for the full cost of this waterline, but the City Engineer will administer the project. This waterline will serve the new office building being built on Lot 4--north of the apartment buildings and west of the movie theaters. The developer is waiting on the closing of a bank loan in order to pay his deposit for the waterline; therefore, the bid award should be conditioned upon receipt of the deposit from the developer.

ATTACHMENTS:

Name:

- ☐ Centerville_City_NovusAGENDA_Pricing_Quote_with_Pilot.pdf
- ☐ Chapel_Ridge_Cove_begin_warranty.pdf
- ☐ City_Engineer_Recommendation_for_start_of_warranty_period_for_Legacy_Crossing_Lot_6.pdf
- ☐ Legacy_Crossing_Lot_4_WL_Bid_Results.pdf

Description:

- NovusAgenda Agreement
- Chapel Ridge Cove - Commence Warranty Period
- Legacy Crossing Lot 6 - Commence Warranty Period
- Legacy Crossing Lot 4 Waterline Bid Results



Meeting Management Solution

Presented to: Centerville
City

DATE: 3-12-13

Manufactured By:

The Novusolutions logo features a stylized graphic of three curved, parallel lines above the word "Novusolutions" in a bold, sans-serif font.

Novusolutions

10012 N. Dale Mabry Hwy

Suite 115

Tampa, FL 33618

Presented By:

Byron Gillin

bgillin@novusolutions.com

800-274-5624 x703



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EXECUTIVE SUMMARY

Government organizations today are being forced to do more with less in regard to their public meeting documents. States are enforcing Open Meeting Laws to accommodate the changing technical environment of your area. Your public demands information and transparency relevant to their family and business. Your board demands meeting materials be up to date and easy to research previously discussed issues in order to be better prepared for your upcoming public meetings. How can government organizations meet all of these demands with the limited funding you have available?

We recommend that integrated meeting and agenda management software be implemented across your organization! NovusAGENDA is an electronic solution designed to create, approve and track items for upcoming and past board meetings. Whether your organization is adding an agenda item, like the approval for a new employee benefit offering or the construction of a baseball field, NovusAGENDA will provide the controlled, well-organized systematic solution to truly make your organization paperless. With the NovusAGENDA foundation in place internally, your board members and public can now access the information they need on demand at any time from any device!

NovusAGENDA will reduce your internal staff labor of processing individual items and back up material by over 50% while eliminating all paper and copy costs your organization currently has budgeted for this part of your business. The savings does not stop there! If board members wish to go electronic, distribution and printing costs will also be eliminated as well as a reduction in research time bringing the full power of electronic data access to the fingertips of each board member. Tools for the board member include:

- Logging in through a secure username and password on any device (i.e., iPads, etc)!
- Viewing agendas and all materials well before the meeting
- Viewing specific items along with support material including Closed Session items
- Making secure personal private comments on any item for their own purposes
- Researching past Agenda, Minutes and Personal Private Comments.
- Real time analytics on spending patterns and goal tracking

The savings continue during your meeting as NovusAGENDA has all the tools to automate the creation of your minutes, track and record voting, motions, and much more, such as video streaming indexed for you and your public. NovusAGENDA's unique reporting module empowers your administrators with the data from your meetings to make data-driven decisions for the organization and track your progress along the way.

Novusolutions award winning staff brings over 12 years of experience working with hundreds of government NovusAGENDA clients across the country. Our support team will be an extension to your organization to offload all software management, training, and support, so you can focus on providing



the public and board the transparency they demand. *NovusAGENDA is the one comprehensive solution to make paperless meetings easy!*

INSTALLATION OPTIONS

Novusolutions knows each public organization is unique and requires various installment options. Whether you want to install NovusAGENDA on your own servers or in the Novusolutions cloud, the choice is yours. Both pricing and NovusAGENDA functionality are the same either way, so contact your sales representative to strategize on the best fit for your organization.

INSTALLATION OPTION 1- NOVUSAGENDA SOFTWARE AS A SERVICE OPTION-

This is the first of two options offered here. This is by far the most popular choice with clients today.

Our Software as a Service option is SAS 70 Type II compliant

This option allows you to outsource the hosting of the software to Novusolutions. This is by far the most popular option in today's environment.

INSTALLATION OPTION 2- NOVUSAGENDA SELF-HOSTED -

This the second of two options offered here. For those clients that are looking to install NovusAGENDA on their own servers, there will be a one-time set up fee to install, QA, and test NovusAGENDA on the client's environment. The client will need to provide remote access to the necessary servers for our team to accomplish this set up. The cost of this service is a one-time fee of \$3,450. This is **not included** in the Pricing Summary outlined in this proposal.

This option allows you to host the software on your servers.



DEPLOYMENT SERVICES

Standard services are required for deployment and included in the pricing and support.

Included Standard Deployment Services	
Configured Item Details	This screen is configured to add fields to our standard form required by your organization.
Configured Public Agendas	The public agenda is configured to mimic your current layouts.
Configured Minutes Page Set	The page set includes draft and final minutes layout.
Custom Workflows	Workflows can be pre-configured allowing users to simply submit items to named workflows which are then built for them automatically.
Solution Overview	This session is with key staff including Board Clerk, IT staff assigned to support the software and key Board Clerk staff. The session involves a complete system overview and workflow building session. This session is delivered prior to any other training so key staff are very familiar with the solution and the workflows are correct prior to staff training.
PDF converter	Attachments and agenda packets are converted to one single PDF file.
Video Services	Do you already video record your meetings? If so, NovusAGENDA will offer you two meetings per month to be uploaded and streamed to the public off our servers at no cost. You take your existing video and simply upload it to our servers. Once it is converted, you can link clients to that video stream off your meeting. If you are looking for indexing or are starting

Pricing Proposal



	from scratch and would like to record your meetings, please see our Video Service Considerations Section.
--	---

PILOT PROGRAM

Novusolutions has agreed to offer you a pilot program of NovusAGENDA to confirm the cost and efficiency savings. Novusolutions is confident that NovusAGENDA will exceed expectations, eliminate paper, and improve the business process of agenda creation and meeting management. There will be no cost for the 2 meeting cycle duration of this pilot.

Upon successful implementation of the pilot, you will then agree to continue using NovusAGENDA for the Pricing outlined below. However unlikely, if NovusAGENDA does not satisfy your needs, then no commitment is required and the service will be turned off.

The Approval Page of this document will need to be signed prior to beginning this agreement. This will allow Novusolutions to dedicate the resources to begin the project.

PRICING

All pricing includes an unlimited use license enabling support for as many meeting types as you need at no added license costs. There are no user licenses either. "Unlimited use" means unlimited use with NovusAGENDA no matter which installation option you choose.

NOVUSAGENDA SOFTWARE PRICING

Item	Pricing (Annually)
NovusAGENDA	\$4,200
NovusMEETING	Included
NovusBOARDVIEW	Included
NovusREPORTING	Included

Pricing Proposal



Board and Committee management	Included
Video Integration	Included
Video Services	See Video Services Considerations
Total Annual Cost	\$4,200
Option In Meeting Tools (Voting, etc.)	Additional \$600 annually

NOVUSAGENDA TRAINING PRICING

Standard training services are required for deployment and are a one-time fee.

Standard Remote Training Services	Description
Administrator Training	This is remote training to train one or two system administrators on managing user rights in NovusAGENDA. The cost is for the class not per student. This class is delivered remotely using web meeting technology managed by Novusolutions.
Board Clerk Training	Training including meeting management, agenda preparation, minutes and system oversight. Delivered remotely using web meeting.
User Training	Training includes creating items, copying old items to new meeting and item submission and approval process. Delivered remotely using web

Pricing Proposal



	meeting.
Board Training	Training includes viewing agendas, minutes, and all documentation for upcoming meetings, making private notes, researching past meeting information and notes, and analyzing reports and meeting data.
Web Based Training	Web-based training videos for all staff to view on demand via Internet. Videos include: • User training • Board Clerk Training • Board Training
Total One Time Cost	\$750

OPTIONAL TRAINING SERVICES

Additional remote training – Included for new releases and refresher training. If retraining is needed due to turnover or other issues and the client does not want to use the included Web-Based Training Portal, nor sign up for the regularly scheduled Client Webinars, private remote classes can be scheduled for \$125 an hour.

Onsite training - \$2,450 per day includes travel, 2-day minimum.

ADDITIONAL SET UP FEE FOR NOVUSAGENDA CLIENTS THAT WISH TO HOST THEMSELVES (OPTION 2)

For all clients that elect Option 1 to purchase NovusAGENDA in the cloud, you can skip this section. For those clients that are looking to install NovusAGENDA on their own servers, there will be a one-time set up fee to install, QA, and test NovusAGENDA on the client's environment. The client will need to provide remote access to the necessary servers for our team to accomplish this set up. The cost of this service is a one-time fee of \$3,450.

PRICING SUMMARY FOR NOVUSAGENDA

Pricing Proposal



Year 1 \$4,950 (Includes one-time Standard Remote Training Services. Please add \$3,450 for one-time set up fee if you decide to host on your own servers)

- Please add \$600 for In Meeting Tools such as Board Member Voting, Request to Speak, etc.

Year 2 \$4,200 (Annual Maintenance and Support, Please add \$600 for In Meeting Tools such as Board Member Voting, Request to Speak, etc.)

Year 3 \$4,200 (Annual Maintenance and Support, Please add \$600 for In Meeting Tools such as Board Member Voting, Request to Speak, etc.)

Three-year average cost \$4,450. This is for comparative purposes only as there are NO contracts to sign with NovusAGENDA.

Payment Terms – Novusolutions sets up complete software to you within 30 days of receiving your order. You can begin initial testing upon receipt of your "Test Script" from NovusAGENDA. At this point, full payment for the annual fee is due. Your software has been configured to your standards and is ready for final testing. Any modifications to configurations will be done at no charge under our annual support program.

VIDEO STREAMING SERVICES CONSIDERATIONS

The pricing above includes the option for clients to upload their existing video of their meetings to our servers and create a link to those videos on their agendas and minutes in NovusAGENDA (limit of 2 meetings a month). However, many clients require additional video services. NovusAGENDA provides state of the art video streaming technology and services completely hands-free! Contact us for pricing on hardware and the video streaming services that best fit your needs. These video services can be added at any time!

LIMITATION OF LIABILITY

IN NO EVENT SHALL EITHER PARTY BE LIABLE TO THE OTHER UNDER THIS LICENSE AGREEMENT FOR ANY CONSEQUENTIAL, INCIDENTAL, INDIRECT, PUNITIVE OR SPECIAL DAMAGES, LOSS OF DATA, LOSS OF BUSINESS PROFITS, BUSINESS INTERRUPTION OR LOSS OF BUSINESS INFORMATION ARISING OUT OF THE USE OF OR INABILITY TO USE THE NOVUSAGENDA SOFTWARE, EVEN IF SUCH PARTY HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.

HOW DO I ORDER?

We require your signature on the approval page listed below. Once that has been signed and sent back to Novusolutions we will assign your project manager. If you choose to issue a purchase order you may attach it to these documents or send it in under separate cover.

Pricing Proposal



You can email to sales@novusolutions.com or :

Mail to: Novusolutions
10012 N Dale Mabry Hwy
Suite 115
Tampa, Florida 33618-4425

Fax to: 954-337-0761
Attn: Sales

Pricing Proposal



APPROVAL PAGE FOR CENTERVILLE CITY PILOT

Signature

Date

Printed Signature

Purchase Order Number _____ (optional)

Invoice Address:

Accounts payable contact: _____

Phone _____

E-mail _____

Special Billing Instructions: (optional)

Marsha Morrow

From: matt robertson <matt.robertson@esieng.com>
Sent: Thursday, August 15, 2013 10:42 AM
To: Steve Thacker
Cc: kevin campbell; Marsha Morrow; Cory Snyder; Randy Randall; Brandon Toponce; Alan Prince
Subject: Chapel Ridge Cove PDO - Begin Warranty
Attachments: Bond Reduction #6 (Commence Warranty)_8-13-13.pdf

Steve,

The attached bond reduction and start of warranty is recommended for Chapel Ridge Cove PDO. Let me know if there are any questions or if additional information is needed.

Thanks,

Matt Robertson, E.I.T.
ESI Engineering, Inc.

3500 South Main St.
Salt Lake City, UT 84115
801.263.1752 (office)
801.644.6680 (mobile)
www.esieng.com

Marsha Morrow

From: matt robertson <matt.robertson@esieng.com>
Sent: Thursday, August 15, 2013 12:02 PM
To: Steve Thacker
Cc: kevin campbell; Craig Widmier; Marsha Morrow; Cory Snyder; Randy Randall; Brandon Toponce
Subject: Legacy Crossing Lot 6 - Begin Warranty
Attachments: Bond Reduction #3 (Commence Warranty).pdf

Steve,

The attached bond reduction and start of warranty is recommended for Legacy Crossing Lot 6. Let me know if there are any questions or if additional information is needed.

Thanks,

Matt Robertson, E.I.T.
ESI Engineering, Inc.
3500 South Main St.
Salt Lake City, UT 84115
801.263.1752 (office)
801.644.6680 (mobile)
www.esieng.com

Marsha Morrow

From: matt robertson <matt.robertson@esieng.com>
Sent: Thursday, August 15, 2013 1:45 PM
To: Steve Thacker
Cc: kevin campbell; Mike Carlson; Marsha Morrow
Subject: Legacy Crossing Lot 4 Waterline - Notice of Award
Attachments: Legacy Crossing Lot 4 WL Bid Tab - #12-134.pdf; 00 51 00 Notice of Award - Kapp.pdf

Steve,

Bids were opened this morning for the Legacy Crossing Lot 4 Waterline project. Three bids were received:

- | | |
|-------------------------|-------------|
| 1. Kapp Construction: | \$45,150.50 |
| 2. Ormond Construction: | \$49,939.20 |
| 3. F&D Engineering: | \$54,220.00 |
| Engineer's Estimate: | \$54,640.00 |

It is recommended that the contract be awarded to Kapp Construction in the amount of \$45,150.50. Attached are the bid tabulation and the Notice of Award. It is stated on the NOA that award of the bid is conditioned upon the receipt of the deposit from the Developer. I spoke to Craig and this is how he would like us to proceed. He said that it should be paid by the end of the month. Let me know if there are any questions.

Thanks,

Matt Robertson, E.I.T.
ESI Engineering, Inc.
3500 South Main St.
Salt Lake City, UT 84115
801.263.1752 (office)
801.644.6680 (mobile)
www.esieng.com

Marsha Morrow

From: Suzanne DeVoe
Sent: Thursday, August 15, 2013 11:31 AM
To: Marsha Morrow; kevin.campbell@esieng.com; Matt Robertson
(matt.robertson@esieng.com); Mike Carlson
Subject: Bid Results

**Water Line for Miscellaneous Projects 2013
Project # 12-134**

BID RESULTS FOR LEGACY CROSSING

August 14, 2013

- | | | |
|----|----------------------------|-------------|
| 1. | Mountain States Supply | \$26,767.50 |
| 2. | Ferguson | \$27,746.43 |
| 3. | Western Water Works Supply | \$28,148.31 |
| 4. | WR White | \$29,354.91 |
| 5. | HD Supply | No Bid |

We have reviewed the bid for materials from Mountain States Supply for \$28,654.61, which includes tax. We find they meet all of the specifications and recommend awarding this bid to Mountain States Supply.

Respectfully submitted,

Michael Carlson
Water Department Supervisor

MC/sd

Suzanne DeVoe
Centerville Public Works
801.292.8232

CENTERVILLE CITY COUNCIL

Staff Backup Report

Item No. 3

Short Title: Public Hearing - Chapel Ridge Cove PUD Amended Plat - 2250 North 150 East

Initiated By: Alan Prince, Prince Development, Applicant

Scheduled Time: 7:10

SUBJECT

Consider amended plat for the Chapel Ridge Cove PUD Subdivision, located at approximately 2250 North 150 East, in the R-L(PD) Zone. Alan Prince, Prince Development LLC, Applicant
(ITEM TO BE TABLED TO THE SEPTEMBER 3, 2013 CITY COUNCIL MEETING)

RECOMMENDATION

TABLE TO SEPTEMBER 3, 2013 CITY COUNCIL MEETING. Hold a public hearing and receive comment on the proposed amended plat for the Chapel Ridge Cove PUD. Approve amended plat for the Chapel Ridge Cove PUD based on the recommended findings set forth in the Staff Report.

BACKGROUND

The City was recently notified by the Clipper Newspaper that the published notice for the Chapel Ridge Code PUD Plat Amendment was inadvertently pulled from the paper and was not printed. Although this matter was posted on the City and State Websites and the property was posted, the published notice is required to be provided. Therefore, Staff recommends the City Council table this matter to their next meeting on September 3, 2013, so that the proper published notice can be provided.

See attached Transmittal Report from Cory Snyder, Community Development Director, as well as earlier Staff Report to the Planning Commission and Minutes of the August 14, 2013 Planning Commission meeting pertaining to this matter.

ATTACHMENTS:

Name:

- ☐ 08-14-13_CC_Staff_Report_Chapel_Ridge_Amendment.pdf
- ☐ Chapel_Ridge_Cove_PUD_Amended_Plat.pdf
- ☐ PC_Staff_Report_8-14-2013_re_Chapel_Ridge_Cove_PUD_Amended_Plat.pdf
- ☐ 08-14-2013.pcdraft_Chapel_Ridge_Cove_Amended_plat.pdf

Description:

- Cory's Transmittal Report
- Chapel Ridge Cove PUD Amended Plat
- PC Staff Report 8-14-2013 re Chapel Ridge Cove PUD Amended Plat
- Planning Commission Minutes - August 14, 2013 re Chapel Ridge Cove Amended Plat

**CITY COUNCIL TRANSMITTAL REPORT
COMMUNITY DEVELOPMENT DEPARTMENT**

DATE: AUGUST 15, 2013

TO: STEVE THACKER, CITY MANAGER

FROM: CORY SNYDER, COMMUNITY DEVELOPMENT DIRECTOR

PETITIONER: ALAN PRINCE
4255 SUGAR PINE COURT
LEHI, UT 84043

PROPERTY: CHAPEL RIDGE COVE SUBDIVISION
2250 NORTH 150 EAST

ACREAGE: ~2.50 ACRES

ZONING: R-L/PD (RESIDENTIAL-LOW/ PLANNED
DEVELOPMENT)

APPLICATION: SUBDIVISION PLAT AMENDMENT

RECOMMENDATION: APPROVE THE AMENDMENT

BACKGROUND

The petitioner is cooperating with the City in requesting to amend the subdivision plat for the Chapel Ridge Subdivision concerning the following:

- 1) *Adjust the eastern boundary of Lot #1 to have the right-of-way line incorporate the sidewalk system.*
- 2) *Add a note to the plat to describe the grading expectations for building on the lots.*

PLANNING COMMISSION RECOMMENDATION

On August 14, 2013, the Centerville City Planning Commission recommended* approval to the City Council for the proposed plat amendment consisting of the following:

- 1) *Adjust the eastern boundary of Lot #1 to have the right-of-way line incorporate the sidewalk system.*
- 2) *Add a note to the amended plat to describe the grading expectations for building on the lots.*

Suggested Reasons for the Action (Findings):

- a. The Planning Commission finds that the public interest will NOT be materially injured by the proposed plat amendment.

- b. The Planning Commission finds that there is good cause for the plat amendment.
- c. The Planning Commission finds that the northern sidewalk system jogs as it transitions into Farmington City and a portion of the sidewalk is not within the right-of-way of the current subdivision plat.
- d. The Planning Commission finds that the petitioner's contractor adjusted the approved grading plan and such change affects how some of the homes reach native soil for placement of footings and foundations.
- e. The Planning Commission finds that the amendment corrects the above stated situations.
- f. The Planning Commission finds that there are both public and private positive interests to allow these amendments to this subdivision.

Planning Commission Vote (7-0):

Commissioner	Yes	No	Not Present
Merrill (Chair)	X		
Holman	X		
Markham	X		
Kjar	X		
Fillmore	X		
Hirschi	X		
Randall	X		

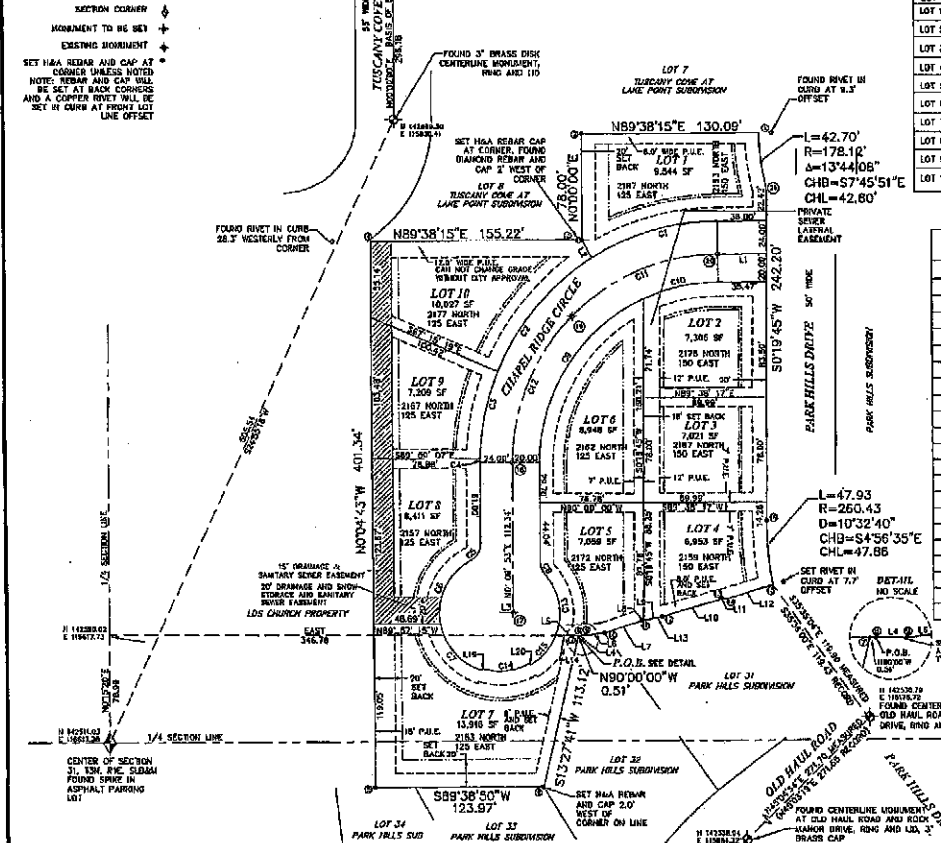
** Taken from Staff's notes*

CHAPEL RIDGE COVE P.U.D. AMENDED

LOCATED IN THE NORTHEAST AND THE SOUTHEAST QUARTERS OF SECTION 31
TOWNSHIP 3 NORTH, RANGE 1 EAST, SLB&M
CENTERVILLE CITY, DAVIS COUNTY, UTAH

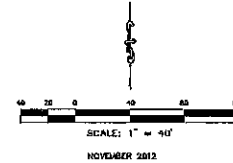
LEGEND

SUBDIVISION LINE
LOT LINE
ROAD CENTERLINE
TIE TO MONUMENT
FOUNDATION SETBACK LINE
OVERLAPPING SETBACK LINE
PUBLIC UTILITY EASEMENT (PAVE)
SECTION CORNER
MONUMENT TO BE SET
EXISTING MONUMENT
SET BACK REAR AND CAP AT
CORNER UNLESS NOTED
NOTE: REAR AND CAP WILL
BE SET AT BACK CORNERS
AND A CORNER RIVET WILL BE
SET IN CURB AT FRONT LOT
LINE OFFSET



FOUNDATION SETBACK TABLE
(OVERLAPPING SETBACK IN PARENTHESES)

LOT #	FRONT	REAR	SIDE	NOTE
LOT 1	20'(18)	8'	20'(18)	20'
LOT 2	20'(18)	15'	20'(18)	7'
LOT 3	20'(18)	15'	7'	7'
LOT 4	20'(18)	15'	7'	7'
LOT 5	20'(18)	15'	7'	7'
LOT 6	20'(18)	15'	7'	HA
LOT 7	20'(18)	30'	7'	20'
LOT 8	20'(18)	30'	7'	20'
LOT 9	20'(18)	30'	7'	7'
LOT 10	20'(18)	25'	12'	7'



Curve Table

Curve #	Length	Radius	Chord	Chord Direction	Chord Length
C1	97.42	177.00	31'35"08"	E73°52'13"W	96.50
C2	108.61	177.00	35'26"28"	S40°21'41"W	107.87
C3	86.68	177.00	21'35"01"	S51°49'40"W	86.28
C4	2.89	177.00	0'37"13"	S0°38'00"W	2.89
C5	14.90	14.00	61'21"05"	N30°50'32"E	14.25
C6	56.24	44.00	72'24"34"	S23°18'54"W	52.57
C7	47.87	44.00	61'38"11"	S41°42'30"E	45.00
C8	10.09	14.00	41'77"23"	S20°28'48"E	9.87
C9	161.34	133.00	95'11"54"	S32°45'50"W	143.31
C10	36.35	133.00	24'46"30"	S77°30'02"W	35.93
C11	118.48	83.00	44'44"12"	S57°16'11"E	116.43
C12	119.48	83.00	44'44"12"	S52°31'49"W	116.43
C13	45.00	44.00	61'03"24"	N6°34'47"W	46.56
C14	35.84	43.00	47'32"21"	N83°43'30"E	34.63
C15	29.83	44.00	30'00"00"	N40°56'29"E	29.19

Point Table

NUMBER	NORTHING	EASTING
1	147860.39	116088.46
2	147959.57	115969.37
3	147885.57	115968.37
4	147880.88	115813.15
5	147479.25	115813.70
6	147480.01	115937.87
7	147580.03	115964.00
8	147880.03	115844.81
9	147880.03	115867.70
10	147291.06	115883.84
11	147281.17	115810.00
12	147280.16	115728.18
13	147317.23	115689.71
14	147316.71	115689.87
15	147328.30	115610.04
16	147378.88	115610.82
17	147366.64	115515.00
18	147718.08	115516.20
19	147328.84	115500.83
20	147321.54	115368.03
21	147318.18	115164.21

Parcel Line Table

Line #	Length	Direction
L1	35.71	S89°38'17"W
L2	14.70	N28°48'10"W
L3	9.98	S89°50'07"E
L4	3.18	N89°00'00"W
L5	20.51	N90°00'00"E
L6	16.05	S83°02'45"W
L7	38.87	N71°23'44"E
L8	14.3	N78°32'07"E
L9	44.07	N78°32'07"E
L10	43.44	N73°37'37"E
L11	0.54	N16°42'53"W
L12	38.05	S72°32'17"W
L13	15.48	N78°32'07"E
L14	10.81	S90°00'00"E
L15	1.50	N72°38'19"E
L16	1.80	S30°01'02"E

FOR GENERAL NOTES SEE SHEET 2 OF 2

SHEET 1 OF 2

SURVEYOR'S CERTIFICATE

I, VON R. HILL, A REGISTERED LAND SURVEYOR HOLDING CERTIFICATE NO. 16885 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH, DO HEREBY CERTIFY THAT BY THE AUTHORITY OF THE ORDER I HAVE MADE AN ACCURATE SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAN AND DESCRIBED HEREIN AND PURSUANT TO SAID TRACT OF LAND HEREABOUT TO BE KNOWN AS CHAPEL RIDGE COVE PLANNED UNIT DEVELOPMENT AMENDED, AND THAT THE SAID HAS BEEN CORRECTLY SURVEYED AS SHOWN ON THIS PLAN.

VON R. HILL

BOUNDARY DESCRIPTION

BEGINNING AT A POINT NORTH 15°30'00"E 78.89 FEET ALONG THE SECTION LINE AND EAST 318.78 FEET FROM THE CENTER OF SECTION 31, TOWNSHIP 3 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING THE NORTHWEST CORNER OF LOT 31, PARK HILLS SUBDIVISION AS RECORDED IN THE OFFICE OF THE DAVIS COUNTY RECORDER AS ENTRY NO. 141414, IN BOOK 2358, PAGE 1217 AND RUNNING THENCE NORTH 15°30'00"E 6.51 FEET THENCE SOUTH 12°41'15"E 13.13 FEET THENCE SOUTH 50°30'00"E 12.87 FEET ALONG THE NORTH LINE OF SAID PARK HILLS SUBDIVISION, THENCE NORTH 15°30'00"E 421.34 FEET ALONG A LINE BEING 1 FOOT PERPENDICULARLY DISTANT FROM THE EAST LINE OF THE EXISTING FENCE FOUNDATION WALL TO THE SOUTH LINE OF LOT 8, TUSCANY COVE AT LAKE POINTE SUBDIVISION AS RECORDED IN THE OFFICE OF THE DAVIS COUNTY RECORDER AS ENTRY NO. 1825015 IN BOOK 2435 AT PAGE 1391, THENCE NORTH 83°05'00"E 155.22 FEET TO THE SOUTHWEST CORNER OF SAID LOT 8, THENCE NORTH 78.80 FEET TO THE SOUTHWEST CORNER OF LOT 7, TUSCANY COVE AT LAKE POINTE SUBDIVISION, THENCE NORTH 15°30'00"E 134.00 FEET TO A POINT OF CURVATURE, THENCE SOUTHWEST 42.70 FEET ALONG A 175.12-FOOT RADIUS CURVE TO THE LEFT WITH A CENTRAL ANGLE OF 10°34'00" (CHORD BEARS SOUTHWEST 15.22 FEET), THENCE SOUTHWEST 15.22 FEET TO THE WEST RIGHT OF WAY LINE OF PARK HILLS DRIVE AS SHOWN ON SAID PARK HILLS SUBDIVISION TO A POINT OF CURVATURE, THENCE SOUTHWEST 47.03 FEET ALONG A 218.43-FOOT RADIUS CURVE TO THE LEFT WITH A CENTRAL ANGLE OF 10°32'40" (CHORD BEARS SOUTHWEST 15.22 FEET), THENCE SOUTHWEST 15.22 FEET TO THE WEST RIGHT OF WAY LINE OF PARK HILLS DRIVE AS SHOWN ON SAID PARK HILLS SUBDIVISION TO A POINT OF CURVATURE, THENCE SOUTHWEST 47.03 FEET ALONG THE NORTH LINE OF SAID LOT 31 THENCE NORTH 15°30'00"E 5.54 FEET, THENCE NORTH 17°32'07"E 45.44 FEET, THENCE SOUTHWEST 52°32'07"E 15.49 FEET, THENCE SOUTHWEST 72°32'17"E 38.05 FEET, THENCE SOUTHWEST 78°32'07"E 10.81 FEET, THENCE SOUTHWEST 72°38'19"E 1.50 FEET, THENCE SOUTHWEST 30°01'02"E 1.80 FEET TO THE POINT OF BEGINNING, CONTAINED 5.477 ACRES.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED SAME TO BE SURVEYED INTO PRIVATE LOTS, HEREBY INTEND TO BE KNOWN AS CHAPEL RIDGE COVE P.U.D. AMENDED, TO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAN AS INTENDED FOR PUBLIC USE, AND DO HEREBY, OBTAIN, AND GIVE THE CITY HEREAFTER AGAINST ANY EASEMENTS OR OTHER ENCUMBRANCES ON THE DEDICATED STREETS WHICH WILL INTERFERE WITH THE CITY'S USE, OPERATION AND MAINTENANCE OF THE STREETS.

SIGNED THIS _____ DAY OF _____, 20____.

JAMES THOMAS WILLCORE HOMES, INC. DAVID L. ELLIS

ACKNOWLEDGMENT

ON THIS _____ DAY OF _____, 20____, THERE PERSONALLY APPEARED BEFORE ME DAVID L. ELLIS, SIGNED OF THE OWNER'S DEDICATION, WHO DULY ACKNOWLEDGED HE SIGNED IT FREELY AND VOLUNTARILY AND FOR THE PURPOSES HEREIN SET FORTH.

NOTARY PUBLIC: _____
RESIDENCE: _____

CHAPEL RIDGE COVE P.U.D. AMENDED

LOCATED IN THE NORTHEAST AND THE SOUTHWEST QUARTERS OF SECTION 31
TOWNSHIP 3 NORTH, RANGE 1 EAST, SLB&M
CENTERVILLE CITY, DAVIS COUNTY, UTAH

DAVIS COUNTY RECORDER

ENTRY NO. _____ FEE PAID _____
FILED FOR RECORD AND RECORDED THIS _____ DAY OF _____, 20____ AT _____ IN BOOK _____ PAGE _____
COUNTY RECORDER _____
BY _____ DEPUTY

HILL & ARGYLE, Inc.
Engineering and Surveying
181 South 200 West, Suite 100, Orem, Utah 84057
(801) 226-3330 Phone, (801) 208-8943 Fax
12-188 PLAT 11/2/12 12/1/12

CENTERVILLE CITY COUNCIL
PRESENTED TO THE CITY COUNCIL OF CENTERVILLE, UTAH THIS _____ DAY OF _____, 20____, AT WHICH TIME THIS PROJECT WAS APPROVED AND ACCEPTED.
CITY RECORDER ATTEST: _____
MAVER: _____

RECOMMENDED FOR APPROVAL
ON THIS _____ DAY OF _____, 20____
CENTERVILLE CITY ENGINEER: _____

RECOMMENDED FOR APPROVAL
ON THIS _____ DAY OF _____, 20____
CENTERVILLE CITY ATTORNEY: _____

RECOMMENDED FOR APPROVAL
ON THIS _____ DAY OF _____, 20____, BY THE PLANNING COMMISSION OF CENTERVILLE CITY,
CHAIRMAN: _____

**CENTERVILLE CITY
COMMUNITY DEVELOPMENT DEPARTMENT**
655 North 1250 West, Centerville, Utah 84014
(801) 292-8232

**STAFF REPORT
AGENDA: ITEM 1**

PETITIONER: ALAN PRINCE
4255 SUGAR PINE COURT
LEHI, UT 84043

PROPERTY: CHAPEL RIDGE COVE SUBDIVISION
2250 NORTH 150 EAST

ACREAGE: ~2.50 ACRES

ZONING: R-L/PD (RESIDENTIAL-LOW/ PLANNED
DEVELOPMENT)

APPLICATION: SUBDIVISION PLAT AMENDMENT

RECOMMENDATION: APPROVE THE AMENDMENT

BACKGROUND

The petitioner is cooperating with the City in requesting to amend the subdivision plat for the Chapel Ridge Subdivision concerning the following:

- 1) *Adjust the eastern boundary of Lot #1 to have the right-of-way line incorporate the sidewalk system.*
- 2) *Add a note to the plat to describe the grading expectations for building on the lots.*

SUBDIVISION PLAT AMENDMENT PROCESS

Within the Utah State Code, 10-9a-609(1), is found the criteria for amending a subdivision plat. There is no other process found in the Centerville City Ordinances in relation to amending a subdivision. The Planning Commission is to make a recommendation to the City Council using the following criteria:

1. *Will the public interest be materially injured by the proposed plat amendment?*

Staff Response: We believe the amendment will not. The northern sidewalk system jogs as it transitions into Farmington City and a portion of the sidewalk is not within the right-of-way of the current subdivision plat. In addition, during the initial grading of the subdivision, the petitioner's contractor adjusted the approved grading plan. This change affects how some of the homes reach native soil for placement of footings and foundations. The amendment corrects these situations.

2. *Is there a good cause for the plat amendment?*

Staff Response: As described above, we believe there are both public and private positive interests to allow these amendments to this subdivision.

PLANNING STAFF RECOMMENDATION

Suggested motion for the proposed amended subdivision plat for Chapel Ridge Subdivision: I hereby make a motion for the Planning Commission to recommend approval to the City Council of the proposed plat amendment consisting of the following:

- 1) *Adjust the eastern boundary of Lot #1 to have the right-of-way line incorporate the sidewalk system.*
- 2) *Add a note to the plat to describe the grading expectations for building on the lots.*

Suggested Reasons for the Action (Findings):

- a. The Planning Commission finds that the public interest will NOT be materially injured by the proposed plat amendment.
- b. The Planning Commission finds that there is good cause for the plat amendment.
- c. The Planning Commission finds that the northern sidewalk system jogs as it transitions into Farmington City and a portion of the sidewalk is not within the right-of-way of the current subdivision plat.
- d. The Planning Commission finds that the petitioner's contractor adjusted the approved grading plan and such change affects how some of the homes reach native soil for placement of footings and foundations.
- e. The Planning Commission finds that the amendment corrects the above stated situations.
- f. The Planning Commission finds that there are both public and private positive interests to allow these amendments to this subdivision.

DRAFT

PLANNING COMMISSION MINUTES OF MEETING

Wednesday, August 14, 2013

7:00 p.m.

A quorum being present at Centerville City Hall, 250 North Main Street, Centerville, Utah. The meeting of the Centerville City Planning Commission was called to order at 7:00 p.m.

MEMBERS PRESENT

Tamilyn Fillmore

David Hirschi

Kevin Merrill, Chair

Debra Randall

Brian Holman, arrived 7:06 p.m.

Scott Kjar, arrived 7:06 p.m.

Steven Markham, arrived 7:12 p.m.

STAFF PRESENT

Corvin Snyder, Community Development Director

Lisa Romney, City Attorney

Kathy Streadbeck, Recording Secretary

PLEDGE OF ALLEGIANCE

OPENING COMMENT/LEGISLATIVE PRAYER

Commissioner Randall

MINUTES REVIEW AND APPROVAL

Minutes of the Planning Commission meeting held July 31, 2013 were reviewed. Commissioner Hirschi made a **motion** to approve the minutes as written. The motion was seconded by Commissioner Randall and passed by unanimous vote (3-0). Chair Merrill abstained as he was not present at this meeting. Commissioners Kjar and Holman arrived shortly after the review and approval of the minutes.

PUBLIC HEARING | CHAPEL RIDGE COVE PUD SUDDIVISION | 2250 N 150 E
Consideration of amending the Chapel Ridge Cove PUD Subdivision Plat, located at
approximately 2250 North 150 East, in the R-L (PD) Zone. Alan Prince, Prince
Development LLC, Applicant.

DRAFT

Planning Commission Meeting
August 14, 2013

Page 2

1 Cory Snyder, Community Development Director, reviewed the application explaining the
2 minor issues regarding the boundary adjustment and needed plat note. Staff believes the
3 application meets Utah State Code and recommends approval.
4

5 Alan Prince, applicant, said Lot 1 is owned by Millcreek Homes and the plat will be
6 signed by the owner. He explained the proposed amendment was requested by the City and he is
7 cooperating with that request. He explained the unique issues associated with this subdivision as
8 it abuts Farmington City and both Centerville City and Farmington City ordinances have been
9 followed.
10

11 Chair Merrill opened the public hearing. There was no comment; he closed the public
12 hearing.
13

14 Chair Merrill made a **motion** for the Planning Commission to recommend approval to the
15 City Council of the proposed plat amendment consisting of the following:
16

- 17 1) Adjust the eastern boundary of Lot #1 to have the right-of-way line incorporate the
18 sidewalk system.
- 19 2) Add a note to the amended plat to describe the grading expectations for building on
20 the lots.
21

22 ***Reasons for the Action (findings):***

- 23 a. The Planning Commission finds that the public interest will NOT be materially
24 injured by the proposed plat amendment.
- 25 b. The Planning Commission finds that there is good cause for the plat amendment.
- 26 c. The Planning Commission finds that the northern sidewalk system jogs as it
27 transitions into Farmington City and a portion of the sidewalk is not within the right-
28 of-way of the current subdivision plat.
- 29 d. The Planning Commission finds that the petitioner's contractor adjusted the approved
30 grading plan and such change affects how some of the homes reach native soil for
31 placement of footings and foundations.
- 32 e. The Planning Commission finds that the amendment corrects the above stated
33 situations.
- 34 f. The Planning Commission finds that there are both public and private positive
35 interests to allow these amendments to this subdivision.
36

37 The motion was seconded by Commissioner Hirschi and passed by unanimous roll-call
38 vote (7-0).

CENTERVILLE CITY COUNCIL

Staff Backup Report

Item No. 4.

Short Title: Public Hearing - King Commercial Development Final Subdivision Plat

Initiated By: Eldon Haake, Applicant

Scheduled Time: 7:10

SUBJECT

Consider final plat for the King Commerical Development located on Lots 2 & 3 of Parrish Park Subdivision, approximately 330 West Parrish Lane in the C-VH Zone, Eldon Haake, TerraForm Companies, Applicant

RECOMMENDATION

Hold a public hearing and receive comment on the proposed final plat for the King Commercial Development Subdivision. Approve final plat for the King Commercial Subdivision based on the recommended conditions and findings set forth in the Staff Report.

BACKGROUND

See attached Transmittal Report from Cory Snyder, Community Development Director, as well as earlier Staff Report to the Planning Commission and Minutes of the July 31, 2013 Planning Commission meeting pertaining to this matter.

ATTACHMENTS:

Name:	Description:
☐ 08-15-13_CC_Staff_Report_King_Commerical_Subdivision.pdf	Cory's Transmittal Report re King Commercial Development
☐ King_Commercial_Development_Plat.pdf	King Commercial Development Plat
☐ PC_Staff_Report_7-31-2013_re_King_Commercial_Development.pdf	PC Staff Report 7-31-2013 re King Commercial Development
☐ July_31_2013_PC_minutes_re_King_Commercial_Development.pdf	July 31, 2013 Planning Commission Minutes re King Commercial Development

**CITY COUNCIL TRANSMITTAL REPORT
COMMUNITY DEVELOPMENT DEPARTMENT**

DATE: AUGUST 15, 2013

TO: STEVE THACKER, CITY MANAGER

FROM: CORY SNYDER, COMMUNITY DEVELOPMENT DIRECTOR

OWNER: GOOD SPRAY LLC
2056 MAPLE RIDGE DRIVE
BOUNTIFUL, UT 84010

APPLICANT: ELDON HAACKE
TERRAFORM CO.
2231 EAST MURRAY-HOLLADAY ROAD
HOLLADAY, UT 84117

EMAIL ADDRESS: ehaacke@terraformco.com

PROPERTY: 330 WEST PARRISH LANE

ACREAGE: 1.16 ACRES

ZONING: COMMERCIAL – VERY HIGH (C-VH)

APPLICATION: FINAL SUBDIVISION APPROVAL

RECOMMENDATION: APPROVE THE FINAL SUBDIVISION PLAT AND PLANS

BACKGROUND

Recently, the owner of the Good Spray Car Wash and Subway lots came to the City with a proposal to re-subdivide the existing two-lot subdivision and create a new subdivision to be known as the King Commercial Development, which will consist of three (3) lots. The east lot would maintain the existing Subway, the center lot would be retail lot; consisting of the Beans and Brew, and the third west lot would be a Jiffy Lube Center. The existing car wash use will be demolished in order to accommodate the new development. The Planning Commission has already approved and final site plan for the development, subject to approval of the new subdivision by the City Council.

PLANNING COMMISSION RECOMMENDATION

On July 31, 2013, the Centerville City Planning Commission made a motion to recommend* approval of the final subdivision plat and plans for the King Commercial Development to the City Council, subject to the following conditions:

1. The subdivision plat shall be separated from the final site plan layout and shall depict the lot layout and utility easement locations in preparation for recording a subdivision plat.
2. The City Engineer and Planning Staff shall separately review and make comment to the City Council about whether the subdivision plat complies with applicable subdivision regulations.
3. Staff will prepare appropriate findings for City Council approval.

Planning Commission Vote (7-0):

Commissioner	Yes	No	Not Present
Merrill (Chair)			X
Holman			X
Markham	X		
Kjar	X		
Fillmore	X		
Hirschi	X		
Randall	X		

** Taken from Staff's notes*

STAFF FOLLOW-UP TO PLANNING COMMISSION RECOMMENDATION

The Development Review Team (staff) met with the applicant to address the subdivision plat needs for the King Development project and a final plat has been prepared and submitted to staff (see attachment). The following comments were sent to the applicant regarding the final subdivision plat;

City Engineer (received Mon 8/12/2013 by e-mail):

"Randy and I are concerned about the proposed 8' to 10' deep basement in this area of the City. The soils report shows the groundwater depth at 11' to 16' deep but there are no permanent tubes in the ground on site for us to verify this. Our experience has been that the groundwater table in this area could be as shallow as 5' to 6'.

We do not allow buildings to be constructed below the groundwater table unless there is a sub-drain system installed around the footings that can daylight to an existing sub-drain or storm drain system.

We met Mrs. King on site after our Staff Meeting this morning and reiterated this concern to her. She indicated that she would try to get a sample tube in the ground so that we could verify ground water depths on the site. This is an issue that must be resolved or verified prior to acceptance of final construction drawings."

City Attorney (received Tues. 8/13/2013 by e-mail):

"As we discussed, attached is a copy of our "sample acknowledgments" acceptable to Centerville City for use on subdivision plats. The limited liability company one is on the second page. The bank is probably a corporation, so that one is one is

provided as well. By way of summary, I will be looking at the following for my portion of the final plat review:

- 1. Current title report (current within 30 days from review) for ownership, easement and lien issues*
- 2. Owner's Dedication language, signatures and acknowledgments for all property owners and major lien holders (see below)*
- 3. All recorded easements of record (and any proposed easements) must be shown on the plat*
- 4. Plat notes and any other plat requirements from PC or CC*
- 5. Davis County will likely required individual addresses for each lot*

Required Owner's Dedication Language:

"Know all by these presents that we the undersigned owners of the described tract of land, having cause the same to be subdivided into lots and streets to hereafter be known as the King Commercial Development Subdivision, do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for public use, and do warrant, defend, and save the City harmless against any easements or other encumbrances on the dedicated streets which will interfere with the City's use, operation, and maintenance of the streets. In witness whereof, we have hereunto set our hands this ____ day of _____, 2013. (Signature Line to follow with typed name included)"

Required Plat Notes:

- 1. All coordinates shown are based on Davis County Surveyor's Office datum.*
- 2. Approval of this subdivision plat by Centerville City does not constitute any representation as to the adequacy of sub-surface soil condition nor the location or depth of groundwater tables."*

Planning Staff Recommendation

Staff recommends that the City Council approves the final subdivision plat and plans, provided the Final Plat and Plans address the following:

- a. The construction plans shall adequately address the issue of groundwater and be deemed acceptable to the City Engineer.
- b. Provide the correct "sample acknowledgments" acceptable to Centerville City for use on subdivision plats, as communicated by the City Attorney.
- c. Add a plat note stating "All coordinates shown are based on Davis County Surveyor's Office datum."
- d. Add a plat note stating "Approval of this subdivision plat by Centerville City does not constitute any representation as to the adequacy of sub-surface soil condition nor the location or depth of groundwater tables."
- e. Depict all recorded easements of record and any proposed easements on the final plat.
- f. Provide a current title report (current within 30 days from review) for ownership, easement and lien issues.
- g. Provide the Owner's Dedication language, signatures and acknowledgments for all property owners and major lien holders.

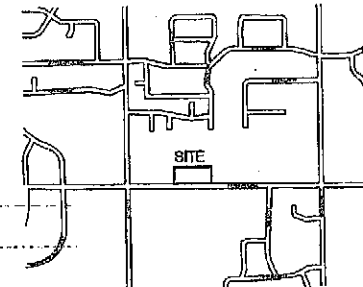
- h. Provide the required individual addresses for each lot meeting the City's addressing system.

Suggested Reasons for the Action (Findings):

- a. The City Council finds that the subdivision for is consistent with the goals of the Centerville City General Plan, as reviewed by the Planning Commission.
- b. The City Council finds that the property is currently zoned Commercial-Very High (C-VH) and that the subdivision meets the applicable zoning development standards, as reviewed by the Planning Commission.
- c. The City Council finds that the requirements for subdividing are being addressed and satisfied in accordance with Title 15-Subdivisions.

KING COMMERCIAL DEVELOPMENT

LOCATED IN THE SOUTH WEST QUARTER OF SECTION 7,
TOWNSHIP 2 NORTH, RANGE 1 EAST,
SALT LAKE BASE AND MERIDIAN



VICINITY MAP
N.T.S.

AREA TABLE		
PARTICULARS	S.F.	%
SUBDIVISION	7,408	14.8
HAIRSCAPE	3,000	5.8
LANDSCAPE	10,000	20.0
TOTAL	68,595	100

PARKING COUNT		
PARKING DETAILS	REQUIRE	ADA
TOTAL	48	4

LEGEND

- SECTION CORNER
- STREET MEASUREMENT
- PERMANENT
- BOUNDARY CORNER
- BOUNDARY LINE
- ADJACENT PROPERTY
- STREET CENTERLINE EXTENSION
- EASEMENT LINE
- UTILITY LINE

DEVELOPER: TENDRUM COMPANIES
10000 HANCOCK
ADDRESS: 3821 EAST LUTHERA-HOLLADAY ROAD
SALT LAKE CITY, UTAH 84117
TELEPHONE: (801) 276-4000
FAX: (801) 276-5002
EMAIL: shirley@tendrumpartners.com

SURVEYORS CERTIFICATE

I, DALE K. BENTLEY, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO. 1000, ISSUED BY THE BOARD OF LAND SURVEYING, STATE OF UTAH, AND I AM THE SURVEYOR OF THIS DEVELOPMENT. I HAVE GUARANTEED TO BE AWARE UNDER THE PROVISIONS OF THE UTAH PROFESSIONAL LAND SURVEYING ACT, CHAPTER 10, SECTION 10-2-1, THAT THE BOUNDARY AND PROPERTY DESCRIPTIONS ON THIS PLAN ARE CORRECT.

KING COMMERCIAL DEVELOPMENT

BOUNDARY DESCRIPTION

BEING A LOT 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 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1846, 1847, 1848, 1849, 1850, 1851, 1852, 1853, 1854, 1855, 1856, 1857, 1858, 1859, 1860, 1861, 1862, 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2

**CENTERVILLE CITY
COMMUNITY DEVELOPMENT DEPARTMENT
655 North 1250 West, Centerville, Utah 84014
(801) 292-8232**

**STAFF REPORT
AGENDA: ITEM 1**

OWNER:	GOOD SPRAY LLC 2056 MAPLE RIDGE DRIVE BOUNTIFUL, UT 84010
APPLICANT:	ELDON HAACKE TERRAFORM CO. 2231 EAST MURRAY-HOLLADAY ROAD HOLLADAY, UT 84117
EMAIL ADDRESS:	<u>ehaacke@terraformco.com</u>
PROPERTY:	330 WEST PARRISH LANE
ACREAGE:	1.16 ACRES
ZONING:	COMMERCIAL – VERY HIGH (C-VH)
APPLICATIONS:	PRELIMINARY/FINAL SUBDIVISION APPROVAL FINAL SITE PLAN

BACKGROUND

Recently, the owner of the Good Spray Car Wash and Subway came to the City with a proposal to create the King Commercial Development consisting of 3 lots. The east lot would be the existing Subway, the center lot would be a retail pad; consisting of the Beans and Brew, and the final west lot would be a Jiffy Lube. To help with site circulation and aesthetic appeal, all the buildings will be built as to front the street, with parking to the north. This report will review not only the conceptual acceptance review, but the conceptual subdivision as well.

**REVIEW OF CONCEPTUAL SUBDIVISION PLAN DIRECTIVES & PLANNING
STAFF ANALYSIS OF PRELIMINARY/FINAL SUBDIVISION PLAT SUBMITTAL**

On June 12, 2013, the Planning Commission accepted the conceptual subdivision plans for the King Commercial Development located at 330 West Parrish Lane, with the following directives:

1. All utility improvements, easements and drainage shall be depicted on the preliminary plat and be reviewed by City staff as part of the preliminary/final subdivision review process.
 - *Staff Response: The final site and subdivision submittals are mixed within one another. The final site plan depicts the expected utility improvements, however, the plat is integrated with the site plan and does not provide the required*

easements along the interior lot lines. The subdivision plat needs to be separated from the final site. This will then properly allow the creation of the expected subdivision plat needed for recording.

2. Utility provider sheets shall be submitted indicating that all utility companies can provide adequate service.
 - *Staff Response: Verified – Complies*
3. A bond shall be assessed by the City Engineer for any related improvements and posted by the applicant as part of the final approval.
 - *Staff Response: This is an ongoing subdivision requirement*
4. The preliminary and final site plan application shall be submitted simultaneously and meet all applicable requirements found within Title 15-3 and 15-4 of the Subdivision Ordinance.
 - *Staff Response: Applications were submitted on July 9, 2013*

PLANNING STAFF RECOMMENDATION FOR PRELIMINARY/FINAL SUBDIVISION PLAN AND PLAT APPROVAL & RECOMMENDATION

PROPOSED ACTION: I hereby make a motion for the Planning Commission to TABLE the preliminary/final subdivision plan and plat for the King Commercial Development located at 330 West Parrish Lane and require the plans to address the following:

1. *The subdivision plat shall be separated from the final site plan layout and shall depict the lot layout and utility easement locations in preparation for recording a subdivision plat.*
2. *The City Engineer & Planning Staff shall separately review and make comment to the Planning Commission about whether the subdivision plat complies with applicable subdivision regulations.*

REVIEW OF CONCEPTUAL SITE PLAN DIRECTIVES & PLANNING STAFF ANALYSIS OF FINAL SITE PLAN SUBMITTAL

On June 12, 2013, the Centerville City Planning Commission made a motion to accept the conceptual site plan for King Commercial Development located at 330 West Parrish Lane, subject to the following conditions:

1. Stacked parking in relation to Subway shall be reevaluated to ensure the required 5 stacked parking stalls.
 - *Staff Response: Verified – Complies*
2. A landscaping plan shall be submitted with the final site plan, following all applicable standards found in Chapter 12-51 and 12-63 of the Zoning Ordinance and shall depict the following detail:
 - a. Location and type of all vegetation
 - b. The total number of trees and shrubs
 - c. Overall landscaping and parking lot percentages
 - d. An irrigation plan
 - e. A undulated berm shall be designed along all street frontages that is 15 feet wide and 2 feet tall
 - f. Depiction of a landscaping theme throughout the site that may include, rock features, types of gravel, or specific shape of planting beds.
 - g. Vegetation around all walkways should be emphasized
 - h. At least 25% of groundcover shall be in grass or other high water plants
 - *Staff Response:*
 - *Required Street Trees 10 provided – 12 Required; Not Complete*
 - *Total Site Trees 15 required – 19 provided; Complies*
 - *Parking Lot Trees 8 required – 10 provided; Complies*

- *Parking Lot Shrubs 18 required – >18 provided; **Complies***
 - *50% Foundation Landscaping – Lube Center & Subway; **Complies**
Retail; **Not Complete***
 - *Berm Landscaping – **Not Complete***
 - *Walkway Landscape Theme; Depicted, **Complies***
 - *Overall Landscaping – Depicted; **Generally Complies**, except where noted.*
 - *Parrish Lane Landscape Setback of 20 feet – The gateway standards require 20 feet of landscaping along Parrish Street frontage. At the retail building the plans depict only 17 feet to the drive-thru lane. There is an option for the PC to approve a waiver of strict compliance. Due to the layout configuration, staff is likely to support such a waiver request. However, the applicant has not provided the arguments for a waiver (see Section 12-51-050). **Not Complete***
3. All pedestrian pathways that cross through vehicular areas shall be stamped-colored concrete.
 - **Staff Response: Depicted, Complies (see crossing near Subway)**
 4. A pathway from Subway to the sidewalk shall be included on the final site plan drawings.
 - **Staff Response: Depicted, Complies (see crossing near Subway)**
 5. Screening detail shall be depicted as part of the final site plan submittal, indicating that all ground and roof-mounted equipment have been properly screened from view.
 - **Staff Response: Missing, Not Complete**
 6. Detail concerning the dumpster enclosures shall be indicated on the final site plan and meet the requirements found in Section 12-51-110 of the Zoning Ordinance.
 - **Staff Response: Missing, Not Complete**
 7. Public amenities, such as benches or tables and chairs should be considered to enhance the pedestrian experience.
 - **Staff Response: Depicted, Complies**
 8. A lighting plan shall be submitted indicating all building, parking lot and pedestrian lighting. Wall lighting should be decorative in nature to enhance the architectural building design.
 - **Staff Response: Details provided, fixture locations on buildings are incomplete.**
 9. Streetscape Standards such as street trees and pedestrian lighting shall be depicted on the final site plan and shall meet the required City Standards.
 - **Staff Response: Depicted, Complies – however, the Public Works Director has not accepted the plans yet at this time**
 10. All easements and utilities shall be shown on the final site plan.
 - **Staff Response: Easements are part of Subdivision Plat submittal, incomplete**
 11. Proper drainage and grading, meeting all applicable City Standards, shall be depicted on the final site plan for review and approval by the City Engineer.
 - **Staff Response: Depicted, City Engineer is reviewing plans**
 12. A bond shall be established for all onsite improvements by the City Engineer and posted by the applicant prior to receiving any building permits.
 - **Staff Response: This is an ongoing requirement for final plat recording**
 13. All proposed signage shall be depicted on the final elevation drawings.
 - **Staff Response: Depicted, Complies**
 14. A storyboard shall be submitted with the final site plan application depicting all colors and materials to be used on the proposed building.
 - **Staff Response: Depicted for Retail Building, Complies**
Elevation plan missing for lube center building, incomplete
 15. The applicant shall submit a final site plan application in accordance with Section 12-21-100 of the City's Zoning Ordinance, which shall be subsequently reviewed and approved by the Planning Commission.
 - **Staff Response: Submitted July 9, 2013**

16. The applicant shall receive subdivision approval prior to receiving any building permits.
17. All related professional services fees shall be paid to Centerville City.
 - **Staff Response: These are ongoing requirements for final plat recording**
18. The applicant shall address concerns with width of the east ingress/egress drive access and sufficiency of drive lanes and car stacking.
 - **Staff Response: Depicted, Complies – Also applicant submitted a completed traffic study indicating sufficient capacity exists to accommodate the development**
19. A more thorough review of pedestrian safety at Subway and show possible pedestrian pathway options.
 - **Staff Response: Depicted, Staff believes the project meets applicable ordinances**

PLANNING STAFF RECOMMENDATION FOR FINAL SITE PLAN APPROVAL

PROPOSED ACTION: I hereby make a motion for the Planning Commission to **TABLE** the final site plan for the King Commercial Development located at 330 West Parrish Lane and require the plans to address the following:

1. *The landscape plan layout is to be modified to depict the required 50% building foundation planting for the proposed retail building (i.e. Beans & Brew) – Section 12-51-070.c.*
2. *The final site plan submittal is to address the requirement that all ground and roof-mounted equipment have been properly screened from view – Section 12-51-110.d&e.*
3. *The final site plan submittal is to address the requirements for dumpster enclosure screening - Section 12-51-110.a.*
4. *The applicant shall provide the necessary arguments for a waiver request of the 20 feet of landscaping along Parrish Lane (see Section 12-51-050) for consideration by the Planning Commission.*
5. *The final site plan submittal shall provide the final elevation plans for the lube center building.*
6. *A lighting plan shall be revisited to address the missing building lighting. The plans for wall lighting should be decorative in nature to enhance the architectural building design – Section 12-63-070b.2.*
7. *The City Engineer is to review and deem the traffic study acceptable and in compliance with applicable City regulations.*
8. *The City Engineer is to review and deem acceptable the drainage and utility plans, and more specifically the Storm Drainage Management Plan.*
9. *The City Public Works Director is to review and deem acceptable the street lighting (i.e. pedestrian) locations and fixture types.*

1 **PLANNING COMMISSION MINUTES OF MEETING**
2 **Wednesday, July 31, 2013**
3 **7:00 p.m.**

4
5 A quorum being present at Centerville City Hall, 250 North Main Street, Centerville,
6 Utah. The meeting of the Centerville City Planning Commission was called to order at 7:00 p.m.

7
8 **MEMBERS PRESENT**

9 Tamilyn Fillmore, Vice Chair
10 David P. Hirschi
11 Scott Kjar (arrived at 7:05 p.m.)
12 Steven Markham
13 Debra Randall

14
15 **MEMBERS ABSENT**

16 Brian Holman
17 Kevin Merrill, Chair

18
19 **STAFF PRESENT**

20 Cory Snyder, Community Development Director
21 Lisa Romney, City Attorney
22 Katie Rust, Recording Secretary

23
24 **STAFF ABSENT**

25 Brandon Toponce, Assistant Planner

26
27 **VISITORS**

28 Interested citizens (see attached sign-in sheet)

29
30 **PLEDGE OF ALLEGIANCE**

31
32 **OPENING COMMENT/LEGISLATIVE PRAYER** Commissioner David Hirschi

33
34 **MINUTES REVIEW AND APPROVAL**

35
36 The minutes of the Planning Commission meeting held July 10, 2013 were reviewed.
37 Commissioner Hirschi and Vice Chair Fillmore requested amendments. Commissioner Hirschi
38 made a **motion** to accept the minutes as amended. Commissioner Randall seconded the
39 motion, which passed by unanimous vote (4-0). Commissioner Kjar abstained from voting since
40 he was not in attendance at the July 10 meeting.

41
42 **PUBLIC HEARING – KING COMMERCIAL DEVELOPMENT – 330 WEST PARRISH**
43 **LANE**

44
45 Recently, the owner of the Good Spray Car Wash and Subway came to the City with a
46 proposal to create the King Commercial Development consisting of 3 lots. At the conceptual
47 level, the Planning Commission agreed to allow preliminary and final subdivision approval to be
48 combined. Cory Snyder, Community Development Director, stated that not all requirements
49 have been met, but the applicant may request the Commission recommend City Council
50 approval at this time and allow staff to ensure all requirements are complied with before
51 presentation to the Council. Staff recommended the Commission table approval of both

1 Preliminary/Final Subdivision Approval and Final Site Plan until the all issues have been
2 resolved and requirements met.

3
4 The Parrish Lane Gateway Standards require 20 feet of landscaping along Parrish street
5 frontage. For the retail building the plans depict only 17 feet to the drive-thru lane. There is an
6 option for the Planning Commission to approve a waiver of strict compliance. Due to the layout
7 configuration, staff is supportive of considering such a waiver request. However, the applicant
8 has not provided the arguments for a waiver and staff have not provided findings for that action.
9 Mr. Snyder explained other issues that had not been completed at the time the staff report was
10 prepared, including decorative exterior lighting, the number of street trees (12 are required, 10
11 are provided), and dumpster enclosures. Mr. Snyder has also not had a response from the City
12 Engineer regarding his opinion of planned drainage solutions. Mr. Snyder informed the
13 Commission that they may see new direction from the City Council regarding street lighting in
14 the future, but at this time the Gateway Standards still require decorative street lighting. Staff is
15 not comfortable recommending final plat approval without all issues resolved.

16
17 Commissioner Kjar asked if Dairy Queen is part of the new subdivision and if drainage
18 from the new subdivision would cross the Dairy Queen property. Staff responded Dairy Queen
19 is not part of the subdivision, but an easement exists to accommodate drainage. Commissioner
20 Hirschi asked if it would be helpful to staff to know the Commission's opinion regarding the
21 waiver of strict compliance. Mr. Snyder responded that he would recommend approval of a
22 waiver. He feels the configuration itself speaks in favor of a waiver request.

23
24 Referring to the landscaping requirements, Vice Chair Fillmore pointed out that a
25 landscaping waiver was granted to Dairy Queen, providing a precedent for such an action. She
26 also commented that the sidewalk plan is much improved over the previous plan brought to the
27 Commission, and asked where benches or tables will be located.

28
29 The applicant, Eldon Haacke, thanked staff for their input and suggestions in putting the
30 plan together. He feels the plan provides plenty of parking with good circulation, and he expects
31 the Subway to do even better than it does now. He stated that if approval is tabled, construction
32 will be postponed until February. Time is of the essence. He feels City staff is capable and
33 could address the remaining concerns. Mr. Haacke went through the list of issues in the staff
34 report specified as "not complete" and described solutions:

35
36 Preliminary/Final Subdivision Plat Submittal

- 37 1. "... the plat is integrated with the site plan and does not provide the required
38 easements along the interior lot lines." Mr. Haacke feels he can work with staff to
39 resolve this issue. The plan shows a ten-foot utility easement on the front and a
40 15-foot easement on the back. He needs direction regarding where easements
41 are desired, but does not feel the issue should delay moving forward.

42
43 Final Site Plan Submittal

- 44 2. "Required Street Trees 10 provided - 12 Required" The proposed plan has more
45 street trees than the neighboring Dairy Queen property, and more than the total
46 trees required for the site. Mr. Haacke stated he feels 10 street trees is
47 adequate. He would not want to conceal the businesses behind excessive trees,
48 and does not think this issue should cause several weeks delay. The
49 Commission can give direction at this time.

- 1 "Berm Landscaping" A 3-foot berm is shown on the plan. Mr. Haacke feels staff
2 can ensure the requirement is met on the final.
- 3 5. "Screening detail shall be depicted as part of the final site plan submittal,
4 indicating that all ground and roof-mounted equipment have been properly
5 screened from view." Mr. Haacke pointed out the location of roof-mounted
6 equipment on the plans, and explained that none will be visible.
- 7 6. "Detail concerning the dumpster enclosures shall be indicated on the final site
8 plan and meet the requirements found in Section 12-51-110 of the Zoning
9 Ordinance." Mr. Haacke provided information regarding the dumpster
10 enclosures, which will have a CMU exterior that can be painted.
- 11 8. "A lighting plan shall be submitted indicating all building, parking lot and
12 pedestrian lighting. Wall lighting should be decorative in nature to enhance the
13 architectural building design. Staff Response: Details provided, fixture locations
14 on buildings are incomplete." Mr. Haacke pointed out the locations of decorative
15 exterior lighting on the new elevations he provided.
- 16 9. "Streetscape Standards such as street trees and pedestrian lighting shall be
17 depicted on the final site plan and shall meet the required City Standards. Staff
18 Response: Depicted, Complies – however, the Public Works Director has not
19 accepted the plans yet at this time." Mr. Haacke pointed out street lighting on the
20 newer copy of the plan that meets required City Standards.
- 21 10. "All easements and utilities shall be shown on the final site plan." Mr. Haacke
22 explained the current owner intends to maintain ownership of all three lots. He
23 feels the easement and utility issues can be addressed with staff.

24
25 Referring to the Parrish Lane Landscape Setback requirement of 20 feet (under #2 on
26 the staff response to the Final Site Plan Submittal), Mr. Haacke explained that the plan includes
27 a 17-foot landscape setback to maximize traffic flow, which he feels is more important than a
28 few more feet of landscaping. He suggested the possibility of a 16-foot landscaping setback
29 and a one-foot strip of landscaping in front of the building. He asked the Commission what they
30 prefer. The property could not be developed without a variance from the 20-foot requirement.
31 He feels the plan will look wonderful and will enhance the area. Vice Chair Fillmore asked to
32 see the locations of benches. Mr. Haacke pointed out planned bench and table/chair locations
33 and stated he can add more benches if directed. He feels everything has been addressed, and
34 expressed a desire to begin construction in October.

35
36 At 8:05 p.m. Vice Chair Fillmore opened a public hearing for the preliminary/final
37 subdivision plan. Seeing that no one wished to comment she closed the public hearing.
38 Commissioner Kjar asked Mr. Snyder if he would be offended if the Commission chose to
39 approve the final plan and direct staff to ensure compliance prior to Council review. Mr. Snyder
40 responded he feels staff will be able to verify compliance if the Commission is comfortable with
41 the design.

42
43 Commissioner Hirschi expressed some concern with the lack of showing of utility
44 easements. He is not sure each lot needs to be wrapped in a 10-foot easement because of the
45 nature of the layout, but the lots are susceptible to future sale and he wants to ensure sufficient
46 PUEs to service each lot. Mr. Snyder responded that the utility providers have not made any
47 special requests. The subdivision is generic. Lisa Romney, City Attorney, stated that the PUE
48 is an ordinance requirement.

Commissioner Kjar made a **motion** to recommend the City Council approve the preliminary/final subdivision plan and plat for the King Commercial Development located at 330 West Parrish Lane with the following conditions:

Conditions

1. The subdivision plat shall be separated from the final site plan layout and shall depict the lot layout and utility easement locations in preparation for recording a subdivision plat.
2. The City Engineer & Planning staff shall separately review and make comment to the City Council about whether the subdivision plat complies with applicable subdivision regulations.
3. Staff will prepare appropriate findings for Council approval.

Commissioner Hirschi seconded the motion, which passed by unanimous vote (5-0).

Referring to the landscaping issues, Commissioner Hirschi stated he feels the plan proposed by the applicant makes sense due to existing limitations on the property. He feels the 17-foot waiver makes sense, and does not see a need for foundation landscaping that would not be visible from the street. Commissioner Kjar feels there should be as much parking as possible, and would prefer to keep parking lanes and backing areas as wide as possible. Commissioner Kjar knows from experience that tenants would prefer no street trees because of visibility. He does not have a problem with the 10 trees instead of 12, and is comfortable with the final site plan. Vice Chair Fillmore stated she feels strongly about trees and balancing greenscape with hardscape. However, since there are more trees than required for the overall plan, she is comfortable with including the 10 street trees in the waiver.

Commissioner Kjar made a **motion** to recommend final site plan approval for the King Commercial Development located at 330 West Parrish Lane, agreeing to the waiver of strict compliance with respect to the 17-foot landscape setback, the foundation landscaping, and the proposed 10 street trees as submitted to the Planning Commission, subject to staff verifying compliance with the following conditions and findings, noting that the waiver has been considered and discussed. Commissioner Hirschi seconded the motion, which passed by unanimous vote (5-0).

Conditions

1. The final site plan submittal is to address the requirement that all ground and roof-mounted equipment have been properly screened from view – Section 12-51-110(d)&(e).
2. The final site plan submittal is to address the requirements for dumpster enclosure screening – Section 12-51-110(a).
3. The final site plan submittal shall provide the final elevation plans for the lube center building.
4. A lighting plan shall be revisited to address the missing building lighting. The plans for wall lighting should be decorative in nature to enhance the architectural building design – Section 12-63-070(b)(2).
5. The City Engineer is to review and deem the traffic study acceptable and in compliance with applicable City regulations.
6. The City Engineer is to review and deem acceptable the drainage and utility plans, and more specifically the Storm Drainage Management Plan.
7. The City Public Works Director is to review and deem acceptable the street lighting (i.e., pedestrian) locations and fixture types.

Findings

1. In accordance with Section 12-51-050, the Planning Commission finds that: 1) the waiver preserves the intent of the landscaping regulations; 2) the waiver does not result in an adverse impact on adjacent properties; 3) the strict application of landscaping provisions is unreasonable and unnecessary given the surrounding existing development; 4) there are exceptional conditions present due to the narrow depth of the property.
2. The Planning Commission finds that the conditions imposed ensure compliance with the City's landscaping, parking, Parrish Lane Guidelines, and waiver regulations.

PUBLIC HEARING – SUBDIVISION ORDINANCE TEXT AMENDMENT – FLAG LOTS

The Flag Lot Ordinance has a strict limitation of two lots, due to being strictly tied to the "Small Subdivision Waiver" process. The original purpose of the small lot allowance was to efficiently facilitate the division of land where parcels front existing streets and utilities are readily available. When the Flag Lot Ordinance was originally developed, it was anticipated that its use would be limited and only utilized when it was not feasible to construct new roads and a parcel is markedly underutilized. Thus, it was partnered with the small subdivision process.

When adopted by the City, the flag lot regulations envisioned allowing a stacking or partnering of two flag lots in addition to the original lot for a total of three lots. However, the actual small subdivision limits the use to only two lots. Thus, there is an inherent conflict that was not addressed during the adoption of the flag lot regulations.

Cory Snyder, Community Development Director, explained that staff believes the most effective route is to adjust the definition of what constitutes a small subdivision and how a flag lot subdivision would be recorded. Because flag lots would also involve private access lanes that might also be shared and additional or unconventional easements for utilities may be required for various layout scenarios, staff believes that these elements are better facilitated through a platting mechanism. Thus, the suggested changes are as follows:

1. Definitions;

Section 15-1-104 – *Amend* (45) "Small Subdivision" means a subdivision of not more than 2 lots or when the subdivision includes the use of flag lots that meets the small subdivision waiver allowance criteria.

2. Flag Lot Requirements;

Section 15-5-102 – *Add section* (c) – Any Flag Lot Subdivision shall be recorded using the City's final plat requirements of Section 15-4-103.

Vice Chair Fillmore asked why Mr. Snyder recommends recording as a plat. Mr. Snyder responded that with a plat each lot owner would know what they were getting. Flag lots come with the issues of shared accesses, shared easements, shared utilities, and shared alignments, which are easier to understand with a plat. Commissioner Hirschi agreed that warranty deed descriptions would need to be seen on a plat to be understood.

At 8:40 p.m. Vice Chair Fillmore opened a public hearing.

Paul Cutler – Mr. Cutler appreciates the Commission taking time to review the matter. The proposed changes would help him as a property owner, and he supports requiring a plat.

CENTERVILLE CITY COUNCIL

Staff Backup Report

Item No. 5.

Short Title: Public Hearing - Subdivision Ordinance Text Amendment

Initiated By: Staff

Scheduled Time: 7:20

SUBJECT

Public Hearing - Subdivision Ordinance Text Amendment - Flag Lots - Text amendment to Title 15, Subdivision Ordinance, regarding small subdivisions and flag lots. Centerville City, Applicant - Consider Ordinance No. 2013-12

RECOMMENDATION

Hold a public hearing and receive comment on the proposed Subdivision Ordinance Text Amendment to Title 15 of the Centerville Municipal Code regarding small subdivisions and flag lots. Adopt Ordinance No. 2013-12 amending Section 15-1-104 and Section 15-5-102 of the Centerville Municipal Code regarding small subdivisions and flag lots.

BACKGROUND

See attached Transmittal Report from Cory Snyder, Community Development Director, as well as earlier Staff Report to the Planning Commission and Minutes of the July 31, 2013 Planning Commission meeting pertaining to this matter.

ATTACHMENTS:

Name:

Backup2.08-20-13_CC_Staff_Report_Flag_Lot_Amendments.pdf
15-5-102-(flag_lots)-amd1.doc
July_31_2013_PC_meeting_staff_report_re_flag_lots.pdf
July_31_2013_PC_minutes_re_Sub_Ord_Text_Amendment_re_flag_lots.pdf

Description:

Cory's Transmittal Report re Subdivision Ordinance Text Amendment for Flag Lots
Ordinance No. 2013-12
July 31, 2013 Staff Report for Planning Commission
July 31, 2013 Planning Commission minutes re Subdivision Ordinance Text Amendment re Flag Lots

**CITY COUNCIL TRANSMITTAL REPORT
COMMUNITY DEVELOPMENT DEPARTMENT**

DATE: AUGUST 01, 2013

TO: STEVE THACKER, CITY MANAGER

FROM: CORY SNYDER, COMMUNITY DEVELOPMENT DIRECTOR

APPLICANT: COMMUNITY DEVELOPMENT DEPARTMENT
655 NORTH 1250 WEST
CENTERVILLE, UT 84014

APPLICATION: FLAG LOT TEXT AMENDMENT, TITLE 15 OF THE
CITY'S SUBDIVISION ORDINANCE

RECOMMENDATION: APPROVAL OF THE PROPOSED SUBDIVISION
AMENDMENTS

BACKGROUND

The Planning Commission recently became aware that the Flag Lot Ordinance has a firm limitation of two lots, due to being strictly tied to the "Small Subdivision Waiver" process. The original purpose of the small lot allowance was to efficiently facilitate the division of land where parcels front existing streets and utilities are readily available. When the Flag Lot Ordinance was originally developed, it was anticipated that its use would be limited and only utilized when it was not feasible to construct new roads and a parcel is markedly underutilized. Thus, it was partnered with the small subdivision process.

When adopted by the City, the flag lot regulations envisioned allowing a stacking or partnering of two flag lots in addition to the original lot for a total of three lots. However, the actual small subdivision limits the use only to two lots. Thus, there is an inherent conflict that was not addressed during the adoption of the flag lot regulations. Therefore on July 10, 2013, the Planning Commission directed staff to prepare a report and recommendation to address the conflicts within the ordinance.

PLANNING COMMISSION RECOMMENDATION

On July 31, 2013, the Centerville City Planning Commission recommended* to amend the City's Subdivision Ordinance; as follows:

1. Definitions;
 - ✓ Section 15-1-104 – *Amend* (45) "Small Subdivision" means a subdivision of not more than 2 lots or a subdivision which includes the use of flag lots that meets the small subdivision waiver allowance criteria.
2. Flag Lot Requirements;

- ✓ Section 15-5-102 – *Add section (e)* - Any Flag Lot Subdivision shall be recorded using the City's final plat requirements of Section 15-4-103.

Suggested Reasons for the Action (Findings):

1. The Planning Commission finds that the original purpose of the small lot allowance was to efficiently facilitate the division of land, where parcels front existing streets and utilities are readily available.
2. The Planning Commission finds that when the Flag Lot Ordinance was originally developed, it was anticipated that its use would be limited and only utilized when it was not feasible to construct new roads and a parcel is markedly underutilized. Thus, it was partnered with the small subdivision process.
3. The Planning Commission finds that the current flag lot regulations envision the stacking or partnering of two flags lots as in addition to the original lot.
4. The Planning Commission finds that the actual small subdivision limits the use only to two lots. Thus, there is an inherent ordinance conflict that was not addressed during the adoption of the flag lot regulations.
5. The Planning Commission finds that the most effective route is to adjust the definition of what constitutes a small subdivision and add provisions of how flag lot subdivisions are to be recorded.

Planning Commission Vote (5-0):

Commissioner	Yes	No	Not Present
Fillmore (Chair)	X		
Holman			X
Markham	X		
Kjar	X		
Merrill			X
Hirschi	X		
Randall	X		

** Taken from Staff's notes*

ORDINANCE NO. 2013-12

AN ORDINANCE AMENDING SECTION 15-1-104 OF THE CENTERVILLE CITY MUNICIPAL CODE REGARDING THE DEFINITION OF SMALL SUBDIVISION AND AMENDING SECTION 15-5-102 OF THE SAME REGARDING FLAG LOT REQUIREMENTS

WHEREAS, Centerville City has previously adopted Title 15 of the Centerville City Municipal Code regarding the subdivision and development of property within the City, known more particularly as the Subdivision Ordinance; and

WHEREAS, the City Council desires to amend various provisions of the Subdivision Ordinance regarding the definition of small subdivision and the qualification criteria for use of flag lots within the City as more particularly provided herein; and

WHEREAS, the City Council finds that the proposed amendments to the Subdivision Ordinance are in the best interest of the public and will provide further guidance and information regarding the use and requirements for creation and development of flag lots within the City; and

WHEREAS, the City Council is authorized to regulate and enact ordinances regarding the zoning, use, subdivision and development of property within the City in accordance with and subject to applicable provisions of the Municipal Land Use, Development, and Management Act, as set forth in *Utah Code Ann.* §§ 10-9a-101, *et seq.*; and

WHEREAS, all required notice and public hearings have been held before the Planning Commission and City Council regarding these proposed amendments to the Subdivision Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Amendment. Subsection 15-1-104(45) of the Centerville City Municipal Code regarding the definition of "small subdivision" is hereby amended to read in its entirety as follows:

15-1-104. DEFINITIONS.

* * *

- (45) "Small Subdivision" means a subdivision of not more than 2 lots or a subdivision which includes the use of flag lots that meets the small subdivision waiver allowance criteria.

* * *

Section 2. Amendment. Subsection 15-5-102(10) of the Centerville City Municipal Code regarding flag lots is hereby amended to add a new condition for the creation of a flag lot to read as follows:

15-5-102. LOTS.

* * *

- (10) Flag Lot Development Regulations. Where permitted within an applicable Zoning District of Centerville City, the creation of a Flag Lot shall comply with the following standards and regulations:

* * *

- (e) Plat Requirement: Any Flag Lot Subdivision shall be recorded using the City's final plat requirements of Section 15-4-103.

Section 3. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 4. Effective Date. This Ordinance shall become effective twenty (20) days after publication or posting or thirty (30) days after passage, whichever occurs first.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY,
STATE OF UTAH, THIS 20th DAY OF AUGUST, 2013.**

CENTERVILLE CITY

By: _____
Mayor Ronald G. Russell

ATTEST:

Marsha L. Morrow, City Recorder

Voting by the City Council:

	"AYE"	"NAY"
Councilmember Allen	_____	_____
Councilmember Averett	_____	_____
Councilmember Higginson	_____	_____
Councilmember Lindstrom	_____	_____
Councilmember Wright	_____	_____

**CENTERVILLE CITY
COMMUNITY DEVELOPMENT DEPARTMENT
655 North 1250 West, Centerville, Utah 84014
(801) 292-8232**

**STAFF REPORT
AGENDA: ITEM 2**

**APPLICANT: COMMUNITY DEVELOPMENT DEPARTMENT
655 NORTH 1250 WEST
CENTERVILLE, UT 84014**

**APPLICATION: FLAG LOT TEXT AMENDMENT, TITLE 15 OF THE CITY'S
SUBDIVISION ORDINANCE**

BACKGROUND

As the Planning Commission recently became aware, the Flag Lot Ordinance has a strict limitation of two lots, due to being strictly tied to the "Small Subdivision Waiver" process. The original purpose of the small lot allowance was to efficiently facilitate the division of land where parcels front existing streets and utilities are readily available. When the Flag Lot Ordinance was originally developed, it was anticipated that its use would be limited and only utilized when it was not feasible to construct new roads and a parcel is markedly underutilized. Thus, it was partnered with the small subdivision process.

When adopted by the City, the flag lot regulations envisioned allowing a stacking or partnering of two flags lots in addition to the original lot for a total of three lots. However, the actual small subdivision limits the use only to two lots. Thus, there is an inherent conflict that was not addressed during the adoption of the flag lot regulations.

STAFF ANALYSIS AND SOLUTION

So is there a solution? Answer, Yes. After weighing whether to modify the "small subdivision" waiver process or to change the language of the qualifiers for flag lots, staff believes the most effective route is to adjust the definition of what constitutes a small subdivision and how a flag lot subdivision would be recorded. Because flag lots would also involve private access lanes that might be also shared and additional or unconventional easements for utilities may be required for various layout scenarios, staff believes that these elements are better facilitated through a platting mechanism. Thus, the suggested changes are as follows:

1. Definitions;
 - ✓ Section 15-1-104 – *Amend* (45) "Small Subdivision" means a subdivision of not more than 2 lots or when the subdivision includes the use of flag lots that meets the small subdivision waiver allowance criteria.
2. Flag Lot Requirements;

- ✓ Section 15-5-102 – *Add section (e)* - Any Flag Lot Subdivision shall be recorded using the City's final plat requirements of Section 15-4-103.

STAFF RECOMMENDATION

Suggested Motion for an amendment to the Centerville City Subdivision Ordinance in regards to small subdivisions and flag lot requirements – I hereby make a motion for the Planning Commission to recommend to the City Council, to amend the City's Subdivision Ordinance; as follows:

1. Definitions;
 - ✓ Section 15-1-104 – *Amend (45)* "Small Subdivision" means a subdivision of not more than 2 lots or when the subdivision includes the use of flag lots that meets the small subdivision waiver allowance criteria.
2. Flag Lot Requirements;
 - ✓ Section 15-5-102 – *Add section (e)* - Any Flag Lot Subdivision shall be recorded using the City's final plat requirements of Section 15-4-103.

Suggested Reasons for the Action (Findings):

1. The Planning Commission finds that the original purpose of the small lot allowance was to efficiently facilitate the division of land, where parcels front existing streets and utilities are readily available.
2. The Planning Commission finds that when the Flag Lot Ordinance was originally developed, it was anticipated that its use would be limited and only utilized when it was not feasible to construct new roads and a parcel is markedly underutilized. Thus, it was partnered with the small subdivision process.
3. The Planning Commission finds that the flag lot regulations envisioned allowing a stacking or partnering of two flags lots in addition to the original lot for a total of three lots.
4. The Planning Commission finds that the actual small subdivision limits the use only to two lots. Thus, there is an inherent ordinance conflict that was not addressed during the adoption of the flag lot regulations.
5. The Planning Commission finds that the most effective route is to adjust the definition of what constitutes a small subdivision and add provisions of how flag lot subdivisions are to be recorded.

Findings

1. In accordance with Section 12-51-050, the Planning Commission finds that: 1) the waiver preserves the intent of the landscaping regulations; 2) the waiver does not result in an adverse impact on adjacent properties; 3) the strict application of landscaping provisions is unreasonable and unnecessary given the surrounding existing development; 4) there are exceptional conditions present due to the narrow depth of the property.
2. The Planning Commission finds that the conditions imposed ensure compliance with the City's landscaping, parking, Parrish Lane Guidelines, and waiver regulations.

PUBLIC HEARING – SUBDIVISION ORDINANCE TEXT AMENDMENT – FLAG LOTS

The Flag Lot Ordinance has a strict limitation of two lots, due to being strictly tied to the "Small Subdivision Waiver" process. The original purpose of the small lot allowance was to efficiently facilitate the division of land where parcels front existing streets and utilities are readily available. When the Flag Lot Ordinance was originally developed, it was anticipated that its use would be limited and only utilized when it was not feasible to construct new roads and a parcel is markedly underutilized. Thus, it was partnered with the small subdivision process.

When adopted by the City, the flag lot regulations envisioned allowing a stacking or partnering of two flag lots in addition to the original lot for a total of three lots. However, the actual small subdivision limits the use to only two lots. Thus, there is an inherent conflict that was not addressed during the adoption of the flag lot regulations.

Cory Snyder, Community Development Director, explained that staff believes the most effective route is to adjust the definition of what constitutes a small subdivision and how a flag lot subdivision would be recorded. Because flag lots would also involve private access lanes that might also be shared and additional or unconventional easements for utilities may be required for various layout scenarios, staff believes that these elements are better facilitated through a platting mechanism. Thus, the suggested changes are as follows:

1. Definitions;

Section 15-1-104 – *Amend* (45) "Small Subdivision" means a subdivision of not more than 2 lots or when the subdivision includes the use of flag lots that meets the small subdivision waiver allowance criteria.

2. Flag Lot Requirements;

Section 15-5-102 – *Add section* (c) – Any Flag Lot Subdivision shall be recorded using the City's final plat requirements of Section 15-4-103.

Vice Chair Fillmore asked why Mr. Snyder recommends recording as a plat. Mr. Snyder responded that with a plat each lot owner would know what they were getting. Flag lots come with the issues of shared accesses, shared easements, shared utilities, and shared alignments, which are easier to understand with a plat. Commissioner Hirschi agreed that warranty deed descriptions would need to be seen on a plat to be understood.

At 8:40 p.m. Vice Chair Fillmore opened a public hearing.

Paul Cutler – Mr. Cutler appreciates the Commission taking time to review the matter. The proposed changes would help him as a property owner, and he supports requiring a plat.

1 He stated that the suggested findings seem vague, and suggested that finding #3 be revised to
2 specify a total of four lots. Mr. Cutler requested further discussion time to address his specific
3 situation after the Commission completes the present business.

4
5 Mr. Snyder clarified that it is not the intent of staff to place any limit on the number of lots
6 possible. He stated that if it is impossible to conventionally subdivide a property, the number of
7 flag lots possible will depend on the size of the property. Vice Chair Fillmore stated she
8 interprets the ordinance to read that the flag lot ordinance is setup and intended for three lots,
9 but if a flag lot situation and a small subdivision situation were combined there could be more
10 than three.

11
12 Joanie Evans – Ms. Evans owns the property at 712 South 300 East. She expressed
13 appreciation for the Commission's consideration of property owners who have purchased and
14 maintain historic property. Her home is located on the back half of the 1.25 acre property, with
15 a 25-foot access lane and 183-foot frontage. The large amount of frontage has been a problem
16 with people wanting to park/party on the open frontage. Her property could qualify as a
17 subdivision, but where properties are concerned, one size does not fit all. Centerville is a
18 unique city with unique properties. She could put three 60-foot frontages on the property, which
19 would still leave her property with 60-feet. She is concerned about properties in the area being
20 turned into rentals and not kept up. She wants to ensure her frontage looks good. It would be
21 difficult to sell properties with only 60-feet of frontage. She would like to be able to put two new
22 homes in the front of the property with 75-feet of frontage each, with her home behind as a flag
23 lot. She thanked the Commissioners for what they do.

24
25 At 8:50 p.m. Vice Chair Fillmore closed the public hearing. Commissioner Kjar stated he
26 shares Mr. Cutler's concern about finding #3. He views it as a cap. Ms. Romney suggested
27 ending the sentence at "to the original lot," and deleting "for a total of three lots." Vice Chair
28 Fillmore stated she is fine with the change. Commissioner Randall expressed a desire to
29 correct grammatical errors in findings #3 and #4, as well as the suggested definition.

30
31 Commissioner Randall made a **motion** for the Planning Commission to recommend to
32 the City Council, to amend the City's Subdivision Ordinance; as follows:

33
34 1. Definitions;

35 Section 15-1-104 – *Amend* (45) "Small Subdivision" means a subdivision of
36 not more than 2 lots or a subdivision which includes the use of flag lots that
37 meets the small subdivision waiver allowance criteria.

38
39 2. Flag Lot Requirements;

40 Section 15-5-102 – *Add section* (e) – Any Flag Lot Subdivision shall be
41 recorded using the City's final plat requirements of Section 15-4-103.

42
43 **Findings:**

- 44 1. The Planning Commission finds that the original purpose of the small lot allowance
45 was to efficiently facilitate the division of land, where parcels front existing streets
46 and utilities are readily available.
47 2. The Planning Commission finds that when the Flag Lot Ordinance was originally
48 developed, it was anticipated that its use would be limited and only utilized when it
49 was not feasible to construct new roads and a parcel is markedly underutilized.
50 Thus, it was partnered with the small subdivision process.

3. The Planning Commission finds that the current flag lot regulations envision the stacking or partnering of two flags lots in addition to the original lot.
4. The Planning Commission finds that the actual small subdivision waiver limits the use to only two lots. Thus, there is an inherent ordinance conflict that was not addressed during the adoption of the flag lot regulations.
5. The Planning Commission finds that the most effective route is to adjust the definition of what constitutes a small subdivision and add provisions of how flag lot subdivisions are to be recorded.

Commissioner Kjar seconded the motion, which passed by unanimous vote (5-0).

Mr. Cutler explained the situation with his property. After a brief discussion he agreed to discuss the matter further with staff.

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

The next Planning Commission meeting will be held on August 14, 2013.

ADJOURNMENT

At 9:07 p.m. Vice Chair Fillmore made a **motion** to adjourn the meeting. Commissioner Kjar seconded the motion, which passed by unanimous vote (5-0).

Kevin Merrill, Chair

Date Approved

Katie Rust, Recording Secretary

CENTERVILLE CITY COUNCIL

Staff Backup Report

Item No. 6.

Short Title: Fee Schedule Amendments - Culinary Water Impact Fees

Initiated By: Staff

Scheduled Time: 7:35

SUBJECT

Fee Schedule Amendments - Culinary Water Impact Fees - Consider Resolution No. 2013-21 Amending the Centerville City Fee Schedule Regarding Culinary Water Impact Fees

RECOMMENDATION

Approve Resolution No. 2013-21 amending the Centerville City Fee Schedule regarding Culinary Water Impact Fees.

BACKGROUND

The City Council adopted Ordinance No. 2013-10 on August 6, 2013, adopting an amended and updated Culinary Water Impact Fee Facilities Plan, Culinary Water Impact Fee Analysis, and updated maximum Culinary Water Impact Fees. As a follow up to the adoption of Ordinance No. 2013-10, the City needs to amend applicable provisions of the Centerville Fee Schedule to reflect the new Culinary Water Impact Fees. Resolution No. 2013-21 has been prepared proposing the necessary changes to the Fee Schedule.

ATTACHMENTS:

Name:

Description:

☐ fee_schedule-(culinary_water_impact_fees)-revised.pdf

Resolution No. 2013-21 - Culinary Water Impact Fees

RESOLUTION NO. 2013-21

A RESOLUTION AMENDING THE CENTERVILLE CITY FEE SCHEDULE REGARDING CULINARY WATER IMPACT FEES

WHEREAS, the City Council has previously adopted Water Development Fees, as set forth in Section III.A(4) of the Centerville City Fee Schedule; and

WHEREAS, on August 6, 2013, the City Council approved Ordinance No. 2013-10, adopting and amending the Water Development Fees to be known as the Culinary Water Impact Fees, as more particularly set forth therein, approving a maximum Culinary Water Impact Fee in accordance with the Culinary Water Impact Fee Analysis, and authorizing the City to implement and establish the Culinary Water Impact Fee by resolution amending the City Fee Schedule; and

WHEREAS, the City Council desires to amend provisions of the City Fee Schedule to set forth the amended and updated Culinary Impact Fees, as more particularly set forth herein, which fees may not take effect until ninety (90) days after the day on which Ordinance No. 2013-10 was approved; and

WHEREAS, the City Council has determined that the fees set forth herein are reasonable and necessary to properly provide for the safety and welfare of its citizens and that the impact fees have been properly adopted and amended in accordance with the Utah Impact Fees Act through the adoption of Ordinance No. 2013-10.

NOW THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF CENTERVILLE, UTAH, AS FOLLOWS:

Section 1. Amendment. The City Council hereby amends Water Development Fees in Section III.A(4) of the Centerville City Fee Schedule to set forth the updated and amended Culinary Water Impact Fees as more particularly set forth in Exhibit "A," attached hereto and incorporated herein by this reference.

Section 2. Severability. If any section, clause or portion of this Resolution is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

Section 3. Effective Date. This Resolution and the Park Impact Fees adopted herein shall become effective November 4, 2013.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY,
STATE OF UTAH, ON THIS 20th DAY OF AUGUST, 2013.**

CENTERVILLE CITY

By: _____
Mayor Ronald G. Russell

ATTEST:

Marsha L. Morrow, City Recorder

EXHIBIT "A"

Culinary Water Impact Fees

4. Water Development Fees

(a) Connections in New Subdivisions (Fees Payable in Two Parts as Indicated)

Meter Size:	Fee:	When Due:
(i) 3/4" *	<u>\$1,013</u> \$600 <u>\$1,013</u> \$600	Prior to Final Plat Approval Prior to Issuance of Building Permit
(ii) 1"	<u>\$2,534</u> \$1,500 <u>\$2,534</u> \$1,500	Prior to Final Plat Approval Prior to Issuance of Building Permit
(iii) 1 1/2"	<u>\$6,081</u> \$3,600 <u>\$6,081</u> \$3,600	Prior to Final Plat Approval Prior to Issuance of Building Permit
(iv) 2"	<u>\$10,135</u> \$6,000 <u>\$10,135</u> \$6,000	Prior to Final Plat Approval Prior to Issuance of Building Permit
(v) 3"	<u>\$22,804</u> \$13,500 <u>\$22,804</u> \$13,500	Prior to Final Plat Approval Prior to Issuance of Building Permit
(vi) 4"	<u>\$63,344</u> \$37,500 <u>\$63,344</u> \$37,500	Prior to Final Plat Approval Prior to Issuance of Building Permit

(b) Connections Outside New Subdivisions

Meter Size:	Fee:	When Due:
(i) 3/4" *	<u>\$2,026</u> \$1,200	Prior to Issuance of Building Permit
(ii) 1"	<u>\$5,068</u> \$3,000	Prior to Issuance of Building Permit
(iii) 1 1/2"	<u>\$12,162</u> \$7,200	Prior to Issuance of Building Permit
(iv) 2"	<u>\$20,270</u> \$12,000	Prior to Issuance of Building Permit
(v) 3"	<u>\$45,608</u> \$27,500	Prior to Issuance of Building Permit
(vi) 4"	<u>\$126,688</u> \$75,000	Prior to Issuance of Building Permit

* Meter used for Centerville City for 3/4" connections is 5/8" x 3/4" with a maximum flow rate of 20 gallons per minute.

CENTERVILLE CITY COUNCIL

Staff Backup Report

Item No. 7

Short Title: Report Regarding Deer Within City Limits

Initiated By: Staff

Scheduled Time: 7:40

SUBJECT

Report from Police Chief Neal Worsley regarding deer within the City and related issues

RECOMMENDATION

Hear report from Police Chief Neal Worsley regarding deer within the city, related issues, and how other cities are dealing with similar conditions. City Council should provide direction, if any, to staff regarding further research or potential solutions. Staff is not recommending further action at this time.

BACKGROUND

In an earlier City Council meeting, Chief Worsley participated in a discussion with Council Members about this matter, which was initiated by the complaints of a few residents about the damage being done to their landscaping and gardens by deer residing within the city limits. Prior to that meeting, the Police Chief and City Manager had met with Utah Division of Wildlife Resources personnel to learn if and how DWR has assisted other cities. The DWR has been working with two "pilot communities", Bountiful and Highland. Apparently Bountiful has not yet chosen to move forward with any definitive deer control program. Highland City, however, has adopted an ordinance and deer control program.

The City Council requested staff bring back a draft ordinance for their consideration, prohibiting the feeding of deer within the city. However, upon further research, Chief Worsley is of the opinion that such an ordinance would not have a meaningful impact and would be problematic to enforce. He has also discussed with Highland City staff their urban deer control program. The City Manager has asked him to report to the City Council on his contacts with other cities.

Chief Worsley obtained the attached documents from Highland City, which is the only Utah city he has been able to identify as having taken any definitive action to reduce the deer population within their city limits. For reasons he will explain at the Council Meeting, Chief Worsley does not believe Highland's program is suitable for Centerville's situation. One of the attachments is from the Utah DWR, establishing guidelines for those cities participating in DWR's pilot program. Chief Worsley referred to some of these guidelines in his earlier discussion with the City Council.

ATTACHMENTS:

Name:

- ❑ Email_to_Neal_re_Feeding_Deer.pdf
- ❑ Highland_City_Urban_Deer_Control_Plan.pdf
- ❑ UWC_-_Urban_Bowhunting_Specialist_Program.pdf
- ❑ Urban_Deer_Control_-_Rule_Outline-March_11,_2013.pdf

Description:

- Email to Neal Worsley re Feeding Deer
- Highland City Urban Deer Control Plan
- UWC - Urban Bowhunting Specialist Program
- Urban Deer Control Rule Outline

Neal Worsley

From: Jody Bates <Jody@highlandcity.org>
Sent: Wednesday, June 19, 2013 10:45 AM
To: Neal Worsley
Subject: Urban Deer Program
Attachments: O-2013-09.No Feeding Wild Animals.docx; Deer Program Draft .pdf; Deer Program Example.pdf; URBAN DEER CONTROL.docx

Chief Worsley,

I have attached the ordinance that was approved by our Council last night (which was required by DWR for the program) and other documents that I have access to. Unfortunately most of them are scanned copies and not in word form, but hopefully it will give you an idea of what we are doing down here.

If there is anything else I can help you with, please feel free to contact me.

Jody Bates

Executive Secretary/City Recorder

5400 West Civic Center Dr. Ste. 1

Highland, Utah 84003

Phone: (801) 772-4505

Fax: (801) 756-6903

For your convenience our office is open extended hours

7:30 am to 6:00 pm Monday ~ Thursday

HIGHLAND CITY URBAN DEER CONTROL PLAN

Introduction

Human encroachment into natural environments traditionally reserved for wildlife continues to create human-wildlife problems with little end in sight. Urban sprawl, housing developments and new roads and highways destroy more and more acres of animal habitat each year. Wild area losses are alarming. Utah is not immune from this problem.

The adaptability of mule deer to human encroachment is surprising to many residents of new subdivisions. Deer not only accept their new human neighbors but have flourished in an environment never before believed possible. Deer feeding in backyards, flower gardens, parks, and playgrounds and along suburban byways are now a fairly common occurrence. Any little thicket or woodlot can hold mule deer year-round.

Many new suburbanites don't know how to address the backyard deer situation. They see deer, at first, as beautiful animals indicative of the wild and natural state of the region in which we live. They are correct in this assessment. But, as the number of deer increases the problems they cause increase, as well. Deer often consume expensive ornamental plants, vegetable gardens, flowers and shrubs. Small trees are killed by antler rubs made by bucks. Deer vehicle accidents cause thousands of dollars of damage and raise the potential for serious injury to drivers and passengers. It doesn't take long for suburbanites to identify deer as "a problem."

Left to breed and populate an urban area, mule deer can quickly become a problem as many municipalities in America have found out the hard way. Since the discharge of firearms and other projectile-firing devices has been banned within most suburban communities for safety reasons, deer populations will grow, unchecked. One breeding pair of deer could lead to 40 deer in seven years!

Many forward-looking city councils have come to accept the use of trained veteran bowhunters to maintain deer herds. Bowhunting has an impeccable record of safety, is an efficient and proven method of killing big game and is quiet and unobtrusive – the perfect solution to urban deer problems.

Highland City has asked a group of certified bowhunters to remove certain problem deer from within the Highland City limits. The goal of this program is to safely, quietly and efficiently remove these deer.

ALL HUNTERS MUST COMPLY WITH DIVISION RULE FOR URBAN DEER CONTROL AND HIGHLAND CITY COR.

Purpose of Plan

Human encroachment into traditional wildlife habitat by urban sprawl and housing subdivisions has created problems mule deer within Highland City. Couple that with the ability of deer to adapt to their new neighbors and to multiply unchecked and really big problems like health concerns, property damage, ecological damage, and deer vehicle accidents occur. Highland City has determined that new management controls are needed.

History has shown that the bowhunting option for removal of urban deer is more effective than trapping and relocating deer, birth control of deer, special fencing, deer repellents, firearms hunting and using sharpshooters. These other methods have been found to be impractical, prohibitively expensive, unpopular and limited in application. Properly implemented bowhunting is the key to success.

Bowhunting is a safe and efficient method of managing the growing numbers of urban deer. The long-term survival of this program, however, depends upon each urban bowhunting specialist acting responsibly. Each hunter must play by the rules and always maintain the highest level of conduct while hunting. He/she must show respect for private landowners and their property. Hunters must maintain impeccable landowner relations if the program is to work.

~~GOALS~~ Certification of Urban Bowhunting Specialists

Because this is a pilot program, participation in the program will be limited. Highland City has asked ~~Brian Cook from Humphries Archery in American Fork, Utah, to serve as the Program Coordinator.~~ As Program Coordinator, Mr. Cook will select a small group of experienced bowhunters to participate in the program. Prior to being certified as an "urban bowhunting specialist," each hunter selected by Mr. Cook must demonstrate that they understand the applicable rules and pass a shooting proficiency test. Once that is completed, the Program Coordinator will certify the hunter as an urban bowhunting specialist.

~~Coupon Issue Process~~ Rules for Urban Bowhunting

~~Hunter Identification Process~~
~~Locations and Time Periods~~
Each urban bowhunting specialist that is selected and qualified to participate in this program must:

1. Always put your best foot forward in appearance and conduct, and always be considerate of others.
2. Never drink alcohol or use drugs before or while hunting.
3. ~~Only hunt in areas pre-approved by the Program Coordinator and Highland City.~~
4. Make sure no other bowhunter is already scheduled to hunt the area you are planning to hunt.
5. Respect landowners and their land. ~~Assume they are concerned about the deer, your bow and arrows being safe, parking problems, neighborhood relations.~~ ^{RECEIVE WRITTEN APPROVAL TO HUNT ON PRIVATE LAND}
6. Know state, county and city hunting regulations and abide by them. Be familiar with the requirements and obligations of the Highland Urban Deer Control Plan.
7. Before hunting, know where you can take a safe shot and where you may not.
8. ~~Be certified as an urban bowhunting specialist and have a valid urban deer license issued by Highland City.~~
9. ~~Only hunt out of an elevated stand.~~ Always wear a certified safety harness. Only high downward angling shots are allowed for maximum effectiveness and safety, and guaranteed arrow recovery.
10. Install your stand to provide shots that will be 40 yards distance or less.
11. In order to achieve close shots, baiting is permitted.

12. Take only responsible shots at deer that are relaxed and not on alert. Don't shoot unless you're certain that your arrow will strike the vitals and produce a quick and ethical kill.
 13. ~~Razor sharp broad heads are mandatory.~~
 14. Only hunt with arrows that have a unique fletching and crest pattern that have been pre-approved by the Program Coordinator.
 15. Retrieve all arrows and arrow parts shot at deer.
 16. Once the deer is struck, do not trail it until you're sure it's down for good. It is your responsibility to ensure that no animal will travel very far after being hit.
 17. Do not trespass on neighboring land to retrieve a deer without permission. Contact the Program Coordinator prior to seeking permission to initiate "retrieval trespass only". The local conservation officer and/or police may be of assistance when retrieval trespass cannot be obtained.
 18. Deer hit or killed but not retrieved must be reported to the Program Coordinator and Highland City.
 19. Properly tag the deer immediately upon recovery. Promptly notify the Program Coordinator and Highland City of all kills. *USE FORM* _____
 20. ~~Avoid confrontations with neighbors and others.~~
 21. Keep a low profile. You will be under the microscope, so be as inconspicuous as possible. When walking to and from your hunting area, try to minimize the appearance that you are hunting.
 - ? 22. All evidence of the deer must be removed from the property. ~~A plastic bag can be used for entrails or, better yet,~~ field dress the deer at another permissible site.
 23. Be discreet when removing a deer from the property. You may wish to cover the deer with a plastic tarp while it's being removed. ~~Most people don't like seeing a dead animal so keep it out of sight as much as possible.~~ You may wish to use an alternate, less conspicuous, route when removing a deer. Think about removal before your hunt.
 24. Stay on your assigned property during the hunt and when accessing the hunting area. Do not take shortcuts across ground where you don't have permission to trespass.
 25. Use a flashlight while walking to and from your stand/area in low light to distinguish yourself from intruders. The casting of a light across the landscape to detect deer is illegal.
 26. ~~Don't invite friends to hunt with you.~~ Certification is for you and you only.
 27. Avoid confrontations, no matter the circumstances. Utah has a hunter harassment law that protects you while engaged in legal hunting pursuits but it is best not to argue with an antagonist. You may wish to report harassment to local authorities if confrontations continue.
 28. ~~Shoot does.~~ *ONLY* The object of the program is to help control deer numbers inside the Highland City limits. ~~Bowhunters can only accomplish this goal by shooting does.~~
 29. Donations of venison are encouraged. *HUNTER IS ALLOWED TO KEEP THE ANIMAL IF DESIRED.*
 30. *IF HUNTER DOES NOT DESIRE TO KEEP OR DONATE ANIMAL, HUNTER WILL TAKE ANIMAL TO MEATERS IN SCL.*
- Bowhunters who are selected and qualified to participate in this program play a vital role in solving the problem of managing the ever-growing urban deer population. They must, however, maintain safe, ethical hunting practices and be fully responsible for their actions if they're to be recognized as the best option for controlling urban deer. Mistakes and/or irresponsible behavior could jeopardize the program.

TYE BOWLER

UWC - Urban Bowhunting Specialist Program- Updated 2/2012

Proposed Manual Draft

Table of Contents

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Urban Bowhunting

Introduction

Human encroachment into natural environments traditionally reserved for wildlife continues to create human – wildlife problems with little end in sight. Urban sprawl, the construction of strip malls, housing developments and new roads and highways destroy more and more acres of animal habitat each year. Wild area losses are alarming. Utah is

not immune, therefore, from the many predicaments associated with urban wildlife that has been forced out or, in some cases, forced to "live with" their new, human neighbors.

The adaptability of Mule deer to human encroachment into their space is surprising to many residents of new subdivisions. Deer not only accept their new human neighbors and all of their accoutrements but also have flourished in an environment never before believed possible. Deer feeding in backyards, flower gardens, parks, and playgrounds and along suburban byways are now a fairly common occurrence. Any little thicket or woodlot can hold mule deer during the day.

Many new suburbanites don't know how to address the backyard deer situation. They see deer, at first, as beautiful animals indicative of the wild and natural state of the region in which we live. They are correct in this assessment. But, as the number of deer increases the problems they cause increase, as well. Deer often consume expensive ornamental plants, vegetable gardens, flowers and shrubs, for example. Small trees are killed by antler rubs made by bucks. Deer/vehicle accidents begin to increase causing thousands of dollars of damage and raising the potential for serious injury to drivers and passengers. It doesn't take long for suburbanites to identify deer as "a problem".

Left to breed and populate an urban area, Mule deer can quickly become a problem as many municipalities in America have found out the hard way. Since the discharge of firearms and other projectile-firing devices has been banned within most suburban communities for safety reasons and where dogs stay in pens or on leashes, deer populations will grow, unchecked. One breeding pair of deer could lead to 40 deer in seven years!

Many forward-looking city councils have come to accept the use of veteran bowhunters to maintain deer herds. Bowhunting has an impeccable record of safety, is very efficient and a proven method of killing big game and is quiet and unobtrusive — the perfect solution to urban deer problems. Certified Urban Bowhunters will be specially trained to remove deer from urban settings.

We propose that UWC, along with the UDWR create a committee, charged with certifying and overseeing a new urban bowhunting program. For the remainder of this document and subsequent documents pertaining to urban bowhunting, this committee shall be referred to as the "UBC"

The UBC will be looking for team players that will help manage the resource according to an exacting plan. Highly qualified, veteran bowhunters will teach seasoned bowhunters special techniques for removing problem deer from the close quarters of a heavily populated suburban area. Specialists will pledge to abide by the program's rules and regulations in exchange for the satisfaction of having helped with deer population control.

Main Goals

- Train veteran bowhunters on the use of special bowhunting techniques for removing deer from urban environments.
- Significantly reduce deer numbers in over populated areas.
- Increase access for certified bowhunters to hunt areas identified as over populated with deer, focusing on areas within the boundaries of municipalities where firearms discharge is prohibited.
- Educate city officials on the value of utilizing bowhunters for the management of deer numbers within municipal boundaries during archery season.
- Provide bowhunters who will respect private property rights without compromise and will abide by program rules.
- Promote safe and free deer removal as a public service to local communities by creating and maintaining a database of certified bowhunters.

Suggested Certification Process

After successfully completing the National Bowhunter Education Program (8 hours), a Panel Review and any shooting proficiency test that might be required, bowhunters will be Certified - Highly Qualified to bowhunt deer in an urban setting. Your certification packet will include the following:

- A **Certificate of Approval** stating that you have successfully completed all of the requirements of the UBC.
- Copy of your **Bowhunting Resume** for landowners, municipal officials.??
- Copy of your signed **Ethics Pledge** promising to adhere to all UDWR/UBC rules and regulations and the Rules of Fair Chase.
- Copy of a **Letter of Recommendation** from the UBC verifying your skills and qualifications.
- An **ID Card**.
- A **Dashboard Placard and/or Parking Sticker** for your vehicle to be used when it is parked near your assigned hunting location.
- **Daily Log Sheets** for the compilation of data that will be provide in an Annual Report to municipalities, such as time in th field, harvest percentages etc.

Following the Certification Process, each bowhunter will confer with a UBC Official for hunting assignment(s) and boundary maps..

The UBC program will seek a few dedicated, ethical, responsible, dependable, safe, law-abiding and proficient bowhunters to help with a problem – too many urban deer. The program, of necessity, requires special training in landowner/hunter relations and close quarter hunting techniques.

Section 1. Being a Responsible Urban Bowhunter

Human encroachment into traditional wildlife habitat by urban sprawl and housing subdivisions has created problems with wild animals. Couple that with the ability of deer to adapt to their new neighbors and to multiply unchecked and really big problems like health concerns, property damage, ecological damage, and deer/vehicle accidents occur. New management controls are needed. Bowhunting can help.

History has shown us that the bowhunting option for removal of urban deer is more effective than trapping and relocating deer, birth control of deer, special fencing, deer repellents, firearms hunting and using sharpshooters. These other methods have been found to be impractical, prohibitively expensive, widely unacceptable and limited in application. Bowhunting is the key to success.

Bowhunting is a safe and efficient method of managing the growing numbers of urban deer. Additional education is needed, however. This course will train veteran bowhunters to adapt their standard deer hunting methodologies to include special techniques better designed for use in urban zones.

The long-term survival of the Urban Bowhunting program, however, depends upon each certified member of this special unit acting responsibly.

An Urban Bowhunting Specialist must play by the rules and must always maintain the highest level of conduct while hunting. He/she must show respect for private landowners and their property. Hunters must maintain impeccable landowner relations if the program is to work.

Responsibilities of Urban Bowhunters

- Always put your best foot forward in appearance and conduct, and always be considerate of others.
- Never drink alcohol or use drugs before or while hunting.

- Make sure no other bowhunter already has permission to hunt the area you are planning to hunt.
- Respect landowners and their land. Assume they are concerned about the deer, your bow and arrows being safe, parking problems, neighborhood relations.
- Know state, county and city hunting regulations and abide by them. Check at city hall for ordinances that regulate hunting. Look for insurance requirements, tree stand location rules, application requirements, reports of success to city hall, etc.
- Before hunting, know where you can take a safe shot and where you may not. Consider that an arrow could ricochet over a hill or down a hollow; plan only safe shots.
- Take only responsible, 100% sure shots at deer that are relaxed and not on alert. Don't shoot unless you're certain that your arrow will strike the vitals and produce a quick kill.
- Be discrete in how you remove the harvested deer from the property. Special UBC rules may apply that limit field dressing or mandate covered-carcass removal.
- Retrieve all arrows and arrow parts shot at deer.
- Avoid confrontations with neighbors, others. A knowledge of conservation and the hunter's role in urban deer management can be an important supporting element of any discussion, such, as the need to reduce antlerless deer numbers.
- Keep a low profile. You and bowhunting will be under the microscope when you're hunting a neighborhood, so be as inconspicuous as possible.

Bowhunters who choose to participate in the Urban Bowhunting program play a vital role in solving the problem of managing the ever-growing urban deer population. They must, however, maintain safe, ethical hunting practices and be fully responsible for their actions if they're to be recognized as the best option for controlling urban deer.

Section 2. Bowhunting Techniques in Urban Areas

Bowhunting in heavily populated areas is much different than hunting in the countryside. Instead of having the luxury of hunting on hundreds of secluded acres, metro bowhunters may be limited to just a few acres in the middle of a heavily populated area, such as cemeteries, parks and large private tracts of land. Making killing shots are an absolute must. There is no margin for error.

It goes without saying that your every step will be observed by residents. It's "fishbowl" bowhunting. Hunters, therefore, must take the utmost care to abide by the following rules and regulations to ensure that observed hunting activities are understood and accepted by the neighborhood. It only takes one mistake to bring our deer reduction program to a screeching halt.

Rules of the Hunt

- Local ordinances may limit a bowhunter's common hunting techniques so check the rules carefully.
- If a tree stand is to be used, The proper use of a certified tree stand safety harness is mandatory.
- Install your stand to provide shots that will be 20 yards distance or less. Shots taken must be 100% killing shots. Taking questionable shots is unacceptable and jeopardizes the entire program.
- Know where you can take a safe shot and where you cannot. Only high downward angling shots are allowed for guaranteed arrow recovery. Shots must not be taken through brush that might produce a ricochet into populated areas.
- Retrieve all arrows shot, including broken parts, before leaving the hunting site.
- Razor sharp broadheads are mandatory.
- Set your bow up to shoot a heavy arrow. Shooting a heavy arrow will quiet the bow when shot, giving you the opportunity for multiple kills.
- Shoot only when an animal is relaxed and not alerted to danger. A relaxed deer, when hit with an arrow, will usually run away in the direction it's headed when hit. Plan your shot with this tip in mind.
- Once the deer is struck, do not trail it until you're sure it's down for good. It is your responsibility to ensure that no animal will travel very far after being hit.
- Do not trespass on neighboring land to retrieve a deer without permission. Contact the UBC to make arrangements with your landowner's neighbors before you begin your hunting activities for permission to initiate "retrieval trespass only". The local conservation officer and/or police may be of assistance when retrieval trespass cannot be obtained.
- Deer hit or killed but not retrieved must be reported to the municipality office and the UBC.
- Properly tag the deer immediately upon recovery.

- All evidence of the deer must be removed from the property. A plastic bag can be used for entrails or, better yet, field dress the deer at another permissible site.
- Be discreet when removing a deer from the property. You may wish to cover the deer with a plastic tarp while it's being removed. Most people don't like seeing a dead animal so keep it out of sight as much as possible. You may wish to use an alternate, less conspicuous, route when removing a deer. Think about removal before your hunt.
- Stay on your assigned property during the hunt and when accessing the hunting area. Do not take shortcuts across ground where you don't have permission to trespass.
- Use a flashlight while walking to and from your stand/area in low light to distinguish yourself from intruders. The casting of a light across the landscape to detect deer is illegal. Use your light to illuminate the pathway, only.
- Remain as inconspicuous as possible at all times. Don't wear camo hats, caps or clothing while driving in the hunting neighborhood. When walking to and from your hunting area, don't "show" yourself as a hunter so as to not alarm folks in the neighborhood.
- Keep your bow and arrows cased. Carry your camo clothing in a plain-colored pack to change into at a secluded spot or, better yet, simply dress-to-hunt in solid colored hunting pants and jacket.
- Don't invite friends to hunt with you, certification is for you and you only, non-hunting "viewers" are not allowed under any circumstances.
- Avoid confrontations, no matter the circumstances. Utah has a hunter harassment law that protects you while engaged in legal hunting pursuits but it's best not to argue with an antagonist. You may wish to report harassment to local authorities if confrontations continue.
- Shoot does! The object of the UBS program is to help control deer numbers inside the city limits. Bowhunters can only accomplish this goal by shooting does and lots of them. You're bowhunting permit allows the killing of bucks and you may be presented with the opportunity to take a nice one – go ahead. But remember, the program can only survive if you continue to hunt and kill does.??
- Donations of venison are encouraged. ** Donation information here→
-

Shot Placement and Deer Recovery in Urban Zones

Shot placement and the route a deer takes out of the area after the arrow strikes home is an important concern for hunters. You must apply all of your skill as a hunter, you must consider everything you've learned as a bowhunter to prevent the deer you've shot from dropping in someone's backyard, front yard, the street or driveway! This point cannot be over emphasized. Here are some suggestions.

Make sure your bow, arrow and broadhead setup is absolutely silent when shot. From the first pull of the arrow across the arrow rest to the release of the string, your bow must shoot without making any noise. Any sudden noise will alert the deer and it will go into "escape mode" immediately. If, in addition, the arrow strike is felt by the animal, it may exit your safe zone at warp speed and, possibly, into someone else's property before falling. Be patient. Wait for the animal to come close for a good shot.

The deer you hit will likely run after being struck no matter how silent your equipment. Nevertheless, shooting a quiet bow will shorten the run. As an additional precaution against an arrow-struck deer running into someone's yard, always wait until the deer is headed away from populated areas and is not alerted to danger before shooting. You must measure the demeanor and posture of the deer before you take the shot. A quiet deer will likely travel a shorter distance after the arrow strikes.

Today's fast bows and surgically sharp broadheads help send an arrow through a deer's vitals without them even feeling the strike, many times. Always shoot very sharp broadheads and always wait for the 100% killing shot. Strive for producing a shot that will kill quickly and cleanly and one that can be delivered without making a sound.

How an Arrow Works

You're an experienced bowhunter with many big game kills under your belt but it never hurts to review how your arrow works. It's an effective device for producing a quick, humane death but only if used with the knowledge that accurate shot placement is essential. Accurate shot placement is the key to a quick kill and easy game recovery.

Hunting arrows are tipped with razor sharp broadheads that are designed to cut lung tissues, to sever major arteries and veins and to produce a loss of blood and pressure in the chest cavity. The arrowhead, when shot through the chest cavity of a big game animal, initiates a cascade of physiological events that leads to unconsciousness and death.

Most big game animals have anatomical features that are similar. All of them have two separate body cavities: the chest cavity and the abdominal cavity. The sheet-like diaphragm muscle separates the cavities. The diaphragm forms the rear of the chest cavity and the front of the abdominal cavity. It functions as the pump for the breathing process by producing a negative pressure in the chest cavity as it contracts that helps the lungs fill with air at each breath. As it relaxes, gases are exhaled from the lungs.

The chest cavity is the bowhunter's main target. It contains all the major organs and main vessels that sustain life. The heart and lungs dominate the chest cavity. Very large arteries and veins connect these two organs with each other and with the rest of the body. A broadhead-pointed arrow that passes through the chest cavity is certain to cut many of the vessels and organs, causing severe blood loss and organ dysfunction followed by death.

Your only target should be the chest cavity. The "double lung" shot describes the best hit a bowhunter can make – a hit that pushes the broadhead through both lungs, left and right, and through several of the many major vessels that connect the organs to one another. Care must be taken to limit shooting angles that are too high and that would result in only a single lung being hit.

Remember, the abdominal cavity is not an aiming point. The abdominal cavity holds the stomach, liver, kidneys and the small and large intestines as well as several major arteries. Striking the major arteries, kidney or liver will produce a fatal injury but marks or features on the side of a deer can visualize none of these abdominal cavity organs. In addition, they are too small of a target to be considered a 100% shot.

An arrow strike in the liver is a fatal hit and should produce a quick death. Consider the liver, located just behind the chest cavity, as a buffer zone that will deliver a retrievable deer if your shot goes wide. It is not, however, a primary aiming zone.

Deer Recovery

You'll probably be hunting on a small tract of city, state or federally owned land in a heavily human populated area – a subdivision. You may or may not have permission to hunt on adjoining tracts. Either way, you will want to take only the 100% sure killing shot so that the deer will drop in the shortest distance possible. Trespassing is not an option during the deer recovery process.

We've mentioned already that if the deer drops on land that you don't have written permission to hunt and/or trespass upon that you may be able to get local authorities to intervene. The police or deputies that patrol your neighborhood can be called on your cell phone for assistance. It's always much easier to affect a legal trespass to retrieve a deer in this way if you've discussed it with city officials first, before the hunt. Your local conservation agent could be contacted for help, as well.

The use of flashlights back in the wood lots of a neighborhood will attract the local SWAT team if you don't take precautions ahead of the hunt. Make sure your landowner and the immediate neighbors know you may be using a "walk light" going to and from your stand. (The UBC and or other local official will release statements to the goings on regarding urban bowhunting and the general areas affected.) Think what you would do if you saw a mysterious light bobbing around in the trees behind your house! You'd call the cops! Plan ahead.

Once your downed animal is located, tag it immediately. It's the law! Not after you've bagged the deer, not at the truck, not "when I get home". Immediately!

Field Dressing

Some cities regulate the field dressing of deer inside the city limits. Know the rules. We recommend that you not field dress deer at your hunting site and prefer that you arrange ahead of time a remote location where this necessary operation can be performed legally and without raising concerns of the public.

It is possible that your particular hunting area permits the field dressing of deer. If you choose this option, we recommend that the entrails be completely removed in plastic bags for burial at a remote location. Don't bury entrails at your hunting site, even if it's legal to do so. Consider that neighborhood dogs or coyotes will find the burial site and will dig up the remains only to drag them through populated areas or onto someone's front porch!

The Drag

Non-hunters, generally, don't like to view dead animals. You should plan ahead, with the permission of your landowner, what route you will use when dragging a harvested deer to your truck. Your landowner may permit you to back into his driveway, for example. He may also permit the use of a two-wheeled cart. Ask him first.

It may be impossible to keep out of sight of neighbors. Therefore, you should plan to use a tarp of some kind to wrap the deer carcass in while you're dragging it/wheeling it out of the woods to your truck. This will keep it out of sight and will reduce the blood trail that usually accompanies the dragging of an arrow-struck deer.

Clean Up

Plan to return to your hunting site to retrieve all arrows shot or arrow parts left on the ground after the kill. Scuff up the leaf litter where blood or deer hair is apparent to prevent anyone from getting the wrong impression that something untoward has happened in the neighborhood. Destroy all signs of a kill.

URBAN DEER CONTROL

Rule Outline

March 11, 2013

I. Purpose:

1. To create a program that enables municipalities to independently establish and administer an urban deer control plan for the lethal and non-lethal removal of resident deer damaging private property or threatening public safety within the municipality.
2. To establish the program as a one year pilot project limited to Highland City, Utah County and Bountiful, Davis County.

II. Eligibility Criteria:

1. Municipalities only.
2. Significant property damage or public safety threat created from nuisance deer.
3. Ordinance enacted prohibiting big game feeding in city limits, except city may bait for deer control purposes.

III. Municipality Obligations:

1. Apply with the Division for a certificate of registration to control nuisance deer.
 - a. Application must establish that:
 - i. Resident deer are causing significant property damage or public safety threats within the city; and
 - ii. City ordinance prohibits feeding big game animals.
2. Upon receipt of a COR, develop, maintain, staff, and fund an urban deer control program consistent with the authorities granted and restrictions imposed in rule and COR.
3. Prepare an urban deer control plan.
 - a. The plan must address and prescribe, among other things:

- i. Methods and means by which nuisance deer may be taken;
 - ii. Persons eligible to perform control activities and the requirements imposed on them;
 - iii. Locations and time periods where specified types of control efforts may be employed or authorized,
 - iv. Protocols for carcass removal and disposal;
 - ~~v. Procedures for promptly returning to the Division all antlers of lethally removed deer; and~~
 - v. Procedures for removing buck deer. Buck deer will be removed only by a limited basis. Division will issue 5 buck tags. City will establish procedures where hunt will be limited to 3 tags being drawn by disabled or disadvantaged individuals on a draw program. Two remaining tags will be allowed to be used at the cities discretion.
 - vi. Procedures for obtaining Division approval on live capture and relocation projects.
- b. All aspects of the plan must be consistent with the authorizations and limitations imposed in rule and the COR.
 - c. City ordinances must be compatible with the methods of take employed for nuisance deer control.
 - d. Solicit and consider input in the formulation and development of the plan from:
 - i. The public, particularly city residents through survey;
 - ii. Interested businesses and organizations;
 - iii. The Division of Wildlife Resources; and
 - iv. Local, state, and federal government.
 - e. Prior to formally adopting or implementing a final plan, hold a public meeting to discuss and take input on the plan.
- 4. ~~Assume responsibility for all costs associated with establishing, implementing, and operating the urban deer control program.~~

4. Assume responsibility for costs associated with urban deer control program. Vouchers will be issued free of charge. City may be reimbursed by hunter for certifying and qualifying hunters and other costs associated with implementing the program expenses and animal disposal.
5. Hold harmless and indemnify the Division against any claims arising from deer removal activities unless the Division is wholly at fault.

IV. COR Authorities and Limitations:

1. COR permits the city to take and authorize the take of nuisance deer as hereafter provided.
 - a. City may prescribe lethal and non-lethal methods of take, provided the methods otherwise comply with state and federal law.
 - i. ~~Antlers of lethally removed deer shall remain the property of the Division and may not be retained by the city or the person that takes the animal.~~
 - i. Antlers of the 5 issued buck tags will be retained by the hunter.
 - ii. Captured deer may not be relocated or released outside city limits without a written capture and relocation plan prepared with and approved by the Division.
 - iii. City will report to Division monthly of Buck and antlerless animals removed from the City.
 - b. City may utilize baiting to facilitate safe and effective deer removal activities.
 - c. City may select and designate individuals authorized to perform specified deer removal activities, and shall:
 - i. Issue a written authorization and tag to individuals authorized to remove deer,
 - a. The authorization shall be:
 - (I) On a form prescribed by the Division;
 - (II) Signed by the city manager and holder;
 - (III) Identify the holder's name, address, DOB, gender, height, weight, eye color; and

(IV) Specify the activities authorized;

- ii. Require individuals authorized to lethally remove deer to:
 - a. Tag the carcass consistent with Section 23-20-30; and
 - b. Comply with all federal, state, and local laws pertaining to the possession, use, and discharge of a dangerous weapon.
- d. City may authorize a single individual to take more than one deer.
- e. City shall take measures to ensure that:
 - i. Deer carcasses are salvaged consistent with Section 23-20-8 and disposed of as provided by law; and
 - ii. Viscera is removed from the kill site and disposed of as provided by law.
- f. City may not:
 - i. Sell deer carcasses or otherwise use them or pecuniary gain;
 - ii. ~~Collect a fee from individuals it authorizes to remove nuisance deer;~~
 - ii. Collect a fee for vouchers issued. City may be reimbursed for costs associated with certifying, tags, administrative costs, implementing, equipment and disposal.
 - iii. Undertake or authorize deer removal activities outside:
 - a. City limits or a lesser area prescribed by the Division;
or
 - b. The general time frame imposed by the Division;
- g. City may not remove more deer than authorized by Division;
- h. City may authorize spotlighting to facilitate deer removal carcass recovery efforts;

- i. City may not authorize the discharge of firearms or archery equipment for deer removal:
 - i. between one half hour after official sunset and one half hour before official sunrise; or
 - ii. In violation of federal, state, or local laws.

V. Division Responsibilities:

- 1. Evaluate and approve or reject an application for an urban deer control program COR.
- 2. Prescribe in the COR the number of deer that any be removed and any seasonal restrictions on control activities.
- 3. Provide technical assistance to a city in developing an urban deer control plan once a COR is issued.
- 4. Provide technical assistance and approvals for city removal efforts that relocate live capture deer outside city limits.
- 5. Hold harmless and indemnify the City against any claims arising from deer removal where the City is acting within the scope of authority granted by Division, unless the City is wholly at fault.

VI. General:

- 1. Rule sunsets on August 1, 2014

CENTERVILLE CITY COUNCIL

Staff Backup Report

Item No. 8.

Short Title: Municipal Code Amendments - Construction Code Updates

Initiated By: City Attorney

Scheduled Time: 8:00

SUBJECT

Consider Ordinance No. 2013-13 Amending Title 10A, Chapter 2, of the Centerville Municipal Code Regarding Updated Versions of the Construction Codes

RECOMMENDATION

Adopt Ordinance No. 2013-13 Amending Title 10A, Chapter 2, of the Centerville Municipal Code regarding updated versions of the Construction Codes.

BACKGROUND

In the 2013 General Session, the Utah Legislature adopted updated versions of certain nationally recognized building codes ("Construction Codes") governing building construction within the State of Utah. Specifically, the State has adopted the 2012 version of the International Building Code, the International Residential Code, the International Plumbing Code, the International Mechanical Code, the International Fuel Gas Code, the International Energy Conservation Code, the National Electrical Code, and the International Fire Code. Local jurisdictions are required to adopt the updated Construction Codes, as approved and adopted by the State of Utah. Pursuant to HB 202, HB 217 and HB 310, the effective date of the updated Construction Codes is July 1, 2013. Ordinance No. 2013-13 amends various sections of Title 10A, Chapter 2 of the Centerville Municipal Code to adopt the required versions of the Construction Codes in accordance with State law.

ATTACHMENTS:

Name:

- 10A-02-010-(construction_codes)-2013-ena.doc
- 10A-2-010-(construction_codes)-2013.pdf

Description:

Ordinance No. 2013-13
Title 10A, Chapter 2

ORDINANCE NO. 2013-13

**AN ORDINANCE AMENDING TITLE 10A, CHAPTER 2, OF THE
CENTERVILLE CITY MUNICIPAL CODE REGARDING
BUILDING CONSTRUCTION CODES**

WHEREAS, the City has previously adopted Title 10A of the Centerville Municipal Code regarding Building Regulations; and

WHEREAS, the City desires to update and amend the existing provisions of Title 10A in accordance with various construction code updates and State law amendments regarding building provisions; and

WHEREAS, the updates are in specific response to State law amendments and updates to the Construction Codes adopted by the State of Utah pursuant to H.B. 202, H.B. 217, and H.B. 310 of the 2013 General Session of the Utah State Legislature; and

WHEREAS, the City desires to amend specific provisions of Title 10A as more particularly set forth herein and finds that such amendments to the Building Regulations and updates to the Construction Codes adopted by the City are in the best interest of the public health and safety and will bring Centerville's Construction Codes into compliance with State law requirements;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
CENTERVILLE CITY, STATE OF UTAH:**

Section 1. Amendment. Title 10A, Chapter 2, of the Centerville City Municipal Code regarding Construction Codes is hereby amended to read in its entirety as set forth in **Exhibit "A"** attached hereto and incorporated herein by this reference.

Section 2. Severability Clause. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all provisions, clauses and words of this Ordinance shall be severable. This Section shall become effective without codification.

Section 6. Effective Date. This Ordinance shall become effective upon publication or posting, whichever is sooner. The Codes adopted herein shall be effective as of July 1, 2013.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE,
STATE OF UTAH, ON THIS 20th DAY OF AUGUST, 2013.**

CENTERVILLE CITY

By: _____
Mayor Ronald G. Russell

ATTEST:

Marsha L. Morrow, City Recorder

Voting by the City Council:

	"AYE"	"NAY"
Councilmember Allen	_____	_____
Councilmember Averett	_____	_____
Councilmember Higginson	_____	_____
Councilmember Lindstrom	_____	_____
Councilmember Wright	_____	_____

EXHIBIT "A"

**TITLE 10A, CHAPTER 2
CONSTRUCTION CODES**

CHAPTER 2: CONSTRUCTION CODES

10A-2-010.	Defined.
10A-2-020	Building Code.
10A-2-030.	Residential Code.
10A-2-040.	Plumbing Code.
10A-2-050.	Mechanical Code.
10A-2-060.	Fuel Gas Code.
10A-2-070.	Electrical Code.
10A-2-080.	Energy Conservation Code.
10A-2-090.	Manufactured Housing Code.
10A-2-100.	Abatement of Dangerous Buildings Code.
10A-2-110.	Property Maintenance Code.
10A-2-112.	Fire Code.
10A-2-114.	Local Amendments.
10A-2-120.	Conformance with Other Ordinances.

10A-2-010. Defined.

The Codes adopted in this Chapter shall be referred to collectively as the "Construction Codes" for Centerville City.

10A-2-020. Building Code.

The International Building Code (IBC), 2012 ~~2009~~ Edition, issued by the International Code Council, as adopted and amended by the State of Utah, including Appendix J, is hereby adopted and incorporated herein by reference as the Building Code of Centerville City.

10A-2-030. Residential Code.

The International Residential Code (IRC), 2012 ~~2009~~ Edition, issued by the International Code Council, as adopted and amended by the State of Utah, including Appendix E (subject to the provisions of Utah Code Ann. § 15A-2-104, as amended ~~Section 10A-2-090~~), is hereby adopted and incorporated herein by reference as the Residential Code of Centerville City.

10A-2-040. Plumbing Code.

The International Plumbing Code (IPC), 2012 ~~2009~~ Edition, issued by the International Code Council, as adopted and amended by the State of Utah, is hereby adopted and incorporated herein by reference as the Plumbing Code of Centerville City.

10A-2-050. Mechanical Code.

The International Mechanical Code (IMC), 2012 ~~2009~~ Edition, issued by the International Code Council, as adopted and amended by the State of Utah, is hereby adopted and incorporated herein by reference as the Mechanical Code of Centerville City.

10A-2-060. Fuel Gas Code.

The International Fuel Gas Code (IFGC), 2012 ~~2009~~ Edition, issued promulgated by the International Code Council, as adopted and amended by the State of Utah, is hereby adopted and incorporated herein by reference as the Fuel Gas Code of Centerville City.

10A-2-070. Electrical Code.

The National Electrical Code (NEC), 2011 2008-Edition, issued by the National Fire Protection Association, as amended and adopted by the State of Utah, is hereby adopted and incorporated herein by reference as the Electrical Code of Centerville City.

10A-2-080. Energy Conservation Code.

The International Energy Conservation Code (IECC), 2012 2009-Edition, issued by the International Code Council, as adopted and amended by the State of Utah, is hereby adopted and incorporated herein by reference as the Energy Conservation Code of Centerville City.

10A-2-090. Manufactured Housing Codes.

Subject to the provisions of Utah Code Ann. § 15A-2-104, ~~Section 101 of the State Construction Code Adoption Act and applicable provisions of State law, as amended~~, the following codes and standards are hereby adopted by Centerville City and incorporated herein by reference: the Federal Manufactured Housing Construction and Safety Standards Act (HUD Code), issued by the Department of Housing and Urban Development and published in the Federal Register as set forth in 24 CFR Parts 3280 and 3282, as revised April 1, 1990, and as adopted by the State of Utah; Appendix E of the 2012 2009-Edition of the International Residential Code as adopted herein in Section 10A-2-030; the 2005 Edition of the NFPA 225 Model Manufactured Home Installation Standard promulgated by the National Fire Protection Association, as adopted by the State of Utah, and applicable provisions of Title 15A 58, Chapter 56, of the Utah Code.

10A-2-100. Abatement of Dangerous Buildings Code.

The Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, promulgated by the International Conference of Building Officials, is hereby adopted and incorporated herein by reference as the Abatement of Dangerous Buildings Code of Centerville City.

10A-2-110. Property Maintenance Code.

The International Property Maintenance Code, 2006 Edition, as promulgated by the International Conference of Building Officials, is hereby adopted and incorporated herein by reference as the Property Maintenance Code of Centerville City.

10A-2-112. Fire Code.

The International Fire Code (IFC), 2012 2009-Edition, as issued by the International Code Council, as adopted and amended by the State of Utah, ~~including Appendices A-D~~ and the National Fire Protection Association (NFPA), NFPA 96, Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations, 2011 2008-Edition, as adopted and amended by the State of Utah, and the National Fire Protection Association, NFPA 1403, Standard on Live Fire Training Evolutions, 2012 Edition, as adopted and amended by the State of Utah, are hereby adopted and incorporated herein by reference as the Fire Code of Centerville City.

10A-2-114. Local Amendments.

The Construction Codes adopted herein shall include any and all local amendments adopted by Centerville City and approved by the State in accordance with applicable local amendment procedures.

10A-2-120. Conformance with Other Ordinances.

Any construction, alteration or improvement of any building or structure within the City shall also comply with other relevant City ordinances and regulations, including but not limited to subdivision, zoning

and fire provisions. The provisions of this Title and the Construction Codes adopted herein are intended to be interpreted and administered in conformance with such other ordinances. Whenever a conflict exists between any provisions, the more restrictive standard or provision shall prevail. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern.

CENTERVILLE CITY COUNCIL

Staff Backup Report

Item No. 9

Short Title: Mayor's Report

Initiated By:

Scheduled Time: 8:10

SUBJECT

RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Name:

Description:

No Attachments Available

CENTERVILLE CITY COUNCIL

Staff Backup Report

Item No. 10.

Short Title: City Manager's Report

Initiated By:

Scheduled Time: 8:15

SUBJECT

- a. Schedule gun range field trip
- b. Davis-Salt Lake City Community Connector Study

RECOMMENDATION

Schedule a field trip to the gun range on Tuesday, Sept. 17 prior to the regular Council Meeting that evening, as preparation for discussing a new lease for operation of the gun range.

BACKGROUND

Jim Stephens of the Centerville Small Arms Association met earlier this year with the City Council to request an extension of their lease. The City Council agreed a field trip to the gun range would be helpful as they consider this matter, but wanted to wait for cooler weather. The current lease expires December 31, 2013.

The City Manager and Community Development Director recently met with UTA representatives to be updated regarding the Davis-Salt Lake City Community Connector Study. The City Manager will share this update with the City Council and will also explain some changes being made by UTA to the bus routes in Centerville. The attachments are related to the Community Connector Study. The UTA representatives made it clear that the study assumes Centerville would be served by enhanced bus service and not a fixed guiderail system.

ATTACHMENTS:

Name:

D Davis-SLC_Community_Connector_Study.pdf

Description:

Davis-SLC Community Connector Study

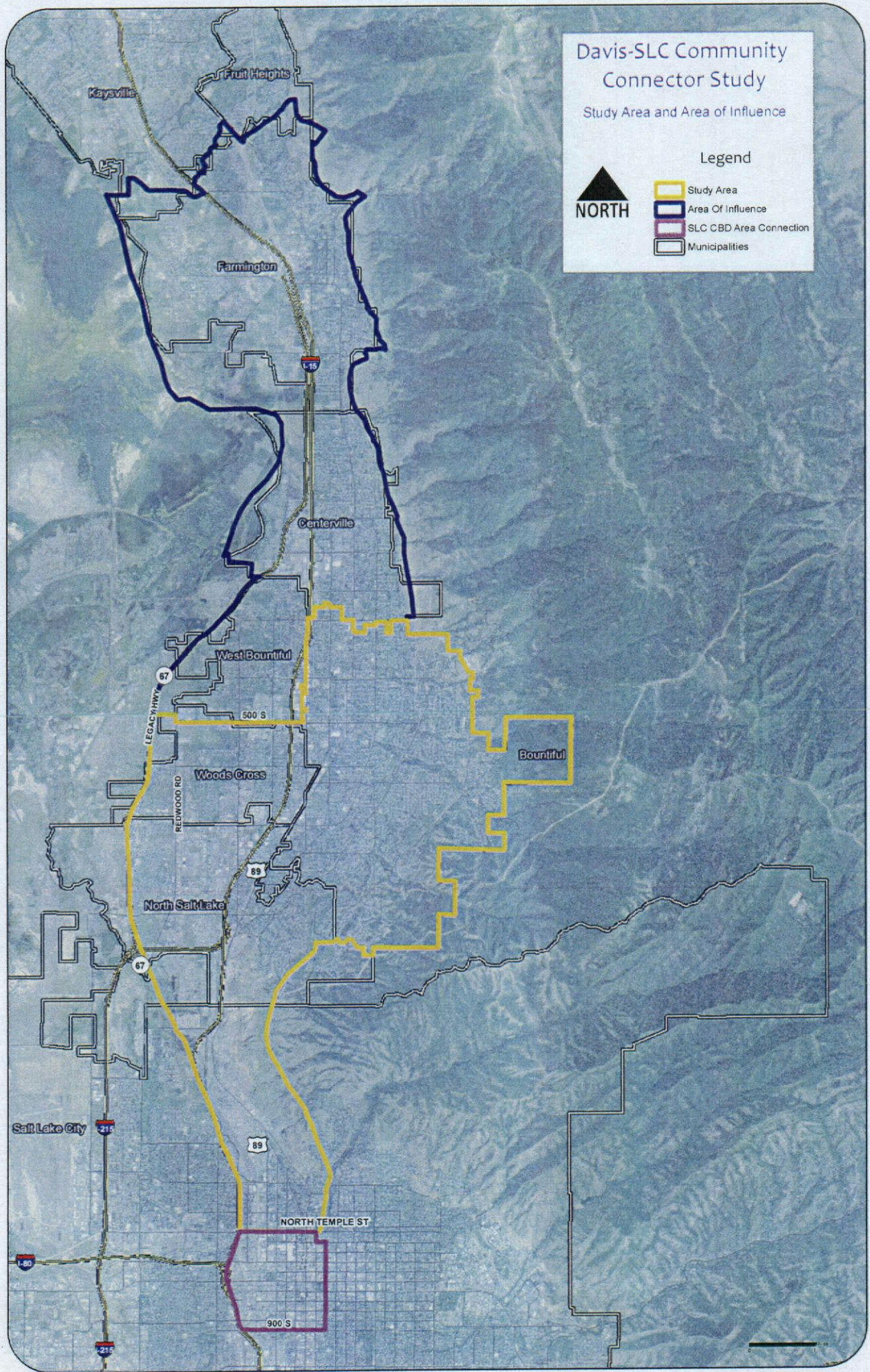
Davis-SLC Community Connector Study

Study Area and Area of Influence

Legend

- Study Area
- Area Of Influence
- SLC CBD Area Connection
- Municipalities

NORTH



Frequently Asked Questions

1. What was the cost of the previous study? What were the results of the study?
- Total Cost: \$2.4 million
 - Deliverables: 2008 Alternatives Analysis Final Report, 2010 Draft Environmental Study Report (DESR), and travel demand data
 - Under the 2010 DESR there was no stakeholder consensus on alignment and streetcar was the selected mode. Based on these outcomes, a future project was not eligible for federal funding.
2. How is this study different from the previous study?
- Total Cost: \$450,000
 - The transit market has changed. Completion of the 2015 projects provide improved access to the overall transit system.
3. What are the expected outcomes of the new study?
- To understand the transit travel market and provide transit options, which will ultimately better serve the market.
 - To gather public input to assess transit needs and desires of the community.
 - To recommend land use changes needed to encourage transit-friendly economic development.
 - To select a preferred alignment and mode based on stakeholder consensus.
 - To provide the following deliverable: final report recommending a locally preferred transit alternative that will qualify for future federal funding.

Contact Information

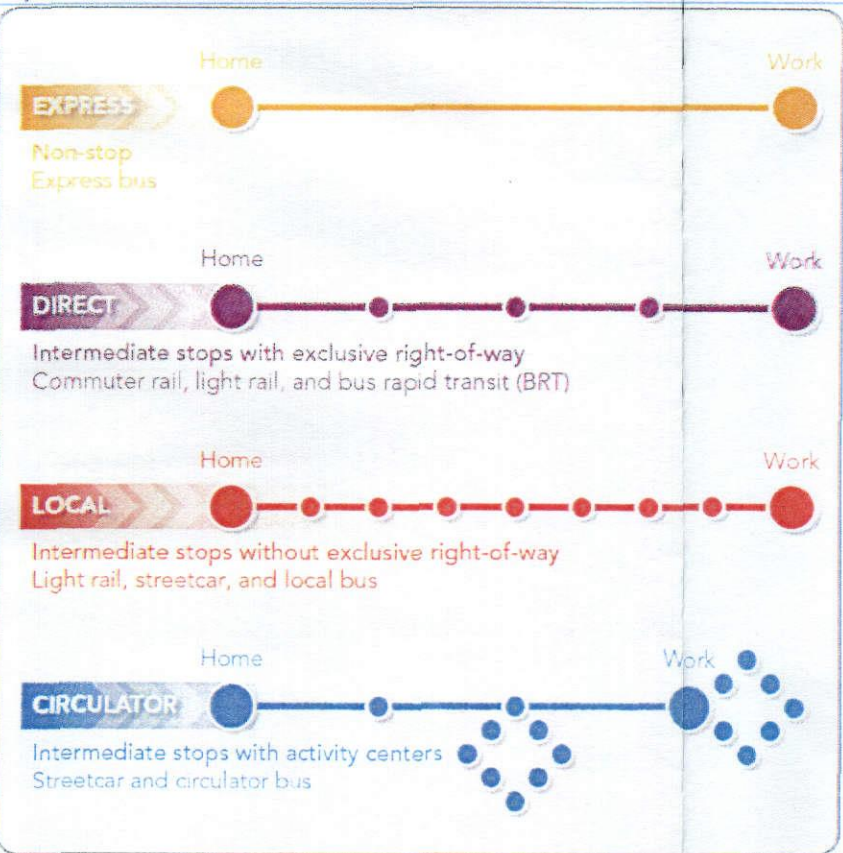
Project Manager: Brett Coulam
Phone: 801-237-1964
Email: bcoulam@rideuta.com

Davis - Salt Lake City Community Connector

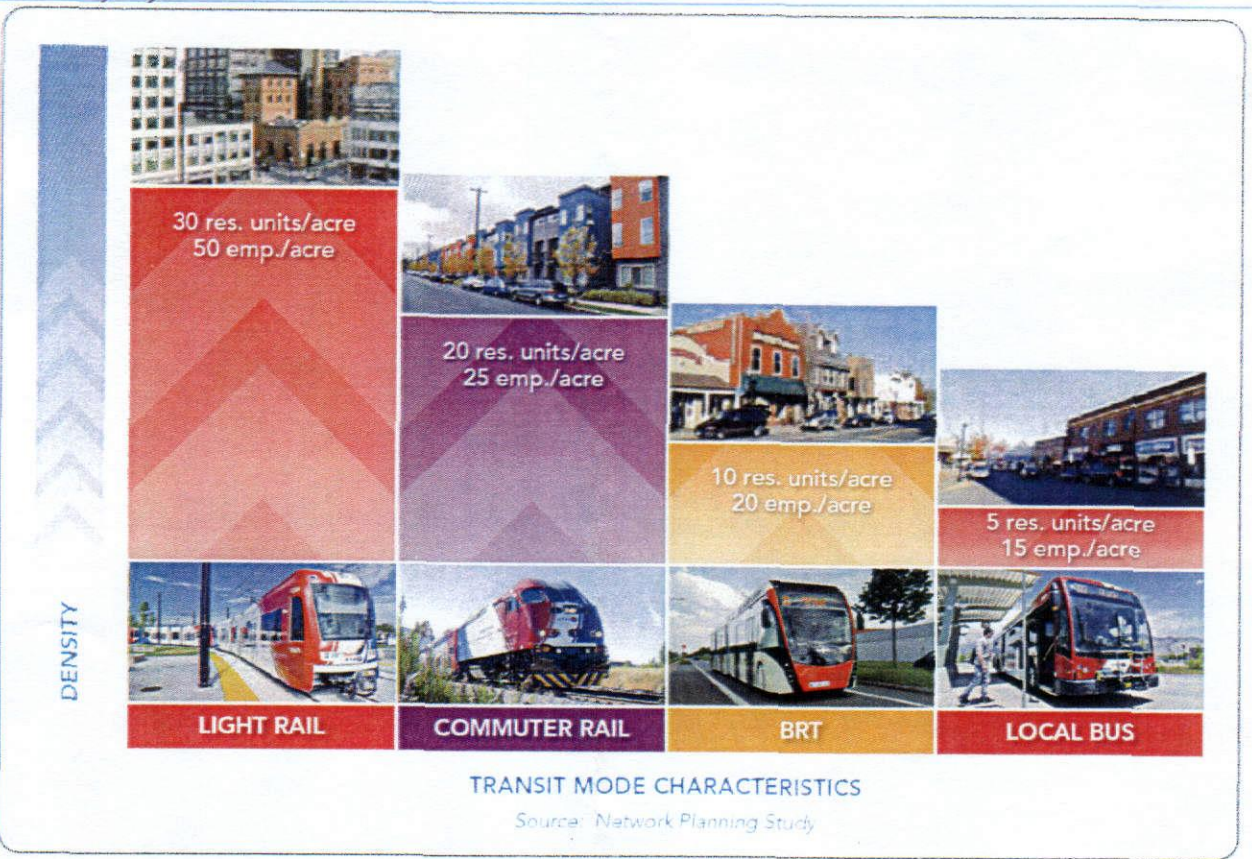
Project Development Process

CURRENT PHASE					
Vision	Systems Planning	Pre-NEPA (Feasibility Study)	Project Development/ NEPA	Engineering/ Design	Construction
• Long range and strategic planning • Political • Existing transit service • Local master plans • UDOT/municipal plans • Land use plans	• Bus versus rail • Local bus service • Travel demand • Mode • Alignment • Identify project corridors	Evaluation criteria inc.: • Transit markets • Ridership • Land use • Preliminary costs • Available funds • Prioritization • Partnerships • Feasibility study • Alternatives • Public involvement • Select LPA	• Public involvement • MPO action • Select mode • Conceptual engineering • Complete NEPA process and decision document • Capital and O&M costs • Funding scenarios	• Refine financial plan • Communication • Commitment of non-federal funding • Construction plans, ROW acquisition • Before/after data collection plan • FTA evaluation for FFGA • Begin negotiations	
Time »		12 - 18 Months	1 - 2 Years	1 - 2 Years	2 Years

Operational Characteristics.



Density by Mode



CENTERVILLE CITY COUNCIL

Staff Backup Report

Item No. 11.

Short Title: Miscellaneous Business

Initiated By:

Scheduled Time: 8:25

SUBJECT

- a. ULCT Annual Conference - September 11 - 13, 2013
- b. Approve purchase of 1-ton truck with snowplowing equipment

RECOMMENDATION

- a. Please see the enclosed information about the Utah League of Cities and Towns Annual Conference in September. To get the best price on registration, officials wishing to attend should provide their registration information to Marsha by August 30.
- b. Will be provided at meeting.

BACKGROUND

- b. This item was added at the last minute before the agenda was posted; therefore, there are no attachments. Supporting documents will be provided in advance or at the meeting.

ATTACHMENTS:

Name:

Description:

ULCT_-_September_11-13-2013_conference.pdf

Utah League of Cities & Towns Annual Conference Information

UTAH LEAGUE OF CITIES AND TOWNS

2013 ANNUAL CONVENTION

Assessing Your Community's Vital Signs

Small Town Resources

SEPTEMBER 11-13, 2013
SHERATON, SALT LAKE CITY

Youth Fitness

Healthy Communities

Buying Local

Finance

Park Design

Eliminating Poverty

Social Media Skills

Crisis Management

"Obamacare"

WC 2040 Zoning

Urban Farming

**Bonus for
each registrant:**
Two free tickets upon
request to the Natural
History Museum of Utah
Valid for one year

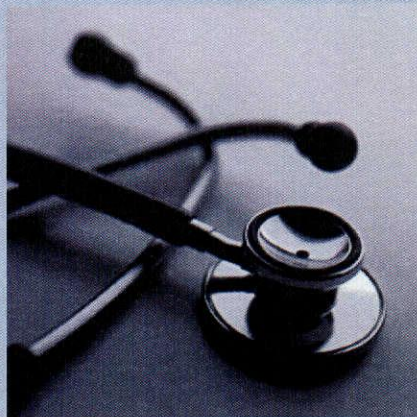
Shared Tech Municipal Programs

Planners Day

Assessing Your Community's Vital Signs

Healthcare is certainly dominating conversation across the nation... in both political circles and family circles. It's something that affects each of us. As you know, fostering better health requires more than a yearly check-up. It's a process that we are involved in every day.

Join us at the 2013 ULCT Annual Convention for a full schedule of expert presenters who will help you evaluate new ideas to adapt to the changing healthcare environment. And we will go a step further, delving into other ideas to help your city or town create and maintain a thriving community. We'll talk about parks and trails, tourism and social media. Experts will share their knowledge about cool programs for youth. We'll explore ideas to boost the budget and clean the environment. We'll hear lessons learned about crisis communications management and explore solutions to the problem of poverty. You'll also hear ideas to inspire your citizens to get involved! Get ready... we are going inject you with an extremely potent dose of inspiration at ULCT Annual! (No needles.)





President's Message

CARLTON CHRISTENSEN
ULCT PRESIDENT

Dear Friends and Colleagues,

I am reminded often that the health of our communities reflects the good work of each of us. We see it not only in our personal health, but in how fiscally sound our communities operate and in the way we plan and replace our critical infrastructure. Coming together to both learn and share ideas not only makes us better leaders, but demonstrates that working together, we are much stronger and need each other.

The three days of the conference will include some great speakers and entertainment. With individuals like Steve Forbes who will remind us how fiscal soundness and good business are critical for us to succeed, to the Beach Boys where we can enjoy the fun of our capital city's downtown core and get a little wild! (For local officials that is...) We will also have some great vendors and presenters who will provide ideas that can be solutions to something you're trying to solve. Take the time to engage in all of it and to enjoy some time on your own as well.

This conference not only will be the end of my tenure as President of the Utah League of Cities & Towns, but January will be the end of my sixteen years of service as a council member to my own community. I, like you, love my hometown and have tried my best to Make Life Better. And like some of you, I even live in the home where I grew up and where I plan to live the rest of my life. My associations with each of you have been some of the most personally rewarding experiences of my life and I thank you for your service. Please take a minute to stop me and say hello!

This is the Year of Local Government. We need not only be a good example personally, but frankly many of the solutions for our communities will need to come from us. We need to provide the solutions to tough problems in difficult times. I know my community will need your help, and I know that together we will be up to the task of being the leaders our constituents have asked us to be. Thanks for being leaders that make a difference!

Sincerely,

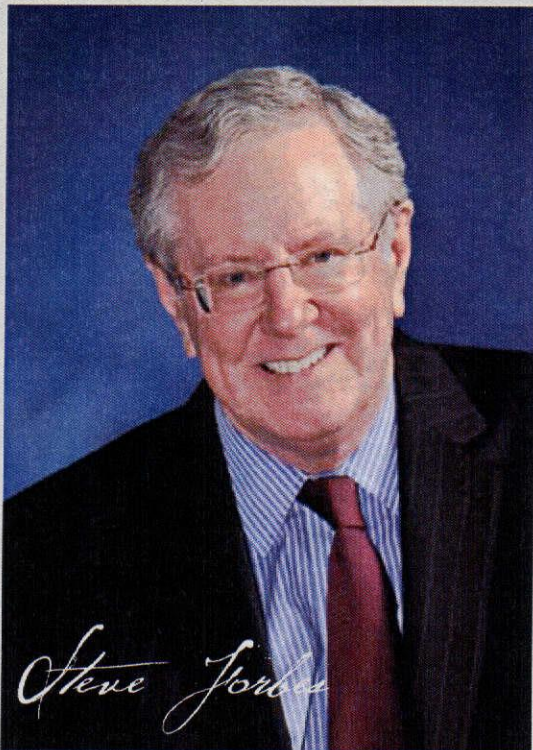
Carlton Christensen

CARLTON CHRISTENSEN
COUNCIL MEMBER, SALT LAKE CITY

Keynote Speaker

Wednesday Lunch

Hear the secrets of successful leadership from the chairman and Editor-in-Chief of Forbes Media, Steve Forbes.



STEVE FORBES

Under his leadership, Mr. Forbes' company has launched a variety of new publications and business... and here are just a few: *ForbesLife*, *Luxury Lifestyle and Culture Magazine*, *Forbes Europe*, and *ForbesAsia* and many other editions around the world.

He entered the new media arena in 1996 with the launch of Forbes.com which now averages 48 million unique monthly visitors and has become a leading destination site for senior business decision makers and investors.

The company's flagship publication, *Forbes*, is the nation's leading business magazine with a circulation of more than 900,000. *Forbes*, combined with *Forbes Asia*, *Forbes Europe* and the company's licensee editions reach a worldwide audience of more than 5 million readers.

ZIONS BANK-
ULCT SPEAKER SERIES

Special thanks to Scott Anderson, CEO of Zions Bank, for providing the financial assistance that allows us to invite notable speakers such as Mr. Forbes to participate in the Zions Bank-ULCT Speaker Series.

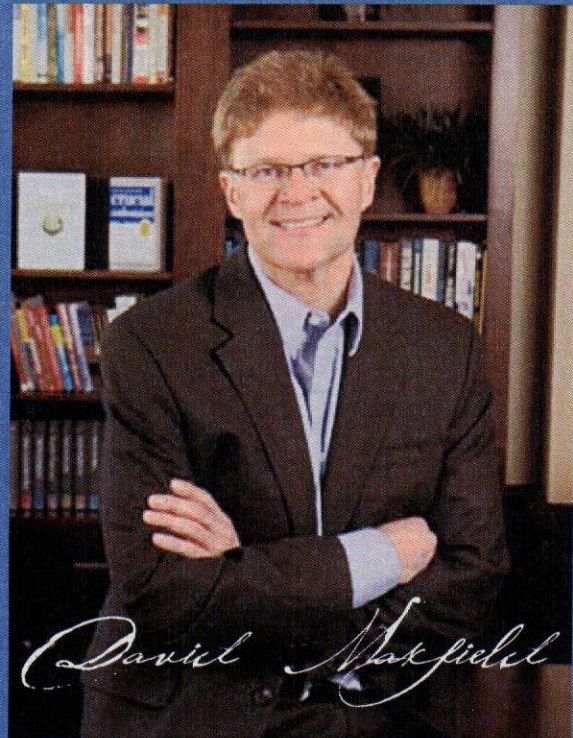
Wednesday Pre-Conference General Speaker

DAVID MAXFIELD

"Bestselling Business Author in Leadership,
Influence, and Communication

For more than twenty years, David Maxfield has led high-leverage research initiatives that uncover causes of and solutions to managerial, cultural, and operational inefficiencies that directly affect the bottom line. David's impact on organizational performance has been wide-reaching as he's helped clients such as General Mills, Harvard Medical School, Pizza Hut, and Spectrum Health increase organizational effectiveness.

David is the coauthor of two *New York Times* bestsellers, *Change Anything: The New Science of Personal Success* and *Influencer: The Power to Change Anything*. A respected academic, David has taught at Stanford University and the Marriott School of Management at Brigham Young University.



David Maxfield

Thursday General Session Speaker

RICH McKEOWN

Rich McKeown is the President and CEO of Leavitt Partners. He is a co-founder of Leavitt Partners with former U.S. Health and Human Services Secretary, EPA Administrator and Governor Michael Leavitt. The partnership advises clients in the health care and food safety sectors. As the chief executive officer, McKeown leads a group of experienced professionals who help clients enter new markets, enhance the value of their products, navigate dynamic regulatory and reimbursement systems and improve living conditions around the world.



Rich McKeown

Thursday General Session Speaker

DEE EDINGTON
HEALTH AND WELLNESS
INDUSTRY PIONEER

A new philosophy for healthcare saves money and improves personal wellbeing.

Stay where you are! That's the advice of the director of the Health Management Research Center at the University of Michigan regarding our personal wellbeing. Dee Edington's words of wisdom seem to startle some of his industry colleagues. While the traditional advice to improve one's lifestyle is based on appropriate diet and exercise, Edington says he has laid out a more realistic goal, and his philosophy is gaining momentum. Learn more about his method of health management for the 21st century.

Thursday
Lunch



KEVIN LO
GOOGLE FIBER, GENERAL MANAGER

It's not cable. It's not internet. It's Google Fiber. And, Kevin Lo, the man in charge of creating "Fiberland" across the country will address our Utah League members. Hear what Google Fiber will do for residents of Provo and how its amazing speed is transforming the way we communicate.

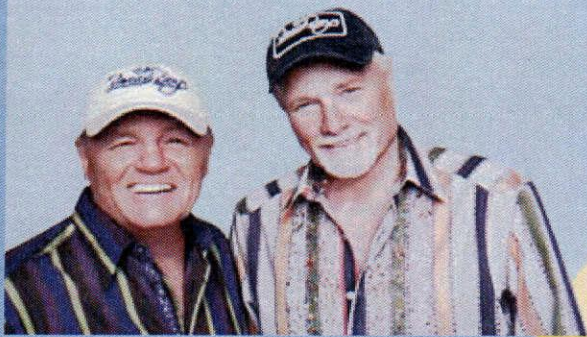
Friday ULCT Business Session

FORMER U.S. SENATOR BOB BENNETT AND
U.S. SENATOR RON WYDEN-OREGON (INVITED)

*"Healthcare: Washington
Insiders Discuss the Challenges
of Finding Common Ground"*

Striking a deal that extends beyond party lines on any controversial national issue often seems unlikely... if not impossible in these times. Yet Former U.S. Senator Bob Bennett and U.S. Senator Ron Wyden of Oregon worked feverishly during the second Bush administration formulating the Healthy Americans Act. The goal of the Wyden-Bennett Act was to improve the lives of all Americans, providing a healthcare package that would stand the strongest chance of passage, gain the support of the American people, and allow a means for all Americans to acquire health insurance.

Although the Healthy Americans Act never advanced, these two experts will share their insight on the ideas that preceded the Affordable Health Care Act, known now by many as "Obamacare."



Friday Evening Entertainment

THE BEACH BOYS



Enjoy a night of "Good Vibrations" and old-fashioned "fun, fun, fun" with one of America's favorite bands! The Beach Boys, and their close vocal harmonies, reflect a culture of surfing, cars and romance. The group has the most Top 40 hits of any American rock band and has been named by Rolling Stone Magazine as one of the greatest artists of all time.

Pop Quiz Question: Which Beach Boys tune celebrated a Farmington amusement park?

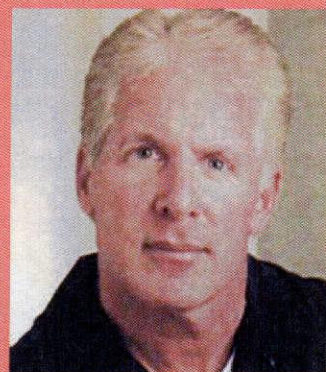
Join us for dinner and the fantastic music of the Beach Boys at a little place called the Gallivan Center Plaza. Get their fast and let's take it slow! (You know you wanna go!)

LAUGHTER AND FUN WITH GEORGE KANTER

Wednesday Evening Entertainment

You laughed with him last year, and you'll laugh again Wednesday night with funny-man George Kanter. The Phoenix native has performed with some of the top names in comedy: Jerry Seinfeld, Dennis Miller, and Dana Carvey. Now, he is frequently on the road with Frank Caliendo.

Kanter has starred in shows on A&E, Comedy Central and Showtime. Kanter enjoys what he calls, "observational humor," keying in on his audience with hysterical observations. Bring a tissue, because you may be in tears with laughter!



Mobile Workshops

There's no better way to learn more about an issue than with true hands-on experience. Our mobile workshops will give you a unique insight to some of the amazing things keeping our communities safe,



vibrant, and healthy. There are space limitations and fees for these workshops. Pre-registration is required. Same day registration will only be permitted if space is available.

Wednesday

Red suspender day:

Life in Turnouts (otherwise known as Firefighting 101)

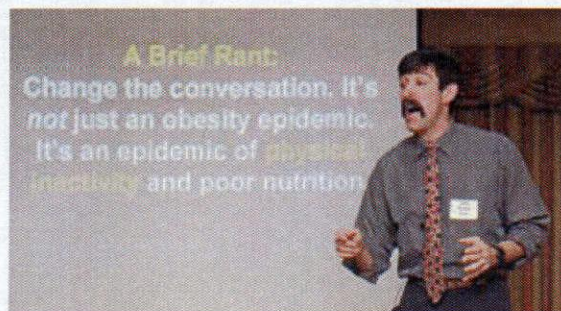
Get your hands on a fire hose and learn what our firefighters face in times of crisis.

Space Limited and \$10 Fee Required

Pedaling for Work and Pleasure: *New Options for Cyclists including Bike Sharing*

Take a morning ride down the Jordan River Parkway Trail, then explore the new "Bike Share" territory in Salt Lake City.

Space limited and \$25 bike rental fee required



Friday

Active Transportation Planning: *Creating Walkable Communities*

Keynote address and walk audit with Mark Fenton

Mark Fenton is a transportation, planning and public health consultant, author, television host, and active transportation advocate. He combines a public health perspective with engineering expertise to provide innovative community level program, design and policy solutions to create more walkable, bicycle and transit-friendly settings.

Join him Friday for in-class instruction, a general session... and sign up for a walking tour that will inspire creative planning in your community.

Pre-Registration and \$10 fee for walking tour required

Salt Lake City's New Public Safety and Emergency Communications Center Tour

See for yourself what a 175,000 square foot, state-of-the-art public safety building looks like. Take a look inside Salt Lake's new public safety building, the unique new digs for police, fire and emergency dispatchers. And see the largest "net zero" building in the nation. What is "Net-Zero?" Join us and learn.

Space limited, advance registration and \$10 fee required

Conference Highlights

Annual Business Session

Our annual business session will be held Friday morning, September 13th from 8:00-11:00 a.m. We will cover a number of critical issues that are important for all to hear. The primary purpose of this meeting is to discuss ULCT policy that will become part of our 2014 legislative agenda. We will review and vote on any policy resolutions from members during this time.

Nominations to the ULCT Board

At the Annual Convention each year several vacancies on the League's Board of Directors are filled with new members. If you or someone you know has a desire to serve on the board, return the nomination document that was sent to each city in early July. Any mayor or council member from a dues paying member city or town is eligible to be nominated and to nominate. If you have questions about this process, please contact Lincoln Shurtz at the League office: (801) 328-1601 or (800) 852-8528 or lshurtz@ulct.org.

Nominations are due by August 30.

Partner's Program

Bringing along a spouse or a significant other? We've got three days of fun planned.... including a live television appearance, a stroll through Gardner Village, a visit with Author Richard Paul Evans.... And CHOCOLATE!

Here's the tentative breakdown

Wednesday

Everything you've wanted to know about Chocolate (including taste tests!)

Salt Lake Masonic Temple Tour

Thursday

Good Things Utah, featuring Healthy Cooking with ULCT Auxiliary Officers @ ABC4 Studios

Trip to Gardner Village

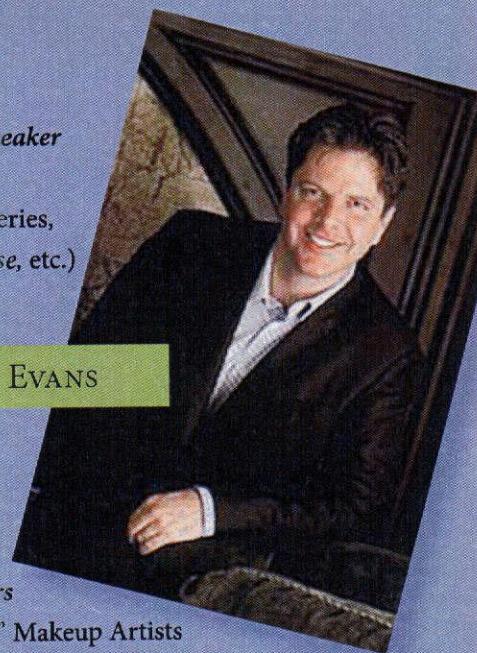
Friday

Breakfast with Guest Speaker

Richard Paul Evans

(Author: Michael Vey Series, *The Christmas Box House*, etc.)

RICHARD PAUL EVANS



Paul Mitchell Makeovers

"Get Your Glamour On" Makeup Artists from the Paul Mitchell School will spend 4 hours with the Auxiliary doing nails, makeup and hair and sharing the latest tips in style. Come as you are and prepared to try a new look and compare the "before and after" with your friends.

What's on the Agenda

TENTATIVE SCHEDULE

AGENDA Tuesday, September 10, 2013

7:00 am Check-in and Continental Breakfast
 7:00 am Annual Golf Classic *BOUNTIFUL RIDGE GOLF COURSE*
 8:00 am Tee Off (Shotgun Start)
 1:00 pm Barbecue Lunch
 2:30 pm Legislative Policy Committee Meeting *SHERATON HOTEL*

AGENDA Wednesday, September 11, 2013

DELEGATE TRACKS

7:00 am – 9:30 am Continental Breakfast

7:30 am – 8:10 am Workout with Trista and Jake in the Courtyard

7:30 am – 3:00 pm Registration Desk Open

8:00 am – 4:00 pm Exhibits Open

9:30 am – 10:30 am
 Pre Conference Workshop – “Change Anything”
 Keynote Address: David Maxfield

10:45 am – 11:45 am
WORKSHOP 1
 IT'S MORE HEALTHCARE:
 WHAT REALLY DETERMINES
 A COMMUNITY'S HEALTH

10:45 am – 11:45 am
WORKSHOP 2
 PARKS AND PLAY:
 “LET'S MOVE”

10:45 am – 11:45 am
WORKSHOP 3
 CREATING HEALTHY
 HOMES FOR YOUR
 COMMUNITY

10:45 am – 11:45 am
WORKSHOP 4
 TOURISM WORKS

12:00 pm – 1:30 pm **OPENING LUNCH**
 Keynote Speaker: Steve Forbes, Sponsored by Zions Bank—ULCT Speaker Series

1:45 pm – 5:00 pm Firefighting 101 **MOBILE WORKSHOP**

2:00 pm – 2:50 pm
WORKSHOP 5
 TBD

2:00 pm – 2:50 pm
WORKSHOP 6
 LIABILITY:
 NOT ALWAYS A WALK
 IN THE PARK

1:45 pm – 2:50 pm
WORKSHOP 7
 THE FISCAL
 IMPLICATIONS OF
 DEVELOPMENT

2:00 pm – 2:50 pm
WORKSHOP 8
 “HERE, THERE AND
 EVERYWHERE...”
 EFFECTIVE MESSAGING
 MAXIMIZING
 SOCIAL MEDIA

3:10 pm – 4:00 pm
WORKSHOP 9
 PUT DOWN THE
 GAME-BOY:
 YOUR COMMUNITY YOUTH
 “UNPLUGGED”

3:10 pm – 4:00 pm
WORKSHOP 10
 THE COST OF
 CLEAN AIR
 (CLEAN ENERGY
 CODES AND FINANCING
 MECHANISMS)

3:10 pm – 4:00 pm
WORKSHOP 11
 URBAN HIKING:
 CONNECTING YOUR
 COMMUNITY
 WITH TRAILS

3:10 pm – 4:00 pm
WORKSHOP 12
 ONLINE OFFERINGS
 FOR CITIES

6:00 pm – 8:30 pm Utah's Own Dinner & Presentation and Entertainment George the Comedian

AGENDA Thursday, September 12, 2013

DELEGATE TRACKS

7:00 am – 9:30 pm **Continental Breakfast**

7:00 am – 4:00 am **Registration**

7:30 am – 8:10 am **Workout with Trista and Jake in the Courtyard**

7:30 am – 9:00 am **City Cycling Event**

9:15 am – 10:15 am **General Sessions**

Keynote Speaker: Rich McKeown The Affordable
Healthcare Act: Its Impact On Your Resources

Keynote Speaker: Dee Edington A New Philosophy for
Healthcare Saves Money And Improves Personal Wellbeing

9:00 am – 12:30am

Massage Center

Take 15 minutes and
relax with "Place to
Place" therapists and
their complimentary
upper back and neck
massages.

10:30 am – 11:20 am
WORKSHOP 13
"IT TAKES A VILLAGE:"
HOW TO COLLABORATIVELY
SHAPE UP YOUR
COMMUNITY

10:30 am – 11:20 am
WORKSHOP 14
IMPACT FEES: DO'S AND
DON'T'S AND WHEN
FINANCIAL HELP
FOR DEVELOPERS IS
APPROPRIATE

10:30 am – 11:20 am
WORKSHOP 15
BUILD LAND USE
CONSENSUS FOR YOUR
COMMUNITY'S FUTURE

10:30 am – 11:20 am
WORKSHOP 16
CRISIS
COMMUNICATIONS
MANAGEMENT

11:00 pm – 12:15 pm **Appeal Authority Training: Meg Ryan**

11:30 am – 12:15 pm
WORKSHOP 17
BENEFITS SCIENCE:
A FORMULA TO
CALCULATE
HEALTHCARE COSTS

11:30 am – 12:15 pm
WORKSHOP 18
CUSTOMIZING YOUR
FISCAL DIET AND
EXERCISE PROGRAM

11:30 am – 12:15 pm
WORKSHOP 19
MAKING ZONING WORK
FOR THE COMMUNITY
AND THE DEVELOPER:
THE WC2040 FORM BASED
CODE TEMPLATE

11:30 am – 12:15 pm
WORKSHOP 20
CITY SOLUTIONS:
SHARING INFORMATION
THROUGH HIGH TECH
NETWORKS

12:15 pm – 1:40 pm **Lunch**
Keynote Speaker: Kevin Lo, GM Google Fiber

2:00 pm – 4:00 pm **New SLC Public Safety Building Tour**

2:00 pm – 2:50 pm
WORKSHOP 21
INSURING TOMORROWS
EMPLOYEES

2:00 pm – 2:50 pm
WORKSHOP 22
GROWING, BUYING AND
SELLING LOCAL

2:00 pm – 2:50 pm
WORKSHOP 23
JUMP START YOUR
COMMERCIAL REVITALIZATION
PLAN WITH THE WC2040
TOOL "IMPLEMENTING
CENTERS"

2:00 pm – 2:50 pm
WORKSHOP 24
GOOGLE: GETTING
PERSONAL
ONE-ON-ONE WITH UTAH'S
CITIES AND TOWNS

1:45 pm – 4:00 pm

Massage Center

Take 15 minutes and
relax with "Place to
Place" therapists and
their complimentary
upper back and neck
massages.

3:00 pm – 4:00 pm **Utah's Own Treats**

3:00 pm – 4:00 pm
ROUND TABLES
DISCUSSIONS:
3- 20 MINUTE
SESSIONS

3:00 pm – 4:00 pm
WORKSHOP 25
LOOKING OUT FOR
YOUR RETIREMENT

3:00 pm – 4:00 pm
WORKSHOP 26
UTAH'S CHANGING
DEMOGRAPHICS,
WHAT IT MEANS FOR
HOUSING NOW AND
IN 20 YEARS

3:00 pm – 4:00 pm
WORKSHOP 27
SAMURAI ETHICS

DINNER ON YOUR OWN

AGENDA Friday, September 13, 2013

DELEGATE TRACKS

7:00 am – 9:00 am **Continental Breakfast**

7:00 am – 1:00 pm **Exhibits Open**

7:30 am – 8:10 am **Workout with Trista and Jake in the Courtyard**

8:00 am – 11:00 am **ULCT BUSINESS SESSION**
Former U.S. Senator Bob Bennett and Senator Ron Wyden, Oregon

11:10 am – 12:00 pm
WORKSHOP 28
PUTTING HEALTH IMPACT
ASSESSMENTS TO WORK

11:10 am – 12:00 pm
WORKSHOP 29
POVERTY: IMPACT ON
COMMUNITY HEALTH

11:10 am – 12:00 pm
WORKSHOP 30
REVITALIZATING YOUR
COMMUNITY

11:10 am – 12:00 pm
WORKSHOP 31
BUILDING
TRANSPORTATION
SYSTEMS THAT WORK
FOR REAL PEOPLE

12:00 pm – 1:20 pm **LUNCH** — Essay Contest Award Winners
Department of Health: Healthy Community Awards Speaker:
David Hemmingway, Zions Bank

1:30 pm – 2:20 pm
WORKSHOP 32
THE POWER OF PLACE—
HEALTH IN A COMMUNITY

1:30 pm – 2:20 pm
WORKSHOP 33
WORKPLACE PRIMARY
CARE CLINICS: WILL IT WORK
FOR MY COMMUNITY?

1:30 pm – 2:20 pm
WORKSHOP 34
HISTORIC PRESERVATION:
ITS EFFECTS ON LAND VALUE

1:30 pm – 2:20 pm
WORKSHOP 35
ECONOMIC IMPACTS OF
BICYCLE AND PEDESTRIAN
INFRASTRUCTURE

2:30 pm – 3:30 pm
MARK FENTON "BRIDGING COMMUNITY HEALTH THROUGH STICKY DESIGN"

3:30 pm – 5:00 pm
**MARK FENTON: BUILDING COMMUNITY ENGAGEMENT
WITH A WALK (PRE-REGISTRATION REQUIRED)**

3:30 pm – 5:00 pm
**DAVID CHURCH:
"DAVE'S WORLD! DAVE'S WORLD! PARTYTIME! EXCELLENT!"**

6:00 pm – 7:00 pm **PRESIDENT'S RECEPTION** *GALLIVAN CENTER*

7:00 pm – 9:00 pm **DINNER AND ENTERTAINMENT**
DINNER AT GALLIVAN CENTER AND ENTERTAINMENT BEACH BOYS

Bonus for each registrant:

Two free tickets upon
request to the Natural
History Museum of Utah

Valid for one year

Hotel information

Sheraton City Centre — *HOST HOTEL* ~ 150 West 500 South, 801-401-2000 ~ \$129

Crystal Inn — 230 West 500 South, 801-328-4466 ~ \$119

When making your reservations, please indicate you are part of the Utah League of Cities and Towns Convention.

Utah League of Cities and Towns 106th Annual Convention

Registration Form ~ September 11-13, 2013 ~ Sheraton City Centre, 150 West 500 South, Salt Lake City

PLEASE TYPE OR PRINT CLEARLY

City / Town / Agency / Business	Phone	E-mail
Delegate name	Position	
Address	City	Zip
Partner's name (required if attending tour and convention)		
Person completing form	Phone	

REGISTRATION FEES Full delegate and partner registration fees include three continental breakfasts, three lunches, two dinners, six breaks, general sessions and workshops.

Friday's President's Banquet will be assigned seating on a first-registered basis with preferred seating for full registrants.

PLEASE CHECK APPROPRIATE BOXES

Fees

	OFFICIALS FROM MEMBER CITY OR TOWN	GOVERNMENT NONMEMBER	PRIVATE SECTOR
Full Registration	☐ \$360	☐ \$450	☐ \$650
Partner Registration	☐ \$280	☐ \$350	☐ \$400
Youth Registration	☐ \$30		
Golf Tournament	☐ \$85	☐ \$95	☐ \$125
Wednesday Only	☐ \$175	☐ \$200	☐ \$200
Thursday Only (Planners' Day)	☐ \$150	☐ \$175	☐ \$200
Friday Only	☐ \$180	☐ \$200	☐ \$250

☐ Please check for non-meat meals

☐ In compliance with ADA, arrangements can be made for those with special needs.



Please contact the League office if you have special needs.

Mobile Tours

Bike Tour	☐ \$25
Firefighting 101	☐ \$10
Creating Walkable Communities with Mark Fenton	☐ \$10
Salt Lake City Public Safety Building	☐ \$10

Extra Tickets (available for non-registered guests)

	MEMBER CITY	NON-MEMBER
Wednesday Lunch	☐ \$50	☐ \$75
Wednesday Dinner and Entertainment	☐ \$45	☐ \$65
Thursday Lunch	☐ \$45	☐ \$60
Friday Lunch	☐ \$40	☐ \$50
President's Banquet and Reception	☐ \$80	☐ \$100

TOTALS

Delegate Registration Fee	\$ +
Partner Registration Fee	\$ +
Mobile Tour	\$ +
Golf Tournament	\$ +
Preconference Workshop	\$ +
Extra Tickets—Total Amount	\$ +
\$30.00 less without President's Banquet (only for full or Friday only registrations)	\$ -
\$25.00 Late Fee (received after August 30)	\$ +

TOTAL AMOUNT DUE

REGISTRATION DEADLINE IS August 30, 2013

If you need additional forms, please copy this one or they may be downloaded from the website: www.ulct.org

Register online at ulct.org or

By mail

Mail this form with
payment to ULCT, 50 South 600 East, Suite 150,
Salt Lake City, UT 84102

By Fax

Fax this form with
credit card payment to:
(801) 531-1872

Cancellation Policy

All cancellations must be received in writing (e-mail or fax acceptable) no later than August 30, 2013. A fee of \$30 will be assessed for those cancellations received before the deadline. No refunds will be given after the August 30 deadline. No shows will be billed. If you have any questions, please contact Nick Jarvis at the League office (800) 852-8528 or (801) 328-1601 or e-mail njarvis@ulct.org.

Paying by (please check one): ☐ Cash ☐ Check

CREDIT CARD

☐ Visa ☐ MasterCard ☐ American Express

Credit Card Number Exp. Date

Name (as it appears on card)

Signature



Scramble Format

Registration deadline
is August 30, 2013

Registration
Deadline
Friday,
August 30

Please note

You must be a participant in the Annual Convention to be eligible to golf.

After the deadline we cannot guarantee that the registrant will be able to golf. Preregistration is required for golf.

Listing people for your desired foursome does not register them. Each person must have their own form. If extra forms are needed, please copy this form.

We reserve the right to assign foursomes not otherwise requested on this form.

ULCT Annual Golf Classic Registration Form

**Bountiful Ridge Golf Course, 2430 Bountiful Boulevard
Tuesday, September 10, 2013**

Golfer's name _____

Spouse's name (if golfing) _____

Address _____

City _____

State _____

Zip _____

Phone _____

Fax _____

E-mail address _____

Fees

OFFICIALS AND SPOUSES FROM
MEMBER CITY OR TOWN

\$85

GOVERNMENT
NONMEMBER

\$95

PRIVATE
SECTOR

\$125

Registration fee for delegate \$ _____

Registration fee for spouse \$ _____

Total due for golf \$ _____

Schedule

7:00 am Check-in and Continental Breakfast

8:00 am Tee Off (Shotgun Start)

1:00 pm Barbecue Lunch and Guest Speaker

Foursome (please list your desired foursome—no guarantees)

1. _____

2. _____

3. _____

4. _____

☐ I've included my golfing fee with the conference registration

☐ I've enclosed a separate check for golf

Please bill my: ☐ Visa ☐ MasterCard ☐ American Express

Name (as it appears on card)

Card number

Expiration date

Signature

2013 Essay Contest Winners

Sponsored by Energy Solutions



Utah's Cities and Towns

It's amazing what we can learn about our community when we hear how it is seen from the mouths of babes... Hear what Utah students deem as the most awesome aspects of their own cities and towns with their award winning essays, "Why I Like My Community." We'll present a video featuring the six award winners from Utah's 4th and 7th grades. We may also hear from those who took the top prizes during Friday's Luncheon. When you see their eyes light up, it will make you proud to represent your own city or town.

The following students are this year's award winners:

Fourth Grade

FIRST PLACE

Jordan McBroom

Soaring Wings Montessori
Park City

SECOND PLACE

Nickelle Olsen

Mountain View Elementary
Brigham City

THIRD PLACE

Alexander Osterhaut

Valley Elementary
Orderville

Seventh Grade

FIRST PLACE

Kamirly Robinson

Kanab Middle School
Kanab

SECOND PLACE

Jaxen Joyner

White Pine
Middle school
Richmond

THIRD PLACE

Carolyn Donaldson

Gunnison Middle School
Gunnison

These individuals and their schools received the following prizes:

FIRST PLACE

\$100 to the student
\$1,000 to the school

SECOND PLACE

\$75 to the student
\$750 to the school

THIRD PLACE

\$50 to the student
\$500 to the school

Nominations to the ULCT Board

At the Annual Convention each year several vacancies on the League's Board of Directors are filled with new members. If you or someone you know has a desire to serve on the board, return the nomination document that was sent to each city in early July. Any mayor or council member from a dues paying member city or town is eligible to be nominated and to nominate. If you have questions about this process, please contact Lincoln Shurtz at the League office: (801) 328-1601

The deadline for nominations is September 2, 2013.



Utah League of Cities and Towns

50 South 600 East, Suite 150
Salt Lake City, Utah 84102

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SLC, UT

ULCT Officers

PRESIDENT

Carlton Christensen, Council Member,
Salt Lake City

FIRST VICE PRESIDENT

Caitlin Gochmour, Council Member, Ogden City

SECOND VICE PRESIDENT

John Curtis, Mayor, Provo

TREASURER

JoAnn B. Seghini, Mayor, Midvale City

PAST PRESIDENT

Scott Harbertson, Mayor, Farmington

ULCT Ex-Officio Members

Kenneth Bullock, Executive Director, Utah
League of Cities and Towns

Scott Darrington, Pleasant Grove
President, Utah City Management Assoc.

Tracy Norr, Draper
President, Utah Municipal Clerks Assoc.

ULCT Board of Directors

Len Arave, Mayor, North Salt Lake

Margaret Black, Council Member, Orem City

Don Christensen, Council Member,
West Valley City

Beth Holbrook, Council Member, Bountiful

Heather Jackson, Mayor, Eagle Mountain

Ruth Jensen, Council Member, Brigham City

Sonja Norton, Council Member, Vernal

Don Olson, Council Member, Ephraim City

Jim Ortler, Council Member, Brian Head

Lynn Pace, Council Member, City of Holladay

Steve Pruden, Council Member, Tooele

Cherie Wood, Mayor, City of South Salt Lake

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Kenneth Bullock, Executive Director

David Church, ULCT Legal Counsel

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Administrative Services

Meg Ryan, Planning Analyst

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Legislative Affairs

Justin Stewart, Legislative Analyst

Roger Tew, Senior Policy Analyst

Susan Wood, Director of
Communications and Training

Erin Cole, Production Intern

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CENTERVILLE CITY COUNCIL

Staff Backup Report

Item No. 12.

Short Title: Closed meeting, if necessary, for reasons allowed by state law , including, but not limited to, the provisions of Section 52-4-205 of the Utah Open and Public Meetings Act, and for attorney-client matters that are privileged pursuant to Utah Code Ann. § 78B-1-137, as amended

Initiated By:

Scheduled Time: 8:30

SUBJECT

RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Name:

Description:

No Attachments Available

CENTERVILLE CITY COUNCIL

Staff Backup Report

Item No. 13.

Short Title: Possible Action Following Closed Meeting Including Appointments to Boards and Commissions

Initiated By:

Scheduled Time: 8:30

SUBJECT

RECOMMENDATION

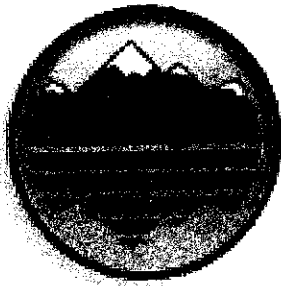
A Statement of Interest is attached as a confidential document for the Mayor and Council Members. This person is interested in serving on the Parks & Recreation Committee. Mayor Russell recommends this appointment.

BACKGROUND

ATTACHMENTS:

Name:

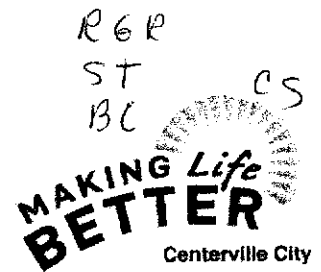
Description:



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JUN 21 2013

CENTERVILLE CITY CORP.

**COMMUNITY SERVICE STATEMENT
OF INTEREST AND QUALIFICATIONS****PERSONAL INFORMATION**

Name: Lynn Reddington Phone: 801-295-2872
Address: 659 N. Linda Loma Cell: _____
Email: LPkreddi@MSD.com Work: _____
How long have you lived in Centerville? 35 yrs month/years
Occupation: Refining Manager - Retired
Company: Holly Refining & Marketing
Address of Company: West Bountiful, Utah

COMMUNITY SERVICE AREAS OF INTEREST

Planning Commission
Parks and Recreation Committee

PREVIOUS COMMUNITY SERVICE

Centerville Parks & Recreation Committee
Socoth Davis Soccer - League President
Centerville Softball Assoc. President
Philips Wascatch Credit Union - Board of Directors

FORMAL EDUCATION AND TRAINING

BA-Business Management - Weber
Emergency Response

MISCELLANEOUS SKILLS AND ABILITIES**PERSONAL AND PROFESSIONAL REFERENCES**

Jerry Cook

Lynn Reddington
Signature

6/21/13
Date