

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

3
4 **MEMBERS PRESENT**

5
6 Mayor Clark Wilkinson

7
8 Council Members William Ince
9 Stephanie Ivie
10 George McEwan
11 Robyn Mecham

12
13 **MEMBER ABSENT** Tamilyn Fillmore

14
15 **STAFF PRESENT** Brant Hanson, City Manager
16 Lisa Romney, City Attorney
17 Jacob Smith, Management Services Director
18 Mackenzie Wood, City Recorder
19 Cory Snyder, Community Development Director
20 Kevin Campbell, City Engineer
21 Jason Burningham, Lewis Young Robertson & Burningham

22
23 **VISITORS** Interested Citizens

24
25 **PRAYER OR THOUGHT** Mayor Wilkinson

26
27 **PLEDGE OF ALLEGIANCE**

28
29 **OPEN SESSION**

30
31 Kyle Green – Mr. Green said there are still major issues with deer in his area, making it
32 nearly impossible to grow anything. He said the deer are domesticated, not wild, and within the
33 last year have ruined his fence and dented his trailer. Referring to the Island View Park
34 Renovation funding issue, Mr. Green said he believes in living within our means and
35 differentiating between wants and needs. He said parks feel to him like a nicety, and he would
36 much rather see the money spent on streets maintenance. Regarding building setbacks, Mr.
37 Green said his home was built in the 1950s, with a driveway that leads to a future garage. The
38 future garage was planned to be set back three feet from the neighboring property, just like all
39 the properties in the neighborhood. With building setbacks as they are now, the future garage
40 would need to be in the middle of his backyard. He said it would be nice in older neighborhoods
41 to take an established precedent into consideration.

42
43 Alan Arbuckle – Mr. Arbuckle said he has plans to build a detached garage on his
44 property, and he has the same issue with building setbacks expressed by Mr. Green.

45
46 **MINUTES REVIEW AND ACCEPTANCE**

47
48 The minutes of the April 12, 2019 Special Meeting, and the April 16, 2019 Budget Work
49 Session and City Council Meeting were reviewed. Councilmember McEwan made a **motion** to
50 approve all three sets of minutes. Councilmember Ince seconded the motion, which passed by
51 unanimous vote (4-0).

1 **BID AWARD – WATERLINE AND STORM DRAIN LINE PROJECT**

2
3 Kevin Campbell, City Engineer, explained the recommendation to award bid to Ormond
4 Construction for waterline and storm drain line construction. Councilmember Ince made a
5 **motion** to award bid for waterline and storm drain line construction for 650 South, 600 South,
6 and 800 East to Ormond Construction in the amount of \$295,607.38 for labor and materials.
7 Councilmember Mecham seconded the motion, which passed by unanimous vote (4-0).
8

9 **INTERLOCAL AGREEMENT WITH DAVIS COUNTY FOR TRANSPORTATION**
10 **PROJECT REIMBURSEMENT**

11
12 On September 12, 2018, the City submitted an application to Davis County to receive
13 Proposition 1 transportation funding for the South Frontage Road bike lanes project. The
14 proposed project will complete a regional bike path on Frontage Road running along the east
15 side of I-15 connecting Parrish Lane with Pages Lane. Davis County desires to grant the City's
16 application and to partially reimburse the City up to 70% of the total permitted and authorized
17 costs for the project, not to exceed \$150,000. The improvements must be installed and the
18 project completed within two years from the effective date of the Interlocal Agreement.
19

20 Councilmember McEwan made a **motion** to adopt Resolution No. 2019-10 regarding
21 Interlocal Agreement with Davis County for Transportation Project Reimbursement.
22 Councilmember Ince seconded the motion, which passed by unanimous vote (4-0).
23

24 **ISSUANCE OF SPECIAL OBLIGATION SALES TAX REVENUE BONDS FOR PARK**
25 **IMPROVEMENTS**

26
27 On April 2, 2019, the Council adopted a Parameters Resolution authorizing the issuance
28 and sale of not more than \$1,600,000 aggregate principal amount of Special Obligation Sales
29 Tax Revenue Bonds, Series 2019, for the purpose of financing the acquisition, construction, and
30 equipping of recreational projects and improvements throughout Centerville, including the Island
31 View Park Renovation Project. The issuer of the Bonds proposes to pledge the City's legally
32 available sales and use taxes received under the RAP Tax statutes for repayment of the Bonds.
33 Jason Burningham with Lewis Young Robertson & Burningham, explained the bonding process,
34 and emphasized that the Council has not formally entered into any contracts or obligations, and
35 has not yet determined how to ultimately finance the Island View Park Renovation Project.
36

37 Mayor Wilkinson opened a public hearing at 7:31 p.m.

38
39 Kelly Hintze, Parks and Recreation Committee Member – Ms. Hintze emphasized that
40 the cost of postponing the completion of the Island View Park Renovation Project would be far
41 greater than completing the Project now with a low interest bond because of expected inflation
42 of construction costs. Ms. Hintze spoke in favor of adding pickleball courts within the City.
43

44 Debbie Twitchell – Ms. Twitchell said she is not a person who usually likes to borrow
45 funds, but in the case of the Island View Park Renovation Project, she feels the cost of
46 postponing construction would far exceed the cost of bonding and completing the project now
47 because of increasing construction costs. Ms. Twitchell said she thinks it is really sad that all the
48 surrounding cities have pickleball courts, but Centerville does not. She said it is a very popular
49 sport that any age can participate in. Ms. Twitchell said she would be in favor of adding a little
50 more to the bond to be able to add pickleball courts.

1 Chris Edmunds – Ms. Edmunds said she agrees that it makes more sense to bond and
2 act now rather than incur higher cost later. She said she agrees that pickleball is a wonderful
3 sport for all ages, and agrees with the idea to add pickleball courts to the Island View Park
4 Project.

5
6 Steve Allen – Mr. Allen asked what happens if sales tax revenue starts to drop off. Mr.
7 Burningham said the Council previously expressed the same concern and directed staff to use
8 conservative estimates when preparing bond information. Mr. Allen said he is not sure if the
9 park project is a “want” or a “need”, and questioned whether the City should bond for a “want”.

10
11 Kyle Green – Mr. Green said it is his understanding that tennis courts can be converted
12 to pickleball courts. He questioned whether new pickleball courts would be a good use of funds
13 if existing infrastructure can be converted. He asked if it would be possible to improve existing
14 infrastructure at Island View Park rather than going to the expense of ripping everything out and
15 building new.

16
17 Larry Hintze – As a tennis player, Mr. Hintze asked the Council to not convert tennis
18 courts to pickleball courts. He explained that the net heights are different, and the different lines
19 can be confusing. Mr. Hintze said he is in favor of the proposed bonding for park projects.

20
21 Cindy Hintze – Ms. Hintze said she does not know where other cities get their money for
22 parks, but it is her opinion that parks in other cities are kept up better and are nicer than
23 Centerville parks. She said she is in favor of the proposed bonding, is in favor of anything that
24 would encourage people to get outside, and is in favor of Centerville constructing pickleball
25 courts.

26
27 Jeff Twitchell – Mr. Twitchell commented that pickleball is not as hard on the knees as
28 tennis, and can be enjoyed by citizens of any age. He said he supports the proposed bond.

29
30 Mayor Wilkinson closed the public hearing at 7:53 p.m. Councilmember Mecham agreed
31 with public comments that she would like to see the City parks improved. She said she does not
32 like to borrow funds, but pointed out that the citizens voted in favor of the RAP Tax to fund park
33 improvements. RAP Tax revenues cannot be used for streets maintenance. Councilmember
34 McEwan said he believes the Council is unified regarding the need to borrow funds to complete
35 park projects because of increasing construction costs. He said it is undecided whether funds
36 will be borrowed through bonding or a real property lease. Councilmember McEwan agreed
37 there is risk involved in encumbering sales tax revenues into the future, but said he believes the
38 projections used are sufficiently conservative. Councilmember Ivie said the idea of bonding to
39 improve Island View Park makes her nervous since she just heard several people comment in
40 favor of pickleball courts, and pickleball courts are not currently in the plans for Island View
41 Park, and may not be possible with the proposed funding. She said she lives right next to Island
42 View Park and sees very few citizens using Park facilities. Mayor Wilkinson agreed to allow
43 additional public comment at 8:02 p.m.

44
45 Debbie Twitchell – Responding to Councilmember Ivie’s comments, Ms. Twitchell said
46 she used the tennis courts at Island View Park three times a week for years. She stopped
47 because the courts were not taken care of. She stated that people stopped going to Island View
48 Park because parks elsewhere are better. Ms. Twitchell said she does not think regular
49 maintenance would take a lot of money once new amenities are in place.

1 Kelly Hintze – Ms. Hintze commented that things get old, and Island View Park is old.
2 She said she hopes the renovated park will be a draw for citizens. Ms. Hintze said she thinks
3 Bruce Cox, Parks and Recreation Director, does a good job of trying to keep things well cared
4 for, but things get old and need to be replaced.

5
6 Clark Whitworth – Mr. Whitworth said he started playing tennis at Island View Park
7 around 45 years ago. He pointed out that Island View Park was built in phases over several
8 years. He commented that the tennis court lighting is insufficient as it is now, and expressed the
9 opinion that if the City is borrowing for the Project, the goal should be highest and best use.

10
11 Lynn Keddington, Parks and Recreation Committee Chair – Mr. Keddington explained
12 the community-involved design process for the Island View Park Renovation. Based on results
13 of a City-wide survey and open house comments regarding park projects, completing the Island
14 View Park Renovation was indicated a top priority. The citizen committee formed to discuss and
15 make recommendations on the Island View Park Renovation Project decided Island View Park
16 would not be an ideal location for pickleball courts considering the noise involved and the close
17 proximity of homes.

18
19 Mayor Wilkinson commented that Community Park has been considered a possible
20 location for pickleball courts.

21
22 Chris Edmunds – Ms. Edmunds said she thinks Community Park makes sense as a
23 location for pickleball courts, and asked what is needed to make it happen. Mayor Wilkinson
24 responded that funds are needed.

25
26 The Mayor closed the public hearing at 8:30 p.m. The City will receive construction bids
27 on Phase 1 of the Island View Park Renovation on May 16th. Mr. Hanson explained that the
28 design team is working on plans for Phase 2. The goal is to use a change order to add Phase 2
29 at the unit prices quoted for Phase 1.

30
31 **ZONING CODE AND MUNICIPAL CODE AMENDMENTS – CZC 12.62 AND CMC**
32 **6.01.070 (HOME OCCUPATIONS) AND FEE SCHEDULE AMENDMENTS**

33
34 In the 2019 General Session, the Utah Legislature adopted S.B. 158 further restricting a
35 municipality's authority to charge a business license fee for home based businesses, unless the
36 combined offsite impact of the home-based business and the primary residential use materially
37 exceeds the offsite impact of the primary residential use alone. Cory Snyder, Community
38 Development Director, explained the following recommendations:

- 39
40 • Eliminate the requirements for Home Occupations to be licensed (*no fee*) by the
41 City to help home businesses to comply with local and state regulations.
42 • Eliminate requiring a "permitted use review and permit" for Zoning compliance
43 purposes.
44 • Establish Home Occupations as a "*use by right*" for "*permitted*" Home Occupations.
45 • Home Occupations that are a conditional use will still be subject to Planning
46 Commission review and approval of a Conditional Use Permit and its related zoning
47 application fee.

48
49 Mayor Wilkinson opened a public hearing at 8:42 p.m.

1 Alan Arbuckle – Mr. Arbuckle asked how the City will enforce conformity with the Code in
2 residential areas with no business license requirement. Lisa Romney, City Attorney, explained
3 the City enforcement policy.
4

5 Steve Allen – Mr. Allen asked what type of business is not allowed in a residential area.
6 Mr. Snyder explained home occupation uses and regulations.
7

8 The Mayor closed the public hearing at 8:48 p.m. Councilmember Ince made a **motion**
9 to approve Ordinance No. 2019-08 amending CZC 12.62 and CMC 6.01.070 regarding the
10 regulation of Home Occupations. Councilmember Mecham seconded the motion, which passed
11 by unanimous vote (4-0). Councilmember Ivie made a **motion** to approve Resolution No. 2019-
12 08 amending CFS 5.010 and CFS 20.082 regarding fees for Home Occupations.
13 Councilmember McEwan seconded the motion, which passed by unanimous vote (4-0).
14

15 FY 2019-2020 TENTATIVE BUDGET

16
17 Jacob Smith, Management Services Director, explained that the Tentative Budget is a
18 “working” budget, and the Council will continue to discuss and potentially make changes until
19 the Final Budget is adopted in June. He presented the FY 2020 Tentative Budget, which is
20 available on the City website. Mayor Wilkinson opened a public hearing at 8:56 p.m., and closed
21 the public hearing seeing that no one wished to comment.
22

23 Councilmember Ince made a **motion** to table the matter and continue the hearing to
24 May 21st, with the intention to approve the Tentative Budget at the May 21st Council meeting.
25 Councilmember Ivie seconded the motion, which passed by unanimous vote (4-0).
26

27 ACCESSORY BUILDING SETBACKS FOR RESIDENTIAL ZONES

28
29 Mr. Snyder said the City has received considerable public input requesting
30 reconsideration of accessory building setbacks for residential zones. He explained building
31 codes and safety requirements, and difficulties setbacks cause on smaller lots. He
32 recommended reducing accessory building setbacks from eight feet to five feet. Councilmember
33 Ince asked if codes could be structured around the codes that existed when a neighborhood
34 was developed. He also asked the possibility of allowing a reduced setback with neighboring
35 property-owner approval. Mr. Snyder responded that state law has tightened up on municipal
36 ability to grant approval based on neighboring property-owner consent. He explained difficulties
37 associated with trying to City-wide implement neighborhood-specific zoning codes. Mr. Snyder
38 said in his experience property owners tend to want very little regulation of backyard space. He
39 said he believes a five-foot setback would provide enough of a safety buffer.
40

41 Councilmember Ince made a **motion** to send the issue back to the Planning
42 Commission, asking them to comment on the following suggested accessory building setbacks
43 for residential zones:
44

- 45 • Three-feet for one-story buildings less than 500 square feet
- 46 • Five-feet for one-story buildings greater than 500 square feet
- 47 • Eight-feet for buildings two-story or greater than 14 feet in height

48
49 Councilmember McEwan seconded the motion, which passed by unanimous vote (4-0).

1 **PLANNING COMMISSION REPORT**

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3 Mr. Snyder updated the Council on issues on the next Planning Commission agenda.

4
5 **MAYOR'S REPORT**

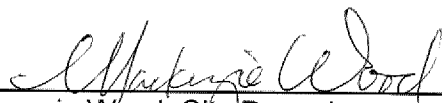
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7 • Mayor Wilkinson reported on Arbor Day, Easter, and Lunch with the Mayor activities.
8 • The Mayor updated the Council on a recent Utah League of Cities and Towns
9 (ULCT) meeting.

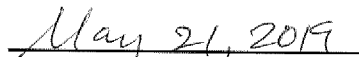
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11 **CITY MANAGER'S REPORT**

- 12
13 • The RDA will purchase a table for elected officials at the upcoming CenterPoint
14 Theatre Gala dinner.
15 • The Mayor, current City Recorder, City Manager or Management Services Director,
16 and Councilmember Mecham will participate in an interviewing panel for the City
17 Recorder position.
18 • The Council scheduled a Budget Work Session for May 21st prior to the regular
19 Council Meeting.
20 • Mr. Hanson reported on a recent Utah City Management Association (UCMA)
21 meeting.

22
23 **ADJOURNMENT**

24
25 At 9:48 p.m., Councilmember McEwan made a **motion** to adjourn the meeting.
26 Councilmember Ivie seconded the motion, which passed by unanimous vote (4-0).

27
28
29 
30 _____
31 Mackenzie Wood, City Recorder

32 
33 _____
34 Date Approved

35
36 
37 _____
38 Katie Rust, Recording Secretary

