Minutes of the Centerville **City Council** meeting held Tuesday, August 20, 2013 at 7:02 p.m. in the Centerville City Hall Council Chambers, 250 North Main Street, Centerville, Utah.

MEMBERS PRESENT

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

PLEDGE OF ALLEGIANCE

PRAYER OR THOUGHT Councilwoman Sherri Lyn Lindstrom

OPEN SESSION

Amie Hazzard – Ms. Hazzard referred to the NovusAgenda meeting management program on the agenda for approval by the Council. She stated that she has found other software options that are comparable and significantly cheaper than NovusAgenda. She stated she would be willing to work with staff regarding her suggestions. Steve Thacker, City Manager, responded that staff received information on several programs when researching the options available. Councilman Wright stated it might be worth taking another look. Mr. Thacker said he would defer to Blaine Lutz, who did most of the research but was not present at the Council meeting. Mayor Russell felt there would be no harm in postponing the decision to the next Council meeting to allow Ms. Hazzard to meet with Mr. Lutz. Ms. Hazzard indicated she would contact Mr. Lutz when he returns next week.

MINUTES REVIEW AND APPROVAL

The minutes of the Tuesday, August 6, 2013 Council meeting were reviewed. Councilwoman Lindstrom made a **motion** to approve the minutes. The motion was seconded by Councilman Averett and passed by unanimous vote (3-0).

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.

Mayor Russell stated that item (a) would be removed from the Summary Action Calendar. Councilman Averett made a **motion** to approve Summary Action Calendar items (b), (c), and (d). Councilwoman Lindstrom seconded the motion. Steve Thacker, City Manager, requested the addition of the following condition to item (d): "subject to the receipt of the deposit from the developer". Council members Averett and Lindstrom approved the addition, and the motion passed by unanimous vote (3-0).

PUBLIC HEARING – CHAPEL RIDGE COVE PUD SUBDIVISION – 2250 NORTH 150 EAST

Mr. Thacker explained that due to a problem with the public notice, this matter should be rescheduled to the next Council meeting. Councilman Wright made a **motion** to table the public hearing regarding the Chapel Ridge Cove PUD Subdivision until September 3, 2013. Councilwoman Lindstrom seconded the motion, which passed by unanimous vote (3-0).

PUBLIC HEARING – KING COMMERCIAL DEVELOPMENT FINAL SUBDIVISION PLAT

City Manager Thacker stated that the King Commercial Development Final Subdivision Plat has been pulled from the agenda due to a development issue that has not been resolved.

PUBLIC HEARING – SUBDIVISION ORDINANCE TEXT AMENDMENT

Cory Snyder, Community Development Director, explained that the Planning Commission recently became aware that the Flag Lot Ordinance has a firm limitation of two lots, being strictly tied to the "Small Subdivision Waiver" 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. The Planning Commission considered recommendations from staff to address the conflicts, and Mr. Snyder explained the Planning Commission's recommendation to the Council.

At 7:18 p.m. Mayor Russell opened a public hearing regarding the proposed text change to the Flag Lot Ordinance.

Joani Evans – Ms. Evans owns a historic 1.5 acre lot in Centerville. Her home is set at the back of the property with access through a private lane. The proposed text changes would allow her to develop two lots on the front of her property, which would improve the appearance of the street. She can see that the proposed changes would be beneficial to other property owners as well.

Paul Cutler – Mr. Cutler encouraged the Council to approve the proposed text amendments, which would enable him to develop some of his property.

Mayor Russell closed the public hearing at 7:20 p.m.

Councilman Wright asked Mr. Snyder how the proposed amendments fit in with discussions the Council has previously had regarding infill issues. Mr. Snyder responded that the proposed changes enhance the intent of the flag lot tool to allow flexibility to property owners. Councilman Wright expressed the opinion that the proposed changes are a good idea. Mayor Russell mentioned discussions that have taken place over the years regarding flag lots, and stated he feels the proposed changes are a good idea. Councilwoman Lindstrom asked Mr. Snyder if the City has something in place to protect a neighborhood against a home being built that does not fit with the rest of the surrounding neighborhood. Mr. Snyder responded that the City does not have restrictions beyond the normal height and setback parameters. He stated the old town area would be the area of greatest conflict. The Landmarks Commission has been discussing the value of making the old town area a local district with specific requirements. Councilman Averett commented that new development could change the character of the proposed historical area. Mr. Snyder responded that the Flag Lot Ordinance has limited use. There is a greater risk in that area of older homes being torn down and new homes built that do not fit the character of the neighborhood. Mayor Russell added that there are a limited number of properties where flag lots would be possible.

Councilwoman Lindstrom made a **motion** to 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, including the findings of the Planning Commission. Councilman Averett seconded the motion, which passed by unanimous vote (3-0).

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.

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 flag lots in addition to the original lot.
4. The Planning Commission finds that the actual small subdivision 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.

<u>FEE SCHEDULE AMENDMENTS – CULINARY WATER IMPACT FEES</u>

City Manager Thacker explained that the Centerville Fee Schedule needs to be altered to harmonize with action taken at the last Council meeting regarding Culinary Water Impact

Fees. The Council and staff discussed at what point it seems appropriate to collect impact fees from developers. Councilman Averett stated he feels collecting the fees upfront would be beneficial to the City. Lisa Romney, City Attorney, recommended the Council adopt the proposed Fee Schedule and direct staff to collect more information regarding timing if desired.

Councilman Averett made a **motion** to approve Resolution No. 2013-21 amending the Centerville City Fee Schedule regarding Culinary Water Impact Fees, and directed staff to provide (in September) an analysis of other South Davis County cities as to when those cities collect impact fees, and a recommendation regarding when impact fees should be collected. Councilwoman Lindstrom seconded the motion, which passed by unanimous vote (3-0).

REPORT REGARDING DEER WITHIN CITY LIMITS

The discussion regarding deer within City limits will be postponed to a future meeting.

MUNICIPAL CODE AMENDMENTS – CONSTRUCTION CODE UPDATES – CONSIDER ORDINANCE NO. 2013-13

Lisa Romney, City Attorney, explained that 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. Local jurisdictions are required to adopt the updated Construction Codes. 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.

Councilwoman Lindstrom made a **motion** to adopt Ordinance No. 2013-13 amending Title 10A, Chapter 2, of the Centerville Municipal Code regarding updated versions of the Construction Codes. Councilman Averett seconded the motion, which passed by unanimous vote (3-0).

MAYOR'S REPORT

- Mayor Russell reported that the South Davis Recreation Center will be closed in early September for annual maintenance. The Recreation Center now has approximately 21,000 members, and the facility is well used.
- The Mayor also reported that Jeff Bassett was recently sworn in as the new Fire Chief for the South Davis Metro Fire Agency. Mayor Russell stated that the Agency's Debt Service Fund currently has more than sufficient to make the annual bond payment. Ambulance and paramedic services are the primary services provided by the Fire Agency. The Mayor explained cost-saving efforts that have been taken by the Board regarding Agency vehicles.

CITY MANAGER'S REPORT

- A Council fieldtrip to the Centerville gun range is scheduled for Tuesday, September 17th prior to the regular Council meeting, as preparation for discussing a new lease for operation of the gun range. The Council requested the Police Chief be prepared to facilitate firing guns as part of the fieldtrip.
- A volunteer recognition dinner will be held on a Monday evening in October. Staff will notify the Council when the date is selected.

- The Youth City Council and City Council will meet in a joint work session on October 1, 2013 prior to the regular Council meeting.
- The annual employee dinner will be held on Wednesday, December 4th.
- Steve Thacker, City Manager, updated the Council regarding the UTA Davis-Salt Lake City Community Connector Study. Centerville and Farmington are defined as areas of influence, but UTA representatives made it clear that the study assumes Centerville would be served by enhanced bus service and not a fixed guiderail system. UTA has conducted a survey of patrons using the bus service and is in the process of thinning out the number of bus stops in Centerville. Councilman Averett expressed the concern that the light-rail issue is being used as political fodder for the upcoming election. He suggested the City clarify the purpose of the current Study in a future utility bill or newsletter. Staff responded that an insert or a sentence referring citizens to more information on the City website could be included on the next utility bill and October newsletter.

MISCELLANEOUS BUSINESS

- The Utah League of Cities and Towns Annual Conference will be held September 11-13, 2013.
- Mr. Thacker explained that the current Budget includes $52,000 for the purchase of a 1-ton truck and related snow-plowing equipment. The total cost exceeds the funds available by approximately $3,000, most of which will be covered by the savings on the 10-wheel truck. Staff recommends the Council approve the purchase of an F550 Cab and Chassis from Ken Garff Ford, and related equipment from Semi Service Inc. Councilwoman Lindstrom made a **motion** to approve the purchase of an F550 Cab and Chassis from Ken Garff Ford in the amount of $31,544.17 and truck bed, plow, lights and stainless steel salter from Semi Service Inc. in the amount of $23,452.58 (all prices per State contracts). Councilman Averett seconded the motion, which passed by unanimous vote (3-0).

APPOINTMENTS

Mayor Russell recommended the Council appoint Lynn Keddington to the Parks and Recreation Committee. Councilwoman Lindstrom made a **motion** to appoint Lynn Keddington to the Parks and Recreation Committee. Councilman Averett seconded the motion, which passed by unanimous vote (3-0).

The Mayor reported that Scott Kjar has indicated a willingness to continue serving on the Planning Commission. Councilman Wright made a **motion** to reappoint Scott Kjar for another three-year term on the Planning Commission. The motion was seconded by Councilwoman Lindstrom and passed by unanimous vote (3-0).

ADJOURNMENT

At 8:13 p.m. Councilwoman Lindstrom made a **motion** to adjourn the meeting. Councilman Wright seconded the motion, which passed by unanimous vote (3-0).

Marsha L Morrow

Marsha L. Morrow, City Recorder

9-3-13

Date Approved

Katie Rust, Recording Secretary

CENTERVILLE CITY COUNCIL MEETING

Tuesday, August 20, 2013

7:00 p.m.

NAME **(PLEASE PRINT)**	ADDRESS**
Caleb Wadkeeps	1517 N 400 W
Sean Burningham	1535 N. Pony Express way.
Tyler Harris	1589 N. Lewis & Clark Dr.
Josh Beckman	633 W. Willow Cir. 1450 N.
Cameron Hobosh	1492 N. 600 W.
Stephanie Irie	595 S. 700 E.
Joani Evans	712 S 300 E
Dale McIntyre	258 E. 200 S.
Grace McIntyre	258 E. 200 S.

** Your address will be used only in the event the City staff needs to contact you pertaining to an issue discussed in the City Council meeting.