

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

MEMBERS PRESENT

Mayor	Paul A. Cutler
Council Members	Tamilyn Fillmore William Ince (remotely via phone) Stephanie Ivie George McEwan Robyn Mecham

STAFF PRESENT

Steve Thacker, City Manager
Lisa Romney, City Attorney
Marsha Morrow, City Recorder
Cory Snyder, Community Development Director
Lt. Von Steenblik, Centerville Police Department
Jacob Smith, Assistant to the City Manager
Katie Rust, Recording Secretary

STAFF ABSENT

Blaine Lutz, Finance Director/Assistant City Manager

VISITORS

Interested citizens (see attached sign-in sheet)

PLEDGE OF ALLEGIANCE Quinn Southwick, Troop 798

PRAYER OR THOUGHT Councilwoman Ivie

ACKNOWLEDGEMENTS

Mayor Cutler announced that Centerville was awarded a Utah Community of the Year Award from the Utah Community Forest Council and Utah Chapter of the International Society of Arboriculture for efforts in the past year to document the trees in and behind park strips in the city.

The Mayor expressed appreciation to the Flourishing Grace Church in Bountiful for the donation of electronic flares to the Centerville Police Department.

OPEN SESSION

Mary Jo Tanner – Ms. Tanner voiced a concern about the plans for the west section of the cemetery. She said she does not oppose all possible plans. However, she does oppose the plan to construct a tall retaining wall on the west side of the cemetery. She said she believes there are better options, and she and other cemetery neighbors would like to participate in the discussions and help find the best solution for everyone concerned. She asked the Council to show the cemetery neighbors consideration and help them trust the Council.

Blaine Randall – Mr. Randall stated he is currently a resident of Bountiful. He thanked the Council for their consideration of his comments at the Council meeting on September 6, 2016.

Richard Ford – Mr. Ford said he has lived near the southwest corner of the cemetery for 40 years. He requested that the document he submitted to the Mayor and Council in January be entered into the public record (attached).

1 **MINUTES REVIEW AND ACCEPTANCE**

2
3 The minutes of the January 17, 2017 work session and regular Council meeting were
4 reviewed. Councilwoman Ivie made a **motion** to accept both sets of minutes. Councilman
5 McEwan seconded the motion, which passed by unanimous vote (5-0).

6
7 **SUMMARY ACTION CALENDAR**

- 8
9 a. Amendment to Interlocal Agreement for Animal Control Services – Resolution No.
10 2017-02
11 b. Amendment to Section 4.060 of the Centerville Personnel Policies and Procedures
12 Regarding Compensatory Time – Resolution No. 2017-03
13 c. Police Officer Hiring Incentive
14

15 Staff answered questions from the Council regarding items on the Summary Action
16 Calendar. Councilman McEwan made a **motion** to approve all three items on the Summary
17 Action Calendar, including Resolution No. 2017-02 and Resolution No. 2017-03. Councilwoman
18 Ivie seconded the motion, which passed by unanimous vote (5-0).

19
20 **BOOK ABOUT 1983 CENTERVILLE FLOOD**

21
22 Former-Mayor Neil Blackburn expressed gratitude for the assistance of City staff in
23 compiling information for his book about the 1983 Centerville flood. He explained his desire to
24 recognize the many people who sacrificed and helped the city during the 1983 flood. The book
25 will cost \$45, with \$2.25 from the sale of each book contributed to the Whitaker Museum Fund.
26 He expressed the hope that the book can be advertised in the City newsletter. Mayor Cutler
27 and Councilwoman Fillmore expressed support for including information about the book in the
28 newsletter. Requests for the books will go directly to Mr. Blackburn via email. It may be
29 possible for copies of the book to be available for sale at the Whitaker Museum.
30

31 Discussing the advertising policy recently put in place, Councilman McEwan commented
32 that the book could certainly be considered being of significance to the community. He asked if
33 all books written about Centerville will qualify for advertising in the newsletter or utility mailer in
34 the future. Councilwoman Fillmore asked how the policy will be implemented – if the Council
35 will continue to decide what qualifies, or if staff will make the decision based on the guidelines.
36 Mr. Thacker commented that staff will generally make the decision based on the policy. He said
37 he felt this particular request was not clear-cut, and chose to bring it to the Council. Lisa
38 Romney, City Attorney, read aloud a portion of the policy, and said she feels the book has
39 enough of a link to Centerville that the request could be approved. Mr. Blackburn assured the
40 Council that the book is a non-profit venture.
41

42 Councilwoman Fillmore made a **motion** directing staff to work with Mr. Blackburn to
43 advertise the book in the newsletter or utility insert. Councilman Ince seconded the motion.
44 Councilwoman Ivie expressed concern about the precedent that would be set. Following further
45 discussion, the motion passed by unanimous vote (5-0).
46

47 **PUBLIC HEARING – 1872 NORTH MAIN SUBDIVISION AMENDED – SUBDIVISION**
48 **PLAT AMENDMENT**

49
50 As applicant in this issue, Mayor Cutler stepped down from the dais and asked that
51 Mayor Pro Tem Fillmore direct the discussion. Cory Snyder, Community Development Director,
52 explained that the 1872 North Main Subdivision was previously approved and recorded on June
53 18, 2014. The applicant desires to amend the recorded subdivision plat to alter the

configuration of the driveway and fire access turnaround, relocate the interior public utility easements, and adjust interior lot lines between existing lots. Staff recommends approval of this plat amendment as it complies with the existing applicable subdivision ordinances and codes, and the public interest will be preserved. Mayor Cutler explained his desire to bring the property into compliance, and to improve the landscaping.

At 7:53 p.m. Mayor Pro Tem Fillmore opened a public hearing, and closed the public hearing seeing that no one wished to comment. Councilwoman Ivie said she contacted the Fire Chief about the dimensions of the fire access turnaround and was informed that the proposed plan is sufficient for current and future planned vehicles. Councilman Ince made a motion to approve the proposed plat amendment, subject to the following conditions and findings. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0). Mayor Cutler returned to his seat on the dais.

Conditions:

- 1) Preparation and submittal of the final linen subdivision plat to the City Recorder's Office to reflect the changes to the 1872 Main Street Subdivision Amended.
- 2) Provide signature blocks and obtain signatures for all owners within the subdivision on final linen plat.
- 3) Submit a current title or updated report, no less than 30 days old to the City, which shall be reviewed and deemed acceptable by the City Attorney prior to recordation.
- 4) Provide, on the amended plat, all original plat notes, easements, or other elements, as deemed necessary by the City Attorney.
- 5) Provide and record with the amended plat, an updated shared access and maintenance agreement for the amended plat, which is to be deemed acceptable to the City Attorney.

Findings:

- a. The City Council finds that a plat amendment is needed to reconfigure the fire access turn around to match how it was actually constructed.
- b. The City Council finds that the South Davis Metro Fire District Marshall has provided a written acceptance of the new configuration.
- c. The City Council finds that there are a few minor adjustments to the common driveway, relocation of the PUE and shifting of a lot line.
- d. The City Council finds that all the amended plat elements have been reviewed by City Staff and have been deemed acceptable.
- e. Therefore, the City Council finds that the proposed plat amendment complies with the existing applicable subdivision ordinances and codes and the public interest will be preserved.

**CEMETERY ORDINANCE AND FEE SCHEDULE AMENDMENTS REGARDING
BURIAL RIGHT REPURCHASING**

Mr. Thacker explained that approval of this Ordinance and Resolution would allow him to implement an idea that may provide burial spaces for "immediate need" while the City Council is exploring options for creating additional burial spaces. Staff have determined there are 192 burial right owners who each own at least four unused burial rights in the Centerville Cemetery, representing a total of 1069 unused spaces. Of these 192 owners, the City has mailing addresses for 118, representing a total of 698 burial rights. Mr. Thacker said he believes there is a good possibility that some of these burial rights owners would sell their rights back to the City if they could receive greater compensation than City ordinance currently allows, which is ". .

1 . the original price paid by the purchaser, or the current selling price, whichever is less." Some
2 of the burial rights were purchased many, many years ago when burial rights could be
3 purchased for \$25. Over time the cost of a burial right has increased to the current rate of \$300
4 in the older sections and \$600 in the newest section.

5
6 Mr. Thacker presented the following proposal:

- 7
- 8 • The purchase price for any burial right in the cemetery would be set at \$600,
9 regardless of which section it is in.
 - 10 • A burial right owner who did not pay a perpetual care fee and wants to resell one or
11 more rights to the City would be paid \$500 for the repurchase of each right.
 - 12 • A burial right owner who paid a perpetual care fee and wants to resell one or more
13 rights to the City would be paid \$800 for the repurchase of each right.
 - 14 • The City would mail letters to the 118 burial right owners for which addresses have
15 been identified, informing them of this opportunity to resell their rights to the City
16 under these new terms.
 - 17 • The City would initially buy back a limited number of rights – maybe 20 or so – and
18 resell those for "immediate need", allowing someone to purchase a second burial
19 right at the same time as they buy one for immediate need (the second one for a
20 spouse).
 - 21 • If the number of those wanting to resell is strong enough to exceed the initial number
22 the City is willing to purchase, a list would be maintained and the City could
23 repurchase more in the future as the inventory of repurchased rights is resold for
24 immediate need.
 - 25 • The repurchased spaces would be resold by the City at a current price of \$600 plus a
26 \$300 perpetual care fee. In other words, the City would keep \$100 from each
27 repurchase/resell transaction to cover administrative cost.
- 28

29 Councilman McEwan said he is interested in looking into this option before the west side
30 expansion idea. Mr. Thacker briefly described how Centerville's burial fees compare to other
31 South Davis municipal and private cemeteries, and stated he has more information that will be
32 provided to the Council at an upcoming work session regarding the cemetery.

33
34 Councilwoman Fillmore made a **motion** to approve Ordinance No. 2017-01 amending
35 Section 8-03-100 of the Centerville Municipal Code regarding repurchasing of burial rights by
36 the City. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).
37 Councilwoman Fillmore made a **motion** to approve Resolution No. 2017-04 amending Section
38 VII.A. of the City Fee Schedule regarding cemetery burial right and repurchasing fees.
39 Councilwoman Ivie seconded the motion. Mayor Cutler suggested information regarding both
40 the burial right fee and the perpetual care fee be included in the community brochure next year.
41 The motion passed by unanimous vote (5-0).

42
43 **2017 MUNICIPAL ELECTION – VOTE BY MAIL RECOMMENDATION**

44
45 Ms. Romney presented information gathered by staff regarding running a City election
46 as requested by the Council (available with the agenda on NovusAgenda). Marsha Morrow,
47 City Recorder, presented the estimated costs of running an election with two polling locations
48 and paper ballots:

- 49
- 50 • Total out-of-pocket costs per election \$17,521 - \$21,188
 - 51 • Total estimated staff costs per election \$16,100 (not including benefits)

1 She recommended the City contract with the County for the vote-by-mail hybrid for the
2 estimated cost of \$15,163 per election. Ms. Morrow gave the following reasons for selecting the
3 vote-by-mail option:
4

- 5 • Less confusing for voters
- 6 • Voters expectation is to receive a ballot by mail
- 7 • Elections are consistent, whether federal or municipal elections
- 8 • The cost and time involved to administer own election
- 9 • Better turn out
- 10 • Voters can study candidates and issues at their leisure
- 11

12 Mr. Thacker pointed out that the staff time required to run an election would be staff time
13 not spent on other issues. Councilwoman Fillmore expressed her support for the vote-by-mail
14 option, and made a motion to contract with Davis County for a Vote-By-Mail election for the
15 2017 Municipal Election. Councilwoman Ivie seconded the motion.
16

17 Councilman Ince stated he thinks voting should be harder and not easier, but said he
18 recognizes that he is part of a small minority with that opinion. Ms. Romney explained that staff
19 is very busy with elections even when contracting with the County. Councilwoman Fillmore said
20 she agrees with the desire to have an informed electorate, which is a big reason she is in favor
21 of the vote-by-mail option, with the convenience of doing research about candidates and issues
22 online. Councilman McEwan said he feels there is ceremony involved with the whole process of
23 governance, and he would be sad to see it become just a checklist. Council members Ivie and
24 Mecham agreed. Councilwoman Mecham said she believes that citizens who do not take the
25 time to research the issues will not take the time to go out and vote. She said she thinks the
26 vote-by-mail option will result in more uneducated voters. Councilwoman Ivie said she feels
27 there is something about having to put out some effort that makes something more valuable.
28 She disagreed that vote-by-mail makes research easier – those that care will research and
29 those that don't, won't. Councilwoman Ivie said she feels it cheapens the vote and makes it
30 more difficult for candidates to run, but acknowledged that the city does not have the funds to
31 run its own elections. Mayor Cutler suggested that the perception of the public might be that the
32 Council is trying to limit turnout by selecting a paper ballot when facts suggest that vote-by-mail
33 results in higher participation. The motion passed by unanimous vote (5-0).
34

35 The Council took a break at 8:47 p.m. and returned at 9:01 p.m.
36

37 MAYOR'S REPORT

38

- 39 • Mayor Cutler updated the Council on the Community Foundation preparations to
40 support Law Enforcement Week in May. He said the Foundation Board is looking for
41 businesses willing to pay for banners (\$100 each) as a show of support. The
42 banners will be attached to poles along Parrish Lane and Main Street, and will be
43 reusable.
- 44 • The Mayor updated the Council regarding the loan from the South Davis Recreation
45 District for the Community Park expansion.
- 46 • Mayor Cutler updated the Council regarding the County-owned property on 100
47 South. He said it is his perception that both parties want to keep a portion of the
48 property open for public use. A long-term conservation easement or lease is being
49 considered.
- 50 • Mayor Cutler reported that Davis County is in favor of more recreation use of the
51 foothills, and has asked each city to participate in a comprehensive planning effort
52 for a County Hillside Recreation Plan. The Centerville Trails Committee will meet
53 with the Bountiful Trails Committee to discuss possibilities for mountain biking trails.

- Council members are invited to attend the Legislative night at CenterPoint Theatre on February 23rd.

CITY MANAGER'S REPORT

- The Council will meet in a work session regarding cemetery expansion on Wednesday, March 1st.
- The Police Department is looking into contracting with an online service to facilitate access to accident reports.
- The Council will discuss their responses to a sidewalk and tree survey in a future meeting.
- Sound panels will be installed in the City Hall Council Chambers in the next week.
- The Council will meet in a work session regarding UTOPIA on March 21st.
- The Council may meet in a work session regarding General Plan amendments for the Pages Lane corridor, but this will be scheduled later.

OPEN AND PUBLIC MEETINGS TRAINING

Ms. Romney presented training regarding open and public meetings. The presentation is available with the agenda on NovusAgenda.

MISCELLANEOUS BUSINESS

- Councilwoman Mecham suggested including information about City committees in the City newsletter to help with recruitment.
- Councilwoman Mecham reported that postal workers are frustrated with garbage cans being left on the streets for several days, making mail delivery even harder with the amount of snow this winter. She suggested circulating a reminder of City regulations regarding garbage containers next fall.
- Councilman Ince agreed to represent the City as a voting member of the ULCT Legislative Policy Committee.
- Councilwoman Fillmore expressed concern regarding seemingly random pockets of radon gas occurring in Centerville, and said she feels it would be worth exploring the idea of requiring a test for radon gas for new construction. Councilwoman Ivie suggested having an information sheet attached to building permit materials that encourages testing. Councilman McEwan commented that life is dangerous, and expressed concern about getting into a situation of over-regulation. A majority of Council members indicated they would like staff to investigate the City's legal boundaries for this issue.

APPOINTMENTS

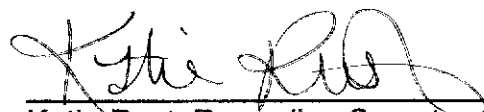
Mayor Cutler recommended the Council reappoint Melissa Larsen to the Parks and Recreation Committee. Councilwoman Mecham made a **motion** to reappoint Melissa Larsen to the Parks and Recreation Committee. Councilman McEwan seconded the motion, which passed by unanimous vote (5-0). The Council discussed appropriate length of service on different City committees. There are a number of members on the Trails Committee who have served two terms, and are willing to continue serving on the Committee. The Council expressed a desire to aggressively advertise openings, and let Committee members continue serving until they are replaced. Councilman Ince suggested spotlighting committees in the City newsletter to raise awareness and interest.

ADJOURNMENT

At 10:07 p.m., Councilwoman Ivie made a motion to adjourn the meeting. Councilman Ince seconded the motion, which passed by unanimous vote (5-0).


Marsha L. Morrow, City Recorder

2-21-2017
Date Approved


Katie Rust, Recording Secretary



CENTERVILLE CITY COUNCIL MEETING

Tuesday, February 7, 2017
7:00 p.m.

NAME (PLEASE PRINT)

ADDRESS**

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NEIL & MARCENE BLACKBURN

975 E. 1175 S. #34 F.H.

Mary Jo Tanner

573 E 550 S

Wesley Johnston

1030 N. 500 E.

Max Wetzel

1151 N 75E

Wyndy Southwick

TJ Anderson

121 E. Chase Ln

ERIK GROETUS

1106 N. 250 E

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