

1 Minutes of the Centerville City Council **work session** held Tuesday, May 2, 2017 at 8:40 p.m. in  
2 the Centerville City Council Chambers, 250 North Main Street, Centerville, Utah.

3  
4 **MEMBERS PRESENT**

5  
6 Mayor Paul A. Cutler

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

13  
14 **STAFF PRESENT**

15 Steve Thacker, City Manager  
16 Lisa Romney, City Attorney  
17 Jacob Smith, Assistant to the City Manager  
18 Katie Rust, Recording Secretary

19 **VISITOR**

20 Marcus Arbuckle, Keddington & Christensen

21 **FY 2018 BUDGET**

22  
23 The Council agreed to meet in work sessions to discuss the budget on May 16<sup>th</sup> prior to  
24 the regular Council meeting, and on May 30<sup>th</sup>. Steve Thacker, City Manager, reported that, in  
25 his opinion, the City cannot continue to provide General Fund services at the current level  
26 without additional General Fund revenue. He said he met with department heads and ultimately  
27 cut a lot of equipment out of the FY 2018 Budget. The equipment cuts will be manageable this  
28 year, but cannot continue every year. Mr. Thacker also emphasized that the City has not been  
29 spending enough on street maintenance. A consistent revenue stream is needed that will keep  
30 equipment updated and streets maintained.

31  
32 Mayor Cutler pointed out that Centerville has not had a property tax increase in 20  
33 years. Mr. Thacker showed budgeted and 12-month estimated revenues and expenditures for  
34 FY 2017, stating that he feels the 12-month estimate for sales tax revenue is conservative. He  
35 discussed franchise tax revenue with the Council, noting the decline in telecommunications tax  
36 revenue, and said he feels the cable television tax cannot be relied on to grow because of the  
37 direction the industry is going. The Centerville Justice Court has had a 20-25% reduction in  
38 caseload over the last four years, resulting in reduced revenue from the Court. In summary, Mr.  
39 Thacker estimates total General Fund revenues in the current fiscal year will be about \$400,000  
40 below the budgeted amount. Mr. Thacker explained that the estimated employee health  
41 insurance cost to the City for FY 2018 is calculated more tightly on the assumption that each  
42 employee will enroll with the same status as in FY 2017. Traditionally the City budget has  
43 included the assumption that each employee may enroll with "family" status, giving the budget a  
44 cushion.

45  
46 Councilman McEwan asked what the actual fund balances are. Mr. Thacker showed an  
47 estimated General Fund shortfall of \$95,000 in FY 2017, but explained that he thinks the  
48 shortfall will be something less. State law requires a General Fund balance of at least 5% of  
49 General Fund revenues. Mr. Thacker explained that money originally intended to be set aside  
50 in a Cemetery Perpetual Care Fund (PCF) was actually deposited in the General Fund,  
51 combined with other General Fund revenues, and spent without realizing the funds were not in a  
52 PCF. During the time between when the PCF was approved by the Council in 2002, and the  
53 ordinance was amended in 2003 to allow the PCF principal to be spent to cover maintenance  
54 expenses, \$37,000 should have accumulated in the PCF. The Council needs to determine what  
55 the current balance of the PCF will be. Mr. Thacker showed that \$878,410 has come into the

1 General Fund between 2003 and 2016 from revenues that were supposed to be put into the  
2 PCF. An estimated \$938,000 has been spent maintaining the Cemetery during the same period  
3 of time. Marcus Arbuckle with Keddington & Christensen stated that a representative of the  
4 State Auditor's Office emphasized that the funds must be spent for purposes specified in the  
5 ordinance.  
6

7 Mayor Cutler said his inclination is to be pragmatic – the funds were spent on Cemetery  
8 maintenance but were spent sooner than originally intended. Mr. Arbuckle said the PCF has not  
9 yet been created – the beginning balance needs to be determined. Councilwoman Fillmore said  
10 she does not have a problem with saying the PCF money was spent on maintenance, and the  
11 Council does not need to worry about cushioning the Parks Budget because Cemetery  
12 maintenance is already part of the usual Parks Budget. Councilman McEwan asked if the PCF  
13 could be closed. Mr. Thacker responded that the PCF will continue to get funds from those who  
14 did not pay the Perpetual Care Fee at the time of purchase. Councilwoman Fillmore said it  
15 would be helpful to know how much of the revenue came in over the last five years. Mr.  
16 Thacker responded that revenue in the last five years would be significantly higher than the  
17 previous five years because the Perpetual Care Fee was increased, and half of the Burial Right  
18 Fee from Section E was supposed to be going into the PCF.  
19

20 The Council discussed how much should be put in the PCF. Mayor Cutler said he would  
21 rather deal with a small PCF than a shortfall in the General Fund. Councilwoman Fillmore  
22 commented there are other ways to deal with perpetual care of the Cemetery in the future,  
23 including a plot tax (similar to a property tax). She agreed with keeping the PCF balance lower  
24 at this point to be safer in the General Fund. Mr. Arbuckle commented that, with a true  
25 perpetual care fund, only the interest would be used. Regular maintenance is not usually taken  
26 from a perpetual care fund balance. However, the City's ordinance has been written in a way  
27 that allows funding maintenance. Councilwoman Fillmore said she feels it makes sense to put  
28 \$37,000 in the PCF. Councilman Ince agreed that the \$37,000 seems logical and defensible.  
29 Councilman McEwan agreed. Ms. Romney agreed that \$37,000 is defensible, but asked if the  
30 Council feels it is responsible. Councilwoman Fillmore said the Council can discuss ways to  
31 build the PCF balance at a different time.  
32

33 Councilman Ince said he attended a meeting at which a representative of Lindquist  
34 Mortuary stated the City cannot do anything with perpetual care funds. Ms. Romney responded  
35 that private cemetery care funds are regulated differently than municipal cemetery care funds.  
36 Councilwoman Mecham suggested the Council could put a certain amount in the PCF each  
37 year for the next 10 years or so to build it back up. Mayor Cutler commented that Cemetery  
38 maintenance is funded each year by the General Fund. The City has an obligation to take care  
39 of the Cemetery whether there is a PCF or not. Councilman Ince said he is not opposed to  
40 starting the PCF with a balance of \$37,000, and adding fifty percent of Cemetery revenues in  
41 the future.  
42

43 Councilman Ince said he feels the difficulty at the end of the day is the fact that the City  
44 was spending \$50,000 more in the General Fund than was realized, resulting in the structural  
45 imbalance. Councilman McEwan agreed it is concerning, and said he can support the \$37,000  
46 because it is a rational number, and it will not change what happens maintenance-wise at the  
47 Cemetery. Councilman McEwan asked if the numbers in the Proposed Budget would put the  
48 City below a good level of service. Mr. Thacker responded that the departments will not be in a  
49 position to add personnel, but the current level of service is sustainable for the next year. The  
50 Council determined that putting a balance of \$37,000 in the PCF would leave the General Fund  
51 with a balance as of July 1, 2016 that is 8% of General Fund revenues.

1           Property Tax Increase

2  
3           Councilman Ince said he thinks everyone would agree the City has gone too long  
4 without a property tax increase. The South Davis Metro Fire Area and Davis County are both  
5 implementing a property tax increase this year. Councilman Ince suggested that a Centerville  
6 property tax increase could get lost in the mix. Councilwoman Fillmore said she thinks  
7 Centerville has not been charging enough property tax for a long time to maintain the desired  
8 level of services and street maintenance. Mayor Cutler said he is more in favor of small  
9 increases every year. Councilwoman Fillmore said the current Council cannot assume that  
10 future Councils will be willing to be responsible and continue tackling this issue. She said she  
11 does not see the point in going to all the pain of an increase and not have it be a big enough  
12 increase to be helpful. Councilman McEwan said he can understand the point of view of those  
13 on fixed incomes that this would be a bad year for Centerville to add to the property tax  
14 increases. He stressed the need to be sensitive to those needs. Mr. Thacker pointed out that  
15 the Centerville property tax levy is 8% of the total household tax levy – one of the lowest in  
16 Davis County. If the Council chooses to go through the truth in taxation process, they would  
17 have until August to make a final decision.  
18

19           Councilman McEwan stated there is a cost for a high-grade community that people want  
20 to live in. Therefore, some increment needs to take place, but he said he does not know yet  
21 what that number should look like. Councilman McEwan asked Mr. Thacker what, in his  
22 opinion, is the ideal number to provide needed services and maintenance. Councilman Ince  
23 estimated that a 25% increase would be needed. Mr. Thacker said at least a 50% increase  
24 would be needed just for street maintenance. Councilman Ince said he thinks a 25% increase  
25 now and another 25% increase in a few years would be more palatable.  
26

27           Councilman Ince asked Mr. Thacker how much of the decision to not increase the City  
28 property tax in the last 20 years has been a push from his office rather than previous Councils.  
29 Mr. Thacker responded that, generally speaking, the resistance has come from the Councils.  
30 He said he has recommended property tax increases to fund street maintenance, and has been  
31 criticized by former Council members for that recommendation. Mayor Cutler responded that  
32 Mr. Thacker has advised a number of times that former Councils consider a property tax  
33 increase, and the Councils have chosen to put it off. Mr. Thacker said this is the year he has  
34 felt most reticent because of the Davis County and Fire Service Area increases, but he thinks it  
35 would be wise for the City to at least keep up with inflation. Mayor Cutler commented that some  
36 cities have an automatic 3% increase built in every year for inflation. Councilwoman Fillmore  
37 said this might be the best time for a City increase because of the education that will be  
38 happening from lots of different angles. The Fire Service Area increase will be \$30-\$50 for an  
39 average household, according to Mayor Cutler, and the Davis County increase will be \$50-\$60,  
40 plus a \$10 library tax.  
41

42           Councilman McEwan said he does not think it would make sense to wait if the City has a  
43 significant need now. A property tax increase is going to hurt no matter when it occurs. Mayor  
44 Cutler said he feels it would be wise to set the expectation that property tax increases will occur  
45 on a regular basis. Ms. Romney responded that the need would have to be reevaluated each  
46 time, but the Council could set the expectation. Councilman McEwan suggested starting with a  
47 25% increase the first year, with 2-3% increases expected every subsequent year. Mr. Thacker  
48 commented that some cities are imposing a transportation user fee on the utility bill.  
49 Councilman McEwan said it would be helpful to see what a 25% increase would look like, and  
50 what impact subsequent 2-3% increases would make. A majority of the Council indicated  
51 agreement. Councilman Ince emphasized a desire to discuss the issue as much as possible  
52 and make sure citizens are aware of the needs. Councilwoman Fillmore commented that Sandy

1 City sent out several informative mailers and fliers before implementing a property tax increase.  
2 The Council discussed a possible public notice timeline.

3  
4 Employee Health Insurance

5  
6 Councilman McEwan repeated the desire to learn more about changes to the County's  
7 employee health insurance options. The premiums for employee health insurance will increase  
8 4.78% in FY 2018. Mr. Thacker asked the Council their comfort level in sharing the increase  
9 with the employees. Councilwoman Mecham said she is concerned with offering too big an  
10 incentive to switch to an HSA this year, with all the changes in healthcare that may occur.  
11 Mayor Cutler said he was pushing for a big incentive in the first year, but he is coming around to  
12 agreeing with a smaller incentive, letting some employees get used to it, and offering a bigger  
13 incentive in the next year. Councilman McEwan asked if employees would be locked into an  
14 HSA for a specific period of time. Councilwoman Mecham said a lot of companies are saying  
15 they will spend a set amount on health insurance per employee, and the employees decide how  
16 the amount is applied for them. Councilman McEwan said the out of pocket maximum is a big  
17 factor.

18  
19 The Council looked at the options on a spreadsheet, and expressed some support for  
20 the following numbers:

- 21  
22 Traditional Select Care: 82%/18%  
23 Traditional Select Med: 86%/14%  
24 HSA: 90%/10%, with contributions of \$500/\$1,000/\$1,500 (single/two-party/family)

25  
26 Councilwoman Ivie said she is worried about how it would work out for the Police  
27 Department. Councilwoman Mecham said she is not willing to have the employees absorb the  
28 full 4.7% increase. Councilwoman Ivie pointed out that an HSA does not work for everyone.  
29 She said she would rather keep the City's Police officers than have them leave to make more  
30 money elsewhere. Councilwoman Fillmore said the Council could talk about changing the pay  
31 for Police officers. Mayor Cutler suggested they could consider different incremental changes  
32 for the Police Department. Councilwoman Ivie responded that the pay increase message would  
33 need to be presented to the Police Department at the same time as the health insurance  
34 message. Councilman McEwan said he feels healthcare administration needs to be consistent  
35 for all City employees. He commented that the whole City is suffering from the lack of revenue,  
36 and employee benefits needs to be added to the list of needs presented to the citizens as  
37 justification for a property tax increase.

38  
39 Mr. Arbuckle reported there are six City funds that are no longer used that could be  
40 deleted, putting about \$20,000 back in the General Fund. He added that the City is now  
41 reconciling the monthly bank statement early in the month.

42  
43 ADJOURNMENT

44  
45 The work session was adjourned at 10:48 p.m.

46  
47   
48 Marsha L. Morrow, City Recorder

49 5-16-2017  
Date Approved

50  
51   
52 Katie Rust, Recording Secretary  
53

**Centerville Cemetery Maintenance Ccost Analysis 2003 -2016**

FY	% of Irrigation	10%	% of fertilizer	10%	% of Water	20%	% of DC	20%	% of all Labor & Benefits	12%	% of Backhoe trade-in	70%	% of Equipment included in cemetery budget	10%	Cemetery Capital Projects	Sum of expenses	Cemetery Budget	Parks Budget	% OF PARKS BDGT.	
FY 02-03	800	\$ 578	\$ 1,204	\$ 30,445													\$ 27,269.00	\$ 349,842		0.16
FY 03-04	900	\$ 750	\$ 1,204	\$ 33,414													\$ 39,550.00	\$ 439,184		0.17
FY 04-05	\$ 1,000	\$ 744	\$ 1,306	\$ 35,959													\$ 9,675.00	\$ 473,385		0.10
<b>Parks &amp; Cemetery Combined Budget</b>																				
			<b>Sum of labor &amp; bene.</b>	<b>\$ 99,819</b>													<b>Sum of Cemetery only</b>	<b>\$ 76,494.00</b>		
FY 05-06	\$ 887	\$ 1,001	\$ 1,306	\$ 36,066	\$ 9,800	\$ 7,515	\$ 56,576	\$ 507,451	\$ 50,745									\$ 611,331	\$ 61,133	
FY 06-07	\$ 1,038	\$ 1,370	\$ 1,019	\$ 46,475	\$ 6,869	\$ 15,000	\$ 71,770	\$ 676,547	\$ 67,655									\$ 676,547	\$ 67,655	
FY 07-08	\$ 1,219	\$ 1,341	\$ 1,121	\$ 55,273	\$ 7,838	\$ 82,188	\$ 66,791	\$ 780,790	\$ 78,079									\$ 780,790	\$ 78,079	
FY 08-09	\$ 1,408	\$ 1,911	\$ 1,122	\$ 56,325	\$ 9,800	\$ 11,621	\$ 82,188	\$ 641,830	\$ 64,183									\$ 780,790	\$ 78,079	
FY 09-2010	\$ 993	\$ 2,210	\$ 1,121	\$ 54,871	\$ 1,174	Survey Sec. E	\$ 60,368	\$ 613,398	\$ 61,340									\$ 641,830	\$ 64,183	
FY 2010-2011	\$ 1,022	\$ 1,525	\$ 1,147	\$ 51,786	\$ 2,590		\$ 58,070	\$ 677,366	\$ 67,737									\$ 613,398	\$ 61,340	
FY 2011-2012	\$ 1,228	\$ 2,014	\$ 1,107	\$ 55,273	\$ 10,500	\$ 5,391	\$ 75,512	\$ 639,405	\$ 63,941									\$ 677,366	\$ 67,737	
FY 2012-2013	\$ 1,119	\$ 1,859	\$ 1,317	\$ 54,850	\$ 450		\$ 59,595	\$ 717,268	\$ 71,727									\$ 639,405	\$ 63,941	
FY 2013-2014	\$ 1,391	\$ 2,079	\$ 1,566	\$ 58,214	\$ 4,788		\$ 68,038	\$ 774,676	\$ 77,468									\$ 717,268	\$ 71,727	
FY 2014-2015	\$ 1,070	\$ 2,167	\$ 1,791	\$ 62,339	\$ 10,500	\$ 4,663	\$ 82,528	\$ 830,960	\$ 83,096									\$ 774,676	\$ 77,468	
FY 2015-2016	\$ 1,614	\$ 1,941	\$ 1,700	\$ 67,348	\$ 7,845		\$ 80,448	\$ 830,960	\$ 83,096									\$ 830,960	\$ 83,096	

2003 -2005	\$ 761,883	\$ 747,102
	\$ 176,313	\$ 176,313
	<b>\$ 938,196</b>	<b>\$ 923,415</b>

*Revenue*

PCF 709,120

1/2 E 132,090

Maintenance 37,200

878,410

Agency	Employer%	Trad/HDHP	H.S.A. contrib	Employee		Employee + 1		Employee + Fam	
				Employer%	H.S.A. contrib	Employer%	H.S.A. contrib	Employer%	H.S.A. contrib
Davis County	90%	Trad		90%		90%			
Murray City	85%	Trad/HDHP	\$676	85%	\$1,487	85%	\$2,027		
Draper City	100%	Trad		90%		90%			
Davis School District	94%	Trad/HDHP	\$720	83%	\$1,440	83%	\$1,800		
Bountiful City	100%	Trad/HDHP		95%		90%			
Clearfield City	100%	Trad/HDHP	\$600	100%	\$1,200	100%	\$1,200		
Kaysville City	100%	Trad/HDHP	\$1,200	95%	\$2,400	90%	\$2,400		
South Ogden City	80%	Trad/HDHP	\$1,000	80%	\$1,700	80%	\$1,700		
Syracuse City	80%	Trad/HDHP	\$603	80%	\$1,627	80%	\$1,627		
West Bountiful City	100%	Trad		90%		90%			
Woods Cross	93%	Trad		93%		93%			
Weber County	100%	Trad		100%		100%			
State of Utah	90%	Trad/HDHP	\$792	90%	\$1,584	90%	\$1,584		
Sandy City	100%	HDHP	\$1,478	100%	\$1,876	100%	\$1,876		
Centerville City	90%	Trad		90%		90%			
Utah County	100%	HDHP	\$800	100%	\$1,600	100%	\$1,600		
Layton City	80%	Trad		80%		80%			
South Jordan City	80%	HDHP	\$625	80%	\$1,300	80%	\$1,300		
Ogden City	100%	HDHP	\$533	100%	\$1,183	100%	\$1,655		
Salt Lake City Corp	95%	Trad/HDHP	\$750	95%	\$1,500	95%	\$1,500		

1 Minutes of the Centerville City Council meeting held Tuesday, May 2, 2017 at 7:00 p.m. at  
2 Centerville City Hall, 250 North Main Street, Centerville, Utah.

3  
4 **MEMBERS PRESENT**

5 Mayor Paul A. Cutler  
6  
7 Council Members Tamilyn Fillmore  
8 William Ince (arrived at 7:06 p.m.)  
9 Stephanie Ivie  
10 George McEwan  
11 Robyn Mecham  
12

13  
14 **STAFF PRESENT**

15 Steve Thacker, City Manager  
16 Lisa Romney, City Attorney  
17 Jacob Smith, Assistant to the City Manager  
18 Cory Snyder, Community Development Director  
19 Katie Rust, Recording Secretary

20 **VISITORS**

Interested citizens (see attached sign-in sheet)

21  
22 **PLEDGE OF ALLEGIANCE** Led by Bryce Jenson, BSA Troop 1200

23  
24 **PRAYER OR THOUGHT** Pastor Joshua Knight, Flourishing Grace Church

25  
26 Mayor Cutler thanked Pastor Knight and the Flourishing Grace Church for the donation  
27 of electronic flares to the Centerville Police Department.

28  
29 **OPEN SESSION**

30  
31 John Jensen – Mr. Jenson said his family had a good time at the recent Public Safety  
32 Open House. He said it was very informative, and he expressed appreciation for the  
33 opportunity.

34  
35 **MINUTES REVIEW AND ACCEPTANCE**

36  
37 The minutes of the April 11, 2017 work session, and the April 18, 2017 work session,  
38 regular Council meeting, and closed meeting were reviewed. Councilwoman Fillmore requested  
39 an addition to the April 11, 2017 work session minutes. Councilman McEwan made a motion to  
40 accept the three sets of minutes from April 18, 2017, and the April 11, 2017 work session  
41 minutes as amended. Councilwoman Ivie seconded the motion, which passed by unanimous  
42 vote (5-0).

43  
44 **SUMMARY ACTION CALENDAR**

- 45  
46 a. Accept Public Utility Easements for Legacy Crossing Storage  
47 b. Consider Amendment No. 1 to Cooperative Agreement between UDOT and  
48 Centerville City regarding Maintenance of the Connector Trail to the Legacy Parkway  
49 Trail

50  
51 Councilwoman Fillmore made a motion to approve both items on the Summary Action  
52 Calendar. Councilman Ince seconded the motion, which passed by unanimous vote (5-0).

1            **PUBLIC HEARING – ZONING CODE AMENDMENT – CHURCH OR PLACE OF**  
2 **WORSHIP IN I-H ZONE**  
3

4            Cory Snyder, Community Development Director, explained that The Bridge Community  
5 with Pastor Loren Pankratz is considering relocating from the Pages Lane Commercial Area.  
6 Some of the properties available for consideration are in the West Centerville area, currently  
7 zoned Industrial-High (I-H). However, places of worship are not currently allowed in I-H Zones.  
8 Therefore, the petitioner is asking the City to reconsider the allowable uses of the I-H Zone to  
9 include “church or place of worship” as a “permitted” use. In most cases, places of worship are  
10 allowed upon approval of a Conditional Use Permit. The Planning Commission reviewed the  
11 request, held a public hearing, and voted to recommend approval of the proposed Zoning  
12 Ordinance Amendment, with a modification to allow places of worship as a conditional use  
13 rather than permitted use.  
14

15            Councilman Ince asked the average size of an LDS church building. Mr. Snyder  
16 estimated 10,000-15,000 square feet. The maximum allowed size of a building in the I-H Zone  
17 is 50,000 square feet. Councilwoman Mecham asked if the Council could approve something  
18 less than 50,000 square feet. Mr. Snyder responded the Council could specify a different cap  
19 for this type of use, but administration and implementation could be complicated.  
20 Councilwoman Fillmore commented that The Bridge Community will most likely rent an existing  
21 building. She pointed out that places of worship are currently not allowed in the Industrial-  
22 Medium (I-M) and Agricultural-Medium (A-M) Zones, and asked if the Planning Commission  
23 considered adding places of worship as conditional use in I-M and A-M as well. Mr. Snyder  
24 responded that the petition came in for a particular zone, and the matter was not noticed for a  
25 broader decision. Centerville does not currently have agricultural industry at the A-M Zone, and  
26 staff chose not to address the other zones along with the private petition for I-H. Councilwoman  
27 Fillmore asked if it is a big deal for staff to include clean-ups as they come across them, to  
28 improve consistency. Mr. Snyder agreed it is good to clean-up the ordinances, but private  
29 petitions could get wrapped up in bigger issues if staff adds to what is requested.  
30

31            At 7:21 p.m., Mayor Cutler opened a public hearing.  
32

33            Steve Allen – Mr. Allen asked how the maximum 50,000 square feet compares to the  
34 MTC office building. Mr. Thacker responded that each of the four floors of the MTC building is  
35 20,000 square feet, for a total of 80,000 square feet.  
36

37            Shay Stark – Mr. Stark stated that he is a planner, and he totally agrees with the  
38 conditional use recommendation. He commended that some places of worship draw  
39 congregation members from outside the community, and some draw primarily from within the  
40 community. He suggested the Council consider pedestrian access on the west side as part of  
41 the conditional use process.  
42

43            Mayor Cutler closed the public hearing at 7:25 p.m. Councilwoman Mecham expressed  
44 concern about the possible impact of this type of use in a 50,000 square foot building. Mr.  
45 Snyder responded that the I-H Zone is already designed for that level of use. Councilwoman  
46 Fillmore added that the Council recently approved a reception center in the I-H Zone, which  
47 brings people into the community in a similar way. Councilman McEwan said any time a  
48 community of faith wants to get together he is in support.  
49

50            Councilwoman Fillmore made a **motion** to approve Ordinance No. 2017-10 amending  
51 Section 12.36.030 of the Centerville Zoning Code to allow churches or places of worship as a  
52 conditional use in the Industrial-High (I-H) Zone, with findings recommended by the Planning  
53 Commission. Councilman McEwan seconded the motion. Responding to a question from



1 Councilman Ince, Mr. Snyder stated that sidewalks in the I-H Zone would be addressed as part  
2 of the Conditional Use Permit. The motion passed by unanimous vote (5-0).

3  
4 Findings:

- 5  
6 a. The Council finds that the "decision to amend the . . . Zoning Ordinance is a matter  
7 within the legislative discretion of the City Council as described in Section  
8 12.21.060(a)(1)(B).  
9 b. The Council finds that the Land Use Hierarchy Standards in the General Plan only gives  
10 clarity on the classification of a church use intensity, and not what zone is appropriate for  
11 a church to be located within.  
12 c. The Council further finds that the intensity policy states that such church uses within  
13 facilities less than 10,000 square feet are appropriate at "all levels of intensity."  
14 d. The Council finds that Section 12-480-6 (West Centerville Neighborhood) lists a goal to  
15 "Enhance the Business Park District," which is predominately comprised of the I-H  
16 Zoning District.  
17 e. The Council further finds that Objective 1.H of the same Goal states a desire to limit  
18 lands uses to light manufacturing, office, professional service, and specialty retail type  
19 uses.  
20 f. The Council also finds that the other listed allowable uses of the I-H Zone include  
21 vocational schools and other personal instruction uses. Therefore, a church use is  
22 compatible due to its primary focus in providing a place of worship for personal  
23 instruction and edification.  
24 g. The Council finds that although the General Plan uses a "level of intensity"  
25 measurement, it appears that the Zoning Ordinance does not make a distinction  
26 between worship facilities above or below the 10,000 square feet measurement.  
27 h. The Council finds that a church or place of worship is predominately currently listed as a  
28 Conditional Use within the A-L, R-L, R-M, R-H, C-M, C-H and C-VH Zones.  
29 i. The Council finds that it appears that the Zoning Ordinance chooses to use the  
30 Conditional Use Permit process to allow a level of scrutiny to mitigate any potential  
31 conflicts or excess burdens on a case-by-case basis.  
32 j. The Council further finds that the maximum size building for the I-H Zone is 50,000  
33 square feet. Therefore, a worship facility at this size may have need of mitigating some  
34 impacts such as traffic, parking, or other such matters.

35  
36 REVOCABLE ENCROACHMENT LICENSE AND MAINTENANCE AGREEMENT –  
37 170 WEST – BLEAKS AND GOODFELLOW-TULLIUS TRUST

38  
39 The Bleaks and Goodfellow-Tullius recently purchased a portion of the Holbrook  
40 property behind their existing lots located at 149 West 1850 North and 215 West 1850 North,  
41 respectively. The purchased property has been combined with their existing lots as required by  
42 City ordinance to avoid the creation of an additional lot or a remnant parcel. The Bleaks have  
43 applied for and desire to construct a garage on this newly acquired portion of their property.  
44 Access to the back portion of the Bleak lot (as well as the Goodfellow-Tullius lot) from the legal  
45 lot frontage on 1850 North is difficult. Therefore, the Bleaks and Goodfellow-Tullius have  
46 requested access to the back portion of their properties from the end of the stub portion of 170  
47 West. The end of 170 West is currently a stub road with no temporary turn-around or any public  
48 improvements beyond the end of the right-of-way which terminates at the mutual boundary line  
49 between the Bleaks and Goodfellow-Tullius properties.

50  
51 Lisa Romney, City Attorney, explained that the City does not usually allow access off of  
52 the stub end of a City street. However, she said staff is willing to recommend approval of such  
53 requested access in this limited circumstance subject to the terms and conditions of the

1 proposed Revocable Encroachment License and Maintenance Agreement. Pursuant to this  
2 agreement, the Bleaks and Goodfellow-Tullius must dedicate an 80' diameter temporary right-  
3 of-way and turn-around easement at the end of 170 West over and across their properties. In  
4 exchange for the turn-around easement, the Bleaks and Goodfellow-Tullius would be granted a  
5 non-exclusive revocable encroachment license and permit to install and maintain certain  
6 driveway and related improvements within the turn-around easement area. The use is limited to  
7 accessory residential uses and may not be used for access to a dwelling unit or any type of  
8 commercial activity.

9  
10 Ms. Romney reported the City Engineer has reviewed and approved the drainage plan  
11 with a few revisions. She said it is the opinion of the City Engineer that the natural drainage of  
12 the property would take care of most of the issue. At 7:42 p.m., Mayor Cutler welcomed  
13 comment from the applicants.

14  
15 Terry Bleak – Mr. Bleak said he has spent a lot of time working with staff on this issue.  
16 He said he wants to be in Centerville for a long time, and he wants the property to look clean,  
17 not muddy.

18  
19 Kathy Goodfellow – Ms. Goodfellow thanked Ms. Romney and Mr. Snyder for working  
20 with them. She said she thinks they have come to a win/win agreement. Ms. Goodfellow said  
21 she feels it is worth giving this easement in order to access the property in this manner.

22  
23 Councilman Ince made a **motion** to approve the Revocable Encroachment License and  
24 Maintenance Agreement between the Bleaks, Goodfellow-Tullius Trust, and Centerville City for  
25 a temporary turn-around and access at the end of 170 West. Councilwoman Ivie seconded the  
26 motion, which passed by unanimous vote (5-0). Councilman McEwan thanked the applicants  
27 for preserving green space in the City.

#### 28 29 **MUNICIPAL CODE AMENDMENTS – CHAPTER 5.03 (BUDGETS)**

30  
31 Ms. Romney stated it is her opinion a public hearing is required at the tentative budget  
32 level, but the State statute is unclear regarding what kind of notice must be provided for that  
33 hearing. She recommended Municipal Code amendments, including an amendment to specify  
34 7-day notice on the Utah Public Notice website and City website for the tentative budget public  
35 hearing. She said she feels substantial notice should be reserved for the final budget. Mr.  
36 Thacker commented that the Farmington City Council has approval of a tentative budget on  
37 their Summary Action Calendar without a public hearing. He said he suspects many cities will  
38 interpret the State statute in that way.

39  
40 Councilman McEwan made a **motion** to approve Ordinance No. 2017-11 regarding  
41 Municipal Code Amendments to Chapter 5.03 (Budgets) regarding noticing and hearing  
42 requirements for tentative and final budgets and new statutory reference for enterprise fund  
43 transfers. Councilman Ince seconded the motion, which passed by unanimous vote (5-0).

#### 44 45 **FY 2018 BUDGET**

46  
47 Mr. Thacker suggested the Council open a public hearing for the FY 2018 Tentative  
48 Budget and continue the public hearing to the next Council meeting on May 16<sup>th</sup>. At that time  
49 the Council could adopt the FY 2018 Tentative Budget if the Council would rather not adopt the  
50 Tentative Budget at this time. Councilman McEwan said he does not see a benefit to adopting  
51 the Tentative Budget at this time if the accountants are going to recommend significant  
52 changes. Mr. Thacker responded that the accountants work is more likely to affect fund  
53 balances than the current revenues and expenditures. He said he has prepared the budget with

1 the assumption that the City will live by the revenues that are generated within the year.  
2 Councilman McEwan said he feels it would be better to wait until the budget has accurate fund  
3 balances. Councilman Ince said he thinks it makes sense to wait until May 16<sup>th</sup> and give a little  
4 time for the public to review the Proposed Budget. The FY 2018 Proposed Budget is available  
5 on NovusAgenda, and will be made available on the City website. Councilman McEwan  
6 emphasized the need to make it clear that it is a tentative budget.  
7

8 Mayor Cutler opened a public hearing at 8:01 p.m., and invited anyone who would like to  
9 comment on the Proposed Budget. Seeing that no one wished to comment, he closed the  
10 public hearing with a desire to continue it to the next Council meeting on May 16<sup>th</sup>. Councilman  
11 Ince made a **motion** to table action on the FY 2018 Tentative Budget and continue the public  
12 hearing to the Council meeting on May 16<sup>th</sup>. Councilman McEwan seconded the motion, which  
13 passed by unanimous vote (5-0).  
14

### 15 MAYOR'S REPORT

- 16
- 17 • Mayor Cutler reported the South Davis Metro Fire Service Area has been actively  
18 pursuing a new fire station in Centerville. He said there has been interest from other  
19 parties in purchasing the existing station and leasing it back to the Service Area  
20 while construction of a new station occurs. No decisions have been made. The Fire  
21 Board is expected to take action at their next meeting regarding the proposed tax  
22 increase.
- 23 • Davis County was recently rated the 5<sup>th</sup> healthiest county in the State.
- 24 • The annual CenterPoint Gala is scheduled for Saturday, June 3<sup>rd</sup>.
- 25

### 26 MISCELLANEOUS BUSINESS

27

28 City Attorney Romney has drafted an agreement regarding the transfer of County-owned  
29 property on 100 South to the City. A majority of the Council indicated approval and expressed a  
30 desire to send the draft agreement to the County. Mr. Thacker distributed a preliminary sketch  
31 of property lines provided by the County.  
32

### 33 APPOINTMENTS

34

35 Mayor Cutler recommended the Council reappoint Mark Dimond, Matt Johnson, and  
36 Rick Turner to additional terms on the Trails Committee; appoint Jonathan Reudas to a three-  
37 year term on the Parks and Recreation Committee; and appoint Greg Call to the Landmarks  
38 Commission. Councilwoman Fillmore made a **motion** to reappoint Mark Dimond, Matt  
39 Johnson, and Rick Turner to additional terms on the Trails Committee; appoint Jonathan  
40 Reudas to a three-year term on the Parks and Recreation Committee; and appoint Greg Call to  
41 the Landmarks Commission. Councilwoman Mecham seconded the motion, which passed by  
42 unanimous vote (5-0).  
43

### 44 ADJOURN AND RDA MEETING

45

46 At 8:16 p.m., Councilman McEwan made a **motion** to adjourn the regular meeting and  
47 move to a meeting of the Redevelopment Agency following a short break. Councilwoman  
48 Fillmore seconded the motion, which passed by unanimous vote (5-0). In attendance at the  
49 RDA meeting were: Paul A. Cutler, Chair; Directors Fillmore, Ince, Ivie, McEwan, and Mecham;  
50 Steve Thacker, Executive Director; Lisa Romney, City Attorney; Jacob Smith, Assistant to the  
51 City Manager; and Katie Rust, Recording Secretary.

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\_\_\_\_\_  
Marsha L. Morrow, City Recorder

5-16-2017  
Date Approved

  
\_\_\_\_\_  
Katie Rust, Recording Secretary