

Minutes of the Centerville **City Council** meeting held Tuesday, June 7, 2022, at 7:00 p.m. with participants present at Centerville City Hall, 250 North Main Street, and electronically via Zoom.

MEMBERS PRESENT

Mayor Clark Wilkinson

Council Members Gina Hirst
William Ince
George McEwan
Robyn Mecham

MEMBER ABSENT

Spencer Summerhays

STAFF PRESENT

Brant Hanson, RDA Executive Director
Lisa Romney, City Attorney
Jennifer Robison, City Recorder
Nate Plaizier, Finance Director
Cory Snyder, Community Development Director
Mike Carlson, Public Works Director
Bruce Cox, Parks and Recreation Director
Paul Child, Centerville Police Chief
Lt. Allen Ackerson, Centerville Police Department
Bryce King, Recreation/Events Coordinator

VISITORS

Interested Citizens
Lorene Kamalu, Davis County Commissioner
Amy Walker, Miller Harrison Law
Guy Haskell
Craig Salmon, Pasture LLC

PRAYER OR THOUGHT

Mayor Wilkinson

PLEDGE OF ALLEGIANCE

OPEN SESSION

Randy Graham said he was in favor of a text amendment that would allow sod to be replaced with artificial turf in a proper manner.

PRESENTATION

Davis County Commissioner Lorene Kamalu provided an update on projects and changes in Davis County, and answered questions from the Council.

PUBLIC HEARING – FY 2023 FINAL BUDGET

An open house was held for the public directly prior to the Council meeting to provide opportunity for discussion with the Council about the proposed property tax increase and water rate increase. Finance Director Nate Plaizier explained the City was required by State law to adopt a final budget prior to June 30 each year, unless a truth in taxation hearing was scheduled, in which case a final budget must be adopted by September 1. The FY 2023 Budget presented to the Council included a proposed property tax increase. Mr. Plaizier said staff recommended the Council adopt the FY 2023 Operational Budget, with intention to adopt the Final Budget after the truth in taxation hearing.

1
2 Mr. Plaizier presented the FY 2023 Budget. He explained the projected 5% increase in
3 sales tax revenue, estimated 35% increase in property tax revenue, and 35% increase in water
4 fees, and explained changes made since the last Council review of the Tentative Budget.

5
6 At 7:44 p.m., Councilmember Ince made a **motion** to open a public hearing.
7 Councilmember Hirst seconded the motion, which passed by unanimous vote (4-0). Seeing that
8 no one indicated a desire to comment, Mayor Wilkinson closed the public hearing.
9 Councilmember Hirst made a **motion** at 7:46 p.m. to table the item and continue the public
10 hearing until the City Council meeting on June 21, 2022, and direct staff to post notice of a public
11 hearing for June 21, 2022. Councilmember Mecham seconded the motion, which passed by
12 unanimous vote (4-0).

13
14 **PUBLIC HEARING – COMPENSATION SCHEDULE AND JUSTICE COURT JUDGE**
15 **COMPENSATION**

16
17 Mr. Plaizier presented a proposed update to the Compensation Schedule, and explained
18 recommended Justice Court Judge compensation for FY 2023. Mr. Plaizier and City Manager
19 Brant Hanson answered questions from the Council regarding employee compensation.

20
21 At 7:55 p.m., Councilmember Ince **moved** to open a public hearing. Councilmember Hirst
22 seconded the motion, which passed by unanimous vote (4-0). At 7:56 p.m., Mayor Wilkinson
23 closed the public hearing. Councilmember Hirst **moved** to table Ordinance No. 2022-12 and
24 Resolution No. 2022-16 and keep the public hearing open until the Council meeting on June 21,
25 2022. Councilmember Mecham seconded the motion, which passed by unanimous vote (4-0).

26
27 Mayor Wilkinson announced the Council would consider Item 4 on the agenda prior to
28 Item 3.

29
30 **PUBLIC HEARING – HASKELL PLAT AMENDMENT – BAMBERGER STATION 2**
31 **SUBDIVISION**

32
33 Community Development Director Cory Snyder stated the applicant owned a plot within
34 Bamberger Station 2 Subdivision. A note on the existing subdivision plat restricted the building of
35 subsurface floor areas. Mr. Snyder explained the applicant desired for the note to be removed
36 from the subdivision plat, with the argument that there were other methods available to handle
37 issues related to the note. Mr. Snyder said the plat note was originally included because a
38 subsurface drain was not installed with development of the subdivision.

39
40 Mr. Snyder said the applicant desired to construct a basement for Lot 4 of the Subdivision,
41 and proposed the following three subsurface drain design options:

- 42
43 1) Install a lateral to Lot 4 from a main line stubbed near the back lot line of Lot 5.
44 2) Install additional main line from Lot 5 to back area of Lot 4 (with a clean-out box) and
45 then extend a lateral to Lot 4.
46 3) Install a sump pump for Lot 4 to pump out subsurface to the curb and gutter of 160
47 West.

48
49 Mr. Snyder reported the Public Works Director and the City Engineer reviewed the
50 application, and staff recommended the City not accept any of the proposed subsurface drain
51 options. City Attorney Lisa Romney said staff received a letter from the applicant's attorney earlier
52 that day requesting the Council specifically address issues regarding the Storm Drain Extension
53 Agreement related to the property. She said she believed the issues raised were relevant to the
54 plat amendment and should be addressed as requested, and recommended the Council table the
55 matter to provide time for further review.

1
2 Amy Walker, attorney for the applicant, said the applicant had a geotechnical analysis of
3 the subsurface soils and historic water levels done on the subject property in the course of
4 removing a deeply rooted tree. She said the study found the historic water levels did not exceed
5 approximately nine feet deep. Ms. Walker said she believed the City Council should consider
6 removing the extremely strict plat note based on information provided, but added that an
7 amendment to the plat note would also be acceptable.

8
9 Councilmember Mecham pointed out the City was currently experiencing drought
10 conditions, and commented that the water table did change over time. She said she used to live
11 at a residential property very near the subject property with a six-foot basement that flooded three
12 feet at one time. Councilmember Mecham said the plat note was put on as a protection because
13 the water table did sometimes get very high in that area. Ms. Walker said she believed the historic
14 water level analysis showed subsurface water levels had dropped, possibly related to installation
15 of the neighboring Florentine Villa subsurface drain system, which occurred after Councilmember
16 Mecham moved away from the neighborhood.

17
18 Mr. Snyder said staff reviewed the proposed plat amendment based on the stated intent
19 of the applicant to install a subsurface drain system. He said what he heard in the applicant
20 presentation was a proposed alternative. Mr. Snyder questioned whether the applicant was
21 requesting a plat amendment to eliminate the plat note and install a subsurface drain, or was
22 requesting to change the plat note in relation to a reevaluated water baseline.

23
24 At 8:14 p.m., Councilmember Ince **moved** to open a public hearing. Councilmember
25 Mecham seconded the motion, which passed by unanimous vote (4-0). Mayor Wilkinson closed
26 the public hearing at 8:15 p.m. Councilmember Ince **moved** to table the issue for consideration
27 after staff and the applicant resolved the questions discussed, and continue the public hearing to
28 that point in time. Councilmember Mecham seconded the motion, which passed by unanimous
29 vote (4-0).

30
31 **PUBLIC HEARING – ZONE CODE AMENDMENTS – OFF-STREET PARKING**
32 **CHANGES – CZC 12.52**
33

34 Mr. Snyder explained the Planning Commission had received several parking modification
35 requests over the last few years. When plans to update the General Plan were postponed, the
36 Planning Commission set a goal to reevaluate parking standards, and identified uses in each
37 zoning category on which to focus. ESI Engineering was hired to evaluate the identified uses and
38 provide recommendations. Staff and the Planning Commission reviewed and considered the
39 recommendations from ESI, and put together the Zone Code Amendments that were forwarded
40 to the Council for consideration. Mr. Snyder suggested the Council keep in mind that Centerville
41 had moved into a redevelopment stage as a City when considering the proposed off-street parking
42 changes. He referred to the large parking lots at Target and Home Depot, and commented that
43 the City could incentivize redevelopment of those types of areas with a reduction in parking
44 requirements. Mr. Snyder spoke of the shift in recent years to online shopping, and the possible
45 long-term need to reinvent commercial areas.

46
47 Councilmember Mecham commented that Centerville was different from many municipal
48 areas with regard to public transit. She expressed concern with shifting away from a parking
49 standard based on number of seats available for Club or Organization use to a parking standard
50 based on building size, since it was not always known what would occur within a building. She
51 said citizens had complained to her about an excessive number of handicap parking spaces at
52 Target, and said citizens had complained to her that some businesses in the City, particularly on
53 Main Street, did not have enough parking available. Mr. Snyder said he agreed parking was an
54 issue for businesses on Main Street, and suggested the South Main Street Plan may be the right

1 tool to address business parking on Main Street. He pointed out that for some uses in the City,
2 parking standards based on seating would not provide enough parking.

3
4 Councilmember Ince asked if it would be possible to look at 20 of the higher profile
5 commercial properties in Centerville and compare number of parking spaces with existing parking
6 standards to proposed parking standards. Mr. Snyder said such a comparison was possible if the
7 Council wanted to spend the time. Responding to a question from Mayor Wilkinson, Mr. Snyder
8 said some cities were establishing a maximum number of parking spaces for big box business to
9 avoid a sea of asphalt. He spoke of synergy from a traffic safety point of view created by reducing
10 the amount of parking available in a commercial area. Councilmember Mecham said she was
11 more concerned about smaller businesses than the big box businesses.

12
13 Responding to a question from Councilmember Hirst, Mr. Snyder said he believed the
14 proposed parking standards would provide a good base and a better balance. He listed fast food
15 businesses in the City that needed more parking than they had, and fast-food businesses that
16 had more parking than they needed, and pointed out that the need was partially dependent on
17 the particular business at a location. He also pointed out that tenants changed over time.

18
19 Mr. Snyder explained the Planning Commission felt an update to off-street parking
20 standards was warranted due to the number of parking modification requests they had received.
21 Councilmember Ince repeated that he was interested in seeing a comparison of the amount of
22 parking required when existing businesses were developed, and the amount of parking that would
23 be required with proposed standards. Councilmembers Hirst and Mecham said they agreed.
24 Councilmember Mecham said she was comfortable with the proposed changes to parking
25 modification requests.

26
27 At 9:01 p.m., Councilmember Ince **moved** to open a public hearing. Councilmember Hirst
28 seconded the motion, which passed by unanimous vote (4-0). Seeing that no one wished to
29 comment, Mayor Wilkinson closed the public hearing. Councilmember Ince **moved** to table the
30 matter and ask staff to provide parking numbers with existing and proposed standards for
31 properties in the City that had been problematic as soon as possible. Councilmember Hirst
32 seconded the motion, which passed by unanimous vote (4-0).

33 34 **REMEDATION BOND AGREEMENT – PASTURE BUSINESS PARK PHASE 3**

35
36 The Planning Commission approved the final site plan for Phase 3 of the Pasture Business
37 Park consisting of a commercial building and related site improvements for property located at
38 approximately 1265 West 1275 North. After final site plan approval, the City became aware of
39 unauthorized fill and asphalt millings on the subject property and on adjacent property in violation
40 of final site plan approval. City Attorney Lisa Romney stated the developer was required to
41 remediate and restore the property to remove all unauthorized fill and asphalt millings. She
42 recommended the Council enter into the proposed Remediation Bond Agreement to allow staff to
43 conditionally issue a building permit to the developer, subject to the developer bringing the site
44 into compliance and posting a remediation bond to guarantee such performance.

45
46 Craig Salmon with Pasture LLC explained that dirt had been dumped on the property by
47 other parties. He described conversations with a Davis County Flood Engineer and UDOT, and
48 possible plans to mitigate the property. He requested the Council approve the Remediation Bond
49 Agreement to enable construction to proceed and to provide time for remediation.

50
51 Councilmember McEwan said he believed the proposed Agreement was a reasonable
52 compromise. Councilmember Hirst **moved** to approve the Remediation Bond Agreement
53 between the City and Pasture LLC for remediation of property located at approximately 1265 West
54 1275 North. Councilmember Mecham seconded the motion, which passed by unanimous vote (4-
55 0).

**AUTHORIZATION OF ISSUANCE FOR GENERAL OBLIGATION BOND FOR THE
PURCHASE OF LAND AND DEVELOPMENT OF A CEMETERY**

During the November 2021 Municipal Election, Centerville City voters approved the issuance of up to \$7,000,000 General Obligation Bonds for the creation of a new municipal cemetery. As part of the bonding process, the City was required to adopt through resolution an "Authorization of Issuance". This would be followed by a 30-day contest period, allowing the public the ability to contest the issuance of the bond. The resolution would also give the City one year to issue bonds. Should the City not issue bonds during the one-year period, the City would need to adopt a new resolution for the authorization of issuance, and repeat the process. Finance Director Nate Plaizier presented a proposed resolution drafted to begin the process.

Councilmember Ince **moved** to adopt Resolution No. 2022-18 authorizing the issuance and sale of not more than \$7,000,000 aggregate principal amount of General Obligation Bonds. Councilmember Hirst seconded the motion, which passed by unanimous vote (4-0).

SUMMARY ACTION

1. Bond Reduction and End Warranty – Lonestar Builders, Inc. – Quick Quack Car Wash

Councilmember Hirst **moved** to approve Bond Reduction #2 and end warranty for Lonestar Builders, Inc. for the Quick Quack Site in the amount of \$2,820.00. Councilmember Mecham seconded the motion, which passed by unanimous vote (4-0).

MINUTES REVIEW AND ACCEPTANCE

Minutes of the May 17, 2022 Work Session, Council Meeting, and Closed Session were reviewed. Councilmember Ince **moved** to accept all three sets of minutes. Councilmember Hirst seconded the motion, which passed by unanimous vote (4-0).

CITY COUNCIL REPORT

Councilmember Ince provided an update on the Centerville Community Corps, a group designed to integrate community assistance to the Police Department and Fire Department in the event of an emergency. He reported the Tree Board was preparing to meet with the Council sometime in the Fall, and provided an update on ongoing cooperation and negotiations between the Trails Committee and representatives of the gun range.

MAYOR'S REPORT

- Mayor Wilkinson reported the Youth City Council was currently interviewing for new members.
- Centerville citizens who served in the military were invited to submit their names for inclusion on the Veteran Wall in Bountiful City.
- A formal ground breaking for Young Powersports was scheduled to occur on Friday, June 10th.
- Mayor Wilkinson requested feedback from the Council regarding information and material to include in the upcoming City Newsletter.

CITY MANAGER'S REPORT

- Mr. Hanson said the Council would have opportunity at a future meeting to formally recognize the Centerville Community Corps as a City-sponsored committee.

- The Council was scheduled to discuss pickleball courts at an upcoming meeting.
- Mr. Hanson recommended the Council schedule a truth in taxation hearing for the last week of August. A majority of the Council agreed with tentatively scheduling August 23, 2022 at 6:00 p.m.
- Mayor Wilkinson thanked Councilmember Ince for the time he put into CERT.

ADJOURNMENT

At 9:31 p.m., Councilmember Ince **moved** to adjourn the meeting. Councilmember Mecham seconded the motion, which passed by unanimous vote (4-0).

Jennifer Robison
Jennifer Robison, City Recorder

6-21-2022
Date Approved

