

CENTERVILLE CITY

250 North Main • Centerville, Utah 84014-1824 • (801) 295-3477 • Fax: (801) 292-8034

Incorporated in 1915

Mayor

Paul A. Cutler

City Council

Tamilyn Fillmore

William Ince

Stephanie Ivie

George McEwan

Robyn Mecham

City Manager

Steve H. Thacker

interoffice MEMORANDUM

to: Mayor Cutler
City Council
cc: Department Heads
Planning Commission
from: Steve H. Thacker, City Manager *S. Thacker*
subject: City Manager's Summary of February 21, 2017 Council Meeting
date: February 17, 2017

There is no work session prior to this council meeting. However, please mark your calendar for Wednesday, March 1 at 7:00 p.m. for a work session on the cemetery west slope analysis.

E.1. Minutes Review – The minutes to be approved can be found online via NovusAgenda.

E.2. Summary Action Calendar

- a. Interlocal Agreement re Elections** – In your prior meeting you agreed to contract with Davis County for administration of this year's municipal elections. Approval of this Interlocal Agreement formalizes that decision.
- b. Temporary Justice Court Judges** – State law allows Centerville City to appoint temporary judges to serve in the absence of Justice Court Judge David Miller. Judge Miller would like the Council to approve several judges who could potentially fill in for him. The Justice Court's FY 2017 budget includes \$500 to pay for a substitute judge.

E.3. Public Hearing—Zoning Map Amendment – The Planning Commission recommended this rezone action, which changes the zoning from Residential-Medium to Residential-Low for property located at approximately 1150 South 240 East (east of the Episcopal Church). The future homes on this site will be served by a cul-de-sac that already serves two single-family homes.

E.4. Public Hearing—Municipal Code Comprehensive Amendments – This action will re-adopt the entire Centerville Municipal Code (other than Title 12 regarding the Zoning Code) in a renumbered format with minor revisions, to make it available online via the Municipal Code Online service. The Zoning Code was previously re-adopted for the same reason and is now available online. Because this action involves Title 12 (Subdivision Ordinance), the Council must hold a public hearing on this matter, even though these revisions to Title 12 are not the major revisions being prepared with the help of a consultant for later adoption.

E.5. Award Bids for Water Main under I-15/Railroad Tracks – This project involves installing a new water main under I-15 and the railroad tracks at 1000 North (Chase Lane) through a boring method. This main is needed to serve growth in the commercial area west of I-15 and north of Parrish Lane.



- E.6. Financial Report** – This report prepared by Blaine Lutz is for the 7-month period ending January 31, 2017. If Blaine is not at the meeting, I will highlight it and respond to questions.
- E.7. Presentation re Circles Davis County** – Rebecca Walsche has requested some time to explain this program, which is to help lift people out of poverty. She is also looking for volunteers to serve as mentors for participants.
- E.8. Mayor's Report** – Mayor Cutler will report on several topics shown on the agenda under this heading.
- E.9. City Council Liaison Report** – Councilman Bill Ince will report on the emergency management activities of the Citizen Corps Council (CCC), as well as the Davis County Chamber of Commerce. Councilman Ince chairs the CCC and is the Council's rep to the Chamber of Commerce.
- E.10. City Manager's Report** – I would like the Council to select dates to discuss the sidewalks & trees issues and to hold a joint work session with the Planning Commission. I also want the Council's direction regarding the future of the recreation program, in light of Lisa Summer's announcement this week that 2017 will be the last year she will run the program.
- E.11. Miscellaneous Business**
- a. Employee health insurance** – See the staff report for an explanation of this matter.
 - b. ULCT Mid-Year Conference** – Marsha is temporarily holding rooms at three hotels for possible use by Councilmembers. See the staff report.
- E.12. Closed meeting, if needed** – The agenda provides for the possibility of a closed meeting, if needed.
- E.13. Appointments to City Boards/Committees** – Mayor Cutler may recommend appointments.

Potential Agenda Items for March 1, 2017 Work Session & March 7 City Council meeting (subject to change):

- Work Session (March 1 - 7:00) re cemetery west slope analysis
- Public Hearing - Text Amendment – Accessory Setbacks
- Streets crack seal/slurry seal bid award
- Recording Secretary contract
- Recreation District loan agreement
- County property on 100 South Street
- FY 2018 Budget Calendar

ST/mlm

CENTERVILLE CITY COUNCIL AGENDA

NOTICE IS HEREBY GIVEN THAT THE CENTERVILLE CITY COUNCIL WILL HOLD ITS REGULAR PUBLIC MEETING AT 7:00 P.M. ON TUESDAY, FEBRUARY 21, 2017 AT THE CENTERVILLE CITY COMMUNITY CENTER AND CITY HALL COUNCIL CHAMBERS, 250 NORTH MAIN STREET, CENTERVILLE, UTAH. THE AGENDA IS SHOWN BELOW.

Meetings of the City Council of Centerville City may be conducted via electronic means pursuant to Utah Code Ann. § 52-4-207, as amended. In such circumstances, contact will be established and maintained via electronic means and the meeting will be conducted pursuant to the Electronic Meetings Policy established by the City Council for electronic meetings.

Centerville City, in compliance with the Americans With Disabilities Act, provides accommodations and auxiliary communicative aids and services for all those citizens in need of assistance, including hearing devices. Persons requesting these accommodations for City-sponsored public meetings, services, programs, or events should call Blaine Lutz, Centerville Finance Director, at 801-295-3477, giving at least 24 hours notice prior to the meeting.

A notebook containing supporting materials for the business agenda items is available for public inspection and review at City Hall and will be available for review at the meeting. Upon request, a citizen may obtain (without charge) the City Manager's memo summarizing the agenda business, or may read this memo on the City's website: <http://centerville.novusagenda.com/agendapublic>.

Tentative - The times shown below are tentative and are subject to change during the meeting.
Time:

- 7:00 **A. ROLL CALL**
 (See City Manager's Memo for summary of meeting business)
- B. PLEDGE OF ALLEGIANCE**
- C. PRAYER OR THOUGHT**
 Councilwoman Mecham
- 7:05 **D. OPEN SESSION (This item allows for the public to comment on any subject of municipal concern, including agenda items that are not scheduled for a public hearing. Citizens are encouraged to limit their comments to two (2) minutes per person. Citizens may request a time to speak during Open Session by calling the City Recorder's office at 801-295-3477, or may make such request at the beginning of Open Session.) Please state your name and city of residence.**
- E. BUSINESS**
- 7:10 1. **MINUTES REVIEW AND ACCEPTANCE**
 January 31, 2017 work session; February 7, 2017 work session and regular Council meeting
- 7:10 2. **Summary Action Calendar**
- a. Approve Interlocal Agreement with Davis County for Election Services for the 2017 Municipal Elections - Resolution No. 2017-05
- b. Approve Resolution No. 2017-06 appointing Temporary Justice Court Judges

(OVER)

- 7:10 3. Public Hearing - Zoning Map Amendment (Rezone) - 1150 South 240 East
Consider the proposed Zoning Map Amendment (rezone) for property located at approximately 1150 South 240 East, from a Residential-Medium (R-M) Zone to a Residential-Low (R-L) Zone - Ordinance No. 2017-02
- 7:20 4. Public Hearing - Centerville Municipal Code – Comprehensive Amendments
Consider the proposed comprehensive Centerville Municipal Code Amendments and re-adoption of the entire Centerville Municipal Code (excluding Title 12 regarding the Zoning Code) for online conversion and minor edits and corrections for consistency - Ordinance No. 2017-03
- 7:40 5. Award bid to Claude H. Nix Construction in the amount of \$173,968.00 for labor and to Western Water Work in the amount of \$8,745.78 (plus tax) for materials for the water main under I-15/railroad tracks at 1000 North
- 7:50 6. Financial Report for period ending January 31, 2017
- 8:00 7. Presentation re Circles Davis County
- 8:10 8. Mayor's Report
a. Fire Service Area
b. Recreation District Loan
c. UTOPIA/UIA update
- 8:25 9. City Council Liaison Report – Councilman Ince - Citizen Corps Council/Emergency Management/Davis Chamber of Commerce
- 8:35 10. City Manager's Report
a. Consider scheduling work sessions
b. Future of recreation program
- 8:45 11. Miscellaneous Business
a. Direction re employee health insurance
b. ULCT Mid-Year Conference in St. George - April 5 – 7
- 8:55 12. Closed meeting, if necessary, for reasons allowed by state law , including, but not limited to, the provisions of Section 52-4-205 of the Utah Open and Public Meetings Act, and for attorney-client matters that are privileged pursuant to *Utah Code Ann.* § 78B-1-137, as amended.
13. Possible action following closed meeting, including appointments to boards and committees

F. ADJOURNMENT

Items of Interest (i.e., newspaper articles, items not on agenda); Posted in-meeting information

CENTERVILLE CITY COUNCIL AGENDA

NOTICE IS HEREBY GIVEN THAT THE CENTERVILLE CITY COUNCIL WILL HOLD ITS REGULAR PUBLIC MEETING AT 7:00 PM ON FEBRUARY 21, 2017 AT THE CENTERVILLE CITY COMMUNITY CENTER AND CITY HALL COUNCIL CHAMBERS, 250 NORTH MAIN STREET, CENTERVILLE, UTAH. THE AGENDA IS SHOWN BELOW.

Meetings of the City Council of Centerville City may be conducted via electronic means pursuant to Utah Code Ann. 52-4-207, as amended. In such circumstances, contact will be established and maintained via electronic means and the meeting will be conducted pursuant to the Electronic Meetings Policy established by the City Council for electronic meetings.

Centerville City, in compliance with the Americans With Disabilities Act, provides accommodations and auxiliary communicative aids and services for all those citizens in need of assistance, including hearing devices. Persons requesting these accommodations for City-sponsored public meetings, services, programs, or events should call Blaine Lutz, Centerville Finance Director, at 801-295-3477, giving at least 24 hours notice prior to the meeting.

A notebook containing supporting materials for the business agenda items is available for public inspection and review at City Hall and will be available for review at the meeting. Upon request, a citizen may obtain (without charge) the City Manager's memo summarizing the agenda business, **or may read this memo on the City's website: <http://centerville.novusagenda.com/agendapublic>.**

Tentative - The times shown below are tentative and are subject to change during the meeting
Time:

7:00 **A. ROLL CALL**

(See City Manager's Memo for summary of meeting business)

B. PLEDGE OF ALLEGIANCE

C. PRAYER OR THOUGHT

Councilwoman Mecham

7:05 **D. OPEN SESSION (This item allows for the public to comment on any subject of municipal concern, including agenda items that are not scheduled for a public hearing. Citizens are encouraged to limit their comments to two (2) minutes per person. Citizens may request a time to speak during Open Session by calling the City Recorder's office at 801-295-3477, or may make such request at the beginning of Open Session.) Please state your name and city of residence.**

E. BUSINESS

7:10 1. Minutes Review and Acceptance

January 31, 2017 work session; February 7, 2017 work session & regular Council meeting

- | | | |
|------|-----|--|
| 7:10 | 2. | Summary Action Calendar |
| | a. | Approve Interlocal Agreement with Davis County for Election Services for the 2017 Municipal Elections - Resolution No. 2017-05 |
| | b. | Approve Resolution No. 2017-06 appointing Temporary Justice Court Judges |
| 7:10 | 3. | Public Hearing - Zoning Map Amendment (Rezone) - 1150 South 240 East |
| | | Consider the proposed Zoning Map Amendment (rezone) for property located at approximately 1150 South 240 East, from Residential-Medium (R-M) Zone to Residential-Low (R-L) Zone - Ordinance No. 2017-02 |
| 7:20 | 4. | Public Hearing - Centerville Municipal Code - Comprehensive Amendments |
| | | Consider the proposed comprehensive Centerville Municipal Code Amendments and re-adoption of the entire Centerville Municipal Code (excluding Title 12 regarding the Zoning Code) for online conversion and minor edits and corrections for consistency - Ordinance No. 2017-03 |
| 7:40 | 5. | Award bid to Claude H. Nix Construction in the amount of \$173,968.00 for labor and to Western Water Work in the amount of \$8,745.78 (plus tax) for materials for the water main under I-15/railroad tracks at 1000 North |
| 7:50 | 6. | Financial Report for period ending January 31, 2017 |
| 8:00 | 7. | Presentation re Circles Davis County |
| 8:10 | 8. | Mayor's Report |
| | a. | Fire Service Area |
| | b. | Recreation District Loan |
| | c. | UTOPIA/UIA update |
| 8:25 | 9. | City Council Liaison Report - Councilman Ince - Citizen Corps Council/Emergency Management/Davis Chamber of Commerce |
| 8:35 | 10. | City Manager's Report |
| | a. | Consider scheduling work sessions |
| | b. | Future of recreation program |
| 8:45 | 11. | Miscellaneous Business |
| | a. | Direction re employee health insurance |
| | b. | ULCT Mid-Year Conference in St. George - April 5 - 7 |
| 8:55 | 12. | Closed meeting, if necessary, for reasons allowed by state law, including, but not limited to, the provisions of Section 52-4-205 of the Utah Open and Public Meetings Act, and for attorney-client matters that are privileged pursuant to Utah Code Ann. § 78B-1-137, as amended |
| | 13. | Possible action following closed meeting, including appointments to boards and committees |

F. ADJOURNMENT

Items of Interest (i.e., newspaper articles, items not on agenda); Posted in-meeting information

Marsha L. Morrow, MMC
Centerville City Recorder

CENTERVILLE

**Staff Backup Report
2/21/2017**

Item No.

Short Title: (See City Manager's Memo for summary of meeting business)

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

- City Manager Summary of February 21, 2017 Council meeting

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
2/21/2017**

Item No.

Short Title: Councilwoman Mecham

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

BACKGROUND

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
2/21/2017**

Item No. 1

Short Title: Minutes Review and Acceptance

Initiated By: City Recorder

Scheduled Time: 7:10

SUBJECT

January 31, 2017 work session; February 7, 2017 work session & regular Council meeting

RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

- ▢ 1-31-2017 work session minutes
- ▢ 2-7-2017 work session minutes
- ▢ 2-7-2017 regular Council meeting minutes

PRELIMINARY DRAFT

Minutes of the Centerville City Council **work session** held Tuesday, January 31, 2017 at 6:00 p.m. in the Centerville City Council Chambers, 250 North Main Street, Centerville, Utah.

MEMBERS PRESENT

Mayor	Paul A. Cutler
Council Members	Tamilyn Fillmore William Ince Stephanie Ivie George McEwan Robyn Mecham

STAFF PRESENT

Steve Thacker, City Manager
Blaine Lutz, Finance Director/Assistant City Manager
Lisa Romney, City Attorney
Jeannine Teel, City Accountant
Katie Rust, Recording Secretary

STAFF ABSENT

Jacob Smith, Assistant to the City Manager

VISITORS

Marcus Arbuckle, Keddington & Christensen, LLC
Angie Broadhead, Keddington & Christensen, LLC

AUDIT WORK SESSION

Marcus Arbuckle and Angie Broadhead, auditors with Keddington & Christensen, presented the FY 2016 Audit Report. Mr. Arbuckle explained findings and areas of concern – described in the auditors' Supplemental Report – including discrepancies found between the general ledger and bank records over a period of several years. Jeannine Teel, City Accountant, commented she has found discrepancies as far back as 1997. Ms. Teel explained the difference between the financial statements and the general ledger. Blaine Lutz, Finance Director, stated the discrepancies have been corrected, and that he will review financial statements monthly with Ms. Teel to prevent the same issues in the future. Mr. Arbuckle confirmed that all cash is accounted for.

Councilwoman Fillmore asked what the impact of the additional monthly reviews will be on accounting staff. Mr. Lutz responded that it would be nice to have additional staff, but much of the problem is actually the fact that Ms. Teel works in the front office with frequent interruptions. He said it would be nice to be able to isolate the accounting staff at certain periods of time. Mr. Arbuckle and Mr. Lutz explained the rest of the audit findings, and answered questions from the Council. Councilman Ince asked if the significant number of findings will catch the attention of the State Auditor's Office. Mr. Arbuckle responded that the State Auditor's Office is more concerned about compliance with State rules. They do not usually become involved in issues of prior-year adjustments to the financial statements.

Mr. Arbuckle recommended that department heads not have final approval control for charges on their own City-issued credit cards. Credit card spending should be checked and controlled. Mr. Thacker explained the second-level review process now in place for department head credit card spending. He explained that he asked Mr. Arbuckle at the beginning of their fieldwork to look closely at the use of credit cards, and that improvements were implemented as soon as Mr. Arbuckle reported weaknesses to him during the fieldwork phase.

1 Mr. Arbuckle emphasized the recommendation that every single month every single
2 balance sheet account is reviewed and reconciled, and that the sub-ledger matches the general
3 ledger. He also recommended the City close out accounts with no activity.
4

5 Mr. Thacker asked Councilman Ince to meet with staff and the auditors to evaluate the
6 cash balance in the Water Fund. Councilwoman Fillmore mentioned that the previous auditor
7 commented that the City's finance department is stretched thin, and asked Mr. Arbuckle if he
8 agrees. Mr. Arbuckle responded it is certainly possible, but hard to say. Mr. Lutz said he
9 appreciates the detail provided by the auditors. He said the increased monthly reporting will
10 take more staff time, and suggested the possibility of changing the physical layout of the front
11 office in the future to allow Ms. Teel to work without as many distractions.
12

13 Mayor Cutler thanked Councilman Ince for sharing his professional knowledge, and
14 thanked Mr. Arbuckle and Ms. Broadhead for their time and explanations.
15

16 The Council took a break at 7:45 p.m., returning at 8:00 p.m.
17

18 Councilwoman Ivie suggested trading Ms. Teel's desk location with the part-time
19 Recreation Director's office space to give Ms. Teel the ability to work uninterrupted. Mr. Lutz
20 and Mr. Thacker responded that the City Recorder's office has an extra desk that Ms. Teel
21 could use when needed. Councilman Ince asked if staff has considered opening a part-time
22 position in the front office to help with some of the customer service responsibilities of existing
23 staff.
24

25 **FINANCIAL REPORT**

26
27 Mr. Lutz presented a FY 2017 financial report for the six-month period ending December
28 31, 2016, and answered questions from the Council.
29

30 **REVIEW FUNDING AND PRIORITIES FOR 2017 PROJECTS**

31
32 Mr. Thacker provided the Council with a summary of FY 2017 Capital Projects
33 (attached). While discussing potential street rebuild projects, Councilwoman Fillmore pointed
34 out that the City does not yet have a street tree policy. She said she would like the City to have
35 a street tree policy in place before proceeding with the rebuild of a major thoroughfare.
36

37 Mr. Thacker presented a cash flow analysis for Community Park Expansion Phases 2
38 and 3, assuming an August 2017 completion. He explained that the Parks Department has
39 experienced a water shortage at Community Park, and desires to tap into the Weber Basin
40 water line on the Frontage Road to improve irrigation. The projected cash flow shortfall to
41 complete Phases 2 and 3 is \$407,265, which may be funded by a loan from the South Davis
42 Recreation District. Councilman McEwan questioned whether the funding would line up with the
43 proposed construction schedule. Mayor Cutler and Councilwoman Fillmore agreed to follow up
44 with Recreation District representatives.
45

46 City Manager Thacker described planned drainage projects and water main projects and
47 projected funding. Councilwoman Ivie emphasized the need for improved parking and
48 walkways at the Whitaker Museum.
49

50 **ADJOURNMENT**

51
52 Mayor Cutler adjourned the work session at 8:58 p.m.
53

1
2
3
4
5
6
7
8
9
10
11
12

Marsha L. Morrow, City Recorder

Date Approved

Katie Rust, Recording Secretary

PRELIMINARY DRAFT

Minutes of the Centerville City Council **work session** held Tuesday, February 7, 2017 at 5:30 p.m. in the Centerville City Council Chambers, 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
Bruce Cox, Parks and Recreation Director
Jacob Smith, Assistant to the City Manager
Katie Rust, Recording Secretary

STAFF ABSENT

Blaine Lutz, Finance Director/Assistant City Manager

PARKS & RECREATION COMMITTEE MEMBERS

Brian Curnow
Kelli Hintze
Lynn Keddington, Chair
Melissa Larsen
Tiffany Rees
Melissa Smith

VISITOR

Dan Sonntag, MGB+A

ISLAND VIEW PARK RENOVATION

Lynn Keddington, Parks and Recreation Committee Chair, updated the Council on the grant application process for the Island View Park renovation. He reported that a State representative recommended planning the park renovation in phases to increase likelihood of receiving the grant. Melissa Smith and Kelli Hintze, Parks and Recreation Committee members, reported on the citizen focus group, and provided the Council with a list of amenities that were agreed upon as a given for park renovation and improvements (attached). Dan Sonntag, landscape architect with MGB+A, presented the renovation plan selected by the focus group, which includes a playground area on the south end of each of the three levels connected to each other by slides in the hillside.

Bruce Cox, Parks and Recreation Director, explained that ideally the renovation will include a connection to the City sewer system. The park is currently connected to a septic tank. The group discussed the staging of the two different construction phases. Chair Keddington stated he believes planning the project in two phases will increase the likelihood of receiving the desired grant funds. He explained the application process, and explained that, if grant funds are received the project must be completed within two years.

The two-phase proposal includes completing two-thirds of the three-level playground in phase one, and the remaining third in phase two. Mayor Cutler asked if it would be possible to include all three playground levels in phase one to complete the "cornerstone" of the renovation in the first phase. Councilwoman Fillmore said she would hesitate to increase the amount requested in the grant. Councilwoman Ivie, as a neighbor of Island View Park and the City Cemetery, expressed concern with elimination of the street parking on 700 East. She said the

1 existing parking lot is heavily used by funeral groups. Chair Keddington suggested completing
2 the three different levels of playground in phase one, and putting the connecting slides in place
3 during phase two, since the slides are a significant part of the playground cost.
4

5 Mayor Cutler thanked the Parks and Recreation Committee, and expressed his support
6 for moving forward with the grant application. Responding to a question from Councilman Ince,
7 Chair Keddington explained that the grant is set up to be a 50% match for parks projects.
8 Council members expressed their support for moving forward with the grant application. City
9 Manager Thacker said he feels the proposed park renovation would revitalize use of the park by
10 the community. Councilman McEwan asked if the grant would allow utilization of volunteer
11 labor.
12

13 **COMMUNITY PARK EXPANSION**
14

15 Mr. Thacker updated the Council and Parks Committee on the bid schedule for the
16 Community Park expansion. Mayor Cutler explained to the Parks and Recreation Committee
17 that the Council is hoping to obtain a loan from the South Davis Recreation District to
18 accomplish the expansion as soon as possible. Mr. Thacker explained the proposed timeline
19 for use of RAP Tax revenue for both park projects. He said \$1-\$1.2 million would be committed
20 for the Community Park expansion and parking lot and trail maintenance, leaving approximately
21 \$2 million of the \$3.4 million available. Chair Keddington stated that the Committee discussed
22 the fact that the Island View Park renovation would use a large portion of the RAP Tax renewal,
23 and was in agreement that the renovation is important and worth moving forward. They
24 acknowledge that not everything on the Parks Capital Improvement List will be possible with the
25 RAP Tax funds available over the 10-year period.
26

27 **ADJOURNMENT**
28

29 The Council thanked the Parks and Recreation Committee for their work. Mayor Cutler
30 adjourned the work session at 6:51 p.m.
31
32
33
34
35

36 _____
Marsha L. Morrow, City Recorder

Date Approved

37
38
39
40
41 _____
42 Katie Rust, Recording Secretary

PRELIMINARY DRAFT

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).

MINUTES REVIEW AND ACCEPTANCE

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

SUMMARY ACTION CALENDAR

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

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

BOOK ABOUT 1983 CENTERVILLE FLOOD

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

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

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

PUBLIC HEARING – 1872 NORTH MAIN SUBDIVISION AMENDED – SUBDIVISION PLAT AMENDMENT

As applicant in this issue, Mayor Cutler stepped down from the dais and asked that Mayor Pro Tem Fillmore direct the discussion. Cory Snyder, Community Development Director, explained that the 1872 North Main Subdivision was previously approved and recorded on June

1 18, 2014. The applicant desires to amend the recorded subdivision plat to alter the
2 configuration of the driveway and fire access turnaround, relocate the interior public utility
3 easements, and adjust interior lot lines between existing lots. Staff recommends approval of
4 this plat amendment as it complies with the existing applicable subdivision ordinances and
5 codes, and the public interest will be preserved. Mayor Cutler explained his desire to bring the
6 property into compliance, and to improve the landscaping.

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

15
16 Conditions:

- 17
18 1) Preparation and submittal of the final linen subdivision plat to the City Recorder's
19 Office to reflect the changes to the 1872 Main Street Subdivision Amended.
20 2) Provide signature blocks and obtain signatures for all owners within the subdivision
21 on final linen plat.
22 3) Submit a current title or updated report, no less than 30 days old to the City, which
23 shall be reviewed and deemed acceptable by the City Attorney prior to recordation.
24 4) Provide, on the amended plat, all original plat notes, easements, or other elements,
25 as deemed necessary by the City Attorney.
26 5) Provide and record with the amended plat, an updated shared access and
27 maintenance agreement for the amended plat, which is to be deemed acceptable to
28 the City Attorney.
29

30 Findings:

- 31
32 a. The City Council finds that a plat amendment is needed to reconfigure the fire
33 access turn around to match how it was actually constructed.
34 b. The City Council finds that the South Davis Metro Fire District Marshall has provided
35 a written acceptance of the new configuration.
36 c. The City Council finds that there are a few minor adjustments to the common
37 driveway, relocation of the PUE and shifting of a lot line.
38 d. The City Council finds that all the amended plat elements have been reviewed by
39 City Staff and have been deemed acceptable.
40 e. Therefore, the City Council finds that the proposed plat amendment complies with
41 the existing applicable subdivision ordinances and codes and the public interest will
42 be preserved.
43

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

46
47 Mr. Thacker explained that approval of this Ordinance and Resolution would allow him to
48 implement an idea that may provide burial spaces for "immediate need" while the City Council is
49 exploring options for creating additional burial spaces. Staff have determined there are 192
50 burial right owners who each own at least four unused burial rights in the Centerville Cemetery,
51 representing a total of 1069 unused spaces. Of these 192 owners, the City has mailing
52 addresses for 118, representing a total of 698 burial rights. Mr. Thacker said he believes there

1 is a good possibility that some of these burial rights owners would sell their rights back to the
2 City if they could receive greater compensation than City ordinance currently allows, which is “. .
3 . the original price paid by the purchaser, or the current selling price, whichever is less.” Some
4 of the burial rights were purchased many, many years ago when burial rights could be
5 purchased for \$25. Over time the cost of a burial right has increased to the current rate of \$300
6 in the older sections and \$600 in the newest section.

7
8 Mr. Thacker presented the following proposal:

- 9
- 10 • The purchase price for any burial right in the cemetery would be set at \$600,
11 regardless of which section it is in.
 - 12 • A burial right owner who did not pay a perpetual care fee and wants to resell one or
13 more rights to the City would be paid \$500 for the repurchase of each right.
 - 14 • A burial right owner who paid a perpetual care fee and wants to resell one or more
15 rights to the City would be paid \$800 for the repurchase of each right.
 - 16 • The City would mail letters to the 118 burial right owners for which addresses have
17 been identified, informing them of this opportunity to resell their rights to the City
18 under these new terms.
 - 19 • The City would initially buy back a limited number of rights – maybe 20 or so – and
20 resell those for “immediate need”, allowing someone to purchase a second burial
21 right at the same time as they buy one for immediate need (the second one for a
22 spouse).
 - 23 • If the number of those wanting to resell is strong enough to exceed the initial number
24 the City is willing to purchase, a list would be maintained and the City could
25 repurchase more in the future as the inventory of repurchased rights is resold for
26 immediate need.
 - 27 • The repurchased spaces would be resold by the City at a current price of \$600 plus a
28 \$300 perpetual care fee. In other words, the City would keep \$100 from each
29 repurchase/resell transaction to cover administrative cost.
- 30

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

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

44
45 **2017 MUNICIPAL ELECTION – VOTE BY MAIL RECOMMENDATION**

46
47 Ms. Romney presented information gathered by staff regarding running a City election
48 as requested by the Council (available with the agenda on NovusAgenda). Marsha Morrow,
49 City Recorder, presented the estimated costs of running an election with two polling locations
50 and paper ballots:
51

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

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

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

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

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

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

MAYOR'S REPORT

- Mayor Cutler updated the Council on the Community Foundation preparations to support Law Enforcement Week in May. He said the Foundation Board is looking for businesses willing to pay for banners (\$100 each) as a show of support. The banners will be attached to poles along Parrish Lane and Main Street, and will be reusable.
- The Mayor updated the Council regarding the loan from the South Davis Recreation District for the Community Park expansion.
- Mayor Cutler updated the Council regarding the County-owned property on 100 South. He said it is his perception that both parties want to keep a portion of the

property open for public use. A long-term conservation easement or lease is being considered.

- Mayor Cutler reported that Davis County is in favor of more recreation use of the foothills, and has asked each city to participate in a comprehensive planning effort for a County Hillside Recreation Plan. The Centerville Trails Committee will meet 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

1 passed by unanimous vote (5-0). The Council discussed appropriate length of service on
2 different City committees. There are a number of members on the Trails Committee who have
3 served two terms, and are willing to continue serving on the Committee. The Council expressed
4 a desire to aggressively advertise openings, and let Committee members continue serving until
5 they are replaced. Councilman Ince suggested spotlighting committees in the City newsletter to
6 raise awareness and interest.

7
8 **ADJOURNMENT**

9
10 At 10:07 p.m., Councilwoman Ivie made a **motion** to adjourn the meeting. Councilman
11 Ince seconded the motion, which passed by unanimous vote (5-0).
12
13
14
15
16

17 _____
18 Marsha L. Morrow, City Recorder
19
20
21
22

Date Approved

23 _____
Katie Rust, Recording Secretary

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
2/21/2017**

Item No. 2.

Short Title: Summary Action Calendar

Initiated By:

Scheduled Time: 7:10

SUBJECT

- a. Approve Interlocal Agreement with Davis County for Election Services for the 2017 Municipal Elections - Resolution No. 2017-05
- b. Approve Resolution No. 2017-06 appointing Temporary Justice Court Judges

RECOMMENDATION

- a. Approve Resolution No. 2017-05 approving the Interlocal Agreement with Davis County for Election Services for the 2017 municipal elections.
- b. Approve Resolution No. 2017-06 appointing Temporary Justice Court Judges to act in the absence of Judge Miller.

BACKGROUND

- a. At the last City Council meeting on February 7, 2017, the Council agreed to contract with Davis County for the upcoming 2017 municipal elections. The County has prepared the attached Interlocal Agreement regarding the terms and conditions of providing election services for the City. The Agreement is acceptable to Staff and the attached Resolution No. 2017-05 has been prepared for adoption of the Agreement.
- b. The Justice Court has requested the appointment of various judges to serve as temporary justice court judge for the City Justice Court when needed in case of absence of Judge Miller. The City is authorized by State law and City ordinance to appoint qualified persons to serve as temporary justice court judge. The applicable State statute is attached (UCA 78A-7-208). Such persons must be a senior justice court judge, or a justice court judge currently holding office within the judicial district or in an adjacent county. Resolution No. 2017-06 has been prepared for this purpose with the recommended appointment of six qualified judges to serve as temporary justice court judge for the City Justice Court when needed.

ATTACHMENTS:

Description

- ☐ Resolution No. 2017-05 approving agreement with Davis County for 2017 Municipal Elections
- ☐ Agreement with Davis County re 2017 Municipal Elections
- ☐ Exhibit A to Agreement
- ☐ Resolution No. 2017-06-Temporary Justice Court Judges
- ☐ UCA 78A-7-208-Temporary Justice Court Judges

RESOLUTION NO. 2017-05

**A RESOLUTION OF THE CENTERVILLE CITY COUNCIL APPROVING
AND AUTHORIZING THE EXECUTION OF AN INTERLOCAL
AGREEMENT BETWEEN CENTERVILLE CITY AND DAVIS COUNTY
REGARDING ELECTION SERVICES FOR THE 2017 MUNICIPAL
ELECTIONS**

WHEREAS, the Interlocal Cooperation Act, set forth at *Utah Code Ann.* §§ 11-13-101, *et seq.*, as amended, authorizes public agencies and political subdivisions of the State of Utah to enter into mutually advantageous agreements for cooperative projects and services; and

WHEREAS, Centerville City and Davis County desire to enter into an agreement pursuant to the Interlocal Cooperation Act to provide for cooperative election services for the upcoming 2017 municipal elections as more particularly provided herein.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF
CENTERVILLE CITY, STATE OF UTAH, AS FOLLOWS:**

Section 1. Agreement Approved. The City Council of Centerville City hereby accepts and approves the Interlocal Cooperation Agreement between Centerville City and Davis County regarding election services for the upcoming 2017 municipal elections as more particularly set forth in **Exhibit A**, attached hereto and incorporated by reference.

Section 2. Mayor Authorized to Execute. The City Council of Centerville City hereby authorizes the Mayor to sign the attached Interlocal Cooperation Agreement for and on behalf of Centerville City.

Section 3. Severability Clause. If any section, part or provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts and provisions of this Resolution shall be severable.

Section 4. Effective Date. This Resolution shall become effective immediately upon its passage. The Interlocal Cooperation Agreement adopted herein shall become effective when the parties have executed the Agreement and the Agreement has been filed with the keeper of records of each public entity that is a party to the Agreement in accordance with *Utah Code Ann.* § 11-13-209, as amended.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY,
STATE OF UTAH, THIS 21st DAY OF FEBRUARY, 2017.**

ATTEST:

CENTERVILLE CITY

Marsha L. Morrow, City Recorder

By: _____
Mayor Paul A. Cutler

CERTIFICATE OF PASSAGE AND EFFECTIVE DATE

According to the provisions of the U.C.A. § 10-3-719, as amended, resolutions may become effective without publication or posting and may take effect on passage or at a later date as the governing body may determine; provided, resolutions may not become effective more than three months from the date of passage. I, the municipal recorder of Centerville City, hereby certify that foregoing resolution was duly passed by the City Council and became effective upon passage or a later date as the governing body directed as more particularly set forth below.

MARSHA L. MORROW, City Recorder

DATE: _____

EFFECTIVE DATE: ____ day of _____, 20____.

EXHIBIT A

**INTERLOCAL COOPERATION AGREEMENT
BETWEEN CENTERVILLE CITY AND DAVIS COUNTY
FOR ELECTION SERVICES**

AGREEMENT

This Agreement is made and entered into this ____ day of _____, 2017 by and between DAVIS COUNTY, a body politic of the State of Utah, hereinafter referred to as "County," and _____ CITY, a municipal corporation of the State of Utah, hereinafter referred to as "City."

WITNESSETH:

WHEREAS, pursuant to Section 20A-1-201.5 and 20A-1-202, *Utah Code Ann.* (1953) as amended, City is authorized and required to hold municipal elections in each odd-numbered year; and

WHEREAS, County has equipment and resources needed to carry out an election and is willing to make available the resources and equipment to assist City in holding its municipal primary and general elections in 2017 upon the following terms and conditions; and

WHEREAS, the parties are authorized by the *Utah Interlocal Cooperation Act* as set forth in Chapter 13, Title 11, and Section 20A-5-400.1 of the *Utah Code Ann.* (1953) as amended, to enter into this Agreement:

NOW THEREFORE, in consideration of the mutual terms and conditions set forth hereafter, the parties hereto agree as follows:

1. County agrees to provide to City if needed for the primary election in August 2017, and if needed for the general election in November 2017 the following:
 - a. Test, program, assemble and make available to City voting machines and poll supplies.
 - b. Provide for delivery and retrieval of voting equipment.
 - c. Polling location management, which includes, but is not necessarily limited to making arrangements for use, ADA compliance survey and contact information.
 - d. Absentee and By-Mail ballot processing, which includes mailing, receiving, signature verification and tabulation.
 - e. Provide electronic ballot files for Optical Scan Ballots printing.
 - f. Provide Information System assistance which includes, but is not necessarily limited to election programming, tabulation, programmers and technicians.
 - g. Canvass reports.
 - h. Electronic tabulation results transmitted to the Office of the Lieutenant Governor.

- i. Provide personnel and technical assistance throughout the election process and equipment and/or supplies required specifically for voting.
 - j. Recruit poll workers; provide training, scheduling, supplies and compensation.
 - k. Publish legal notices which include, polling locations, sample ballots public demonstration and election results.
 - l. Provide preparation and personnel for the public demonstration of the tabulation equipment.
 - m. If required, in cooperation with the City, conduct an election audit.
 - n. Store all election returns for the required twenty-two (22) months.
2. Centerville City agrees to do the following:
- a. Provide the Recorder or other designated officer to act as the election officer and assume all duties and responsibilities as outlined by law.
 - b. Enter into a polling location Hold Harmless Agreement, if needed.
 - c. Declaration of Candidacy filing.
 - d. Provide County with ballot information which includes, but is not necessarily limited to races, candidates and ballot issues.
 - e. Approve the election plan, which includes, but is not necessarily limited to accuracy of polling location and precinct assignments, voter turnout percentages, paper ballot quantities, voting machine quantities and poll worker assignments.
 - f. City's legislative body poll worker approval.
 - g. Proof and approve the accuracy of the printed and audio of ballot formats.
 - h. Arrange and conduct election canvass.
 - i. Prepare candidate certificates.
 - j. Perform all other election related duties and responsibilities not outlined in this agreement but required by law.
 - k. City agrees to pay County repair or replacement costs for damaged voting equipment, which occurs at the polling locations beyond the normal wear and tear.

3. Both parties agree to conduct the election according to the statutes, rules, Executive Orders, and Policies of the Lieutenant Governor as the Chief Elections Officer of the state.

4. City agrees to pay County the costs for providing the election equipment, services and supplies in accordance with the election costs schedule, attached hereto, incorporated herein, and made a part hereof as Exhibit "A". The payment shall be made within thirty (30) days of receiving the invoice prepared by the County.

5. This Agreement shall be effective as of the date of execution by all parties.

6. This Agreement shall continue in effect until 30 days after the election or upon invoicing, whichever occurs later.

7. The individuals executing this Agreement on behalf of the parties confirm that they are duly authorized representatives of the parties and are lawfully enabled to execute this Agreement on behalf of the parties.

8. This Agreement is conditioned upon approval and adoption by resolution of the legislative body of each party in accordance with Utah Code Ann. §11-13-202.5.

9. This Agreement is conditioned upon written approval of the authorized attorney of each party approving this Agreement as to its form and compatibility with state law in accordance with Utah Code Ann. §11-13-202.5.

10. This Agreement is conditioned upon the Agreement being filed with the keeper of records for both the City and the County in accordance with Utah Code Ann. §11-13-202.5.

11. No separate legal entity is created by this Agreement.

12. The parties acknowledge, understand, and agree that the parties and their respective representatives, agents, contractors, officers, officials, members, employees, volunteers, and/or any person or persons under the supervision, direction, or control of the parties are not in any manner or degree employees of the other party and shall have no right to and shall not be provided with any benefits from the other party.

13. The relationship between the parties is an arms-length contractual relationship, and is not fiduciary in nature. Nothing contained in this Agreement will be deemed to create an association, partnership, or joint venture between the Parties, give rise to fiduciary duties, or cause any of the parties to be liable or responsible in any way for the actions, liabilities, debts or obligations of the other party. The parties shall not have any right, power, or authority to make any representation or to assume or create any obligation, whether express or implied, on behalf of the other party(ies), or to bind the other party(ies) in any manner.

14. No waiver or failure to enforce one or more parts or provisions of this Agreement shall be construed as a continuing waiver of any part or provision of this Agreement, which shall preclude the parties from receiving the full bargained for benefit under the terms and provisions of this Agreement. A waiver or modification of any of the provisions of this Agreement or of

any breach thereof shall not constitute a waiver or modification of any other provision or breach, whether or not similar, and any such waiver or modification shall not constitute a continuing waiver. The rights of and available to each of the parties under this Agreement cannot be waived or released verbally, and may be waived or released only by an instrument in writing, signed by the party whose rights will be diminished or adversely affected by the waiver.

15. The parties hereto shall be responsible for their respective attorneys' fees, expenses, and costs incurred by them through the date of this Agreement. In the event that any party breaches this Agreement, however, such defaulting party shall pay, in addition to any other liability, all costs and expenses incurred by or on behalf of the non-breaching party or its successor-in-interest in enforcing, or in exercising any remedies under, this Agreement, including, but not limited to, reasonable attorneys' fees and costs, whether or not any action or proceeding is brought to enforce the provisions hereof (including, without limitation, all such costs and expenses incurred in connection with any bankruptcy, receivership, or other court proceedings (whether at the trial or the appellate level)).

16. This Agreement and all matters, disputes, and/or claims arising out of, in connection with, or relating to this Agreement or its subject matter, formation or validity (including non-contractual matters, disputes, and/or claims) shall be governed by, construed, and interpreted in accordance with the laws of the State of Utah, without reference to conflict of law principals. The parties irrevocably agree that the courts located in Davis County, State of Utah (or Salt Lake City, State of Utah, for claims that may only be litigated or resolved in the federal courts) shall have exclusive jurisdiction and be the exclusive venue with respect to any suit, action, proceeding, matter, dispute, and/or claim arising out of, in connection with, or relating to this Agreement, or its formation or validity.

17. If any part or provision of this Agreement is found to be prohibited or unenforceable in any jurisdiction, such part or provision of this Agreement shall, as to such jurisdiction only, be inoperative, null and void to the extent of such prohibition or unenforceability without invalidating the remaining parts or provisions hereof, and any such prohibition or unenforceability in any jurisdiction shall not invalidate or render inoperative, null or void such part or provision in any other jurisdiction. Those parts or provisions of this Agreement, which are not prohibited or unenforceable, shall remain in full force and effect.

18. This Agreement is entered into by the parties for the exclusive benefit of the parties and their respective successors, assigns and affiliated persons referred to herein. Except and only to the extent provided by applicable statute, no creditor or other third party shall have any rights under this Agreement.

19. Time is of the essence in respect to all parts or provisions of this Agreement, which specify a time performance or otherwise, and the parties agree to comply with all such times.

20. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed in duplicate, each of which shall be deemed an original.

DAVIS COUNTY

By _____
Jim Smith, Chair
Davis County Commission

ATTEST:

Curtis Koch
Davis County Clerk/Auditor

Attorney Approval:

The undersigned, the authorized attorney of Davis County, approves the foregoing Agreement as to form and compatibility with State law:

Neal Geddes
Chief Civil Deputy County Attorney

CENTERVILLE CITY

By _____
Paul A. Cutler, Mayor

ATTEST:

Marsha L. Morrow
Centerville City Recorder

Attorney Approval

The undersigned, the authorized attorney of _____ City, approves the foregoing Agreement as to form and compatibility with State law:

Lisa Romney
Centerville City Attorney

2017 General
DAVIS COUNTY MUNICIPAL ELECTION EXPENSES
Estimate

Centerville City

Poll Workers Compensation Rates

20A-5-602(4)(c) Municipalities may not compensate higher than the county.	QTY	COST	TOTAL	
Poll Manager (PM)	1	\$160.00	\$160.00	
Training Course(s)	1	\$50.00	\$50.00	
Review Training	0	\$10.00	\$0.00	
Touch Screen Technician (TST)	1	\$160.00	\$160.00	
Training Course(s)	1	\$35.00	\$35.00	
Review Training	0	\$10.00	\$0.00	
Receiving/Poll Book Clerk	2	\$135.00	\$270.00	
Training Course(s)	2	\$35.00	\$70.00	
Review Training	0	\$10.00	\$0.00	
Provisional/Poll Book Clerk	2	\$135.00	\$270.00	
Training Course(s)	2	\$35.00	\$70.00	
Review Training	0	\$10.00	\$0.00	
Host	0	\$125.00	\$0.00	
Training Course(s)	0	\$25.00	\$0.00	
Mileage	38	\$0.25	\$9.50	
Alternate Poll Workers	1	\$232.50	\$15.50	Shared with 15 cities
		Sub Total	\$1,110.00	

Poll Worker Recruitment and Training

Poll Worker Recruitment and Administration	6	\$8.00	\$48.00	Per Poll Worker
Training Creation and Preparation (includes equipment and preparation)	1	\$500.00	\$33.33	Shared with 15 cities
Poll Worker Handbook and Supplies	6	\$1.00	\$6.00	
Poll Worker Training (per person)	6	\$20.00	\$120.00	
Review Training (per person)	0	\$10.00	\$0.00	
		Sub Total	\$207.33	

Equipment

Touch Screen (TSX) Includes:	4	\$75.00	\$300.00	(150 voters per machine, minimum of 3 machines per location)
Testing Pre and Post election				
Security Seals				
Canister, Label, and (1) Roll of Paper				(1 per machine)
Printer Housing				(1 per machine)
VIBS--Visually Impaired Ballot Station (Keypad & Headphones)				(1 per polling location)
Voter Access Cards				(4 per machine)
Vote Here Signs (4 per location)	1	\$5.00	\$5.00	
WIFI Connection	1	\$40.00	\$40.00	
Laptop Computers, Programming, Pre/Post Test (includes Poll Books)	4	\$75.00	\$300.00	(If using electronic voter check in, 1 laptop per 500 voters)
		Sub Total	\$645.00	

Consumable Supplies

Paper Roll (for each additional)	0	\$1.00	\$0.00	(No charge for unused and returned paper rolls)
Canister Label	0	\$1.00	\$0.00	
Canisters	0	\$10.00	\$0.00	
Polling Location Supplies	1	\$35.00	\$35.00	(Forms, instructions, signs, stickers, pens, pencils, name tags, etc.)
		Sub Total	\$35.00	

Ballot Layout and Programming

Gems Programming/ Ballot Logic and Accuracy Testing - TSX & Optical Scan	11	\$800.00	\$44.22	Shared with 199 precincts
City/District set-up (cities/districts with new recorders/clerks)	0	\$75.00	\$0.00	
Memory Card Programming (per card)	4	\$15.00	\$60.00	
Audio Programming	1	\$50.00	\$50.00	
		Sub Total	\$154.22	

Election Services

Public L&A Demonstration (testing, programming & demonstration)	1	\$300.00	\$20.00	Shared with 15 cities
Election Rovers (training & election day - per person)	5	\$500.00	\$178.57	Shared with 14 cities
Election Night Clerk Staff Support	1	\$1,400.00	\$93.33	Shared with 15 cities
Election Night Security	1	\$150.00	\$10.00	Shared with 15 cities
Election Night Ballot / Supply Return Teams	1	\$210.00	\$14.00	Shared with 15 polling locations
Rover Kits (each)	7	\$25.00	\$11.87	Shared with 15 cities
Rovers Training	1	\$400.00	\$26.57	Shared with 15 cities
Help Desk Set-Up	1	\$75.00	\$5.00	Shared with 15 cities
Help Desk Staff	1	\$450.00	\$30.00	Shared with 15 cities based on pre and post regular work day hrs.
Pre-Canvass Ballot Issues Audit, if needed	0	\$300.00	\$0.00	Shared with 0 cities
Canvass Preparation	0	\$150.00	\$0.00	Shared with 15 cities
		Sub Total	\$389.24	

Delivery and Pickup (machines & supplies at polls)

Delivery (per location)	1	\$34.50	\$34.50	Actual cost per contract with moving company
Pickup (per location)	1	\$34.50	\$34.50	Actual cost per contract with moving company
		Sub Total	\$69.00	

Election Night Counting - IT Services

TSX Counters	1	\$750.00	\$50.00	Shared with 15 cities based on # of hrs. -- election specific
		Sub Total	\$50.00	

By-Mail and Paper Ballots

Materials				
By-Mail Outer Envelopes	9819	\$0.10	\$932.81	
By-Mail Inner Return Envelopes	9819	\$0.09	\$883.71	
By-Mail Ballots	9819	\$0.28	\$2,749.32	
Paper Ballots - Election Day, Early Vote, Extra for Remakes, Late Absentee	175	\$0.28	\$49.00	
Test Deck Paper Ballots	1	\$175.00	\$11.67	Shared with 15 cities
Printed Inserts for ID Requirements	1	\$80.00	\$5.33	Shared with 15 cities
Administration				
Ballot set-up (per style)	1	\$1.00	\$1.00	
Database Setup for Ballots By IVS	1	\$500.00	\$33.33	Shared with 15 cities
Database Setup for Integravote (ballot insertion) By (IVS)	1	\$500.00	\$33.33	Shared with 15 cities
Ballot Preparation Assembly into Envelopes (each sent out)	9819	\$0.29	\$2,847.51	
Signature Verification and Tabulation Prep. (each returned)	3756	\$0.16	\$600.96	
Tabulation (each returned)	3756	\$0.15	\$563.40	
Postage				
Freight to Salt Lake City for Non-Profit Rate Out-Bound	9819	\$0.03	\$252.80	Total freight / total Ballots = freight cost per each ballot
Postage Out-Bound	9819	\$0.11	\$1,080.09	Actual Postage
Postage In-Bound	3756	\$0.46	\$1,727.76	Actual Postage
		Sub Total	\$11,772.02	

Post Election

Provisional Verification (per hour)	3.08	\$25.00	\$77.00	
		Sub Total	\$77.00	

General Administration

Election Administration Support	1	\$45.00	\$45.00	
Clerk Staff (per-hour for any additional services)		\$25.00	\$0.00	
		Sub Total	\$45.00	

Additional Special Services

Election Notice in papers	1	\$5,123.00	\$341.53	Shared with 15 cities
Election Results in papers	1	\$4,011.52	\$267.43	Shared with 15 cities

Total Election Expense	\$15,162.78
Less District/County Expense	
Total City Expense	\$15,162.78

RESOLUTION NO. 2017-06

A RESOLUTION APPOINTING QUALIFIED JUDGES TO SERVE AS TEMPORARY JUSTICE COURT JUDGE FOR THE CENTERVILLE CITY JUSTICE COURT AS NEEDED

WHEREAS, the City has previously created the Centerville City Justice Court and appointed Judge David Miller as the Centerville City Justice Court Judge; and

WHEREAS, the City is authorized, pursuant to Utah Code § 78A-7-208 and Centerville Municipal Code § 4-03-160, to appoint any senior justice court judge, or justice court judge currently holding office within the judicial district or in an adjacent county, to serve as a temporary Justice Court Judge when necessary; and

WHEREAS, the Justice Court has requested that the City appoint a number of eligible and qualified judges to service as temporary justice court judges for the City when needed.

NOW THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF CENTERVILLE, UTAH, AS FOLLOWS:

Section 1. **Appointment.** Pursuant to authority set forth in Utah Code § 78A-7-208 and Centerville Municipal Code § 4-03-160, the City Council hereby appoints the following qualified judges to service as temporary justice court judges for the Centerville City Justice Court when needed:

- Judge James Beesley (Plain City in Weber County)
- Judge Randy Birch (senior judge)
- Judge Catherine J. Hoskins (Syracuse City)
- Judge Reuben Renstrom (Woods Cross and other courts)
- Judge Marsha Thomas (senior judge)
- Judge John Ynchausti (Davis County)

Section 2. **Conditions.** The hourly rate for temporary justice court judge shall not exceed \$100 per hour. Compensation for the use of temporary justice court judges shall comply with the approved department budget for such purposes. Unless otherwise approved or amended by resolution of the City Council, the appointment of foregoing judges to act as temporary justice court judge for the Centerville Justice Court shall continue so long as the judge is qualified and eligible to serve as a temporary justice court judge for the City. The Justice Court Clerk shall confirm that any judge on the appointment list is still qualified to act as temporary justice court judge at the time of service in accordance with applicable law.

Section 3. **Severability.** If any section, clause or portion of this Resolution is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

Section 4. **Effective Date.** This Resolution and the fees adopted herein shall become effectively immediately.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY,
STATE OF UTAH, ON THIS 21st DAY OF FEBRUARY, 2017.**

ATTEST:

CENTERVILLE CITY

City Recorder, Marsha L. Morrow

By: _____
Mayor Paul A. Cutler

CERTIFICATE OF PASSAGE AND EFFECTIVE DATE

According to the provisions of the U.C.A. § 10-3-719, as amended, resolutions may become effective without publication or posting and may take effect on passage or at a later date as the governing body may determine; provided, resolutions may not become effective more than three months from the date of passage. I, the municipal recorder of Centerville City, hereby certify that foregoing resolution was duly passed by the City Council and became effective upon passage or a later date as the governing body directed as more particularly set forth below.

MARSHA L. MORROW, City Recorder

DATE: _____

EFFECTIVE DATE: ____ day of _____, 2017.

West's Utah Code Annotated

Title 78a. Judiciary and Judicial Administration (Refs & Annos)

Chapter 7. Justice Court (Refs & Annos)

Part 2. Judges and Administration

U.C.A. 1953 § 78A-7-208

Formerly cited as UT ST § 78-5-138

§ 78A-7-208. Temporary justice court judge

Currentness

When necessary, the governing body may appoint any senior justice court judge, or justice court judge currently holding office within the judicial district or in an adjacent county, to serve as a temporary justice court judge.

Credits

Laws 2008, c. 3, § 511, eff. Feb. 7, 2008; Laws 2012, c. 205, § 16, eff. May 8, 2012.

Notes of Decisions (3)

U.C.A. 1953 § 78A-7-208, UT ST § 78A-7-208

Current through 2016 Fourth Special Session.

End of Document

© 2017 Thomson Reuters. No claim to original U.S. Government Works.

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
2/21/2017**

Item No. 3.

Short Title: Public Hearing - Zoning Map Amendment (Rezone) - 1150 South 240 East

Initiated By: Ronn Marshall, Maple Hills Realty

Scheduled Time: 7:10

SUBJECT

Consider the proposed Zoning Map Amendment (rezone) for property located at approximately 1150 South 240 East, from Residential-Medium (R-M) Zone to Residential-Low (R-L) Zone - Ordinance No. 2017-02

RECOMMENDATION

Adopt Ordinance No. 2017-02 amending the Centerville Zoning Map by changing the zoning of approximately 3.10 acres of real property located at approximately 1150 South 240 East from Residential-Medium (R-M) to Residential-Low (R-L) based on the findings recommended by the Planning Commission.

BACKGROUND

On February 8, 2017, the Planning Commission reviewed and recommended for approval the proposed rezone of property from Residential-Medium (R-M) to Residential-Low (R-L). The Staff Transmittal Report for this application is attached.

ATTACHMENTS:

Description

- 02-21-2017 CC Staff Report re Rezone
- Ordinance No. 2017-02-Chitose Rezone
- 02-08-2017 PC Staff Report - Zone Map Amendment to R-L at 1150 S 240 East - C Johnson Subdivision
- 02-08-2017 PC minutes pgs 1-3 re Rezone

**CENTERVILLE CITY
COMMUNITY DEVELOPMENT DEPARTMENT
655 North 1250 West, Centerville, Utah 84014
(801) 292-8232**

PLANNING COMMISSION TRANSMITTAL REPORT

PROPERTY OWNER: CHITOSE JOHNSON TRUST

**APPLICANT: RONN MARSHALL
MAPLE HILLS REALTY
161 NORTH MAIN
BOUNTIFUL, UT**

**PROPERTY LOCATION: 1150 SOUTH 240 EAST and 1188 S 240 EAST
PARCEL NUMBERS: 03-258-0002 and 03-258-0001**

PARCEL SIZE: 3.1 acres

ZONING DISTRICT: RESIDENTIAL-MEDIUM

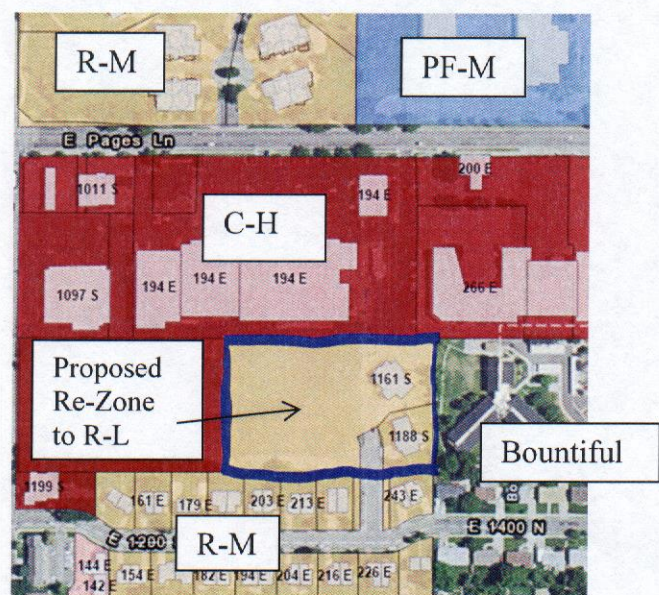
APPLICATION: ZONING MAP AMENDMENT TO RESIDENTIAL-LOW

STAFF RECOMMENDATION: AMEND ZONING MAP TO RESIDENTIAL-LOW

BACKGROUND

Ronn Marshall has submitted a Zoning Map Amendment application for the property at 1150 South 240 East, included the two houses already built at 1161 and 1188 South 240 East. The property is currently zoned R-M, but based on his current Conceptual Subdivision Plans, a Residential- Low zoning and Development Standards would fit best with his design, and perhaps the surrounding buildings. Therefore, he wishes to amend the zoning map from an R-M to an R-L district.

Pages Lane Commercial strip is to the north, with Deseret Industries right above the property, and to the south is an entire street of duplexes in an R-M Zone. To the west is a Resurrection Episcopal church, and to the east is The Meadows, a large apartment complex that belongs to Bountiful.



SUMMARY OF PLANNING COMMISSION'S ACTIONS, MOTION, AND VOTE

On February 8, 2017, the Planning Commission reviewed the matter, held a public hearing, and voted to recommend **APPROVAL** to the City Council of the Zoning Map Amendment of 1150, 1161, and 1188 South 240 East into Residential-Low for the following reasons:

1. The Zoning Map Amendment would still be consistent with the General Plan.
2. The proposed zoning change and subsequent development standards on this lot would be consistent with already existing single-family properties within this subdivision.

Planning Commission Vote (7-0):

Commissioner	Yes	No	Not Present
Hirschi (Chair)	X		
Hirst	X		
Johnson	X		
Daley	X		
Hayman	X		
Wright	X		
Helgesen	X		

ORDINANCE NO. 2017-02

AN ORDINANCE AMENDING THE CENTERVILLE CITY ZONING MAP BY CHANGING THE ZONING OF APPROXIMATELY 3.10 ACRES OF CERTAIN REAL PROPERTY LOCATED AT APPROXIMATELY 1150 SOUTH 240 EAST FROM RESIDENTIAL-MEDIUM (R-M) TO RESIDENTIAL-LOW (R-L)

WHEREAS, the City is authorized to enact a zoning map consistent with the purposes set forth in the Utah Land Use Development and Management Act, as more particularly provided in *Utah Code Ann.* §§ 10-9a-101, *et seq.*, as amended, and the City is further authorized to make amendments to such zoning map in accordance with procedures set forth in *Utah Code Ann.* § 10-9a-503, as amended; and

WHEREAS, in accordance with applicable provisions of Utah law and the goals of the Centerville City General Plan for the subject property as set forth in Section 12-480-2, Neighborhood 1, Southeast Centerville, the City Council desires to amend the Centerville City Zoning Map to rezone the subject property from Residential-Medium (R-M) to Residential-Low (R-L) as more particularly provided herein; and

WHEREAS, the proposed amendments to the Centerville City Zoning Map as set forth herein have been reviewed by the Planning Commission and the City Council and all appropriate public noticing and hearings have been provided and held in accordance with Utah law to obtain public input regarding the proposed revisions to the City Zoning Map.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Zone Map Amendment. The real property located at approximately 1161 South 240 East in Centerville City consisting of approximately 2.68 acres, and the real property located at approximately 1188 South 240 East in Centerville City consisting of approximately 0.40 acres, as more particularly described in **Exhibit A**, attached hereto and incorporated herein by this reference, is hereby rezoned from Residential-Medium (R-M) to Residential-Low (R-L) and the Centerville City Zoning Map is correspondingly amended as described herein.

Section 2. Findings. The rezone of the subject property to Residential-Low (R-L) and corresponding amendment to the Centerville City Zoning Map is based on the following findings:

1. The proposed Zone Map Amendment meets the requirements found in CZC 12.21.080(4)(e).
2. The Zone Map Amendment would still be consistent with the General Plan.
3. The Zone Map Amendment and subsequent development standards on the property would be consistent with already existing single family properties within the subdivision.

Section 3. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 4. Effective Date. This Ordinance shall become effective upon publication or posting, or thirty (30) days after passage, whichever occurs first.

PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, THIS 21st DAY OF FEBRUARY, 2017.

ATTEST:

CENTERVILLE CITY

Marsha L. Morrow, City Recorder

By: _____
Mayor Paul A Cutler

Voting by the City Council:

	"AYE"	"NAY"
Councilmember Fillmore	_____	_____
Councilmember Ince	_____	_____
Councilmember Ivie	_____	_____
Councilmember McEwan	_____	_____
Councilmember Mecham	_____	_____

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provisions of the U.C.A. § 10-3-713, as amended, I, the municipal recorder of Centerville City, hereby certify that foregoing ordinance was duly passed by the City Council and published, or posted at: (1) 250 North Main; (2) 655 North 1250 West; and (3) RB's Gas Station, on the foregoing referenced dates.

MARSHA L. MORROW, City Recorder

DATE: _____

RECORDED this ____ day of _____, 2017.

PUBLISHED OR POSTED this ____ of _____, 2017.

EXHIBIT A

Property Description

Parcel No. 03-258-0001
1188 South 240 East, Centerville, Utah

All of Lot 1 of the Chitose Johnson Subdivision as recorded in the
Davis County Recorder's Office, Davis County, Utah

and

Parcel No. 03-258-0002
1161 South 240 East, Centerville, Utah

All of Lot 2 of the Chitose Johnson Subdivision as recorded in the
Davis County Recorder's Office, Davis County, Utah

**CENTERVILLE CITY
COMMUNITY DEVELOPMENT DEPARTMENT
655 North 1250 West, Centerville, Utah 84014
(801) 292-8232**

**STAFF REPORT
AGENDA: ITEM 1**

PROPERTY OWNER: CHITOSE JOHNSON TRUST

**APPLICANT: RONN MARSHALL
MAPLE HILLS REALTY
161 NORTH MAIN
BOUNTIFUL, UT**

PROPERTY LOCATION: 1150 SOUTH 240 EAST and 1188 S 240 EAST

PARCEL SIZE: 3.1 acres

ZONING DISTRICT: RESIDENTIAL-MEDIUM

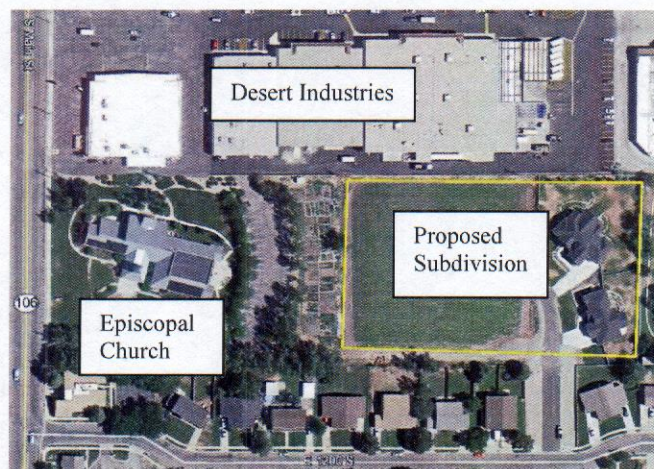
APPLICATION: ZONING MAP AMENDMENT TO RESIDENTIAL-LOW

**STAFF RECOMMENDATION: CONSIDER APPROVAL OF THE CHANGE IN
ZONING**

BACKGROUND

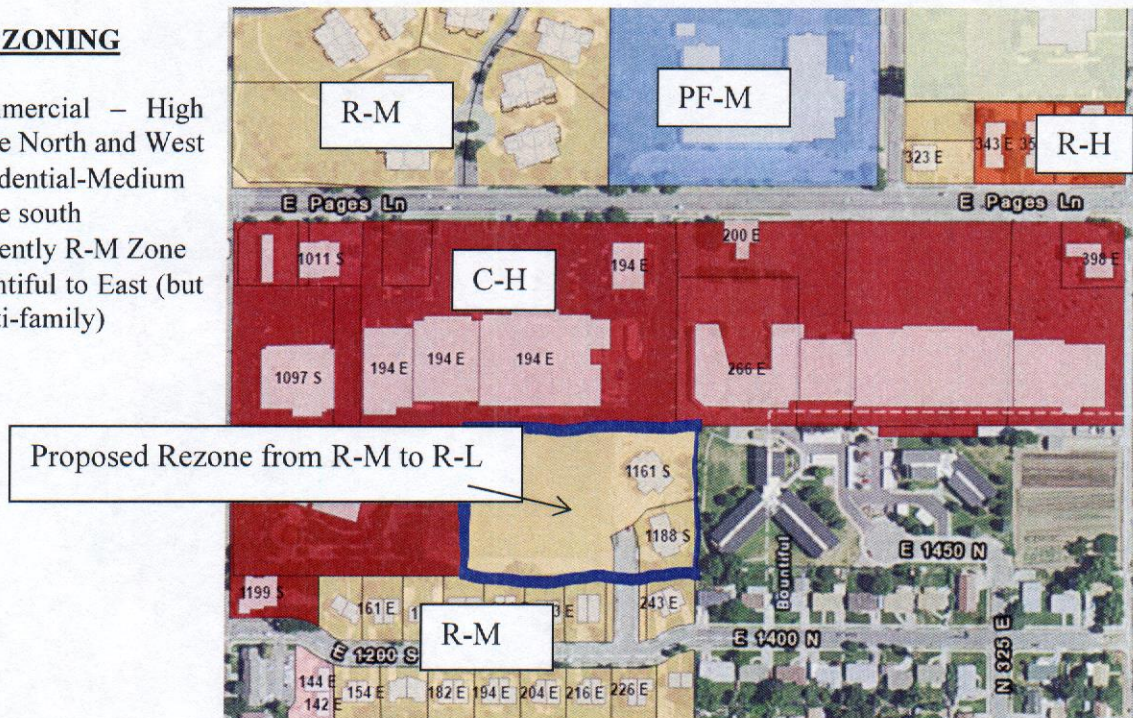
Ronn Marshall has submitted a Zoning Map Amendment application for the property at 1150 S 240 East, included the two houses already built at 1161 and 1188 S 240 E. Based on his current Conceptual Subdivision Plans, a residential- low zoning and Development Standards would fit best with his design, and perhaps the surrounding properties.

Pages Lane Commercial strip is to the north, with Deseret Industries right above the property, and to the south is an entire street of duplexes in an R-M zone. To the west is a Resurrection Episcopal church, and to the east is The Meadows, a large apartment complex that belongs to Bountiful.



CURRENT ZONING

- Commercial – High to the North and West
- Residential-Medium to the south
- Currently R-M Zone
- Bountiful to East (but Multi-family)

**REVIEW AND ANALYSIS OF THE REQUEST****Factors to be considered, Section 12.21.080(e)**

1. Is the proposed amendment consistent with the goals, objectives and policies of the City's General Plan?

Staff Response: A re-zone to a Low Residential district is consistent with the General Plan, which says:

"The extreme south Main Street area [the area south of Pages Lane commercial center and east of Main Street] should be developed with appropriate medium or low density residential development or with commercial uses. Any development in this area should be carefully designed to be compatible with existing development in the area, and to carefully buffer the rear of the buildings of the pages Lane commercial center. The use of planned unit developments to achieve the foregoing objectives is desirable and preferred for residential development."

2. Is the proposed amendment harmonious with the overall character of existing development in the vicinity of the subject property?

Staff Response: Yes and no.

- In a traditional urban transect, a zoning map would transition from commercial to higher density residential units, leaving low-residential furthest away from higher uses, like commercial and industrial zones. As you can see from the current zoning map, only medium and high density residential zones surround Pages Page for this reason, including those in Bountiful. Seeing as the Commercial strip is located directly north of the proposed re-zone property, Residential-Medium would be the next logical zoning allocation in order to transition to less intense zones gradually.
- But, there are two existing single family homes already on or next to this lot which sets the precedent for R-L on this lot, which they received using a Conditional Use Permit. If R-M was preferred, the two previous homes should not have been approved. Considering the housing to the south are only duplexes, it is not unreasonable to believe that single family would be accepted there.
- As states in the General Plan, and even more now that since Pages Lane Commercial District is not as economically vibrant as it once was and may be under some transition itself, R-M or R-L would be acceptable to put here as long as there would be significant buffering on the north and west ends of the property.

3. What is the extent to which the proposed amendment may adversely affect adjacent property?

- The Subdivision would need significant buffering from the commercial strip to the north, but the commercial strip or surrounding properties would likely not be affected themselves.
- Based on the Staff Report on SE Neighborhood Residential Density, the city itself would be affected in the furthering lack of multi-family housing options, and again, going over “market yield” for single family residential. As noted in a previous Staff Report, the Southeast Quadrant of the City is currently *under* the “Open Market Yield” for townhomes and duplexes (at 10% of housing units, while the open market yield is 14%). Getting rid of this zone, and therefore the ability to build two-family homes, would put them further below those percentages, although Centerville as a whole is *above* them for this housing type.

4. What is the adequacy of facilities and services intended to serve the subject property?

- Existing facilities and services either exist or will be provided in the subdivision regardless of the zone.

PLANNING STAFF RECOMMENDATIONS

Motion One: ACCEPT the Zoning Map Amendment from R-M into R-L

PROPOSED ACTION: I hereby make a motion for the Planning Commission to **ACCEPT** the Zone Map Amendment for 1150 South 240 East from a Residential- Medium District into a Residential- Low District.

SUGGESTED REASONS FOR THE ACTION:

1. The Zoning Map Amendment would still be consistent with the General Plan
2. The proposed zoning change and subsequent development standards on this lot would be consistent with already existing single family properties within this subdivision.

Motion Two: REJECT the Amendment from R-M to R-L

PROPOSED ACTION: I hereby make a motion for the Planning Commission to **REJECT** the Zone Map Amendment for 1150 South 240 East from a Residential- Medium District into a Residential- Low District.

SUGGESTED REASONS FOR THE ACTION:

1. Centerville City needs more Duplex and Multi-family housing options in the city and in particular the Southeast neighborhood, as established in earlier Staff Reports.
2. Traditional urban transect suggests a higher use of this property, with relation to adjacent Commercial and R-M Zones.

PRELIMINARY DRAFT

PLANNING COMMISSION MINUTES OF MEETING

Wednesday, February 8, 2017

7:00 p.m.

A quorum being present at Centerville City Hall, 250 North Main Street, Centerville, Utah. The meeting of the Centerville City Planning Commission was called to order at 7:00 p.m.

MEMBERS PRESENT

Kevin Daly
Cheylynn Hayman (arrived at 7:15 p.m.)
Kathy Helgesen
David Hirschi, Chair
Gina Hirst
Logan Johnson
Becki Wright

STAFF PRESENT

Cory Snyder, Community Development Director
Lisa Romney, City Attorney
Cassie Younger, Assistant Planner
Katie Rust, Recording Secretary

VISITORS

Interested citizens

PLEDGE OF ALLEGIANCE

OPENING COMMENT/LEGISLATIVE PRAYER

Commissioner Hirst

MINUTES REVIEW AND APPROVAL

The minutes of the Planning Commission meeting held January 25, 2017 were reviewed. Amendments were requested. Commissioner Hirst made a **motion** to accept the minutes as amended. Commissioner Wright seconded the motion, which passed by unanimous vote (6-0). Commissioner Hayman arrived after approval of the minutes.

PUBLIC HEARING – ZONING MAP AMENDMENT, 1150 SOUTH 240 EAST

Ronn Marshall submitted a Zoning Map Amendment application for the property at 1150 South 240 East. Based on his current Conceptual Subdivision Plans, a Residential-Low (R-L) Zoning would fit best with his design, and perhaps the surrounding properties. Cassie Younger, Assistant Planner, explained the request to

1 rezone from Residential-Medium (R-M) to Residential-Low (R-L). Staff considers the
2 proposed rezone to be consistent with the goals of the General Plan. The two existing
3 single-family homes on or next to this lot set the precedent for R-L. Considering the
4 housing to the south, it is not unreasonable to believe that single-family would be
5 accepted there. R-M or R-L would be acceptable at this location as long as there would
6 be sufficient buffering on the north and west ends of the property. Existing facilities and
7 services either exist or will be provided in the subdivision regardless of the zone.

8
9 Cory Snyder, Community Development Director, stated that the driving factor of
10 the request is the subtle difference between frontage requirements. If the property
11 remains R-M, a single Conditional Use Permit (CUP) would be issued for the entire
12 subdivision, or individual CUPs would have to be issued for each house built. Ms.
13 Younger clarified that, although the southeast neighborhood is under the market yield
14 for town homes and duplexes, the city as a whole is over the market yield for town
15 homes and duplexes.

16
17 Ronn Marshall, applicant, stated that what he wants to accomplish will be much
18 easier with the R-L Zone. Chair Hirschi opened a public hearing at 7:26 p.m.

19
20 Craig Adams – Mr. Adams said he has been a neighbor of the subject property
21 for 27 years. He agreed that the two existing homes are nice, and agreed that R-L
22 would be a good fit for the property and the neighborhood. Mr. Marshall confirmed that
23 seven additional homes would be built on the property.

24
25 Chair Hirschi closed the public hearing at 7:27 p.m. Chair Hirschi commented
26 that the City may be looking in the future at something happening in the neighboring
27 commercial zone. He expressed concern about creating a precedent that could be
28 problematic going forward. Commissioner Johnson responded that he does not see R-
29 L and R-H in that context as being incompatible. Commissioner Hayman pointed out
30 the surrounding R-M Zones, and said she does not think R-L on the subject property
31 would inhibit or dissuade the City from doing something different with the commercial
32 area. Commissioner Wright said that, as a property rights issue, the zone change
33 allows the owner to do more of what he wants to do. She added that what he wants to
34 do would not detrimentally affect the area. Commissioner Daly commented that it is
35 refreshing to have a developer not trying to cram as many units as possible on the
36 property. He said he thinks R-L and R-M are compatible uses, and he is generally in
37 favor. Commissioner Hayman said single-family homes seem like a compatible fit
38 considering the surrounding homes. Commissioner Wright made a **motion** to accept
39 the Zone Map Amendment for 1150 South 240 East from a Residential-Medium District
40 into a Residential-Low District, with the following two reasons for the action.
41 Commissioner Johnson seconded the motion, which passed by unanimous vote (7-0).

Reasons for the Action:

1. The Zoning Map Amendment would still be consistent with the General Plan.
2. The proposed zoning change and subsequent development standards on this lot would be consistent with already existing single-family properties within this subdivision.

**PUBLIC HEARING – CHITOSE JOHNSON CONCEPTUAL SUBDIVISION,
1150 SOUTH 240 EAST**

Ms. Younger explained the proposed Conceptual Subdivision Plan, which consists of a nine-lot single-family residential subdivision (seven additional homes). Mr. Snyder explained that the two existing homes would be incorporated into the subdivision with boundary adjustments.

Chair Hirschi opened a public hearing at 7:42 p.m., and closed the public hearing seeing that no one wished to comment. The Planning Commission discussed setbacks in the development. Commissioner Daly made a **motion** to accept the Conceptual Subdivision Plat for the Chitose Johnson Subdivision, located at 1150 South 240 East, subject to the following conditions and findings, and subject to City Council approval of the R-L Zone change. Commissioner Hayman seconded the motion, which passed by unanimous vote (7-0).

Conditions:

- Preliminary and Final Subdivision Plats will have to be submitted in accordance with Title 15.
- Drainage would need to be addressed due to differing elevations on the lot and approved by the City Engineer.

Findings:

- a) The conceptual subdivision appears to be consistent with the General Plan
- b) It follows the Municipal Code Subdivision Ordinance in Chapter 15.5
- c) Adequately meets the Development Standards laid out for an R-L Zone in CZC 12.32.300
- d) The applicable review standards of the Subdivision Ordinance pertaining to a Conceptual Subdivision application have been reviewed and directives established to allow the proposal to proceed to preliminary subdivision plan submittal.

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
2/21/2017**

Item No. 4

Short Title: Public Hearing - Centerville Municipal Code - Comprehensive Amendments

Initiated By: City Attorney

Scheduled Time: 7:20

SUBJECT

Consider the proposed comprehensive Centerville Municipal Code Amendments and re-adoption of the entire Centerville Municipal Code (excluding Title 12 regarding the Zoning Code) for online conversion and minor edits and corrections for consistency - Ordinance No. 2017-03

RECOMMENDATION

Adopt Ordinance No. 2017-03 regarding comprehensive Centerville Municipal Code Amendments and re-adoption of the entire Centerville Municipal Code (excluding Title 12 regarding the Zoning Code) for online conversion and minor edits and corrections for consistency.

BACKGROUND

As part of the FY 2016 Budget, the City Council approved funding to transition the Municipal Code, Zoning Code, and General Plan to an online version to be hosted by Municipal Code Online (MCO). In 2016, the City converted the Centerville Zoning Code to the online platform. For 2017, the Centerville Municipal Code (exclusive of the Zoning Code) has been converted and is ready to transition to the online platform. As part of the transition to the online version of the Municipal Code, a number of formatting, renumbering, code references, and other changes have been made throughout the Municipal Code. These comprehensive amendments to the Municipal Code must be approved and adopted by the City Council prior to going live with the online version of the Municipal Code.

A public hearing must be held on the amendments to Title 15 (Subdivisions) of the Municipal Code under applicable State law as amendments to land use ordinances. On February 8, 2017, the Planning Commission reviewed and recommended approval of the proposed amendments to Title 15 (Subdivisions). It should be noted that the amendments proposed for Title 15 (Subdivision) are not the comprehensive edits currently being drafted by the City's consultant. The complete rewrite of the Subdivision Ordinance will come at a later date when that project is complete. The proposed edits under consideration at this time are minor edits necessary for formatting to the online code and other edits necessary to bring the ordinance provisions into compliance with State law.

See the attached Staff Report for further information regarding the comprehensive Centerville Municipal Code amendments.

A PDF version of the entire Centerville Municipal Code (exclusive of Title 12 regarding the Zoning Code) is attached. Any sections with proposed revisions are marked with an asterisk and more substantive changes are shown in underline (additions) and strikeout (deletions). You can also view the online version of the

proposed amendments at the following web addresses. The online platform works best from a desktop or laptop using Google Chrome. If you want to see the full site on a mobile or iOS device, use the forced desktop interface link below.

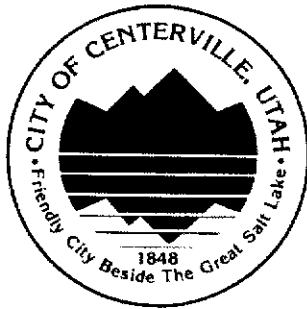
Computer viewing (Google Chrome recommended): <https://centerville.municipalcodeonline.com>

Mobile and iOS viewing: <https://centerville.municipalcodeonline.com/viewswitcher/switchview?mobile=false>

ATTACHMENTS:

Description

- ▣ Staff Report - Comprehensive Municipal Code Amendments
- ▣ Municipal Code Drafting and Usage Rules
- ▣ Ord. No. 2017-03-Comprehensive Municipal Code Amendments
- ▣ Centerville Municipal Code (2017) - Comprehensive Redline Edits
- ▣ 02-08-2017 PC minutes pg 4 re Subdivision Ordinance Text Amendments
- ▣ MCO Email on ADA Compliance



CENTERVILLE CITY ATTORNEY'S OFFICE

250 North Main Street
Centerville, Utah 84014
801.335.8842

STAFF REPORT

TO: Centerville City Council
FROM: Lisa G. Romney, City Attorney
DATE: February 15, 2017
RE: Comprehensive Municipal Code Amendments

Introduction

As part of the Fiscal Year 2015-16 Budget, the City Council approved funding to transition the Municipal Code, Zoning Code and General Plan to an online version to be hosted by Municipal Code Online (MCO). In 2016, the City converted the Centerville Zoning Code to the online platform. For 2017, the Centerville Municipal Code (exclusive of the Zoning Code) has been converted and is ready to transition to the online platform. As part of the transition to the online version of the Municipal Code, a number of formatting, renumbering, code references, and other changes have been made throughout the Municipal Code. These comprehensive amendments to the Municipal Code must be approved and adopted by the City Council prior to going live with the online version of the Municipal Code. A public hearing is also required for the amendments to Title 15 (Subdivisions) in accordance with Utah law.

Summary of Amendments

The proposed updates to the Municipal Code are numerous and impact every Title (except the Zoning Code). While the proposed changes are numerous, they are not generally substantive. Most changes are minor formatting, capitalization, reference, citation, or grammatical corrections. To the extent feasible, the changes to the Municipal Code are highlighted in underlining (for proposed additions) and strikeout (for proposed deletions) in the PDF version of the Municipal Code. In addition, to facilitate review of the changes, an asterisk has been placed in the section title if there are changes to that section. For instance, the asterisk in the

heading for CMC 2.01.030 *Meetings, indicates there are redline changes to this Section. The following is a broad summary of the notable changes throughout the Code.

Renumbering and New Numbering Format

The most significant change to the Municipal Code includes the renumbering of all titles, chapters and sections to reflect a citation form that uses decimals rather than dashes between the numbers. For instance, a section in the previous Municipal Code referred to as 1-01-010 is now referred to as 1.01.010. A more detailed explanation of the numbering system is set forth in the new Preface at the beginning of the Municipal Code. All internal citations to the new numbering system have also been changed throughout the Municipal Code. The renumbering changes to the Municipal Code were prepared by MCO and are not shown in the redline changes.

New Citation Format

Another major change to the Municipal Code is the citation format for references to the Centerville Municipal Code and the Centerville Zoning Code. Any reference in the new Centerville Municipal Code and future ordinance amendments to the Centerville Municipal Code use the abbreviation CMC. For example, a title in the Centerville Municipal Code is referred to as CMC 15 (Subdivisions). A chapter in the Centerville Municipal Code is referred to as CMC 9.03 (Drinking Water Source Protection). A section in the Centerville Municipal Code is referred to as CMC 15.07.010. A similar citation reference is used for the Centerville Zoning Code which uses the abbreviation CZC. Thus, a chapter in the Centerville Zoning Code is referred to as CZC 12.22 (Nonconformities). A section in the Centerville Zoning Code is referred to as CZC 12.22.010. Some of these internal references changes were made by MCO and are not shown as redline changes.

Updated Utah Code References

All State law references to the Utah Code were checked and confirmed for accuracy and updated when necessary. Most of these updated changes to State law references are shown in redline.

Consistent Formatting and Usage Rules

Most of the proposed amendments to the Municipal Code implement changes based on formatting and usage rules regarding capitalization, active verbs, semi-colons, hyphenated words, defined terms, etc. These rules are summarized in the attached list. Most of these changes are not highlighted in the redline version, but have been implemented throughout the proposed Municipal Code.

Municipal Code Drafting and Usage Rules

February 15, 2017

The following drafting and usage rules should be used when drafting or amending the Centerville Municipal Code or the Centerville Zoning Code. These rules are intended to provide more consistent usage and formatting within the codes when amended by various drafters.

1. The list order type used for numbering subsections within the Centerville Municipal Code and the Centerville Zoning Code is as follows: (a), (1), (A), (i), (1).
2. Citations to the Centerville Zoning Code should refer to CZC. Chapters in the Centerville Zoning Code should be referred to as CZC 12.22 (Nonconformities). Sections in the Centerville Zoning Code should be referred to as CZC 12.22.010.
3. Citations to the Centerville Municipal Code should refer to CMC. Titles in the Centerville Municipal Code should be referred to as CMC 15 (Subdivisions). Chapters in the Centerville Municipal Code should be referred to as CMC 9.03 (Drinking Water Source Protection). Sections in the Centerville Municipal Code should be referred to as CMC 15.07.010.
4. When referring to the Centerville Zoning Code within the Zoning Code, refer to "this Title" or the "Zoning Code." Not, Zoning Ordinance or CZC 12.
5. If a provision is required by Utah law, provide a citation to the Utah Code section for user reference. Use language such as "pursuant to Utah Code § 10-9a-513 regarding billboards . . . "
6. Utah Code citations for single code section shall be cited as Utah Code § 10-9a-516. Utah Code citations for multiple sections shall be cited as Utah Code §§ 10-9a-101, et seq. The reference "as amended" is no longer needed since a section was added stating that any reference to a code or law shall include any subsequent amendments or renumbering. See, CZC 12.12.030.
7. When referencing specific acts under Utah law, refer to it as "Utah" act, such as the Utah Open and Public Meetings Act. Follow title of act with citation, such as the Utah Open and Public Meetings Act, as set forth in Utah Code §§ 52-4-101, et seq.
8. Capitalize the following words when referring to the specific item or document:
 - a. General Plan
 - b. Zoning Code (not Zoning Ordinance)
 - c. Zoning Map (not Official Zoning Map)
 - d. Master Street Plan
9. Capitalize and refer to the following documents as defined terms:
 - a. Construction Codes (not Building Codes or Uniform Codes)
 - b. City Standards and Specifications
 - c. City Fee Schedule (not City's Fee Schedule)

10. Capitalize the following words when referring to a specific item and do not capitalize if referring in general to such items:
 - a. Title
 - b. Chapter
 - c. Section
 - d. Subsection
11. Capitalize the following words when referring to specific Centerville City entity or body:
 - a. City
 - b. City Council
 - c. Planning Commission
 - d. Board of Adjustment
12. Capitalize the first word of each list order level.
13. If referring to a subsection within the current section, just refer to the subsection as Subsection (a), or Subsection (a)(3). If referring to something in the current section, just refer to "this Section." If referring to a section or subsection in another portion of the code, refer to full citation as CZC 12.11.010 or CZC 12.11.010(a). Same rule applies for references to chapters and titles.
14. Capitalize the word zone if referring to a specific zone, such as R-L Zone or Planned Development Overlay Zone. Do not capitalize the word zone if just referring to zones in general, such as residential zones.
15. Don't capitalize these words:
 - a. District court
 - b.
16. Always check to see if the new language correctly uses applicable defined or if a new term should be added to the definitions. Use defined terms consistently. Some common problem words are:
 - a. Multiple-family (not multi-family)
 - b. Table of Uses (not Table of Uses Allowed)
17. Use hyphen on these words:
 - a. Single-family
 - b. Multiple-family
 - c. I-15 (not Interstate 15)
18. Don't use hyphen on these words:
 - a. Bylaws
 - b. Subdrain
 - c. Stormwater
 - d. Shorelands
19. Spell out numbers one through nine and use numerals for any number over 10.
20. If number is one through nine, spell out the word percentage. If number is over nine, use numeral and the % symbol; i.e. five percent and 20%.

21. Spell out the following measurement terms:
 - a. Foot or feet; i.e. 10 feet
 - b. Square feet; i.e. 10 square feet
 - c. Inches; i.e. 10 inches
22. Tables, maps and illustrations of general applicability should be added at the end of the chapters starting with the section number .300. Tables, maps, illustrations and figures can be added within a section if only applicable to that section or if it is more convenient for the reader to have the table, map or illustration with the text.
23. Figures within a section should be numbered as Figure 1., Figure 2., etc. followed by the title of the figure, such as Figure 1. Streetscape Aerial View.
24. Notes in tables should be added as a numbered list order at the end of the table using the list order 1., 2., 3., etc. The reference number should be added in the body of the table using the superscript box.

ORDINANCE NO. 2017-03

AN ORDINANCE AMENDING, RENUMBERING AND RECODIFYING THE CENTERVILLE MUNICIPAL CODE (EXCLUSIVE OF TITLE 12 REGARDING THE ZONING CODE)

WHEREAS, the City is in the process of transitioning the Centerville Municipal Code to an online electronic code and the City Council desires to bring existing titles, chapters and provisions of the Centerville Municipal Code up to date to be consistent with State statutory provisions, and to make other formatting, numbering and editing changes as recommended by Staff; and

WHEREAS, Staff has evaluated, reviewed and prepared suggested revisions and updates to the Centerville Municipal Code and recommends amending, renumbering and recodifying the entire Centerville Municipal Code (exclusive of Title 12 regarding the Zoning Code) as more particularly set forth herein; and

WHEREAS, the City is authorized to enact municipal ordinances in accordance with Utah Code Ann. § 10-3-702, and is further authorized to adopt land use ordinances consistent with the purposes set forth in the Utah Land Use Development and Management Act, as more particularly provided in Utah Code Ann. §§ 10-9a-101, et seq.; and

WHEREAS, the proposed amendments to Title 15 (Subdivisions) as set forth herein have been reviewed by the Planning Commission and the City Council and all appropriate public notices have been provided and appropriate public hearings have been held in accordance with Utah law to obtain public input regarding the proposed revisions to the such land use ordinances; and

WHEREAS, City Council has determined that the proposed revisions to the Centerville Municipal Code, as more particularly set forth herein, are in the best interest of the City and the public health, safety and welfare, and will provide easier access to municipal ordinances for the public.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
CENTERVILLE CITY, STATE OF UTAH, AS FOLLOWS:**

Section 1. Amendment, Renumbering and Recodification. The Centerville Municipal Code (exclusive of Title 12 regarding the Zoning Code) is hereby amended, renumbered and recodified to read in its entirety as set forth in **Exhibit A**, attached hereto and incorporated herein by this reference.

Section 2. Findings. The amendments, renumbering and recodification of the Centerville Municipal Code (exclusive of Title 12 regarding the Zoning Code) are based on the following findings:

1. The Municipal Code amendments, renumbering and recodification are in the best interest of the public health, safety and welfare as the amendments implement consistent formatting and usage rules, update definitions for commonly used terms, correct references to updated Utah Code provisions, and provide a more user-friendly format and searchable platform; and

2. The Municipal Code amendments, renumbering and recodification provide the legal basis and authority for enactment and enforcement of the Municipal Code.

Section 3. General Repealer. The amendment and recodification of the Centerville Municipal Code (exclusive of Title 12 regarding the Zoning Code) shall be a repeal of all ordinances in conflict with the adopted and codified Ordinances; provided however, all ordinances in force prior to the adoption and codification shall continue in force after the adoption and codification for the purpose of all rights acquired, fines, penalties, forfeitures and liabilities incurred and actions therefor.

Section 4. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 5. Effective Date. This Ordinance shall become effective immediately upon publication or posting, or thirty (30) days after passage, which occurs first.

PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, THIS 21st DAY OF FEBRUARY, 2017.

ATTEST:

CENTERVILLE CITY

Marsha L. Morrow, City Recorder

By: _____
Mayor Paul A. Cutler

Voting by the City Council:

	"AYE"	"NAY"
Councilmember Fillmore	_____	_____
Councilmember Ince	_____	_____
Councilmember Ivie	_____	_____
Councilmember McEwan	_____	_____
Councilmember Mecham	_____	_____

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provisions of the U.C.A. § 10-3-713, as amended, I, the municipal recorder of Centerville City, hereby certify that foregoing ordinance was duly passed by the City Council and published, or posted at: (1) 250 North Main; (2) 655 North 1250 West; and (3) RB's Gas Station, on the foregoing referenced dates.

MARSHA L. MORROW, City Recorder

DATE: _____

RECORDED this ____ day of _____, 2017.

PUBLISHED OR POSTED this ____ of _____, 2017.

EXHIBIT A

Centerville Municipal Code (Exclusive of Title 12 regarding the Zoning Code)

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
2/21/2017**

Item No. 5.

Short Title: Award bid to Claude H. Nix Construction in the amount of \$173,968.00 for labor and to Western Water Work in the amount of \$8,745.78 (plus tax) for materials for the water main under I-15/railroad tracks at 1000 North

Initiated By: City Engineer

Scheduled Time: 7:40

SUBJECT

RECOMMENDATION

Award bid to Claude H. Nix Construction in the amount of \$173,968.00 for labor and to Western Water Work in the amount of \$8,745.78 (plus tax) for materials for construction of water main under I-15/railroad tracks at 1000 North (Chase Lane).

BACKGROUND

Bids were solicited by ESI Engineer for labor and Centerville Public Works for materials for construction of a water main under I-15 at Chase Lane. See attached Bid Award recommendations.

This project involves installation of a new water main under I-15 and the railroad tracks at 1000 North using a boring method, to serve growth in the commercial area west of I-15 and north of Parrish Lane. It is the last of several projects intended to be funded with the \$2 million in new funding as part of the 2012 Water Revenue Bond issue. Staff recommend, however, that accumulated Water Development Fees (i.e. impact fees) be used directly for this project to establish a clear record that the impact fees were used for an eligible project within the six-year period required by State law. Approximately \$205,000 remains from the 2012 bond issue.

Those funds can instead be used to either pay annual debt service on the bonds or for the replacement/upgrade of a water main on Main Street, a project later this year. Blaine Lutz, Finance Director, believes the bond issue contains the flexibility to use these remaining funds in one of these ways.

ATTACHMENTS:

Description

- ☐ Bid results/recommendation from ESI for labor
- ☐ Bid results/recommendation for materials

Marsha Morrow

From: Kevin Campbell <Kevin.Campbell@esieng.com>
Sent: Thursday, February 16, 2017 12:35 PM
To: Steve Thacker
Cc: Randy Randall; Mike Carlson; Marsha Morrow; Ryan McLeod
Subject: Chase Lane Bore - Crossing UPR, UTA and I-15 ROWs - NOA
Attachments: 00 51 00 Notice of Award.pdf

Steve,

We received bids this morning from the following contractors:

- | | |
|------------------------------------|--------------|
| 1. Claude H. Nix Construction | \$173,968.00 |
| 2. Fusion Pipeline Inc. | \$241,000.00 |
| 3. Whitaker Construction Co. | \$247,150.00 |
| 4. Allied Underground Technologies | \$272,691.00 |

Randy, Mike, Ryan and myself met with two representatives (Ryan Burton and Lawrence Triolo) from Nix Construction immediately following the bid opening to question them about their bid. A few of the reasons they gave for their bid being so low is that they already have their equipment paid for (they did not put overhead for equipment in the bid), they already have the railroad insurance and that they are aggressively looking for work right now as they have missed out on other bids recently.

We asked them to check their bid and get back to us by noon today if there were any errors in their bid. I just called them to follow up and they have said that they have not made any mistakes and would like to be awarded the project.

Nix Construction is a highly skilled and qualified bore contractor that has completed dozens of bores of this type beneath I-15, UPR and UTA. They come very highly recommended by the local UPR representatives.

It is recommended that the project be awarded to Claude H. Nix Construction in the amount of \$173,968.00

Kevin

Kevin Campbell, P.E.
Centerville City Engineer

Kevin Campbell, P.E.
ESI Engineering, Inc
3500 S. Main St.
SLC, Ut 84115
801.263.1752

Water Line for "I 15 Crossing at Chase lane " Project #11-149

BID RESULTS

Date 2/1/2017

- | | | |
|----|------------------------|------------|
| 1. | Western Water Work | \$8,745.78 |
| 2. | Mountain States Supply | \$8,785.67 |
| 3. | HD Supply | \$9,066.71 |
| 4. | Ferguson | \$9,707.67 |

We have reviewed the bid for materials from Western Water Works for \$8,745.78,
We find that Western Water Works meet all of our specification.
The bid amount does not include tax.

Respectfully submitted,

Michael Carlson
Water Department Supervisor

MC/sd

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
2/21/2017**

Item No. 6.

Short Title: Financial Report for period ending January 31, 2017

Initiated By: Blaine Lutz, Assistant City Manager/Finance Director

Scheduled Time: 7:50

SUBJECT

RECOMMENDATION

BACKGROUND

The attached financial report was prepared by Blaine Lutz for the 7-month period ending January 31, 2017.

ATTACHMENTS:

Description

- ☐ Interim Financial Report

General Fund
Unaudited Summary
January 31, 2017

	This Month	Year to Date	FY 17 Budget	^{59%} % Budget
Revenues				
Property Tax	\$117,799	\$956,617	\$1,057,096	90.49%
RDA Increment	\$0	\$0	\$165,000	0.00%
Fee in Lieu	\$5,379	\$46,466	\$100,000	46.47%
Sales & Use Tax	\$320,517	\$2,189,060	\$3,977,500	55.04%
Franchise Taxes	\$90,470	\$623,096	\$1,246,000	50.01%
Licenses & Permits	\$24,975	\$172,532	\$360,875	47.81%
Intergovernmental	\$17,000	\$47,607	\$48,250	98.67%
Charges for Services	\$67,980	\$484,940	\$1,061,175	45.70%
Fines	\$25,105	\$274,351	\$515,000	53.27%
Miscellaneous	\$267	\$18,548	\$43,250	42.89%
Transfers/Contributions	\$829	\$24,119	\$2,000	1205.95%
Total	\$670,321	\$4,837,336	\$8,576,146	56.40%

Expenditures				
City Council	\$4,581	\$40,636	\$107,948	37.64%
Judicial	\$16,278	\$124,177	\$216,236	57.43%
Executive	\$37,164	\$240,846	\$428,024	56.27%
Attorney	\$11,418	\$92,622	\$171,957	53.86%
Finance	\$43,340	\$332,049	\$549,922	60.38%
Legal Services	\$4,527	\$14,420	\$32,000	45.06%
Emergency Management	\$3,015	\$13,953	\$8,770	159.10%
Fire	\$218,811	\$656,434	\$875,246	75.00%
Elections	\$0	\$0	\$0	0.00%
Youth Council	\$0	\$4,425	\$7,000	63.21%
Police	\$221,448	\$1,374,985	\$2,456,752	55.97%
Liquor Law	\$2,325	\$4,523	\$19,300	23.44%
School Xing	\$5,406	\$31,995	\$62,050	51.56%
DARE	\$7,127	\$56,429	\$98,348	57.38%
K-9	\$53	\$521	\$2,250	23.16%
Animal Control	\$2,301	\$11,508	\$27,621	41.66%
PW Admin	\$32,279	\$180,671	\$317,331	56.93%
Streets	\$72,015	\$430,827	\$767,412	56.14%
Projects	\$0	\$0	\$5,000	0.00%
GIS	\$6,882	\$53,189	\$109,098	48.75%
Engineering	\$5,617	\$46,643	\$86,500	53.92%
Parks	\$43,344	\$513,047	\$861,443	59.56%
Community Events	\$341	\$845	\$23,650	3.57%
Public Buildings	\$28,181	\$124,551	\$234,276	53.16%
Community Dev.	\$21,550	\$155,242	\$323,555	47.98%
Building Inspection	\$4,885	\$40,077	\$80,600	49.72%
RDA Increment	\$0	\$0	\$165,000	0.00%
Transfers - Non Dep.	\$0	\$30,925	\$315,974	9.79%
UTOPIA -Pledges	\$38,579	\$267,953	\$267,953	100.00%
Total	\$831,467	\$4,843,493	\$8,621,216	56.18%

Use/Contribution to Fund balance \$ (6,157) \$ (45,070)
(Revenues Over/Under Expenditures)

Restricted Balance \$172,852
Unreserved Fund Balance at Beginning of Year \$619,427
Total Balance \$792,279

Restricted Balance \$0
Unreserved Fund Balance estimate 1/31/2017 \$786,122

Capital Projects Unaudited Summary January 31, 2017
--

	This Month	Year to Date	FY 17 Budget	^{59%} % Budget
<u>Capital Improvement</u>				
<u>Storm Drain</u>				
<u>Revenues:</u>				
Fund Balance				
Impact Fees	\$29,964	\$10,923	\$25,000	43.69%
Grants	\$0	\$0	\$0	0.00%
Drainage Fees	\$53,707	\$380,771	\$580,871	65.55%
Other	\$84	\$669	\$1,200	55.75%
Total Revenues	\$83,755	\$392,363	\$607,071	64.63%
Expenditures	\$98,159	\$366,332	\$653,852	56.03%
Fund Balance at Beginning of Year		\$177,385		
Unreserved Fund Balance estimate 1/31/2017		\$203,416		
<u>Park</u>				
<u>Revenues:</u>				
Fund Balance				
Impact Fees	\$10,285	\$49,368	\$50,000	98.74%
Transfer	\$0	\$0	\$0	0.00%
RAP Tax Transfer	\$0	\$0	\$0	0.00%
Grants	\$0	\$0	\$0	0.00%
Other	\$0	\$0	\$500	0.00%
Total Revenues	\$10,285	\$49,368	\$50,500	97.76%
Expenditures	\$1,387	\$22,942	\$148,519	15.45%
Fund Balance at Beginning of Year		\$292,937		
Unreserved Fund Balance estimate 1/31/2017		\$319,363		
<u>Transportation Projects Fund</u>				
<u>Revenues:</u>				
Fund Balance				
Sales Tax	\$26,308	\$177,677	\$315,000	56.41%
Class C	\$99,702	\$420,636	\$525,000	80.12%
Other	\$0	\$0	\$1,000	0.00%
Transfers	\$0	\$0	\$210,000	0.00%
Total Revenues	\$126,010	\$598,313	\$1,051,000	0.00%
Expenditures	\$22,439	\$162,890	\$1,101,000	14.79%
Fund Balance at Beginning of Year		\$77,452		
Unreserved Fund Balance estimate 1/31/2017		\$512,875		
<u>UTOPIA Project Fund</u>				
<u>Revenues:</u>				
Fund Balance				
Transfers - General	\$38,579	\$267,953	\$267,953	100.00%
RDA additional increment	\$0	\$0	\$195,000	0.00%
Other	\$0	\$7,909	\$0	0.00%
Total Revenues	\$38,579	\$275,862	\$462,953	59.59%
<u>Expenditures</u>				
UTOPIA Pledge	\$38,579	\$267,953	\$462,953	57.88%
Total Expenditures	\$38,579	\$267,953	\$462,953	57.88%
Fund Balance at Beginning of Year (est.)		-\$7,909		
Unreserved Fund Balance estimate 1/31/2017		\$0		

**RDA/Special Revenue
Unaudited Summary
January 31, 2017**

	This Month	Year to Date	FY 16 Budget	^{59%} % Budget
<u>RDA</u>				
Revenues	\$6,490	\$45,709	\$1,918,000	2.38%
Expenditures	\$0	\$60,753	\$1,918,000	3.17%
Fund Balance at Beginning of Year		\$50,540		
Unreserved Fund Balance estimate 1/31/2017		\$35,496		
Theater reserve balance	\$493,372			
<u>Recreation</u>				
<u>Revenues</u>				
Recreation	\$851	\$22,209	\$79,000	28.11%
Youth Baseball	\$130	\$11,966	\$36,000	33.24%
Concession Sales	\$0	\$2,847	\$20,000	14.24%
Other	\$0	\$41,000	\$41,000	100.00%
Total Revenues	\$981	\$78,022	\$176,000	44.33%
<u>Expenditures</u>				
Recreation	\$10,938	\$67,544	\$120,000	56.29%
Concessions	\$0	\$2,116	\$20,000	10.58%
Youth Baseball/Softball	\$34	\$6,486	\$36,000	18.02%
Total Expenditures	\$10,972	\$76,146	\$176,000	43.26%
Revenue Over/Under Expend	\$ (9,991)	\$ 1,876	\$ -	
Balance at Beginning of Year		\$62,912		
Unreserved Fund Balance estimate 1/31/2017		\$64,788		
<u>Sales Tax Debt Service (DCAC)</u>				
Revenues	\$0	\$0	\$593,012	0.00%
Expenditures	\$0	\$0	\$593,012	0.00%
Reserved Fund Balance		\$0		
Unreserved Fund Balance estimate 1/31/2017		\$0		
<u>Whitaker Trust</u>				
Beginning fund balance				
Revenues	\$0	\$32,616	\$61,675	52.88%
Expenditures	\$3,304	\$25,470	\$65,056	39.15%
Fund Balance at Beginning of Year		\$21,003		
Unreserved Fund Balance estimate 1/31/2017		\$28,149		
<u>RAP Tax Fund</u>				
RAP tax	\$35,056	\$221,050	\$375,000	58.95%
Fund Balance			\$67,500	
			\$442,500	
Parks	\$7,218	\$7,218	\$318,750	2.26%
Whitaker	\$0	\$0	\$18,750	0.00%
Centerpoint	\$12,472	\$12,472	\$18,750	66.52%
Other	\$0	\$0	\$18,750	0.00%
FY 2016 Balance	\$0	\$0	\$67,500	0.00%
Total expenditures	\$19,690	\$19,690	\$442,500	4.45%
Fund Balance at Beginning of Year		\$81,988		
Unreserved Fund Balance estimate 1/31/2017		\$201,360		
<u>Perpetual Care</u>				
Revenues	\$300	\$2,650		
Balance		\$339,900		

Enterprise Funds Unaudited Summary January 31, 2017
--

	This Month	Year to Date	FY 15 Budget	^{59%} % Budget
<u>Water</u>				
Revenues:				
Impact/construction Fees	\$11,076	\$59,601	\$275,000	21.67%
Water Sales	\$179,505	\$1,333,181	\$2,222,000	60.00%
Other	\$8,635	\$21,553	\$61,000	35.33%
Total Revenues	\$199,216	\$1,414,335	\$2,558,000	55.29%
Expenditures				
Operating/Dep/Debt	\$137,597	\$1,313,800	\$2,192,167	59.93%
Capital Improvement	\$72,453	\$260,588	\$640,900	40.66%
Total Expenditures	\$210,050	\$1,574,388	\$2,833,067	55.57%
<u>Sanitation</u>				
Revenues:				
Collection Fees	\$58,560	\$408,593	\$700,000	58.37%
Recycling fees	\$15,002	\$104,451	\$176,000	59.35%
Green Waste fees	\$9,168	\$64,339	\$106,750	60.27%
Other	\$332	\$2,689	\$11,000	24.45%
Total Revenues	\$83,062	\$580,072	\$993,750	58.37%
Expenditures:				
Disposal	\$28,494	\$170,867	\$303,000	56.39%
Collection	\$21,053	\$126,194	\$250,000	50.48%
Recycling	\$12,492	\$73,995	\$174,000	42.53%
Green Waste Disposal	\$5,150	\$30,991	\$79,000	39.23%
Other	\$16,311	\$50,356	\$164,250	30.66%
Total Expenditures	\$83,500	\$452,403	\$970,250	46.63%
Revenue over/under expenditures	-\$438			
<u>Drainage</u>				
Revenues	\$103,945	\$725,645	\$1,246,500	58.21%
Operating Expenditures	\$38,740	\$375,960	\$1,326,625	28.34%
Transfer for capital	\$53,706	\$380,771	\$580,871	65.55%
Capital Expenditures	\$20,326	\$55,732	\$4,500	1238.49%
Total Expenditures	\$112,772	\$812,463	\$1,911,996	42.49%
<u>Telecommunications</u>				
Revenues:				
Connection Fees	\$18,956	\$172,561	\$210,000	82.17%
Total Revenues	\$18,956	\$172,561	\$210,000	82.17%
Expenditures:				
Utility Service charges	\$0	\$133,600	\$199,500	66.97%
Operating service charge	\$947	\$5,480	\$10,500	52.19%
Total Expenditures	\$947	\$139,080	\$210,000	66.23%
Revenue over/under expenditures	\$18,009			

Cash Flow Statement
Enterprise Funds
January 31, 2017

Water

Operating Revenue		
Charges for services	\$	180,465
Connection and servicing	\$	6,675
Misc.	\$	100
Total	\$	187,240
Operating Expenditures		
Wages and benefits	\$	53,804
Maintenance & repair	\$	30,042
Professional	\$	35,271
Depreciation	\$	29,167
Total operations	\$	148,284
Operating income (loss)	\$	38,956
Non-operating income (expense)		
Development & construction	\$	11,076
Sale of assets	\$	-
Interest expense	\$	(24,844)
Total non-operating income	\$	(13,768)
Income before contributions	\$	25,188
Transfer in	\$	-
Change in net position	\$	25,188
(add back depreciation)	\$	29,167
Change in position less depreciation	\$	54,355

Drainage

Operating Revenue		
Charges for services	\$	103,945
Connection and servicing	\$	-
Misc.	\$	-
Total	\$	103,945
Operating Expenditures		
Wages and benefits	\$	7,558
Maintenance & repair	\$	7,207
Professional	\$	16,896
Depreciation	\$	7,083
Total operations	\$	38,744
Operating income (loss)	\$	65,201
Non-operating income (expense)		
Development & construction	\$	-
Sale of assets	\$	-
Interest expense	\$	(9,235)
Total non-operating income	\$	(9,235)
Income before contributions	\$	55,966
Transfer in	\$	-
Transfer out	\$	53,707
Change in net position	\$	2,259
(add back depreciation)	\$	7,083
Change in position less depreciation	\$	9,342

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
2/21/2017**

Item No. 7

Short Title: Presentation re Circles Davis County

Initiated By: Rebecca Walsche

Scheduled Time: 8:00

SUBJECT

RECOMMENDATION

Allow Rebecca Walsche to explain the Circles Davis County program that helps people move out of poverty.

BACKGROUND

Rebecca contacted Mayor Cutler and requested some time to explain this program to the City Council (see attached emails for brief explanation of the program). She has been given 10 minutes to do this. She is making a presentation to another city council earlier in the evening, so she has been scheduled for 8 p.m.

ATTACHMENTS:

Description

- ☐ Emails re Circles Davis County

Marsha Morrow

From: Paul Cutler <paulcutler@gmail.com>
Sent: Tuesday, February 07, 2017 3:12 PM
To: rebecca walsche
Cc: Steve Thacker; Paul Child; Mayor
Subject: Re: Circles Presentation/City Council meeting

Thanks Rebecca for this write up. I'll talk with Steve Thacker about getting you a few minutes on the Feb 21st or March 7th agenda, with the understanding that you would like to be on the Feb 21st agenda.

Regards,
/Paul

--
Paul Cutler
Centerville City Mayor
801-390-3444
mayor@centervilleut.com



From: rebecca walsche <rebeccawalshe@utahfcc.org>
Date: Tuesday, February 7, 2017 at 2:15 PM
To: Centerville Mayor <mayor@centervilleut.com>
Subject: Circles Presentation/City Council meeting

Circles Davis County would like to present at the next city council meeting. We provide a comprehensive program for people who are willing and ready to move out of Poverty. We provide an initial 12 week training for families to establish their Goals and Future plans. They learn new tools to secure and sustain better jobs. Once they graduate the initial class, they are paired up with an Ally to help them obtain the goal of reaching 200% of the national poverty level.

The other part of the program is helping to bring social awareness about the systemic barriers that keep people in the cycle of poverty. We are looking for city officials who are willing to be involved in our initiative. Please let me know if I can provide more information at this time and let you know how we are helping out in your community.

My cell phone 801 589-9279.

Kindly,

Rebecca

Rebecca Walshe
Coordinator
Circles Bountiful
385 231-8013

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
2/21/2017**

Item No. 8.

Short Title: Mayor's Report

Initiated By: Mayor Cutler

Scheduled Time: 8:10

SUBJECT

- a. Fire Service Area
- b. Recreation District Loan
- c. UTOPIA/UIA update

RECOMMENDATION

Mayor Cutler will report on these matters and possibly others.

BACKGROUND

- a. Excerpts from the Fire Service Area monthly report for January are attached.
- b. Mayor will update the Council on the negotiations and drafting of an agreement for a loan from the Recreation District to help fund Phases 2 & 3 of the Community Park Expansion Project.
- c. Mayor will also refer to the attached documents relating to UTOPIA/UIA.

ATTACHMENTS:

Description

- ▢ Fire Service Area January Report - Excerpts Only
- ▢ UTOPIA Centerville 2016
- ▢ UIA/UTOPIA December financial reports

SOUTH DAVIS METRO FIRE SERVICE AREA

January 31, 2017

FINANCIAL REPORT

	<u>Contents</u>	<u>Page Number</u>
1.	Cash Position	1
2.	Impact Fees Collected	2
3.	Board of Directors Financial Summary	3
4.	Financial Statements Detail	4

South Davis Metro Fire Service Area

Cash Position by Fund and in Total

Balances prior to July 2016 are for South Davis Metro Fire Agency

Funds

Month	General	Grant	Public Training	Capital Reserve	Debt Service	Debt Reserve	Total	St Treas Int. Rate
17-Jan	2,704,522	49,155	30,577	454,936	(58,185)	269,000	3,450,005	1.1806%
Dec	1,909,776	49,155	30,672	463,268	(61,640)	269,000	2,660,231	1.1457%
Nov	1,721,509	43,193	29,717	400,205	(64,999)	269,000	2,398,625	1.1231%
Oct	2,296,206	43,193	28,401	403,415	(70,532)	269,000	2,969,683	1.0982%
Sep	1,680,717	43,193	29,175	383,918	195,137	269,000	2,601,140	1.0597%
Aug	2,089,441	43,193	27,110	366,230	179,345	269,000	2,974,320	0.9968%
July	1,535,909	43,193	27,956	354,312	134,445	269,000	2,364,816	0.9429%
June	1,595,631	51,331	32,086	338,794	115,875	269,000	2,402,718	0.9093%
May	2,451,016	51,331	29,667	685,357	95,908	269,000	3,582,279	0.8997%
Apr	1,582,765	51,331	29,308	667,234	81,314	269,000	2,680,952	0.8517%
Mar	1,992,791	64,750	31,377	649,233	75,085	269,000	3,082,236	0.8224%
Feb	2,532,986	64,750	30,461	631,237	63,525	269,000	3,591,959	0.7796%
16-Jan	2,441,964	53,298	28,710	605,058	49,672	269,000	3,447,703	0.7460%
Dec	1,980,493	53,298	27,471	595,520	42,490	269,000	2,968,272	0.7244%
Nov	1,962,997	43,047	29,680	577,857	34,810	269,000	2,917,392	0.6824%
Oct	2,496,969	43,047	26,858	439,596	(14,891)	269,000	3,260,579	0.6593%
Sep	1,566,375	43,047	27,227	422,130	(33,496)	269,000	2,294,282	0.6369%
Aug	2,070,076	43,047	30,422	361,317	224,792	269,000	2,998,653	0.6098%
July	2,210,357	43,047	29,732	343,685	219,591	269,000	3,115,411	0.5791%
June	1,575,733	39,879	29,182	559,135	207,903	269,000	2,680,832	0.5610%
May	1,979,523	39,879	28,687	541,609	200,131	269,000	3,058,829	0.5558%
Apr	1,643,529	39,879	26,855	785,828	169,171	269,000	2,934,262	0.5475%
Mar	1,748,266	39,879	26,583	858,664	168,967	269,000	3,111,358	0.5294%
Feb	2,142,251	39,879	30,185	723,979	155,089	269,000	3,360,383	0.5184%
Jan-15	2,323,799	39,879	30,285	706,482	147,584	269,000	3,517,028	0.5073%
Dec	1,913,763	39,879	29,542	688,917	141,605	269,000	3,082,706	0.5078%
Nov	1,783,921	39,879	28,258	721,355	133,377	269,000	2,975,790	0.5071%
Oct	2,097,865	39,879	25,941	704,070	110,116	269,000	3,246,871	0.4850%
Sep	1,305,145	39,879	29,148	707,771	(36,465)	269,000	2,314,478	0.4767%
Aug	1,874,107	39,879	29,691	698,743	232,777	269,000	3,144,197	0.4699%
July	2,108,885	39,879	29,242	684,890	217,357	269,000	3,349,253	0.4693%
June	1,491,903	23,698	29,335	672,178	203,132	269,000	2,689,246	0.4799%
May	1,820,686	30,971	28,565	1,223,223	194,481	269,000	3,566,927	0.4879%
Apr	2,217,866	30,971	28,391	1,205,793	156,309	269,000	3,908,330	0.4992%
Mar	1,451,650	30,971	27,721	1,188,356	149,354	269,000	3,117,052	0.5023%
Feb	1,909,545	11,966	28,628	1,170,809	135,806	269,000	3,525,754	0.5070%
Jan-14	2,288,411	11,966	27,126	1,177,037	135,669	269,000	3,909,209	0.5074%
Dec	1,997,356	19,971	26,470	735,830	127,300	269,000	3,175,928	0.5103%
Nov	1,827,008	19,971	26,444	768,166	109,582	269,000	3,020,171	0.5150%
Oct	1,500,545	34,971	25,328	730,937	47,884	269,000	2,608,665	0.5143%
Sep	1,389,813	34,971	26,826	893,773	38,844	269,000	2,653,227	0.5125%
Aug	1,702,676	34,971	25,776	879,878	294,743	269,000	3,207,045	0.4962%
Jul	2,069,176	34,971	26,643	862,694	257,162	269,000	3,519,646	0.5115%
Jun	1,330,839	34,971	26,025	849,929	229,257	269,000	2,740,021	0.5046%
May	1,720,150	33,521	25,859	845,327	223,139	269,000	3,116,996	0.4902%
Apr	2,155,452	33,521	25,567	1,009,390	215,946	269,000	3,708,876	0.5295%
Mar	1,422,662	24,255	25,482	1,036,059	192,908	269,000	2,970,365	0.5740%
Feb	1,845,411	23,726	25,465	1,145,025	160,789	269,000	3,469,416	0.6120%
Jan-13	2,113,161	23,726	25,112	1,133,500	158,018	269,000	3,722,517	0.6499%

SOUTH DAVIS METRO FIRE SERVICE AREA

IMPACT FEES COLLECTED

DATE BELOW

Balances prior to July 2016 are for South Davis Metro Fire Agency

						TOTAL	TOTAL FOR
DATE	CENTERVILLE	DAVIS COUNTY	NORTH SALT LAKE	WEST BOUNTIFUL	WOODS CROSS	REVENUE	THE YEAR
2004-4 Mos.	716.00	-	38,593.68	3,402.00	4,158.00	46,869.68	
2005	44,124.66	-	160,858.93	65,640.10	33,128.24	303,751.93	
2006	67,908.61	-	203,896.39	16,793.12	10,156.80	298,754.92	
2007	39,666.50	263.47	118,685.88	52,937.65	65,296.28	276,849.78	
2008	20,118.60	-	95,684.71	5,275.78	10,142.74	131,221.83	
2009	8,231.81	-	73,623.57	3,507.38	41,737.05	127,099.81	
2010	26,063.64	-	24,968.28	2,337.92	18,292.00	71,661.84	
2011	49,665.03	-	30,643.20	3,896.38	16,894.44	101,099.05	
2012	34,245.82	-	90,356.64	12,653.19	41,196.00	178,451.65	
2013	37,542.04	-	155,267.66	9,633.00	25,231.02	227,673.72	
2014	11,095.04	13,990.00	205,859.07	5,179.00	50,727.58	286,850.69	
2015	60,189.64	-	89,746.71	9,197.20	10,165.38	169,298.93	
2016-6 Mos.	49,518.35	-	58,646.56	5,691.00	5,522.03	119,377.94	
07/31/16	-	-	-	-	-	-	
08/31/16	-	-	-	-	-	-	
09/30/16	-	-	15,461.00	-	-	15,461.00	
10/31/16	-	-	2,935.30	-	-	2,935.30	
11/30/16	4,239.00	-	-	942.00	-	5,181.00	
12/31/16	-	-	2,964.73	-	-	2,964.73	
01/31/17	-	-	2,055.00	385.00	599.45	3,039.45	
02/28/17						-	
03/31/17						-	
04/30/17						-	
05/31/17						-	
06/30/17						-	29,581.48
TOTAL	453,324.74	14,253.47	1,370,247.31	197,470.72	333,247.01	2,368,543.25	Down
						2,368,543.25	Across

South Davis Metro Fire Service Area
Board of Directors Financial Summary Fiscal Year 2017
January 31, 2017

				58% of the year expired	
Line	Fund	YTD	Annual	Page	
No.		FY 2017	Budget	Budget No	Comments
***** General Fund 10*****					

Revenue							
1	Property Taxes-PM Funding	712,950.00	692,906.00	103%	7		
2	Intergovernmental Revenue-Cities & Co	3,397.682	5,824,598	58%	7		
3	Ambulance & PM Fees-Net	1,396.904	2,170,000	64%	7		
4	All Other General Fund Revenue	35,148	8,000	439%	7		
5	Contribution- Private Sources	5,000	-	0%	7		
	Total Revenue	5,547,684	8,695,504	64%	7		
	Use of Fund Balance (Transfer to Capital)	-	300,000				
6	Use of Fund Balance (Depreciation)	-	500,000				
7	Total Revenue & Use of fund Balance	5,547,684	9,495,504				
Expenditures by Division							
8	Operations	4,384,530	7,429,987	59%	8		
9	Logistics	276,678	439,700	63%	9		
10	Communications	200,853	396,492	50%	9		
11	Fire Prevention	4,990	15,800	32%	9		
12	Training	16,068	65,725	24%	10		
13	Emergency Medical Services	72,143	145,800	49%	10		
14	Transfer to Capital Reserve Fund	116,667	200,000	58%	10		
15	Total Expenditures	5,071,929	8,695,504	58%			
16	Revenues Over/(Under) Expendts Before	475,756	800,000	59%			
15	Transfer to Capital From Fund Balance	-	300,000	0%	10		
16	Depreciation & Loss on Fixed Assets Sold	316,088	500,000	63%	10		
17	Total Fund Expenditures	5,388,017	9,495,504				
18	Net Revenues Over/(Under) Expendts	159,668	-	0%			

******* Other Funds*******

Grant Fund 21							
1	Revenues	5,962	-	0%	12		
2	Fund Balance Appropriation/(Addition)	-	-	0%	12		
3	Expenditures	-	-	0%	12		
4	Revenues Over/(Under) Expendts	5,962	-	0%			

Public Training Fund 22							
5	Revenues	7,374	12,500	59%	14		
6	Fund Balance Appropriation/(Addition)	-	-	0%	14		
7	Expenditures	4,757	12,500	38%	14		
8	Revenues Over/(Under) Expendts	2,617	-	0%			

Capital Reserve Fund 46							
9	Revenues and Transfers	64,963	83,125	78%	16		
10	Fund Balance Appropriation/(Addition)	71,094	121,875	58%	16		
11	Expenditures	63,264	205,000	31%	16		
12	Revenues Over/(Under) Expendts	72,793	-	0%			

SDFD Equity Fund 70							
13	Revenues	-	-	0%	18		
14	Fund Balance Appropriation/(Addition)	80,500	138,000	58%	18		
15	Expenditures	57,075	138,000	41%	18		
16	Revenues Over/(Under) Expendts	23,425	-	0%			

Debt Service Fund 72 & 73							
17	Revenues	29,069	151,500	19%	22		
18	Fund Balance Appropriation/(Addition)	68,705	117,780	58%	22		
19	Expenditures	212,553	269,280	79%	22		
20	Revenues Over/(Under) Expendts	(114,779)	-	0%			

South Davis Metro Fire Service Area

Proudly Serving the Communities of

Bountiful - Centerville - Davis County - North Salt Lake, West Bountiful - Woods Cross

Jeff Bassett, Fire Chief

Executive Summary Budget Planning

As we prepare for the upcoming budget, I have been asked to detail the significant budget items that need to be discussed. As we work on these items we will need to schedule a couple of work sessions to discuss all items. Mr. Uresk, Chair of the Administrative Committee, will be here to discuss these work sessions and the role of the Administrative Committee.

Staffing

In the Administrative Committee meetings we have been discussing the overtime and how our part time staff is not working enough shifts to cover the open shifts. Currently we restrict how many people can be on vacation each shift which is 3. We are averaging 3.3 people off per day. Every fire department that uses part time employees is having the same issues with part time staff as us. We are spending up to \$130,000 to hire and train new part time employees every year.

As we evaluate staffing, the research and science shows each fire engine should be staffed with at least 4 firefighters. Majority of departments have a goal of 4 but have a standard of 3. Only 2 of our 5-fire apparatus run with 3, the rest are staffed with 2. As communities continue to build more residential units, assisted living centers, medical offices, and commercial units, our call volume continues to rise. The need to staff another ambulance needs to be considered.

Centerville Fire Station

\$5 million Estimated

We need to build a new fire station in Centerville. The current one is 30 years old. It is too small and there are several building issues we continually face. The flat roof leaks every winter, the diesel exhaust system is beyond repairs, there are no female and male restrooms / showers. There is no training room so crews have a place to conduct daily training, no decontamination shower or area, need additional washer and dryers and the list goes on. Previous agenda item, briefed the board on location ideas.

Muller Park Fire Station

\$668,000

Station 84 the Muller Park Station needs several building and parking lot improvements. This cost was presented to the board several months ago by Bill Gould our architect.

Foxboro

\$350,000

The back parking lot of station 85 was never finished. This is the estimated cost to finish and add a storage / garage building.

Ladder Truck

\$1-1.5 Million

We need to replace our current Platform ladder truck. The current ladder is 25 years old and is worn out. With the continued growth in commercial, mixed use and apartments we need to purchase a new ladder and place it as a first line response vehicle. Most vendors are quoting a one year build time from the time of order. We are working on an RFP for the ladder truck and design options.

FY 18 Vehicle Replacement Plan

\$260,000

2 Brush trucks, Staff Car, UTV Patient transport unit

Air Packs

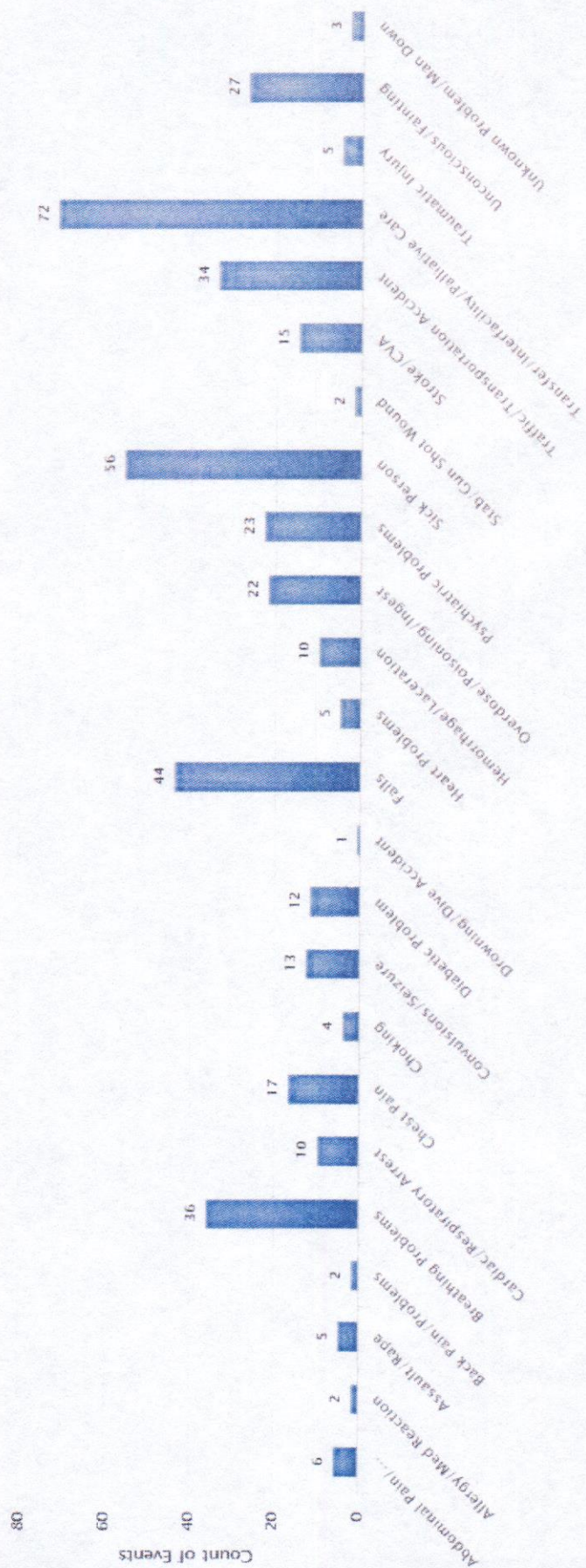
\$410,000

This year our air packs will expire on warranty and we do not have a date on end of life from the vendor. We will have an increase in maintenance cost associated with the repairs that are ongoing. We will start to have air bottles that can no longer be hydrostatic tested. In FY 2018 we have 39 bottles that can no longer be tested and need to be replaced. It is not good practice to have 2 different air packs for our firefighters use. For safety reasons, I am recommending we purchase the new air packs all at once.

Calls by Time of Day All

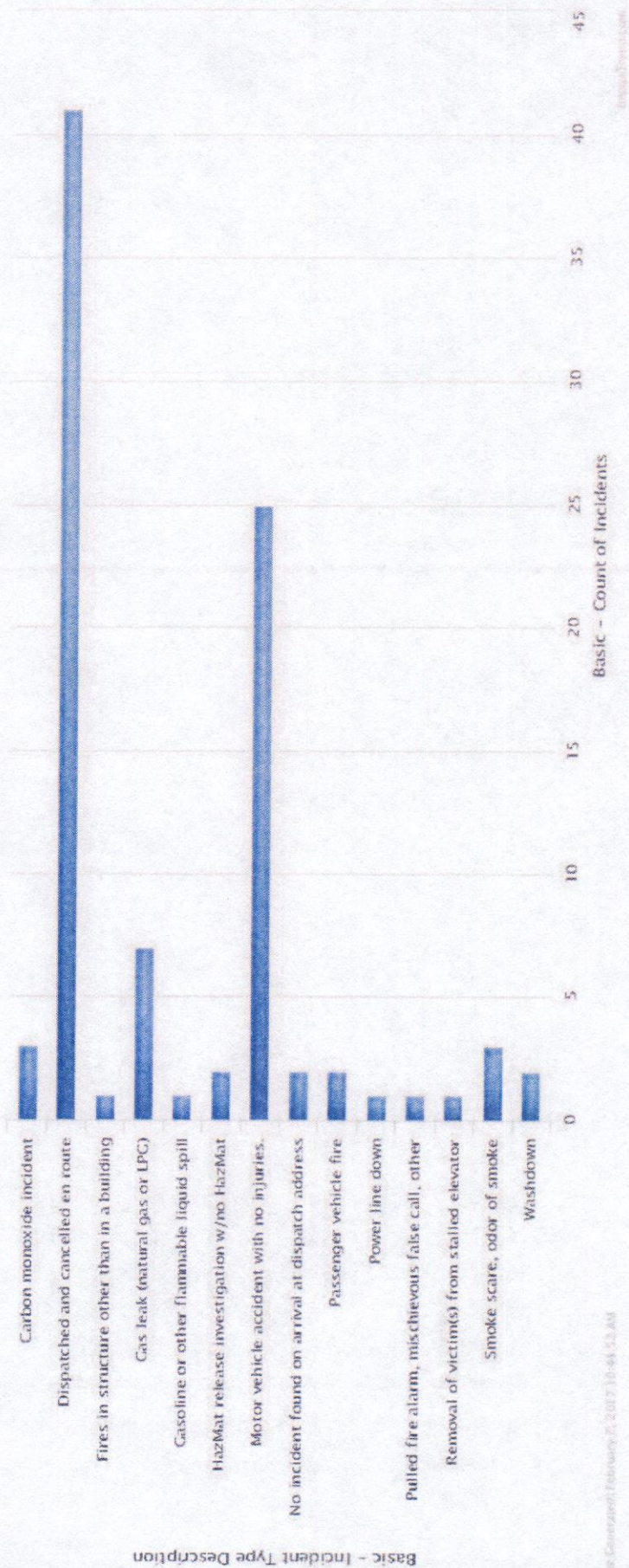


Ems incident type



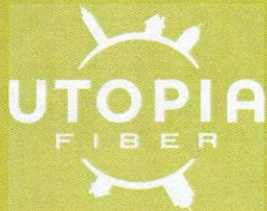
Complaint Reported By Dispatch (E03.01)

Fire Incident Type



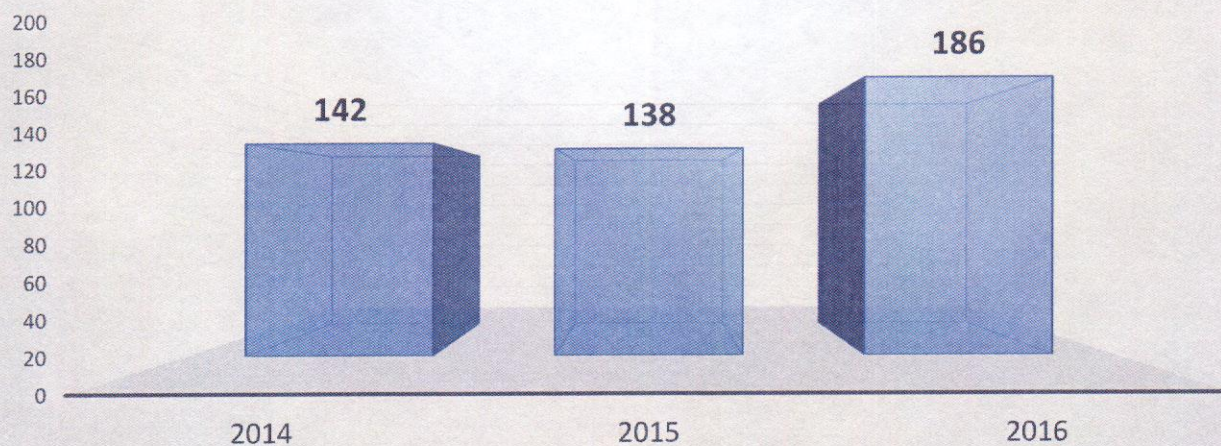
Total Calls

Basic - Incident Year	2016	2017
Basic - Incident Month		
January		625
February		86
April	486	
May	616	
June	559	
July	652	
August	537	
September	517	
October	517	
November	582	
December	616	



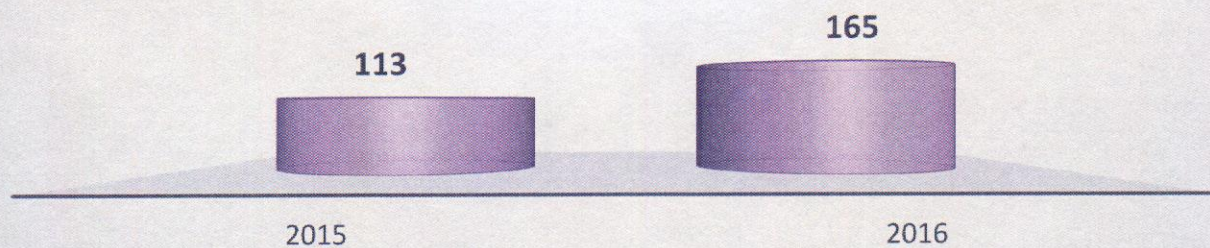
2016 CENTERVILLE SALES

Residential Sales



Centerville City Net Growth

Business and Residential





CENTERVILLE SURVEY RESULTS

How did you hear about UTOPIA Fiber?

- From your city or municipality: 78%
- From a friend or neighbor: 39%

How important were each of the following in helping you to decide to sign up with UTOPIA Fiber?

- **Price**
 - Very Important: 37%
 - Extremely Important: 42%
- **Internet speed**
 - Very Important: 18%
 - Extremely Important: 78%
- **The utilization of a fiber network**
 - Very Important: 27%
 - Extremely Important: 46%
- **Reliability of the UTOPIA Fiber network**
 - Very Important: 35%
 - Extremely Important: 55%

How would you rate each of the following aspects of your experience with UTOPIA Fiber?

- **Overall quality of internet provided by UTOPIA Fiber**
 - Satisfied: 35%
 - Very Satisfied: 51%
- **Reliability of internet provided by UTOPIA Fiber**
 - Satisfied: 34%
 - Very Satisfied: 49%

Feedback:

- "To be fair, all of it. I bought my home specifically for the fact it was wired for UTOPIA service."
- "I like the high speed and reliability of the UTOPIA network. There is nothing better."
- "They automatically increase my internet speeds to keep up with the market increases."
- "I don't really have to think about it. It just works and has enough bandwidth."

Net
Promoter
Score:
56

92% would
recommend
UTOPIA
Fiber

Speed
&
Reliability

Finance Committee Report (Unaudited)
COMBINED UTOPIA AND UIA
December 2016 (50.00% of Budget)

	Current Month	Year to Date	FY17 Budget	% of Budget	Prior Year YTD	% of Budget
Revenue						
Recurring	\$ 1,238,739	\$ 7,131,220	\$ 13,939,153	51.16%	\$ 6,088,540	51.72%
Install	4,570	215,026	-		\$ 216,305	
UIA IRU	114,247	665,606	1,307,133	50.92%	537,560	48.91%
Interest Income	17,736	123,992	39,000	317.93%	16,549	#DIV/0!
Other Income	-	55,000	-		4,324	#DIV/0!
Total Revenue	<u>\$ 1,375,292</u>	<u>\$ 8,190,844</u>	<u>\$ 15,285,286</u>	53.59%	<u>\$ 6,863,278</u>	53.32%
Operating Expenses						
Administrative Expense	490,814	2,868,980	6,366,229	45.07%	2,621,481	44.10%
Professional Services	24,394	176,635	482,880	36.58%	209,227	34.25%
Network Management	200,265	1,294,109	2,717,313	47.62%	1,225,141	48.06%
Misc. Expense	-	-	-		-	
Total Operating Expenses	<u>715,474</u>	<u>4,339,723</u>	<u>9,566,421</u>	45.36%	<u>4,055,849</u>	44.55%
Bond Payments						
IRU Capital Lease Interest	6,000	36,000	96,000	37.50%	36,000	37.50%
Interest Expense	1,399,477	8,062,025	16,822,000	47.93%	7,753,904	47.80%
Principal	-	1,967,027	2,347,005	83.81%	1,184,189	84.17%
Total Bond Payments	<u>1,405,477</u>	<u>10,065,052</u>	<u>19,265,005</u>	52.25%	<u>8,974,093</u>	50.63%
Total Expenditures	<u>\$ 2,120,950</u>	<u>\$ 14,404,775</u>	<u>\$ 28,831,426</u>	49.96%	<u>\$ 13,029,942</u>	48.57%
Use/Contribution to Fund Balance (Revenues Over/Under Expenditures)	<u>(745,658)</u>	<u>(6,213,931)</u>	<u>(13,546,140)</u>		<u>(6,166,664)</u>	

Note: Total Expenditures does not include depreciation or amortized bond costs (which are not-cash items)

Finance Committee Report (Unaudited)
UTOPIA
December 2016 (50.00% of Budget)

	Current Month	Year to Date	FY17 Budget	% of Budget	Prior Year YTD	% of Budget
Revenue						
Recurring	\$ 465,831	\$ 2,734,258	\$ 5,244,248	52.14%	\$ 2,356,891	54.74%
Install	200	124,880	-		85,919	
UIA IRU	114,247	665,606	1,307,133	50.92%	537,560	48.91%
Interest Income	1,025	6,486	-		70	#DIV/0!
Other Income	-	55,000	-	#DIV/0!	4,324	#DIV/0!
Total Revenue	<u>\$ 581,303</u>	<u>\$ 3,586,229</u>	<u>\$ 6,551,382</u>	54.74%	<u>\$ 2,984,764</u>	55.22%
Operating Expenses						
Administrative Expense	\$ 474,434	\$ 2,665,716	\$ 5,970,229	44.65%	\$ 2,544,156	45.14%
Professional Services	22,472	165,196	458,880	36.00%	198,006	33.74%
Network Management	141,902	961,303	1,992,720	48.24%	1,020,281	48.47%
Misc. Expense	-	-	-		-	
Total Operating Expenses	638,808	3,792,215	8,421,829	45.03%	3,762,443	45.18%
Bond Payments						
Interest Expense	1,158,003	6,620,295	13,918,000	47.57%	6,628,441	48.58%
Principal	-	322,027	702,005	45.87%	179,189	44.59%
Total Bond Payments	<u>1,158,003</u>	<u>6,942,322</u>	<u>14,620,005</u>	47.49%	<u>6,807,630</u>	48.47%
Total Expenditures	<u>\$ 1,796,811</u>	<u>\$ 10,734,538</u>	<u>\$ 23,041,834</u>	46.59%	<u>\$ 10,570,074</u>	47.25%
Use/Contribution to Fund Balance (Revenues Over/Under Expenditures)	<u>(1,215,508)</u>	<u>(7,148,308)</u>	<u>(16,490,452)</u>		<u>(7,585,309)</u>	

Note: Total Expenditures does not include depreciation or amortized bond costs (which are not-cash items)

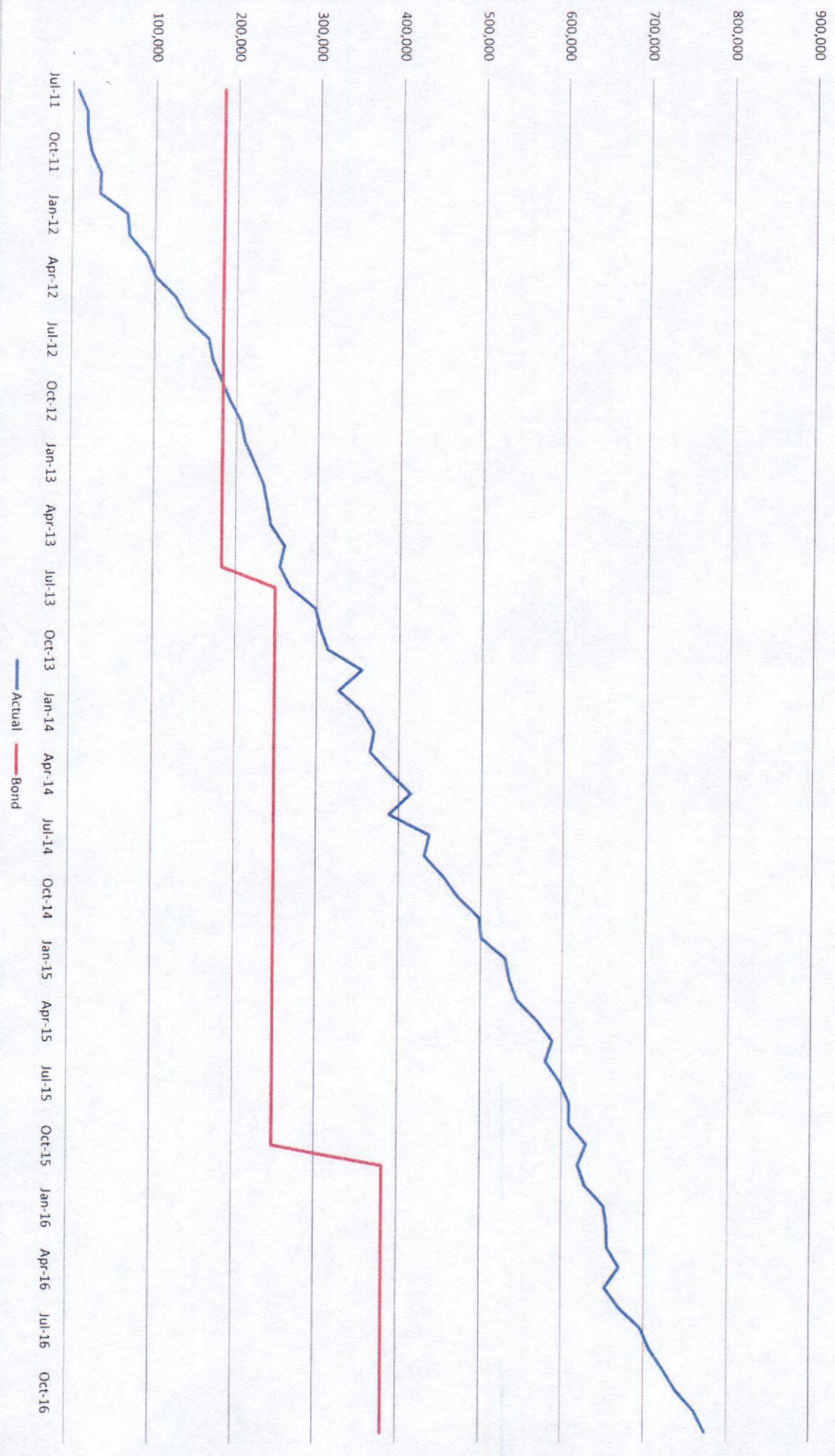
Finance Committee Report (Unaudited)
 UIA
 December 2016 (50.00% of Budget)

	Current Month	Year to Date	FY17 Budget	% of Budget	Prior Year YTD	% of Budget
Revenue						
Recurring	\$ 772,909	\$ 4,396,963	\$ 8,694,905	50.57%	\$ 3,731,648	49.98%
Install	4,370	90,147	-		130,386	
Interest Income	16,711	117,505	39,000	301.30%	16,479	#DIV/0!
Other Income	-	-	-		-	
Total Revenue	\$ 793,989	\$ 4,604,615	\$ 8,733,905	52.72%	\$ 3,878,513	51.94%
Operating Expenses						
Administrative Expense	16,380	\$ 203,264	\$ 396,000	51.33%	77,325	25.11%
Professional Services	1,922	11,438	24,000	47.66%	11,221	46.75%
Network Management	58,364	332,806	724,593	45.93%	204,860	46.14%
Misc. Expense	-	-	-		-	
Total Operating Expenses	76,665	547,508	1,144,593	47.83%	293,405	37.81%
Debt Payments						
IRU Capital Lease Interest	6,000	36,000	96,000	37.50%	36,000	37.50%
Interest Expense	241,474	1,441,730	2,904,000	49.65%	1,125,463	43.66%
Principal (1)	-	1,645,000	1,645,000	100.00%	1,005,000	100.00%
Total Bond Payments	247,474	3,122,730	4,645,000	67.23%	2,166,463	58.89%
Total Expenditures	\$ 324,139	\$ 3,670,238	\$ 5,789,593	63.39%	\$ 2,459,868	55.22%
Use/Contribution to Fund Balance (Revenues Over/Under Expenditures)	469,850	934,377	2,944,312		1,418,645	

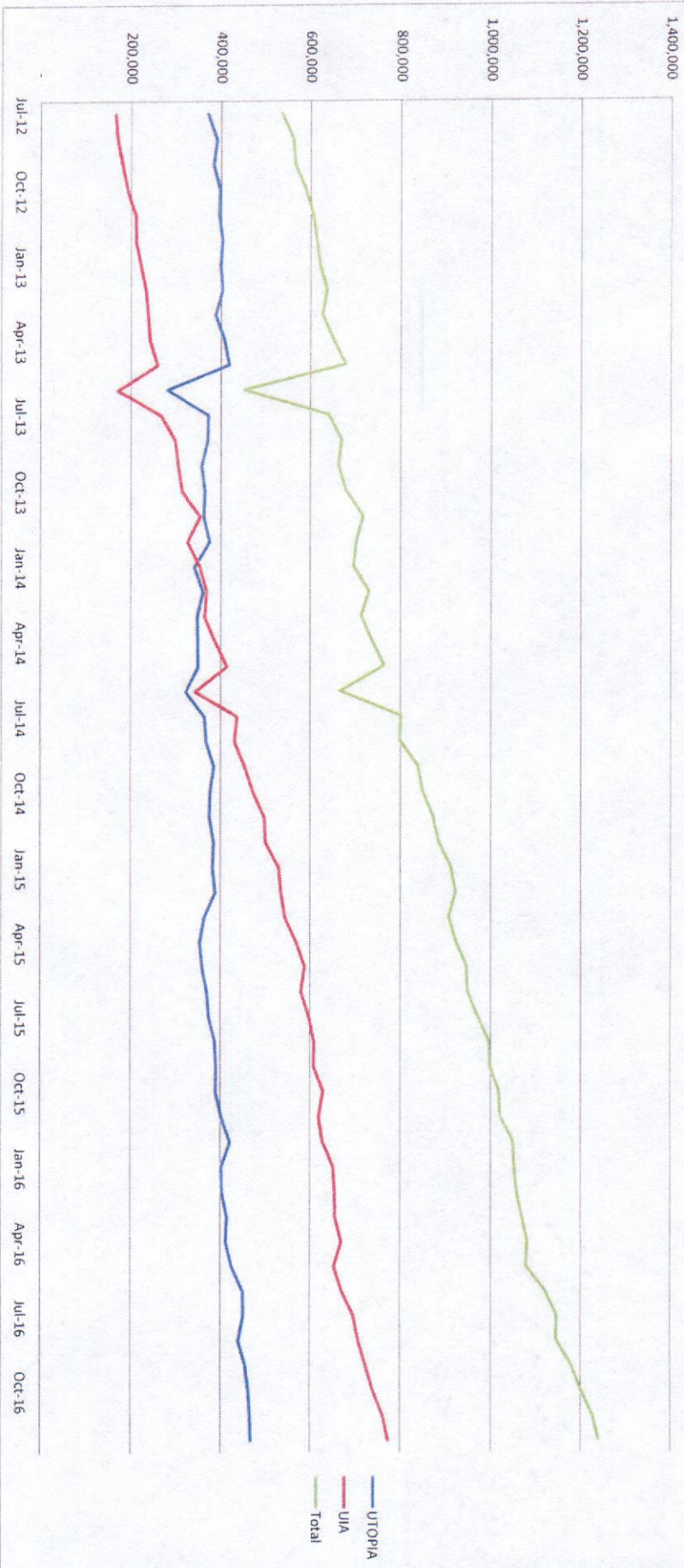
(1) Annual Principal payment made each October

Note: Total Expenditures does not include depreciation or amortized bond costs (which are not-cash items)

UIA Revenue v. Bond Obligation (Monthly Recurring Revenue)



Recurring Revenue Combined (UTOPIA and UIA)



**CENTERVILLE
CITY COUNCIL
Staff Backup Report
2/21/2017**

Item No. 9.

Short Title: City Council Liaison Report - Councilman Ince - Citizen Corps Council/Emergency Management/Davis Chamber of Commerce

Initiated By:

Scheduled Time: 8:25

SUBJECT

RECOMMENDATION

Allow Councilman Bill Ince to report on the emergency management activities of the Citizen Corps Council, as well as the Davis Chamber of Commerce.

BACKGROUND

Councilman Ince is Chair of the Citizen Corps Council and the City Council's rep to the Davis Chamber of Commerce.

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
2/21/2017**

Item No. 10.

Short Title: City Manager's Report

Initiated By: City Manager

Scheduled Time: 8:35

SUBJECT

- a. Consider scheduling work sessions
- b. Future of recreation program

RECOMMENDATION

BACKGROUND

a. The City Manager is looking for either a regular meeting or work session to discuss the sidewalks & trees issues. He would like all six elected officials to be present, if possible. He also is trying to schedule a joint work session for the City Council and Planning Commission to discuss the SE Neighborhood amendments and the future of Pages Lane corridor. Work sessions already scheduled are as follows:

- Wednesday, March 1 -- cemetery analysis, etc.
- Tuesday, March 21 -- UTOPIA Executive Director, Roger Timmerman

Mayor Cutler will miss the March 7 regular meeting, so no work session is currently scheduled for that date.

b. Lisa Summers informed the City Manager this week that 2017 will be the last year she will run the recreation program. Therefore, the City Manager wants to know if the City Council wants the City to continue offering a recreation program. If so, Lisa will be looking for an assistant this year who can take over in the future. Last year's assistant is not interested. Lisa would be interested in continuing as Youth Council Advisor and planning City-sponsored dinners, if the Council wishes her to do so. The baseball program is not affected by Lisa's decision.

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
2/21/2017**

Item No. 11.

Short Title: Miscellaneous Business

Initiated By: City Manager

Scheduled Time: 8:45

SUBJECT

- a. Direction re employee health insurance
- b. ULCT Mid-Year Conference in St. George - April 5 - 7

RECOMMENDATION

BACKGROUND

- a. The City Manager is assuming the Council still wants to convert the employee health insurance plan to a Health Savings Account (HSA) model this year. However, he also wants to know if the Council is willing to offer the traditional plan as an alternative under terms yet to be approved by the Council. The City's Broker recommends this approach, at least during a transition period. The Broker will be meeting with employees (spouses also invited) on March 1 to kick off the educational effort regarding an HSA plan. No details are yet known about premiums or the City's contribution into individual accounts, but employees can still become informed about how an HSA works, etc. The Broker will be soliciting renewal proposals from insurers beginning in March, and therefore would like to know if the Council is willing to offer both types of plans at least in this first year of transition. According to the Broker, employee cost-shares can be set that will encourage transition to the HSA, but still allow participation in a traditional plan.
- b. City Recorder Marsha Morrow has temporarily reserved 3 rooms at three hotels in St. George: 1) Fairfield Inn (very expensive); 2) Comfort Inn (medium priced); and 3) St. George Inn & Suites (low cost). If you plan to attend this conference, please contact Marsha and make your wishes known. Unfortunately, Fairfield Inn's rates are much higher than prior years, so Marsha also secured reservations at the other two hotels.

ATTACHMENTS:

Description

- Email re ULCT Mid-Year Conference in St. George - April 5 -7

Marsha Morrow

From: Susan Wood <swood@ulct.org>
Sent: Thursday, February 02, 2017 4:24 PM
To: Marsha Morrow
Subject: Save the Date! ULCT Midyear Convention: April 5-7, 2017



MIDYEAR CONFERENCE

APRIL 5TH-7TH

DIXIE CENTER, ST. GEORGE

WATCH FOR UPCOMING REGISTRATION INFORMATION

WWW.ULCT.ORG



©2017 Utah League of Cities and Towns | 50 South 600 East, Suite 150, Salt Lake City
UT 84102

[Web Version](#) [Forward](#) [Unsubscribe](#)

Powered by **Mad Mimi**®
A GoDaddy® company

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
2/21/2017**

Item No. 12.

Short Title: Closed meeting, if necessary, for reasons allowed by state law, including, but not limited to, the provisions of Section 52-4-205 of the Utah Open and Public Meetings Act, and for attorney-client matters that are privileged pursuant to Utah Code Ann. § 78B-1-137, as amended

Initiated By:

Scheduled Time: 8:55

SUBJECT

RECOMMENDATION

The agenda allows for the possibility of a closed meeting, if needed.

BACKGROUND

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
2/21/2017**

Item No. 13.

Short Title: Possible action following closed meeting, including appointments to boards and committees

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

Mayor Cutler may recommend appointments to City boards/committees.

BACKGROUND

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
2/21/2017**

Item No.

Short Title: Items of Interest (i.e., newspaper articles, items not on agenda); Posted in-meeting information

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

BACKGROUND