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

MEMBERS PRESENT

Mayor
Clark Wilkinson

Council Members
William Ince
Stephanie Ivie
George McEwan
Robyn Mecham

MEMBER ABSENT
Tamilyn Fillmore

STAFF PRESENT
Brant Hanson, City Manager
Lisa Romney, City Attorney
Jacob Smith, Management Services Director
Mackenzie Wood, City Recorder
Cory Snyder, Community Development Director
Kevin Campbell, City Engineer
Jason Burningham, Lewis Young Robertson & Burningham

VISITORS
Interested Citizens

PRAYER OR THOUGHT
Mayor Wilkinson

PLEDGE OF ALLEGIANCE

OPEN SESSION

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

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

MINUTES REVIEW AND ACCEPTANCE

The minutes of the April 12, 2019 Special Meeting, and the April 16, 2019 Budget Work Session and City Council Meeting were reviewed. Councilmember McEwan made a motion to approve all three sets of minutes. Councilmember Ince seconded the motion, which passed by unanimous vote (4-0).
BID AWARD – WATERLINE AND STORM DRAIN LINE PROJECT

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

INTERLOCAL AGREEMENT WITH DAVIS COUNTY FOR TRANSPORTATION PROJECT REIMBURSEMENT

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

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

ISSUANCE OF SPECIAL OBLIGATION SALES TAX REVENUE BONDS FOR PARK IMPROVEMENTS

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

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

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

Debbie Twitchell – Ms. Twitchell said she is not a person who usually likes to borrow funds, but in the case of the Island View Park Renovation Project, she feels the cost of postponing construction would far exceed the cost of bonding and completing the project now because of increasing construction costs. Ms. Twitchell said she thinks it is really sad that all the surrounding cities have pickleball courts, but Centerville does not. She said it is a very popular sport that any age can participate in. Ms. Twitchell said she would be in favor of adding a little more to the bond to be able to add pickleball courts.
Chris Edmunds – Ms. Edmunds said she agrees that it makes more sense to bond and act now rather than incur higher cost later. She said she agrees that pickleball is a wonderful sport for all ages, and agrees with the idea to add pickleball courts to the Island View Park Project.

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

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

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

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

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

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

Debbie Twitchell – Responding to Councilmember Ivie’s comments, Ms. Twitchell said she used the tennis courts at Island View Park three times a week for years. She stopped because the courts were not taken care of. She stated that people stopped going to Island View Park because parks elsewhere are better. Ms. Twitchell said she does not think regular maintenance would take a lot of money once new amenities are in place.
Kelly Hintze — Ms. Hintze commented that things get old, and Island View Park is old.
She said she hopes the renovated park will be a draw for citizens. Ms. Hintze said she thinks
Bruce Cox, Parks and Recreation Director, does a good job of trying to keep things well cared
for, but things get old and need to be replaced.

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

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

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

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

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

ZONING CODE AND MUNICIPAL CODE AMENDMENTS — CZC 12.62 AND CMC
6.01.070 (HOME OCCUPATIONS) AND FEE SCHEDULE AMENDMENTS

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

- Eliminate the requirements for Home Occupations to be licensed (no fee) by the
  City to help home businesses to comply with local and state regulations.
- Eliminate requiring a “permitted use review and permit” for Zoning compliance
  purposes.
- Establish Home Occupations as a “use by right” for “permitted” Home Occupations.
- Home Occupations that are a conditional use will still be subject to Planning
  Commission review and approval of a Conditional Use Permit and its related zoning
  application fee.

Mayor Wilkinson opened a public hearing at 8:42 p.m.
Alan Arbuckle – Mr. Arbuckle asked how the City will enforce conformity with the Code in
residential areas with no business license requirement. Lisa Romney, City Attorney, explained
the City enforcement policy.

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

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

FY 2019-2020 TENTATIVE BUDGET

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

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

ACCESSORY BUILDING SETBACKS FOR RESIDENTIAL ZONES

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

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

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

Councilmember McEwan seconded the motion, which passed by unanimous vote (4-0).
PLANNING COMMISSION REPORT

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

MAYOR’S REPORT

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

CITY MANAGER’S REPORT

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

ADJOURNMENT

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

Mackenzie Wood, City Recorder

May 21, 2019

Date Approved

Katie Rust, Recording Secretary