

CENTERVILLE CITY COUNCIL AGENDA

NOTICE IS HEREBY GIVEN THAT THE CENTERVILLE CITY COUNCIL WILL HOLD ITS REGULAR PUBLIC MEETING AT 7:00 PM ON OCTOBER 4, 2016 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:

5:30 Work Session with Parks & Recreation Committee re Parks Capital Improvement Plan

7:00 **A. ROLL CALL**

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

B. PLEDGE OF ALLEGIANCE

C. PRAYER OR THOUGHT

Mayor Cutler

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. | Presentation by Shawn Beus, Davis County Economic Development |
| 7:20 | 2. | Minutes Review and Acceptance
September 20, 2016 work session, September 20, 2016 regular Council meeting, and September 7, 2016 joint work session with the Planning Commission |
| 7:20 | 3. | Rocky Mountain Power Franchise Extension
Consider extension of Rocky Mountain Power Franchise for additional five years - Ordinance No. 2016-28 |
| 7:25 | 4. | Public Hearing - PDO Amendments - Chapel Ridge Cove PDO - 2172 North Chapel Ridge Circle
Consider proposed amendments to the Chapel Ridge Cove Planned Development Overlay (PDO) to allow for alternative housing styles for Lots 5, 6, 8, 9 and 10 - Ordinance No. 2016-30 |
| 7:35 | 5. | Public Hearing - Zoning Map Amendment (Rezone) - Balling Townhomes - 323 East Pages Lane
Consider the proposed Zone Map Amendment (rezone) for property located at approximately 323 East Pages Lane from Commercial-High (C-H) to Residential-High (R-H) - Ordinance No. 2016-31 |
| 7:55 | 6. | General Plan Amendments - Bicycle & Non-Motorized Vehicle Pathways and Trails Master Plan Map
Consider proposed General Plan amendments to Section 12-450-3 regarding Bicycle and Non-Motorized Vehicle Pathways in the Transportation and Circulation element of the General Plan, and amendments and updates to the Centerville Trails Master Plan Map as referenced in Section 12-460-2 regarding Trails in the Community Facilities element of the General Plan – Ordinance No. 2016-21 |
| 8:05 | 7. | Administrative Policy - Newsletter, Utility Bill Inserts and Public Outreach Policy
Consider adoption of new administrative policy regarding Newsletter, Utility Bill Inserts and Public Outreach Policy - Resolution No. 2016-24 |
| 8:20 | 8. | Discuss potential uses of RAP tax revenue |
| 9:05 | 9. | Mayor's Report
a. UTOPIA/UIA financial reports
b. City Hall furniture and sound upgrades |
| 9:15 | 10. | City Manager's Report
a. Update re future events: <ul style="list-style-type: none">• October 5 -- Sidewalks & Trees Open House, 6 to 8 p.m.• October 8 -- Emergency Communications Exercise, 10 a.m.• October 8 -- Pedestrian Bridge ribbon-cutting, 12 noon |
| 9:20 | 11. | Miscellaneous Business |
| 9:25 | 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
CITY COUNCIL
Staff Backup Report
10/4/2016**

Item No.

Short Title: Work Session with Parks & Recreation Committee re Parks Capital Improvement Plan

Initiated By:

Scheduled Time: 5:30

SUBJECT

RECOMMENDATION

Allow the Parks Committee members and support staff, Bruce Cox, to review their latest update of the Parks Capital Improvement Plan with the City Council, and explain their recommended priorities for parks projects over the next few years. Then allow the City Manager and Parks & Recreation Director to review the proposed phasing and cost estimates for completing the Community Park expansion and maintaining the asphalt surfaces within City parks. The City Manager recommends the Council postpone any decision-making about the use of RAP Tax revenue until their regular meeting later in the evening, thus giving Council members the opportunity to discuss other potential uses before making funding decisions.

BACKGROUND

The information provided to the City Council in this work session will be useful as they discuss the potential uses of RAP Tax during the regular Council meeting later the same evening. The following attachments will be referred to during the work session:

- Parks Capital Improvement Plan (updated 9/13/2016)
- Cost estimate for Community Park Expansion, Phases 2 and 3
- Recommended Maintenance Schedule for Parking Lots and Trails
- Comparison of Proposed Parks Expenditures with Projected Revenues

The last attachment compares the proposed parks-related expenditures in FY 2017 and FY 2018 with the projected available funding from Park Impact Fees and RAP Tax revenue. This should *not* be interpreted to mean staff are recommending all available RAP Tax revenue during that time frame be used for only parks purposes. However, the comparison is useful to show that if the Council wants to fund all of the proposed parks expenditures shown in the comparison--and use some RAP Tax revenue for non-park purposes--one or more of the following conditions or strategies would likely be needed:

- Stretch out Phase 3 of Community Park Expansion into FY 2019
- Park Impact Fee revenue greater than the estimates used in the comparison
- Grants or donations for parks improvements (such as from the Recreation District)
- Funds are loaned from either an internal source (such as Cemetery Perpetual Care Fund) or an external source (such as Recreation District or bond issue) and repaid from RAP Tax revenue beyond FY 2018
- Direct financial help from the General Fund

The Council can discuss these and other potential strategies during the regular council meeting later in the evening.

ATTACHMENTS:

Description

- ▣ Parks CIP
- ▣ Estimates Phases 2 & 3
- ▣ Parking Lot/Trails Maintenance Schedule
- ▣ Comparison of Proposed Park Revenues & Expenditures

Parks Capital Improvement Plan

All dollar amounts are rough estimates only.

HIGH TO LOW PRIORITY				Impact Fee Eligible
1	Community Park Expansion	phase 2: Parking and Path (.26 miles)	\$ 600,540	\$ 600,540
2	"	phase 3: Sports Fields	\$ 455,520	\$ 455,520
3	"	Small Bowery/restrooms	\$ 100,000	\$ 100,000
4	Porter-Walton Park	Swingset + Toddler Seat	\$ 3,000	
5	Community Park	Additional Lighting in Parking Lots	\$ 25,000	
6	Community Park Expansion	Additional Playground	\$ 50,000	\$ 50,000
7	Community Park	Ballfield Lights/Scoreboards	\$ 160,000	
8	*Island View Park	Replace Playgrounds	\$ 100,000	
9	"	Concept plan/Design Grading	\$ 100,000	
10	"	Renovate Tennis Courts	\$ 150,000	
11	"	Renovate/Rebuild Lower Level Restrooms	\$ 55,000	
12	"	Remove Handball/Build Pickleball courts	\$ 150,000	
13	"	New Restroom/Pavilion on Upper Level	\$ 60,000	
14	All Parks and Urban Trails	Maintenance of Asphalt surfaces (10 years)	\$ 240,000	
15	Replace/repair of existing amenities; Playgrounds, pavilions, paths, courts.		\$ 300,000	
16	Parrish Creek Pond	Develop nature park	\$ 150,000	\$ 150,000
17	Location To Be Determined	Splash Pad/interactive water feature	\$ 500,000	
18	Additional Park Amenities	2 Tennis Courts	\$ 300,000	
19	Location To Be Determined	2 Basketball Courts	\$ 150,000	
20	Location To Be Determined	4 Pickleball Courts	\$ 150,000	
21	Trail Improvements	Legacy/D&RG Trailhead w/restrooms	\$ 100,000	
22	Frontage Road	West Side Landscaping	\$ 400,000	
23	Future Park(s) Location TBD	Purchase of Property (7.21 acres)	\$ 680,000	\$ 205,000
24		Phase 1: Concept Planning and Design	\$ 20,000	\$ 6,000
25		Phase 2: Grading	\$ 60,000	\$ 18,000
26		Phase 3: Drainage and Utilities	\$ 36,000	\$ 12,000
27		Phase 4: Irrigation and seed	\$ 600,000	\$ 180,000
28		Phase 5: Parking and Path	\$ 150,000	\$ 45,000
29	Additional Park Amenities	Pavillion/Restroom Playground	\$ 300,000	\$ 190,000
30	**City Hall/Founders Park Expansion	Purchase & Improve .98 acres	\$ 700,000	\$ 700,000
Total Improvements			\$ 6,845,060	\$ 2,712,060

* Island View Park Complete Rebuild estimate at \$ 141,400 per acre
4.6 acres

**Make funding available for opportunity \$ 650,440

POTENTIAL FUNDING SOURCES

- 1 Future Park Impact Fees/Developer Contributions
- 2 Grants
- 3 General Fund
- 4 RAP Tax
- 5 Recreation District
- 6 Dedicated Property Tax
- 7 Private Donations

***None of the cost estimates have been adjusted for inflation in future years.

**ESI Engineering, Inc.**

3500 South Main, Suite 206
Salt Lake City, Utah
Phone (801) 263-1752
www.esieng.com

Consulting Engineers & Land Surveyors

Project	Community Park Expansion		Sheet No. 1 of 2
Owner	Centerville City		Project No. 16-123
Estimated by:	CDP	Date: 8-29-16	
Checked by:	KLC	Date:	
Conceptual Estimate			

ITEM NO.	ITEM DESCRIPTION	QUANTITY	UNITS	UNIT PRICE	AMOUNT
Phase 2 - Parking Lot and Asphalt Trail					
1	Remove existing curb and gutter	720	LF	\$10.00	\$7,200.00
2	Sawcut, remove existing asphalt	10,000	SF	\$1.00	\$10,000.00
3	Remove exiting trees	15	EA	\$500.00	\$7,500.00
4	Remove exiting culverts / inlet boxes	1	LS	\$2,500.00	\$2,500.00
5	Clear and grub (haul away vegetated material)	1	LS	\$5,000.00	\$5,000.00
6	Install new curb and gutter, incl. base course	1,500	LF	\$20.00	\$30,000.00
7	Install sidewalk	3,900	SF	\$8.00	\$31,200.00
8	Install asphalt, 3" thick, including path	1,250	TN	\$75.00	\$93,750.00
9	Import granular fill (4" minus)	1,675	TN	\$12.00	\$20,100.00
10	Untreated base course	3,600	TN	\$15.00	\$54,000.00
11	Parking lot striping	1	LS	\$10,000.00	\$10,000.00
12	Install 12" RCP storm drain	200	LF	\$80.00	\$16,000.00
13	Install 4' concrete manhole	1	EA	\$2,500.00	\$2,500.00
14	Gravel bedding	100	TN	\$12.00	\$1,200.00
15	Install inlet box and grate	2	EA	\$2,500.00	\$5,000.00
16	Install 36" RCP flared end section	1	EA	\$2,500.00	\$2,500.00
17	Restore landscaping	1	LS	\$1,500.00	\$1,500.00
18	Site best management practices	1	LS	\$500.00	\$500.00
19	Mobilization	1	LS	\$20,000.00	\$20,000.00
20	Haul dirt to locations on Frontage Road	1	LS	\$5,000.00	\$5,000.00
21	Irrigation Water Reservoir	1	LS	\$175,000.00	\$175,000.00
	Sub Total				\$500,450.00
	Contingency	10%			\$50,045.00
	Engineering	10%			\$50,045.00
	Total				\$600,540.00

ITEM NO.	ITEM DESCRIPTION	QUANTITY	UNITS	UNIT PRICE	AMOUNT
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Phase 3 - Ball Fields					
1	Clear and grub	1	LS	\$5,000.00	\$5,000.00
2	Topsoil / sand	8,500	TN	\$10.00	\$85,000.00
3	Turf seeding	208,000	SF	\$0.20	\$41,600.00
4	Irrigation system for trees and seeding	208,000	SF	\$1.00	\$208,000.00
5	Install trees	40	EA	\$250.00	\$10,000.00
6	Landscape grading	1	LS	\$10,000.00	\$10,000.00
7	Mobilization	1	LS	\$20,000.00	\$20,000.00
	Sub Total				\$379,600.00
	Contingency	10%			\$37,960.00
	Engineering	10%			\$37,960.00
	Total				\$455,520.00

Recommended Maintenance Schedule For Parking Lots and Trails
Next 10 Years (2017 - 2026)

#	Street Name	YR Built (or RB)	Area (SY)	2016		2017		2018		2019		2020		2021		2022		2023		2024		2025		2026	
1	Public Works Building Parking Lot	2000	4,500	CS	\$1,295.89	SS	\$5,850.00									CS	\$2,250.00	OL	\$81,000.00	SS	\$5,850.00				
2	Public Works Storage Parking Lot	1993	4,800	CS	\$1,382.28	SS	\$6,240.00									CS	\$2,400.00	OL	\$86,400.00	SS	\$6,240.00				
3	Parks Department Building Parking Lot	2003	2,600	CS	\$748.73	SS	\$3,380.00									CS	\$1,300.00	OL	\$46,800.00	SS	\$3,380.00				
4	City Hall Parking Lot	1994	4,500	CS	\$1,295.89	SS	\$5,850.00									CS	\$2,250.00	OL	\$81,000.00	SS	\$5,850.00				
5	Cemetery	1990	4,500	CS	\$1,295.89	OL	\$81,000.00	SS	\$5,850.00									CS	\$2,250.00			SS	\$5,850.00		
6	Island View Park Upper Parking Lot	2006	1,400							CS	\$700.00	SS	\$1,820.00												
7	Island View Lower Parking Lot	1990	1,600			OL	\$28,800.00	SS	\$2,080.00									CS	\$800.00			SS	\$2,080.00		
8	Bamberger Trail	2006	1,150	CS	\$331.17	SS	\$1,495.00									CS	\$575.00			SS	\$1,495.00				
9	Porter Walton Trail	2005	600	CS	\$172.78	SS	\$780.00									CS	\$300.00			SS	\$780.00				
10	Community Park East Parking Lot	1996	4,000	CS	\$1,151.90			SS	\$5,200.00									CS	\$2,000.00			SS	\$5,200.00		
11	Community Park West Parking Lot	1998	3,900	CS	\$1,123.10			SS	\$5,070.00									CS	\$1,950.00			SS	\$5,070.00		
12	Community Park West Expantion Parking Lot	2017	4,600					SS	\$5,980.00									CS	\$2,300.00			SS	\$5,980.00		
13	Community Park West Expantion Trail	2017	1,300					SS	\$1,690.00									CS	\$650.00			SS	\$1,690.00		
14	Community Park Trail	1998	2,500	CS	\$719.94	OL	\$45,000.00	SS	\$3,250.00									CS	\$1,250.00			SS	\$3,250.00		
15	Smoot Park East Parking Lot	1990	1,500	CS	\$431.96							SS	\$1,950.00									CS	\$750.00		
16	Smoot Park West Parking Lot	1990	1,500	CS	\$431.96	SS	\$1,950.00									CS	\$750.00	OL	\$27,000.00	SS	\$1,950.00				
17	Freedom Hills Park Parking Lot	2006	2,900	CS	\$835.13							SS	\$3,770.00												
18	Freedom Hills Park Trail	2006	3,000	CS	\$863.92	SS	\$3,900.00									CS	\$1,500.00			SS	\$3,900.00				
19	Founders Park Parking Lot *	2004	1,500	CS	\$431.96																				
	*(Maintained by school district)																								
	Total		52,350		\$12,512.50		\$184,245.00		\$29,120.00		\$700.00		\$7,540.00		\$0.00		\$11,325.00		\$333,400.00		\$29,445.00		\$29,870.00		\$0.00

COMPARISON OF PROPOSED PARK EXPENDITURES WITH PROJECTED REVENUES

Available Funding - (FY2017 & 2018)

FY 2016 RAP Tax (April – June)	89,000
FY 2017 Rap Tax (estimate)	375,000
Park Impact Fees thru FY 2017 (est.)	<u>300,000</u>
(\$290,000 balance as of 7/31/16)	764,000
FY 2016 Infield Project (RAP Tax)	(11,267)
FY 2017 Museum Projects (RAP Tax)	(8,000)
Fall 2016 Crack Seal (RAP Tax)(est.)	<u>(8,000)</u>
	736,733
FY 2018 RAP Tax (est.)	390,000
FY 2018 Impact Fees (est.)	<u>10,000</u>
	1,136,733

Other Potential Funding Sources:

- Interfund Loan
- Grants
- Donations

Potential Park Uses of Available Funding (FY 2017 & 2018)

FY 2017 SS/Overlays (not IVP)	59,330	
Com. Park Expansion Phase 2	<u>600,540</u>	
		659,870
FY 2018 SS:	24,433	
Com. Park Expansion Phase 3:	<u>455,520</u>	
		<u>479,953</u>
		1,139,823
Other Potential Uses:		
- Playground equipment replacement		
- Performing Arts Center		
- Whitaker Museum Facilities		

CENTERVILLE

Staff Backup Report

10/4/2016

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's Summary Memo



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

To: Mayor Cutler
City Council
CC: Department Heads
Planning Commission
From: Steve H. Thacker, City Manager *A. Thacker*
Subject: City Manager's Summary of October 4, 2016 Council Meetings
Date: September 30, 2016

5:30 Work Session with Parks & Recreation Committee – The City Council will meet with the Parks & Recreation Committee at 5:30 p.m. to review and discuss the Committee's latest proposed update of the Parks Capital Improvement Plan and the proposed timing and cost estimates for Phases 2 & 3 of the Community Park Expansion. This discussion will provide useful information for the Council's discussion later in the evening—during their regular meeting—regarding the potential uses of RAP Tax revenues. Dinner will be available for the Council, Committee and staff beginning about 5:15 p.m.

7:00 Regular City Council Meeting

E.1. Presentation by County ED Director – Shawn Beus, the new Economic Development Director for Davis County, would like to introduce himself and explain the County's ED programs.

E.2. Minutes Review – In addition to approval of the September 20 meeting minutes, the Council should ratify the minutes of the September 7 joint work session with the Planning Commission. The Council approved these minutes earlier, but the PC made a few minor revisions since then. Those revisions are highlighted in yellow.

E.3. RMP Franchise Extension – In 2006 the City Council approved a new franchise agreement with Rocky Mountain Power that included an initial 5-year term with the opportunity to renew or extend the agreement for 5-year terms if acceptable to both parties. The first 5-year extension was approved by the City Council in 2011. RMP is now asking for another 5-year extension of the same agreement. City staff recommend approval. Steve Rush, Regional Business Manager for RMP, has been invited to attend.

E.4. Public Hearing—Chapel Ridge Cove PDO – The Planning Commission recommends approval of this amendment to the Planned Development Overlay for this subdivision. The amendment would allow alternative housing styles for the remaining lots in this subdivision.

E.5. Public Hearing—Zoning Map Amendment (Rezone)—Balling Townhomes – The Planning Commission recommends approval of this rezone of property at 323 E. Pages Lane from Commercial-High to Residential-High. The property owner/applicant has stated his intent is to construct



townhomes. The property is surrounded by a church on the north, a school on the west, high density residential on the east and commercial-high on the south.

E.6. General Plan Amendments—Bicycle & Non-Motorized Vehicle Pathways and Trails Master Plan

Map – These General Plan amendments will update the bicycle and trails sections of the General Plan. This matter was discussed in several earlier meetings after an initial public hearing. It was tabled again most recently to allow staff to make further revisions to the text and maps. The latest map revisions relate to the addition of another trail category to differentiate trails for pedestrians/cyclists from trails that also allow horses—labeled as “non-motorized use”.

E.7. Administrative Policy re Newsletters, Utility Bill Inserts and Public Outreach

– In an earlier meeting, the Council directed the City Attorney to draft a policy governing the use of the City’s public information outlets by other entities. Lisa Romney’s draft is available in the online meeting packet. I anticipate there will be considerable discussion about its contents and the interpretation of such, particularly as it limits content from non-profit entities. Therefore, staff will not be surprised if the Council wants more time before acting on this matter.

E.8. Discuss Potential Uses of RAP Tax Revenue

– The City Council has had limited discussion in prior meetings about the use of RAP Tax revenue that will be generated by the 10-year extension effective April 1, 2016. However, this will be the Council’s first opportunity to discuss in a more comprehensive sense the potential uses of this revenue source. The entities that have requested funding from this source are the Parks & Recreation Committee, CenterPoint Legacy Theatre, and the Whitaker Museum Board. The work session prior to the regular meeting will provide information from the Parks & Recreation Committee about the Parks Capital Improvement Plan and the Committee’s recommended priorities for the next few years. CenterPoint Theatre expressed their wish for RAP Tax funding in an earlier RDA/ACB meeting. The Whitaker Museum Board submitted a Capital Improvement Plan during the FY 2017 Budget process, for which they would like the Council to use RAP Tax revenues. Their CIP is attached to the staff report for the Council’s consideration.

E.9. Mayor’s Report

– Mayor Cutler will comment on the most recent UTOPIA/UIA financial reports, and will update the Council on efforts to replace the city hall lobby furniture and improve the sound quality in the council chambers.

E.10. City Manager’s Report

– I will report on future events identified on the agenda.

E.11. Miscellaneous Business

– At this time there are no topics identified under this heading.

E.12. Closed Meeting, if necessary

– At this time I do not know of a need for a closed meeting, but the agenda allows for that possibility.

E.13. Appointments to Boards and Committees

– Mayor Cutler may recommend appointments.

Potential Agenda Items for October 20, 2016 City Council meetings (subject to change):

- Report from staff re street sweeping frequency, priorities, etc.
- Briefing re stormwater regulations and related proposal to construct “decant” building to comply with regulations
- Public Hearing--Ordinance re repeal of flag lot provisions (Planning Commission recommendation is *not* to repeal)
- Museum Collections Management Policy
- City Attorney training re Planning Commission role and responsibilities
- Financial report for 3-month period ending Sept. 30

CENTERVILLE

**Staff Backup Report
10/4/2016**

Item No.

Short Title: Mayor Cutler

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

BACKGROUND

CENTERVILLE

Staff Backup Report

10/4/2016

Item No. 1.

Short Title: Presentation by Shawn Beus, Davis County Economic Development

Initiated By:

Scheduled Time: 7:10

SUBJECT

RECOMMENDATION

BACKGROUND

Mr. Beus is the new Economic Development Director for Davis County. He would like to introduce himself and inform the Council of the County's economic development programs.

ATTACHMENTS:

Description

- ▣ Davis County Economic Development Presentation



Davis
COUNTY

Connects.You.

Overview of Economic Development

Shawn Beus
Davis County Economic Development Manager



Davis
COUNTY

Connects.You.

Shawn Beus Background:

- Econ Dev for last 8 years:
 - Previously with Ogden City and Salt Lake City
- Also worked as: attorney, nonprofit housing developer, assisted living administrator, and health care
- Planning commission and City Council in Hooper
- Boards: Hooper Water, Refugee Employment, Neighborworks, Utah CDFI (nonprofit business lender)
- WSU, SLCC, BYU, U of U

Shawn Beus

Davis County Economic Development Manager

- Is Economic Development all about money?
 - Isn't it just materialism, commercialism, and capitalism?
 - Or is it socialism?



Economic Developers: Taking credit for what would have happened anyway.

Knowledge: A mile wide and an inch deep.

- ☐ Economics
- ☐ Geography
- ☐ Government/Politics
- ☐ Marketing
- ☐ Real Estate
- ☐ Engineering/
Construction
- ☐ HR/Labor
- ☐ Planning
- ☐ Education/Training
- ☐ Communications
 - ☐ Written
 - ☐ Public Speaking
- ☐ Research/Statistics
- ☐ Finance
- ☐ Business Administration
- ☐ Law
- ☐ Technology





Connects.You.

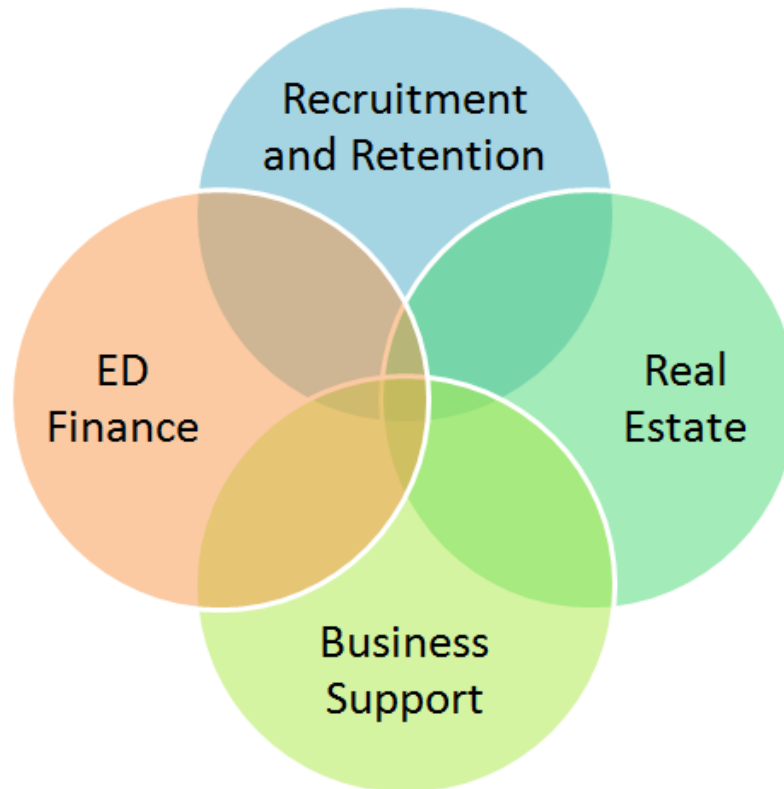
❖ The role of the economic developer:
“To influence the process for the
benefit of the community through
expanding job opportunities and the
tax base.”



Davis
COUNTY

Connects.You.

Basic Economic Development Approach:



New:
Workforce
Development



Connects.You.

1. Business Expansion and Retention
2. Business Attraction and Recruitment
3. Develop Sites/ Create Jobs
4. Increase E.D. Capability (collaboration)
5. Tourism and Events
6. Quality of Life



Davis Approach to Economic Development



Davis
COUNTY

Connects.You.



- CRA Creation
- Site Visit assistance
- Coordinate/facilitate other resources
 - GOED, DATC, DUED, WFRC, WTC, EDCU etc.
- Convening—liaison between government and business
- Davis Fund (business loans)
- Tourism funds, TTAB
- Transportation funds, Prop 1
- Events
- Tourism, “Davis” brand
- Quality of Life (trails, education, library)
- Conference Center, Fairgrounds
- Planning
- Bring back DUED (Feb. 2017)



Davis Economic Development Tools



Davis
COUNTY

Connects.You.

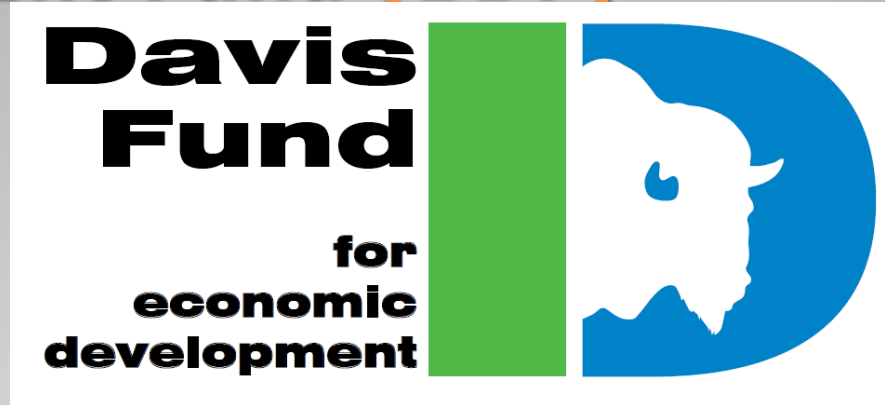


1. Energy and Natural Resources
2. Life Sciences
3. IT & Software (and disruptive technologies)
4. Outdoor Products and Recreation
- 5. Aerospace and Defense**
6. Financial Services



Governor's Economic Clusters

Re-launch former Business Development Fund (BDF)



- Focus on the “Davis Brand”
 - “Davis Quality”
- Short name is Davis Fund (easy to say)
- Outside Davis County it is referred to as the Davis Fund
- Focus on Economic Development

Davis Fund

**for
economic
development**



Improve economy and create quality jobs through loans to good, non-traditional businesses

- Formalize, quantify procedures, approvals, and data tracking
- Use as an incentive, factors such as:
 - Disadvantaged populations
 - Socially responsible companies, environmentally friendly
 - Targeted industries (aerospace/composites)
- Leverage/partner with private funding (gap financing)





**New
Business
Recruitment**

**Existing
Business and
Entrepreneurs**

**Quality of Life and
Workforce**

Infrastructure

Policy and Leadership

ED Improvements Pyramid



Davis
COUNTY

Connects.You.

1. Main Street improvements
2. Interchange beautification
3. Business park expansion
4. Revenue sources:
 - a) Special assessment areas
 - b) Loans
 - c) General Funds
 - d) Grants
 - e) General tax increase
 - f) Bonding

City Considerations

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
10/4/2016**

Item No. 2.

Short Title: Minutes Review and Acceptance

Initiated By: City Recorder

Scheduled Time: 7:20

SUBJECT

September 20, 2016 work session, September 20, 2016 regular Council meeting, and September 7, 2016 joint work session with the Planning Commission

RECOMMENDATION

Approve minutes from the September 20, 2016 work session and regular Council meeting and ratify the minutes from the September 7, 2016 joint work session with the Planning Commission.

BACKGROUND

In addition to the minutes from the September 20, 2016 meetings, the Council is asked to ratify the minutes from the September 7, 2016 joint work session. The Council previously approved the September 7, 2016 work session minutes on September 20, 2016. The minutes were then submitted to the Planning Commission for approval. The Planning Commission approved these minutes at their September 28, 2016 meeting with three changes. These changes to the minutes are highlighted in yellow and are set forth on page 2 at line 48, page 4 at line 34, and page 5 at line 6.

ATTACHMENTS:

Description

- ▣ 9-20-2016-CC-Work Session Minutes
- ▣ 9-20-2016-CC-Business Meeting Minutes
- ▣ 9-07-2016-CC PC-Work Session Minutes

Minutes of the Centerville City Council **work session** held Tuesday, September 20, 2016 at 5:15 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 (arrived at 5:57 p.m.)
Stephanie Ivie
George McEwan
Robyn Mecham

STAFF PRESENT

Steve Thacker, City Manager
Lisa Summers, Youth Council Advisor
Katie Rust, Recording Secretary

STAFF ABSENT

Blaine Lutz, Finance Director/Assistant City Manager
Lisa Romney, City Attorney

YOUTH COUNCIL PRESENT

Eli Bangerter, Youth Mayor	Coulsin Harris	Joe Moore
Lana Bangerter	Sarah Hawkes	Thomas Newman
Justin Barton	Annelise Horlacher	Hana Pertab
Sarah Cutler	Smith Jackson	Joshua Pitt
Grace Fillmore	Peter Jeppesen	Lindsey Richards
Sami Freeman	Katherine Kimball	Brooke Vogrenic
Eliza Greer	Nathaniel McDonald	
Sara Garn	Mica Mckee	

YOUTH COUNCIL ABSENT

Zachary Barton Emma Kimball

WORK SESSION WITH YOUTH COUNCIL

Eli Bangerter, Youth Mayor, presented the Youth Council calendar of activities and budget for 2016-2017. Mayor Cutler and Council members introduced themselves and described their various liaison responsibilities. Youth Council members were invited to attend meetings of any board or committee in which they are interested. The Mayor and Council members answered questions from Youth Council members, and discussed current Centerville issues with the Youth Council.

ADJOURNMENT

Mayor Cutler adjourned the work session at 6:40 p.m.

Marsha L. Morrow, City Recorder

Date Approved

Katie Rust, Recording Secretary

Minutes of the Centerville **City Council** meeting held Tuesday, September 20, 2016 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
Stephanie Ivie
George McEwan
Robyn Mecham

STAFF PRESENT

Steve Thacker, City Manager
Lisa Romney, City Attorney
Jacob Smith, Assistant to the City Manager
Bruce Cox, Parks and Recreation Director
Randy Randall, Public Works Director
Cory Snyder, Community Development Director
Katie Rust, Recording Secretary

STAFF ABSENT

Blaine Lutz, Finance Director/Assistant City Manager

VISITORS

Interested citizens (see attached sign-in sheet)

PLEDGE OF ALLEGIANCE

PRAYER OR THOUGHT

Jacob Smith, Assistant to the City Manager

AWARD TO CENTERVILLE CITY

Mayor Cutler recognized Randy Randall, Public Works Director, and Centerville City for receiving the Energy Efficiency Award at the National Rural Water Association's annual Tribute to Excellence awards ceremony in Orlando, Florida on September 12th.

OPEN SESSION

Nancy Lawrence – Ms. Lawrence expressed appreciation for each of the City Council members. She said she is concerned about the portion of the General Plan that would prohibit equestrian use of intercity pathways, and stated she is not sure why the Council would prohibit equestrian use on bike trails. Ms. Lawrence commented that as a motorist she feels a certain amount of stress when she is driving next to a cyclist, but the fact that she feels the stress does not mean the cyclist should not be allowed to use the roadway. She suggested it should be reasonable for drivers, cyclists, and horse riders to be responsible and look out for each other. Prohibiting equestrian use of public bike trails would be in conflict with the intent of public access areas.

Steve Allen – Mr. Allen stated he was informed by the Police Department that urban deer trapping can begin October 1st. He said he believes the urban deer are getting more aggressive this year, and emphasized that the entire community should be made aware of the options provided by the Urban Deer Control Program. Steve Thacker, City Manager, responded that the trapping program is authorized to begin August 1st, but would not be effective until other food sources are gone. Some success has been reported with the archery option.

Holly Peterson – Ms. Peterson reported a sticker weed problem on the west side of Main Street north of Centerville Junior High. She said the weeds cover most of the sidewalk and are

1 dangerous to pedestrians and bikers, particularly the children walking to and from school. Ms.
2 Peterson said she called the City offices with a complaint a couple weeks ago and was advised
3 to call back if they weren't taken care of. She expressed frustration with the disrespectful
4 response she said she received from Cory Snyder when she called back to follow up. She said
5 she was told that Main Street is not controlled by Centerville and is not his problem. She asked
6 why the City would discuss spending taxpayer dollars to beautify Main Street if the City is not
7 responsible and able to act when problems arise. Ms. Peterson said the City should start on
8 Main Street by making it safe for children and friendly for residents.
9

10 Mayor Cutler apologized to Ms. Peterson for the response she received from the staff
11 member, and said the City will work with the property owner to get rid of the sticker weeds.
12

13 Debbi Allred – Ms. Allred said she enjoys riding horses on City streets, and she is
14 concerned with movement toward prohibiting equine use of any public trail or roadway.
15

16 Ron Randall – Mr. Randall said he protests prohibiting any equine use in the city. He
17 said he feels there is room for all users on trails and roadways if laws are obeyed and common
18 sense is used.
19

20 Spencer Summerhays – Referring to the possibility that the Council may repeal the
21 existing SMSC Public Space Plan, Mr. Summerhays said he hopes the Council will first consider
22 what the ordinance would revert to. He said he hopes the Council has a vision based on a long-
23 term approach, not exceptions. He repeated his suggestion for north/south and east/west
24 symmetry on Main Street, with a right-of-way standard of four-foot park strip and four-foot
25 sidewalk. He suggested vertical elements, alternating between trees and decorative light poles.
26 He expressed confidence in the viability of appropriate drought tolerant plants. He repeated his
27 suggestion for a two-pronged payment approach, and his recommendation to add crosswalk
28 flashers at crosswalks on Main Street, adding that crosswalk flashers would also be beneficial at
29 400 West and Porter Lane. He said his approach would not require land-owners to give up any
30 land.
31

32 Holly Ince – Ms. Ince agreed with Nancy Lawrence's comments. She said she has
33 watched Salt Lake City transform streets for bikers. She said in one instance she saw seven
34 bikers pass her as she waited on the street – four in the designated bike lane, and three using
35 the sidewalk going against traffic. She asked why the city should worry about spending time
36 and money to separate bikers from cars if bikers will do what they want anyway. Ms. Ince said
37 she likes the cyclist motto "Share the Road." She commented that whether her car is parked or
38 moving, if a bike hits her car it is her insurance that pays for it. She suggested perhaps bikers
39 should be required to have insurance if they are allowed to use the roads.
40

41 Shannon Elite – Ms. Elite stated as an equestrian she enjoys use of the City streets and
42 trails on the hillside above Centerville three to five times per week. She said she is often
43 greeted warmly by citizens and has never had a negative experience with any citizens
44 complaining. She stated she takes the responsibility to remove waste seriously.
45

46 Marcella Leos – Ms. Leos stated she loves riding horses on City roads and would not
47 want that experience taken away.
48

49 Libby Cerar – Ms. Cerar expressed appreciation for the equestrian nature of the
50 conversation. As a cyclist, she said she agrees that sharing the road is a reasonable request.
51 As an equestrian, citizens have commented to her that horses on the City streets are a beautiful
52 sight. Ms. Cerar said she appreciates the freedom to be able to move around as she pleases.
53 She said she tries to be responsible with waste clean-up.

1 Ravi Cerar – Mr. Cerar commented that, as a cyclist, he is frequently on Main Street in
2 the morning, and has never seen a horse on Main Street when he has been out. He said he
3 would hate to see the ability taken away when there is not a high quantity of horses on the
4 roads.

5
6 **GENERAL PLAN AMENDMENTS – BICYCLE & NON-MOTORIZED VEHICLE**
7 **PATHWAYS AND TRAILS MASTER PLAN MAP**
8

9 City Manager Thacker presented suggested revisions to the proposed Centerville Trails
10 and Bikeways Map and the Centerville Trails and Bikeways Master Plan. He explained that the
11 intent had not been to prohibit equestrian use on roadways and trails. The revisions would
12 more clearly identify the few community pathways on which equestrian use is prohibited
13 because the pathways were not designed and built for equestrian use. He suggested a text
14 amendment to clarify equestrian use in the General Plan. Councilwoman Fillmore suggested
15 the Trails Committee check the Farmington equestrian trail access at Freedom Hills Park. She
16 suggested it would be beneficial to have equestrian representation on the Trails Committee.
17 Bruce Cox, Parks and Recreation Director, described the history and evolution of the Parks and
18 Recreation Committee and Trails Committee.

19
20 Councilman McEwan made a **motion** to table this issue to the next Council meeting.
21 Councilman Ince seconded the motion. Mark Dimond, Trails Committee Chair, commented that
22 the term “community pathway” does not sit well with him, since equestrians are part of the
23 community. Mayor Cutler suggested the Trails Committee make recommendations for the term
24 used on the map. The motion to table passed by unanimous vote (5-0).

25
26 **AGREEMENTS REGARDING CONSTRUCTION OF WATER MAIN UNDER**
27 **RAILROAD TRACKS**
28

29 Staff explained the proposed Agreements with Utah Transit Authority (UTA) and Utah
30 Pacific Railroad (UPR) for a water main project under I-15. Councilwoman Ivie made a **motion**
31 to approve Agreements with UTA and UPR allowing the City to install a water main under their
32 tracks (and I-15) at Chase Lane to improve culinary water service to the area west of I-15.
33 Councilwoman Fillmore seconded the motion, which passed by unanimous vote (5-0).

34
35 **PUBLIC HEARING – ZONING CODE AMENDMENTS – SOUTH MAIN STREET**
36 **CORRIDOR (SMSC) OVERLAY – SUBSECTION 12.48-180(b) – SCOPE CORRECTION**
37

38 When the City adopted the comprehensive updates to the Zoning Code pursuant to
39 Ordinance No. 2016-20 (adopted June 21, 2016), an inadvertent correction to the term
40 Residential “Boulevard” Subdistrict changed the intended applicability of the SMSC Public
41 Space Plan. Adding the term “Boulevard” to the Residential Subdistricts reference
42 unintentionally made the SMSC Public Space Plan applicable to the North Gateway Mixed-Use
43 Subdistrict and the Pages Lane Mixed-Use Subdistrict. The proposed amendment to
44 Subsection 12.48.180(b) is to specifically list the Subdistricts subject to the SMSC Public Space
45 Plan – i.e. the Traditional Main Street and City Center Subdistricts.

46
47 At 8:20 p.m. Mayor Cutler opened a public hearing, and closed the public hearing seeing
48 that no one wished to comment.

49
50 Councilman McEwan made a **motion** to approve Ordinance No. 2016-26 amending
51 Subsection 12.48.180(b) of the SMSC Public Space Plan to correct the list of Subdistricts
52 subject to the SMSC Public Space Plan. Councilwoman Mecham seconded the motion.
53 Councilwoman Ivie referred to Mr. Summerhays’ comment recommending north/south and

1 east/west symmetry for Main Street, and commented that perhaps the Council should rethink
2 the definition of Main Street. Councilman McEwan responded that the proposed amendment
3 simply corrects an inadvertent change. He agreed that the Council can certainly consider the
4 suggestion going forward. The motion passed by unanimous vote (5-0).

5
6 **ZONING CODE AMENDMENTS – SOUTH MAIN STREET CORRODIOR (SMSC)**
7 **OVERLAY – CHAPTER 12-48 – PUBLIC SPACE PLAN AMENDMENTS**
8

9 Ms. Romney explained that three proposed ordinances have been prepared, Ordinance
10 No. 2016-27A, B, and C, to provide flexibility to the Council. Ordinance No. 2016-27A
11 represents the City Council's original directive to staff on January 19, 2016 removing benches,
12 planters, and drought tolerant grasses, and changing the position of the lighting. Ordinance No.
13 2016-27B represents the Planning Commission's July 13, 2016 recommendation. Ordinance
14 No. 2016-27C represents discussion from some Council members about possibly repealing all
15 of the SMSC Public Space Plan provisions. The South Main Street Plan adopted in 2008 set
16 the framework for building on Main Street. The Public Space Plan was adopted in November of
17 2015. If the Public Space Plan is repealed in total, standard UDOT specs would apply.
18 Councilwoman Fillmore commented that the point of having a Public Space Plan in place is to
19 strengthen any conversations with UDOT regarding what Centerville wants on Main Street.
20

21 The Council discussed the proposed ordinances. Councilman McEwan said he thinks it
22 makes sense to repeal and revert to an existing set of standards. Mayor Cutler commented
23 there is not a clear consensus in the community. He recommended the Council modify rather
24 than completely replace the Public Space Plan. Councilwoman Fillmore suggested that if a
25 majority of the Council feels comfortable repealing the Plan, it would be simple to replace with a
26 couple of basic desires – bike lanes and symmetry (width of sidewalk and park strip). She said
27 she feels it is important to have the basics in place considering the UDOT overlay planned for
28 2018. Councilwoman Mecham said her concern is that, as originally passed, the property
29 owners/developers would pay for the improvements. The Planning Commission now
30 recommends the City pay for the improvements, but she pointed out that the City cannot afford
31 them. Councilwoman Mecham said she heard citizens say they want continuity. She heard
32 comments that safety is an issue, but there has never been a pedestrian hit on Main Street.
33 She said she is not sure slowing traffic would be a good idea.
34

35 Cory Snyder, Community Development Director, said he feels it is reasonable to require
36 development to make improvements with sufficient incentives. He said he does not believe that
37 balance has been established given the amendments that have taken place. Councilman
38 McEwan said he was bothered by both the lame-duck legislation and the concept of concurrent
39 engineering. He said the shared design elements have created a liability issue and an ongoing
40 maintenance issue. Councilman McEwan said there is no part of the current Plan that he wants
41 to keep in place. Councilwoman Ivie stated she feels symmetry would be difficult considering
42 the topography of the west side of Main Street. Responding to a question from Councilman
43 Ince, Mr. Snyder said the UDOT standard is for sidewalk against curb. He added that UDOT is
44 obliged to take a community's plans and standards into consideration, compare budget costs,
45 and discuss options with a community. Costs in addition to UDOT's budget would be
46 considered betterment costs and would be the responsibility of the community. Councilwoman
47 Fillmore added that a lot of the incentive and intent in the simplicity of UDOT's standards is to
48 make it easier in the future to widen a road, which is why she has supported putting the SMSC
49 Plan and Public Space Plan in place to protect the small town feel of Main Street.
50

51 Councilwoman Ivie pointed out that no development has occurred in the 10 months
52 since the standards were put in place. She said she thinks it will be a while before
53 development/redevelopment occurs. Councilman Ince said he leans toward Ordinance No.

2016-27C with modifications to provide symmetry, and possibly a five-foot sidewalk. Councilman McEwan said he feels Ordinance No. 2016-27C is the right choice, and he has no problem with adding language for a park strip and a sidewalk of some width for symmetry. Ms. Romney commented that repealing and coming back later to put something in place will require input from the Planning Commission. Councilman McEwan responded that he values the Planning Commission's input, and he is not against involving the Planning Commission as long as it does not take 10 months to move forward. Mr. Snyder commented that if the issue is sent back to the Planning Commission, he does not think the Council should expect it to move quickly. He suggested that putting a simplified version in place and letting it rest would be a better process for collaboration. The Council agreed on a four-foot park strip standard for the east side of Main Street.

Mr. Snyder stated he is still in favor of an offset, unsymmetrical plan. Symmetry would be a challenge for several properties, and Mr. Snyder said he thinks it would be a long time before symmetry is achieved. He stated there are no current UDOT plans for street reconstruction. There will be overlays, but the City would have to rely on redevelopment to get the symmetry. Mayor Cutler said they heard comments from citizens that a wider sidewalk might help with snow removal. Councilman McEwan said he thinks visual symmetry (i.e. light poles that look the same) would be much easier to achieve than structural symmetry (i.e. hardscapes) with no incentives to make it happen now. Redevelopment including at least 30% additional square feet or 50% of the premises value would trigger the Public Space Plan standards. Councilwoman Fillmore said she cannot imagine that major redevelopment would not try to match street grade. Councilman McEwan said he would not want to be short sighted and think only of major redevelopment. He would like to keep redevelopment economically viable for the business community.

Councilwoman Ivie said she thinks the bike lanes recommended by the Planning Commission are a good thing. Mayor Cutler commented that elements such as decorative street banners, funded by the City, would probably not need to be included in the Code. Mr. Snyder responded it could be approached from a non-code capital improvement perspective. Councilwoman Fillmore said the City would probably want at least one extra foot on the west side. Mr. Snyder responded that at least a foot of easement on the other side of sidewalk is probably already in place on the west side. Councilwoman Fillmore suggested the Ordinance include a requirement for six-seven foot sidewalk on the west side, depending on the survey for the property at time of redevelopment. Councilman McEwan said there are too many issues undecided; bike lanes are the only amendment he would be in favor of adding to Ordinance No. 2016-27C. He suggested they send Ordinance No. 2016-27C back to the Planning Commission to pick up whenever the Planning Commission feels it is appropriate. Council members Mecham and Ivie said they would like to specify four-foot park strip for the east side.

The Council continued to discuss sidewalk widths for the east and west side. Mr. Snyder said he suspects UDOT sidewalk minimum widths would trump city recommendations. He said it has been his experience that UDOT's goal is to limit their liability in these situations. Councilwoman Fillmore said she does not think a four-foot sidewalk is wide enough for two people to comfortably walk side-by-side. Councilwoman Mecham said she feels the four-foot park strip is necessary on the east side. Councilman McEwan said he would not want to make a unilateral decision without involving the property owners. Councilman McEwan said the only thing he can see agreement on is bike lanes.

Councilwoman Ivie made a **motion** to accept Ordinance No. 2016-27C, and reenact Subsection 12.48.180 to include four-foot park strip on the east side, and bike lanes as recommended by the Planning Commission. Councilwoman Mecham seconded the motion. Councilwoman Fillmore made a **motion to amend** the motion to include five-foot sidewalks on

1 the east side and sidewalk to the right-of-way on the west side. The motion to amend failed for
2 lack of a second. Councilman Ince made a **motion to amend** the motion to include five-foot
3 sidewalks in addition to four-foot park strip on the east side in the Traditional Main Street and
4 City Center Subdistricts. Councilwoman Mecham seconded the motion to amend, which
5 passed by majority vote (3-2), with Council members Ince, Fillmore, and Mecham in favor, and
6 Council members Ivie and McEwan against. Councilman McEwan said he has heard comments
7 that citizens would like to see unified elements throughout the corridor. Councilwoman Ivie said
8 she does not like setting businesses up to have to go to the Board of Adjustments. Ms. Romney
9 confirmed that buildings on the National Historic Register, or contributing, are exempt from the
10 Public Space Plan requirements. Councilman McEwan recommended the following seven
11 findings:
12

- 13 1. It is unreasonable to place the entire financial burden on property owners. There
14 were no cost figures provided to the Council or the Planning Commission at the time
15 the Public Space Plan was recommended or enacted. Therefore, the adoption of the
16 Ordinance was made without significant factors being established in the public
17 hearings and deliberations of the Council. It is reasonable to assert had the cost of
18 compliance with the Public Space Plan, which is estimated at approximately \$26,000
19 per eighty (80) feet of frontage, may have mitigated the enthusiasm of both Planning
20 Commissioners and City Council members to unduly burden property owners with
21 the entire costs of these improvements. It is far more likely the City Council would
22 have deliberated on the merits of what the public monetary contributions should have
23 been to make the Public Space Plan a success. As the plan currently stands, there
24 are no incentives for property owners to accept these additional costs, and therefore
25 the plan will fail in its stated goals due to low adoption rates by those impacted.
- 26 2. The Public Space Plan that was adopted by the City Council is in conflict with the
27 cost burden assumptions made by the Planning Commission. The current Ordinance
28 clearly places the burden of all improvements on the property owner. However, the
29 Planning Commission Chair, Commissioner Hirschi, stated at the August 2, 2016,
30 City Council meeting, "...these improvements would be going into the public
31 easements, so we anticipated that they would be primarily paid for if not totally paid
32 for by the public." Since the statement was provided to the City Council as an
33 expressed viewpoint of the majority of the Planning Commission, it is appropriate the
34 Public Space Plan be repealed to allow the Planning Commission the opportunity to
35 create recommendations for cost sharing between public and private interests for the
36 betterment of the community as a whole.
- 37 3. Mandated improvements detailed in CZC 12.48.180 and CZC 12.48.190 inherently
38 increase the liability of both the City and the property owners without specifically
39 demarking which party has legal responsibility by inadvertently creating 'shared
40 design elements.' The theoretical case of a slip and fall on patterned concrete, which
41 extends from the City sidewalk into the property owner's setback, thereby creating a
42 shared design element, demonstrates this problem. Under the current space plan,
43 both parties, the City and property owner, can reasonably claim that the other party
44 has the burden of liability for the accident. Design elements which are inherently a
45 shared element should not be in a public space plan without clear delineations for all
46 liability issues. Neither the Public Space Plan 12.48.180 nor the Public Space Plan
47 Illustrations 12.48.190 provides any language or mechanism to address the
48 assessment of liability. Given the fundamental design intent of the Public Space
49 Plan, attempting to amend the plan to clear up shared design elements will change
50 the Plan enough to invalidate it in its current form. Therefore, it is appropriate to
51 repeal both the Public Space Plan 12.48.180 and the Public Space Plan Illustrations
52 12.48.190.

- 1 4. Shared design elements do not have a clear protocol as to which party, the City or
2 the property owner, is responsible for ongoing maintenance. As denoted in the prior
3 finding, the creation of shared design elements without appropriate legal
4 demarcation creates potential legal issues for both the City and property owner. In
5 the example of a shared design element of colored concrete, should a crack or other
6 failure occur, which party is responsible for the repair/replacement? This reasonable
7 scenario for a shared design feature is not defined as part of the establishing
8 ordinances for the Public Space Plan and as such, neither party is apt to claim it is
9 their responsibility to repair or replace the fault. The Public Space Plan should not
10 have been adopted with shared design features mandated without defining the
11 fundamental aspects of how such elements would be maintained by either the
12 property owner, the City, or jointly.
- 13 5. The Park Strip Sector as currently defined reduces public enjoyment by removing
14 key locations along the traditional Fourth of July Parade route where families can
15 safely assemble on Main Street. Under the Public Space Plan, a one hundred (100)
16 foot Park Strip Sector is divided into sixty-four(64) feet of planter boxes and street
17 lighting, and thirty-six(36) feet of curb to sidewalk concrete. Whereas today before
18 any property improvement, a potential one-hundred feet are available for residents to
19 enjoy the parade, post improvement only 36% of usable space will remain. The effort
20 to improve Main Street for the enjoyment of all residents in actuality potentially
21 displaces 64% of them at parade time. This significant reduction is available public
22 assembly space and is not in the best interests of the community.
- 23 6. The land topology of Main Street presents significant challenges for a unified
24 adoption of the current Public Space and therefore does not promote an equitable
25 distribution of redevelopment costs.
 - 26 a. It has been noted that the east side of Main Street and the west side of Main
27 Street are not at the same grade, and in fact vary significantly in gradation
28 throughout the entire South Main Street Corridor. Under the existing Public
29 Space plan, property owners on the west side will be required to make
30 greater investments to become compliant than east side owners. Because of
31 the greater cost component to become compliant, it is the opinion of the City
32 Council that west side property owners will find it cost prohibitive to comply
33 and therefore will opt not to renovate or completely redevelop their
34 properties. This notable disincentive towards property improvement defeats
35 the goal of having a unified look and feel to Main Street as adoption will not
36 be uniform from east to west.
 - 37 b. Road widths are not consistent throughout the corridor. The Public Space
38 Plan does not have any variances in design with regard to road widths and as
39 such does not take into account the cost burden to property owners to
40 become compliant with a uniform Street Park Strip Sector at four feet, and a
41 Pedestrian Path Sector at six feet. The analysis of provided exhibits prepared
42 by City staff, combined with the public assertions of the property owners,
43 clearly demonstrates the plan cannot succeed its current form because there
44 are no variances made for land topology specific to each zone in the corridor.
- 45 7. Snow removal by UDOT will damage or destroy design elements currently mandated
46 in the Park Strip Sector. The current plan as adopted has design elements such as
47 "salt tolerant grasses, shrubs, or other perennial plants" in the Park Strip Sector that
48 will not survive impacts of hard-pack snow and ice being thrown up on the curb by
49 commercial snow plows at speed.

51 The amended motion passed by majority vote (4-1), with Councilwoman Fillmore dissenting.

53 The Council took a break at 9:59 p.m., returning at 10:10 p.m.

1 A majority of the Council appeared to agree that further discussion of Main Street could
2 be one of the Council's goals for next year.

3
4 **GENERAL PLAN AMENDMENTS – WEST CENTERVILLE NEIGHBORHOOD PLAN –**
5 **REMOVING INDUSTRIAL VERY-HIGH ZONING DISTRICT – SECTION 12-480-6**
6

7 Councilman McEwan made a **motion** to table this issue to the first meeting in January
8 2017. Councilwoman Mecham seconded the motion. Councilman Ince said he is ready to vote
9 now, and he thinks 2017 is too far out. Councilman Ince made a **motion to amend** the motion
10 to table to the first meeting in November 2016. Councilman McEwan seconded the motion to
11 amend, which passed by majority vote (4-1), with Councilwoman Fillmore dissenting. The
12 amended motion passed by majority vote (4-1), with Councilwoman Fillmore dissenting.

13
14 **MUNICIPAL CODE AMENDMENTS – TITLE 10, CHAPTER 3 – CONSTRUCTION**
15 **CODES – ORDINANCE NO. 2016-25**
16

17 The State of Utah has adopted newer editions of the International Construction Codes.
18 The City is required to adopt and enforce such State adopted Construction Codes. Councilman
19 McEwan made a **motion** to adopt Ordinance No. 2016-25, Centerville Municipal Code
20 Amendments to Title 10, Chapter 3, regarding Construction Codes. Councilman Ince seconded
21 the motion, which passed by majority vote (4-1), with Councilwoman Ivie dissenting.

22
23 **FINANCIAL REPORT**
24

25 Mr. Thacker presented a financial report for the first two months of FY 2017, and
26 answered questions from the Council. The Council discussed the possibility of setting specific
27 guidelines for putting together the invitation list for the annual volunteer dinner next year.

28
29 **MAYOR'S REPORT**
30

- 31
- 32 • Mayor Cutler informed the Council of a serious accident involving a cyclist that
33 occurred on the Frontage Road. Council members expressed a desire to be
34 informed of any significant emergency response incident that occurs in the
35 community.
 - 36 • UIA/UTOPIA Interim Financial Reports are included in the staff report on
37 NovusAgenda.
 - 38 • Mayor Cutler updated the Council on the Council Chambers sound issue, and the
39 City Hall lobby project.

40 **CITY COUNCIL LIAISON REPORT**
41

42 Councilman Ince updated the Council on Citizen Corps Council/Emergency
43 Management activities. He admitted he is struggling to understand his role as liaison to the
44 Davis Chamber of Commerce. Steve Thacker and Mayor Cutler responded that a Council
45 liaison is appointed because the City pays a membership fee. There is no set expectation.

46
47 **CITY MANAGER'S REPORT**
48

- 49
- 50 • City Manager Thacker presented suggestions for the sidewalk open house
51 scheduled for October 5th. The arborist invited to attend is not available that night.
52 The Council agreed that an arborist could be involved later in the process.

MINUTES REVIEW AND ACCEPTANCE

The minutes of the September 6, 2016 work session and regular Council meeting, and September 7, 2016 joint City Council/Planning Commission meeting were reviewed. Councilman McEwan made a **motion** to accept the September 6, 2016 work session minutes. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0). Councilwoman Fillmore made a **motion** to accept the September 6, 2016 regular Council meeting minutes. Councilman Ince seconded the motion, which passed by unanimous vote (5-0). Councilman Ince made a **motion** to accept the September 7, 2016 joint meeting minutes. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).

MISCELLANEOUS BUSINESS

Councilwoman Ivie passed on a complaint from a citizen that wasp nests are infesting the area around the Island View Park upper-level pavilion.

ADJOURNMENT

At 11:06 p.m. Councilman McEwan made a **motion** to adjourn the regular meeting and move to a closed meeting to discuss the character and competence of an individual. Councilwoman Ivie seconded the motion. Councilwoman Fillmore expressed a concern that the Council has been too liberal with what is done off record versus on record. Mayor Cutler responded that he recommended holding a closed meeting. Councilman McEwan added that all closed meetings have been held for allowed legal purposes. There has been no closed session that in any way violates the Open Meetings Act. The motion passed by unanimous vote (5-0).

Marsha L. Morrow, City Recorder

Date Approved

Katie Rust, Recording Secretary

Minutes of the Centerville City Council and Planning Commission joint **work session** held Wednesday, September 7, 2016 at 7:00 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

PLANNING COMMISSIONERS PRESENT

Chair	David P. Hirschi
Commissioners	Cheylynn Hayman
	Logan Johnson
	Scott Kjar
	Becki Wright

COMMISSIONERS ABSENT Kevin Daly
Gina Hirst

STAFF PRESENT Steve Thacker, City Manager
Lisa Romney, City Attorney
Cory Snyder, Community Development Director
Katie Rust, Recording Secretary

STAFF ABSENT Blaine Lutz, Finance Director/Assistant City Manager

PLEDGE OF ALLEGIANCE

PRAYER/THOUGHT Councilman Ince

SOUTH MAIN STREET CORRIDOR PUBLIC SPACE PLAN

Mayor Cutler welcomed the property owners in attendance and emphasized that specific suggestions regarding the South Main Street Corridor (SMSC) Public Space Plan would be most helpful to the Council and Planning Commission. He explained that staff is researching additional options, including the possibility of a revolving loan fund, and the possibility of incentivizing improvement with grants. Councilwoman Fillmore pointed out that proposed changes would happen over time as major redevelopment occurs. The Public Space Plan adopted in November of last year includes the following elements:

1. Wider sidewalks (6' instead of 4' or 5')
2. Park strip on both sides of Main Street
3. Periodic hardscape materials like pavers or colored concrete in the park strip and the 10' behind the sidewalk
4. Decorative elements like planter boxes, benches
5. Decorative pedestrian lighting
6. Enhanced landscaping for 10' behind the sidewalk: (such as trees, shrubs, pavers/patios, hiding of utility boxes, etc.)

1 Councilman Ince pointed out that the current Plan places the financial obligation of the
2 improvements on the owner/developer, and recognized that asking property owners to maintain
3 elements in front of their property would not be sustainable in the long run. The Planning
4 Commission has recommended the City pay for maintenance of elements in the public space.
5 The current requirements apply to new development and redevelopment expanding a structure
6 by more than 30%, or increasing value by more than 50%. The Mayor opened the meeting to
7 public comment at 7:20 p.m.

8
9 Gary O'Brien – Mr. O'Brien owns the O'Brien Glass property and neighboring properties
10 on Main Street between 300 and 400 South. Mr. O'Brien expressed disappointment that he was
11 not aware of the Plan when it passed last November. He asked if the City has any idea what
12 the required improvements would cost property owners. Mr. Thacker presented cost estimates
13 prepared by Dan Sonntag, the landscape engineer under contract with the City, for two
14 scenarios: (1) one cycle of the A&B design pattern (80 feet); and (2) 80 feet of sidewalk and
15 park strip. A copy of the estimates is attached. Mr. O'Brien pointed out that, in his opinion, only
16 the property owners would be impacted by the Plan. He agreed that something needs to be
17 done, and said he was previously trying to do get something done with a developer. Mr. O'Brien
18 said he knows he will have to pay for the improvements one way or another. He said that, since
19 neighbors of his property are not in favor of town homes, he is not sure what he could build on
20 his property; he is not sure he can sell the property and break even with the current Plan. Mr.
21 O'Brien asked if the City will require others to tear down their buildings to have everything
22 matching. Mayor Cutler responded the City will absolutely not require that. The Plan does not
23 affect property owners who do not redevelop.

24
25 Ann Fadel – Ms. Fadel pointed out that from the sidewalk to the road is public space,
26 and everything behind the sidewalk is private property. She referred to a survey question that
27 asked if citizens would want Main Street improved, and stated that of course citizens want it
28 improved, but the property owners are the ones who would have to pay for it. She commented
29 that the requirements would take some of her front property, and added that space for snow
30 storage needs to be considered. Ms. Fadel said she loves the idea of beautification of
31 Centerville, but Main Street does not need any of the elements of the Plan. She said she loves
32 the idea of uniform pedestrian lighting.

33
34 Spencer Summerhays – Mr. Summerhays said it would be helpful to have clarification
35 regarding whether the City would use eminent domain to get the necessary square footage.
36 Mayor Cutler responded there are no plans to take any property, and no plans for the City to
37 force these improvements. Improvements would happen when redevelopment occurs.

38
39 Ms. Fadel said she would love to improve her property, but she does not get business
40 from people just driving down Main Street. Councilman McEwan said he does not see this Plan
41 surviving in its current form. The question is what it needs to look like. Ms. Fadel said she
42 would love to see benches and garbage cans at bus stops, and she would be willing to pay for a
43 light structure, but she expressed concern over liability.

44
45 K. Knighton – Mr. Knighton said he thinks Main Street looks fine the way it is and should
46 be left alone. Improvements would not attract business to Main Street. He expressed the
47 opinion that property owners already lost out when Walmart went in. Mr. Snyder commented
48 that in the past some property owners in the city participated in a **Special Improvement District**
49 to help pay for existing infrastructure.

50
51 Councilman McEwan asked Ms. Romney about liability with the hardscape A/B model.
52 Ms. Romney responded that staff is recommending an offset model with hardscape only in the
53 public right-of-way, which is different from the Planning Commission recommendation. The City

1 is typically responsible to ensure sidewalk is maintained in good condition. Mr. Snyder
2 commented that Main Street is a UDOT owned facility, and discussions of liability would need to
3 include UDOT. The public right-of-way is generally eight feet on both sides of the roadway, but
4 varies some. Councilman McEwan stated he is uncomfortable with the number of unknowns
5 related to maintenance and liability.

6
7 Maureen Huffaker – Ms. Huffaker stated her family owns the Huffaker dental office on
8 Main Street. She pointed out that Centerville is not Park City. She would like to see the City
9 help Main Street businesses be successful, and not place additional burdens on the property
10 owners. She commented that inconsistent sidewalk widths as different property owners make
11 changes would look ridiculous. She referred to undeveloped land behind the dental office and
12 asked if development of the land would trigger the requirements. The loss of front property
13 would result in loss of important parking space.

14
15 Bruce Pitt – Mr. Pitt commented that the loss of parking space would reduce property
16 value.

17
18 Mr. Snyder responded to Ms. Huffaker that multiple options are available. If the land
19 were developed commercially which increased the gross floor area greater than 30%, the
20 property would be subject to the six requirements. Mr. Snyder also reference an earlier request
21 to subdivide the property and develop the back area as residential. Mayor Cutler emphasized
22 the need to look to the future and have standards in place. Ms. Huffaker responded that there
23 were standards in place when they built the building eight years ago. Councilman McEwan
24 commented that bike lanes and on-street parking cannot coexist. Mr. Snyder agreed it is
25 difficult to have both.

26
27 Jeff Cook – Mr. Cook said he has been attending Council and Planning Commission
28 meetings in Centerville for 40 years, and he feels things have gotten dramatically better. He
29 expressed appreciation for excellent City staff, particularly Cory Snyder and the Planning
30 Department staff. He said he helped the Huffaker family with construction of the dental office,
31 which conformed to City regulations when it was built. Mr. Cook expressed the opinion that it
32 would be unfair to change things to the point that the Huffakers could not build as originally
33 planned. He said Centerville is a small enough city that properties should be considered
34 individually, one at a time. He said he would love to beautify Main Street, but not with property
35 owners paying a majority of the cost. If extra land is needed, compensation should be given.
36 He emphasized the need to make sure all properties on Main Street have space for snow
37 removal. Mr. Cook said he feels benches only work in specific areas like bus stops. He said he
38 thinks wider sidewalks would be sufficient for snow removal on the west side on Main Street;
39 park strips may not be necessary. Mr. Cook said the city needs to have something in place that
40 will work in front of all properties, not just some of them.

41
42 Mr. Pitt pointed out that right now his property has a three-foot park strip and four-foot
43 sidewalk. As he understands it, the current Plan would require him to surrender 11-feet. The
44 Council and Planning Commission discussed whether or not water-wise plants could survive in
45 the park strips with the volume of snow removed on Main Street every winter. Mr. Pitt
46 suggested that flower pots hanging from existing infrastructure and the flags along Main Street
47 would create a feeling of continuity. Mr. Cook said he hopes the city can work with existing
48 public space. Mr. Snyder commented that retaining walls will be an issue for several properties
49 on the west side of Main Street if redevelopment occurs. Mr. Cook responded that he will build
50 up his property rather than use retaining walls. Every property has inherent issues to deal with.
51 Mr. Cook expressed confidence that nice things can be accomplished if the city is conservative
52 and does not get carried away.

1 Jennifer Turnblom – Ms. Turnblom said she owns property on the east side of Main
2 Street. She said she has a major problem with tall elements in the mow strip that would block
3 driver visibility. She said she does not think wider sidewalks make sense for just a few blocks of
4 the street. She said she has heard people comment that they are moving to Centerville
5 because of the lack of sidewalks. Ms. Turnblom said she feels property owners will do what
6 they can to make their properties look nice. As a property owner, she does not want to be told
7 what improvements to make. She said she would love to see the Christmas lights turned on
8 along Main Street. She said she agrees with removing benches from the Plan, and said she
9 does not know how the city would get approval for removing or replacing existing light poles.
10 She commented that adding new, lower lights to existing poles would be nice. She
11 acknowledged that tree roots pushing up portions of sidewalk is a problem. Requiring specific
12 elements would be too much government regulation. Ms. Turnblom suggested the city put
13 together a list of trees that grow well in Centerville for citizens to refer to. She commented that
14 the east side of the area in question is part of Centerville's historic district, and said she would
15 like to see it stay looking like a historic Main Street. She said she feels tall grasses would
16 worsen the mosquito problem, and would be in the way for viewing the 4th of July parade. She
17 suggested the city consider using a drip system rather than a sprinkler system in the park strips.

18
19 Lynette Ricks – Ms. Ricks said she owns the car wash on Main Street. She said she
20 feels the current plan is anti-business. She would not be able to expand without losing business
21 space. She said she does not mind the hanging pots idea, and does not mind a little
22 landscaping, but she would not want to put in anything that blocks a driver's line of sight. She
23 said she could not widen the sidewalk on her property without impacting her business.

24
25 Mr. Pitt suggested that the current Plan would work if all of Main Street were
26 redeveloped by the same developer. On an individual basis, he feels it is taking away property
27 rights. Property values go down when owners cannot do anything with their property. He said
28 he feels continuity could be achieved all along Main Street without unreasonable requirements.
29 Mr. Pitt said he feels the city should scrap the current Plan and enhance the elements and
30 infrastructure already in place, looking at each property individually. He said he feels the
31 current Plan is flamboyant and will not help the property owners. Commissioner Wright said she
32 likes Mr. Pitt's hanging planter idea. She pointed out that a lot of citizens in Centerville like to
33 participate in the community through financial donations and volunteer time. Mayor Cutler
34 confirmed that a majority of the cost of extending the flags and brackets along Main Street in
35 2015 was donated by citizens. Mr. Pitt suggested the design work for the Plan could have been
36 donated by someone who loves Centerville. He suggested the community would come together
37 and beautify Main Street in little ways if given the opportunity. Mr. Pitt said he is saddened that
38 it takes so long to put together and agree on a plan.

39
40 Mr. Summerhays provided a rough drawing of a suggestion. He commented that people
41 are not going to walk on Main Street to accomplish errands. Looking at safety issues, he
42 suggested flashing crosswalk lights on Main Street at Porter Lane, Center Street, and 200
43 North. He suggested symmetry with park strips both east/west and north/south. Mr.
44 Summerhays said he feels all of Centerville would benefit from a cohesive plan. For funding, he
45 suggested a two-pronged approach: a small city-wide development fee for the public space
46 improvements, with property owners contributing a small portion when development occurs. He
47 added that drought-tolerant low grasses do survive Utah winters.

48
49 Kim Samuelson – Mr. Samuelson said he has property on Main Street. He expressed
50 appreciation for all the work that has been done by the Council and Planning Commission. He
51 said he feels it should be law that those who would be affected by change should be notified.
52 He said he feels it is wrong that the Plan passed last November without the property owners
53 knowing about it. Mr. Samuelson said he does not think it would be fair for the city to take up to

1 18 feet and dictate what can be done. He insisted that practicality should be considered. He
2 said he has been maintaining snow removal on the west side with five-foot sidewalks and no
3 park strip. He stated that the telephone poles are ugly and should be taken out and replaced
4 with cement **in park strips** for uniformity.
5

6 Mr. Cook said he feels Centerville needs more crosswalks on Main Street. Mayor Cutler
7 commented that City Council agendas are available on the City website, and citizens can sign
8 up for email delivery to stay informed. Mr. Snyder clarified that a notice was sent to every
9 property owner about the Public Space Plan. He said he thinks there has been confusion
10 between the notice sent for the Public Space Plan and the process that also resulted in
11 amendments because of the TZRO. Councilman McEwan asked what would happen if the
12 Council were to repeal the Plan and revert to previous regulations. Mr. Snyder responded that
13 edits made as a result of the TZRO would remain - reduced density and changed setbacks, with
14 standard UDOT specs for sidewalk and park strip. Councilwoman Mecham asked if the Public
15 Space Plan was originally tied to density. Mr. Snyder explained that the Main Street study done
16 in 2007 included suggestions for ordinances and street-scape that included the idea of re-
17 development with residential mixed use. The Main Street General Plan adopted in 2008
18 included zoning ordinances regulating setbacks and density, with the intention to adopt a public
19 space plan. The public space plan was not tied to density, but the assumption was that the
20 SMSC would have more residential uses and would need more walkability. Councilwoman
21 Fillmore commented that there are a lot of small towns in Utah with historic main streets without
22 a residential element that have still done some level of beautification to help revitalize.
23

24 Councilman McEwan expressed the opinion that the current plan is overreach,
25 disincentivizing redevelopment. Centerville has multi-generational property ownership on Main
26 Street. Councilman McEwan said he does not think symmetry could be developed with the
27 current Plan structure in this environment. Commissioner Wright suggested Centerville start
28 with hanging flower pots and go to the citizens for further support. Councilman McEwan
29 agreed, and mentioned Cedar City as an example. Councilwoman Mecham commented that
30 east winds should be remembered when talking about hanging flower pots, but she thinks flags
31 would be great. Commissioner Kjar pointed out that flowers have to be watered every day or
32 they die. Councilwoman Fillmore added that a lot of things can beautify a property and cost the
33 property owners less in the long run than having to mow and water lawn. Councilman McEwan
34 said he thinks it is important to trust property owners with the beautification of their own
35 property. Chair Hirschi responded that beautification and upkeep on Main Street has been
36 inconsistent, and he feels it is important to present the idea of making improvements and gently
37 encourage change over time. Councilman McEwan agreed, but pointed out that the current
38 Plan does not include enough incentive for the property owners. Councilman Ince commented
39 that he thinks newness drives the feel of an area.
40

41 Responding to a question from Mr. O'Brien, Mayor Cutler explained that UDOT tries to
42 minimize the number of outlets onto a street. Mr. Snyder agreed that UDOT has a policy to
43 reduce the number of curb cuts. UDOT will reconsider right-of-way if a substantial change or
44 redevelopment occurs.
45

46 Eileen Turnblom – Ms. Turnblom said she is sure Mr. Pitt and Mr. O'Brien could put in
47 nice single-family houses on their properties to have residential and business together for a nice
48 neighborhood.
49

50 Mayor Cutler said he heard mixed responses regarding wider sidewalks and mixed
51 responses regarding park strips and symmetry on both sides of Main Street. He heard some
52 support for decorative pedestrian lighting, if funding is found.
53

1 Ms. Huffaker asked why the city would need decorative lighting for a business area
2 where the businesses are not open at night. Mayor Cutler responded that safety for pedestrians
3 is one reason, but the bigger reason is to achieve a decorative, cohesive feel. Councilman Ince
4 added that lighting becomes a significant safety issue for pedestrians in the evening.
5

6 Mr. Snyder presented an alternative design option that capitalizes on the existing fabric
7 of the SMSC, with elements to mark the north and south boundaries of the area, and continuity
8 with banner poles on both east and west sides. He suggested more decorative street signs at
9 corners to unify the corridor. Councilwoman Fillmore asked about the suggestion to bury power
10 lines. Mr. Thacker responded that a high-level analysis was done in 2015 that showed the cost
11 would be several million dollars to bury the power lines.
12

13 Council members Mecham and Ivie pointed out that some of the property owners have
14 been on hold waiting for a decision to be made. Councilwoman Ivie said she has listened to the
15 input and heard the property owners say they do not want the Plan. Councilwoman Fillmore
16 commented that, compared to the TZRO, the Public Space Plan is a small property right
17 infringement. Councilman McEwan said he is inclined to repeal and revert, and look at
18 properties on a more individual basis. Mr. Thacker encouraged property owners to keep an
19 open mind regarding property lines and easements, and not limit opportunities by refusing to
20 allow any easements to accommodate improvements. It was explained that a setback is still
21 measured from the property line, not from an easement.
22

23 Mr. Pitt said he has hired someone to make drawings for his property, but he is waiting
24 for the Council's decision to know how to move forward.
25

26 Michael Randall – Mr. Randall said he owns the Main Street Garage. Mr. Randall said
27 he has serious questions about the Plan, but there does not seem to be much he can do to
28 control it.
29

30 Chair Hirschi said that, as citizen planners, the Planning Commission tried to really study
31 the issue and spark interest in making Main Street more beautiful. More could be done in the
32 public space, and he suggested the property owners talk together and put together ideas to
33 present to the Planning Commission and Council. Commissioner Wright pointed out that the
34 Centerville Walmart looks and feels nicer than other Walmarts because a strong Public Space
35 Plan was in place for that area. A plan needs to be in place for the SMSC. Councilwoman
36 Fillmore said that, if decisions are going to be made based on cost, a cost benefit analysis
37 would be helpful. She emphasized that the quality of Main Street speaks to the quality of the
38 entire community, and the Council has received a lot of feedback that citizens would like the
39 appearance of Main Street improved. Ms. O'Brien asked the Council and Planning Commission
40 to remember that simplicity is beautiful.
41

42 Councilman McEwan said he would like to ask staff to prepare for the Council to repeal
43 the ordinance at the next Council meeting, with the assumption that quick action will be taken to
44 implement a simpler plan. He said he is willing to take the risk that development will occur
45 during the transition. Mr. Snyder reminded the Council that a recommendation has been made
46 by the Planning Commission that will require action. Councilwoman Fillmore said she feels it
47 would be easier to modify the existing structure than repeal and start from scratch. A majority of
48 the Council appeared to be in favor of taking action on the Planning Commission
49 recommendation at the next meeting.
50

ADJOURNMENT

Mayor Cutler adjourned the meeting at 9:54 p.m.

Marsha L. Morrow, City Recorder

Date Approved

Katie Rust, Recording Secretary

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
10/4/2016**

Item No. 3.

Short Title: Rocky Mountain Power Franchise Extension

Initiated By: City Attorney

Scheduled Time: 7:20

SUBJECT

Consider extension of Rocky Mountain Power Franchise for additional five years - Ordinance No. 2016-28

RECOMMENDATION

Approve Ordinance No. 2016-28 extending the current Rocky Mountain Power Franchise for an additional five years.

BACKGROUND

The City has previously granted a nonexclusive electric utility franchise to Rocky Mountain Power. The current term of the franchise expires on December 31, 2016. Rocky Mountain Power has requested an extension of the current franchise for an additional five years through December 31, 2021. Staff has reviewed the current franchise with applicable department heads. The terms and conditions of the current franchise are acceptable and there are no reported issues to address. Staff recommends approval of the requested extension as set forth in Ordinance No. 2016-28.

Steve Rush, Regional Business Manager for RMP, has been invited to attend the council meeting.

ATTACHMENTS:

Description

- ☐ Ordinance No. 2016-28-RMP Franchise Extension
- ☐ Ordinance No. 2011-15-RMP Franchise Extension
- ☐ Ordinance No. 2006-14-Franchise

ORDINANCE NO. 2016-28

**AN ORDINANCE AMENDING THE ELECTRIC UTILITY FRANCHISE
PREVIOUSLY GRANTED TO ROCKY MOUNTAIN POWER EXTENDING THE
TERM OF THE FRANCHISE FOR AN ADDITIONAL FIVE YEARS.**

WHEREAS, Rocky Mountain Power, a division of PacifiCorp, an Oregon corporation, (“Rocky Mountain Power”), is a regulated public utility that provides electric power and energy to the citizens of Centerville City (the “City”) and other surrounding areas; and

WHEREAS, the City, pursuant to the provisions of *Utah Code Ann.* § 10-8-21 and the Utah Constitution, has the authority to regulate power line facilities within public ways and to grant to Rocky Mountain Power a franchise for the use thereof; and

WHEREAS, pursuant to such authority, the City granted Rocky Mountain Power an Electric Utility Franchise on October 3, 2006, as authorized by Ordinance No. 2006-14 (the “Franchise”); and

WHEREAS, the original term of the Franchise was for five years and has been previously extended for an additional five year term as authorized by Ordinance No. 2011-15; and

WHEREAS, the City and Rocky Mountain Power desire to extend the term of the Franchise for an addition five years as more particularly provided herein.

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

Section 1. **Amendment.** The Franchise is hereby amended to extend the term of the Franchise for an additional five years to commence on the effective date of this Ordinance and to expire on December 31, 2021.

Section 2. **Full Force and Effect.** The terms and conditions of this Ordinance amending the term of the Franchise are hereby incorporated as part of the original Franchise as adopted by Ordinance No. 2006-14 and extended by Ordinance No. 2011-15. All other terms and conditions of the Franchise not modified by this amendment shall remain in full force and effect and are hereby ratified and affirmed.

Section 3. **Binding Effect.** This Ordinance amending the term of the Franchise shall be binding upon the parties hereto and their respective officers, agents, employees, and authorized successors and assigns.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY,
STATE OF UTAH, THIS 4TH DAY OF OCTOBER, 2016.**

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	_____	_____

ACCEPTANCE

As an authorized representative of Rocky Mountain Power, I hereby acknowledge that Rocky Mountain Power hereby accepts the Franchise as granted by Centerville City and hereby agrees to abide by all the terms and conditions of the same.

ROCKY MOUNTAIN POWER

By: _____

Its: _____

ACKNOWLEDGMENT

STATE OF _____)
: ss.
COUNTY OF _____)

On the _____ day of October, 2016, personally appeared before me _____ who being by me duly sworn did say that he/she is the _____ of **ROCKY MOUNTAIN POWER**, a division of PacifiCorp, an Oregon corporation, and that the foregoing instrument was signed in behalf of said corporation by authority of a resolution of its Board of Directors; and they acknowledged to me that said corporation executed the same.

Notary Public

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 _____, 20____.

PUBLISHED OR POSTED this ____ of _____, 20____.

ORDINANCE NO. 2011-15

**AN ORDINANCE AMENDING THE ELECTRIC UTILITY FRANCHISE
PREVIOUSLY GRANTED TO ROCKY MOUNTAIN POWER EXTENDING
THE TERM OF THE FRANCHISE FOR AN ADDITIONAL FIVE (5) YEARS.**

WHEREAS, Rocky Mountain Power, a division of PacifiCorp, an Oregon corporation, ("Rocky Mountain Power"), is a regulated public utility that provides electric power and energy to the citizens of Centerville City (the "City") and other surrounding areas; and

WHEREAS, the City, pursuant to the provisions of *Utah Code Ann.* § 10-8-21 and the Utah Constitution, has the authority to regulate power line facilities within public ways and to grant to Rocky Mountain Power a franchise for the use thereof; and

WHEREAS, pursuant to such authority, the City granted Rocky Mountain Power an Electric Utility Franchise on October 3, 2006, pursuant to and as authorized by Ordinance No. 2006-14 (the "Franchise"); and

WHEREAS, the original term of the Franchise was for five (5) years; and

WHEREAS, the City and Rocky Mountain Power desire to extend the term of the Franchise for an addition a five (5) years as more particularly provided herein.

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

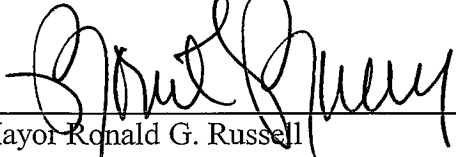
Section 1. **Amendment.** The Franchise is hereby amended to extend the term of the Franchise for an additional five (5) years to commence on the effective date of this Ordinance and to expire on December 31, 2016.

Section 2. **Full Force and Effect.** The terms and conditions of this Ordinance amending the term of the Franchise are hereby incorporated as part of the original Franchise as adopted by Ordinance No. 2006-14. All other terms and conditions of the Franchise not modified by this amendment shall remain in full force and effect and are hereby ratified and affirmed.

Section 3. **Binding Effect.** This Ordinance amending the term of the Franchise shall be binding upon the parties hereto and their respective officers, agents, employees, and authorized successors and assigns.

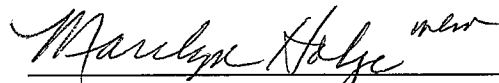
PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY,
STATE OF UTAH, THIS 7TH DAY OF JUNE, 2011.

CENTERVILLE CITY



Mayor Ronald G. Russell

ATTEST:



Marilyn Holje, City Recorder



Voting by the City Council:

	"AYE"	"NAY"
Councilmember Allen	<u>X</u>	_____
Councilmember Averett	<u>X</u>	_____
Councilmember Cutler	<u>X</u>	_____
Councilmember Lindstrom	<u>X</u>	_____
Councilmember Wright	<u>X</u>	_____

ORDINANCE NO. 2006-14

**AN ORDINANCE GRANTING AN ELECTRIC UTILITY FRANCHISE TO
ROCKY MOUNTAIN POWER AND SETTING FORTH RESTRICTIONS AND
CONDITIONS RELATING THERETO.**

WHEREAS, Rocky Mountain Power, a division of PacifiCorp, an Oregon corporation, ("Rocky Mountain Power"), is a regulated public utility that provides electric power and energy to the citizens of Centerville City (the "City") and other surrounding areas;

WHEREAS, the City, pursuant to the provisions of Utah Code Ann. § 10-8-21 and the Utah Constitution, has the authority to regulate power line facilities within public ways and to grant to Rocky Mountain Power a franchise for the use thereof;

WHEREAS, the City is willing to permit Rocky Mountain Power a franchise for the right to utilize its public rights of way subject to and conditioned upon the terms and conditions set forth herein;

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

SECTION 1. Grant of Franchise. Subject to the terms stated herein and the permitting conditions of the City, the City hereby grants to Rocky Mountain Power the non-exclusive franchise right, privilege and authority to construct, maintain, operate, upgrade, and relocate its electrical distribution and transmission lines and related appurtenances, including underground conduits and structures, poles, towers, wires, transmission lines, and communication lines (collectively referred to herein as "Electric Facilities") in, under, along, over and across the present and future streets, alleys, and public ways (collectively referred to herein as "Public Ways") within the City, for the purpose of supplying and transmitting electric power and energy to the inhabitants of the City and persons and corporations beyond the limits thereof.

SECTION 2. Term. The term of this Franchise is for five (5) years commencing on the date of acceptance by the Company as set forth in Section 3 below.

SECTION 3. Acceptance by Company. Within thirty (30) days after the passage of this Ordinance by the City, Rocky Mountain Power shall file an unqualified written acceptance thereof, with the City Recorder, otherwise the Ordinance and the rights granted herein shall be null and void.

SECTION 4. Non-Exclusive Franchise. The right to use and occupy the Public Ways of the City shall be nonexclusive and the City reserves the right to use the Public Ways for itself or any other entity and to grant any other entity the right to utilize the Public Ways.

SECTION 5. City Regulatory Authority. In addition to the provision herein contained, the City expressly reserves, and Rocky Mountain Power expressly recognizes the City's right and duty to adopt from time to time such ordinances, rules and regulations as may be deemed necessary by the City in the exercise of its police power for the protection of the health, safety and welfare of its citizens and their properties or to exercise any other rights, powers, or duties required or authorized, under any applicable federal, state or local laws, rules or regulations.

SECTION 6. Indemnification. The City shall in no way be liable or responsible for any loss or damage to property or any injury to, or death, of any person that may occur in the construction, operation or maintenance by Rocky Mountain Power of its Electric Facilities. Rocky Mountain Power shall indemnify, defend and hold the City harmless from and against all claims, demands, liens and all liability or damage of whatsoever kind on account of Rocky Mountain Power's use of the Public Ways within the City, arising from the grant of this Franchise, or from operation of Rocky Mountain Power within the City, and shall pay the costs of defense plus reasonable attorneys' fees for any claim, demand or lien brought thereunder. The City shall: (a) give prompt written notice to Rocky Mountain Power of any claim, demand or lien with respect to which the City seeks indemnification hereunder; and (b) unless in the City's judgment a conflict of interest exists between the City and Rocky Mountain Power with respect to such claim, demand or lien, permit Rocky Mountain Power to assume the defense of such claim, demand, or lien with counsel satisfactory to City. If such defense is not assumed by Rocky Mountain Power, Rocky Mountain Power shall not be subject to liability for any settlement made without its consent. Notwithstanding any provision hereof to the contrary, Rocky Mountain Power shall not be obligated to indemnify, defend or hold the City harmless to the extent any claim, demand or lien arises out of or in connection with any negligent act or failure to act of the City or any of its officers or employees.

SECTION 7. Annexation.

7.1 Extension of City Limits. Upon the annexation of any territory to the City, the rights granted herein shall extend to the annexed territory to the extent the City has such authority. All Electrical Facilities owned, maintained, or operated by Rocky Mountain Power located within any Public Ways of the annexed territory shall thereafter be subject to all of the terms hereof.

7.2 Notice of Annexation. The City will provide Rocky Mountain Power with notice of any annexation approval by the City Council. Such notice shall include copy of the City's Ordinance or other authorizing document approving the proposed annexation. The notice shall be mailed to:

Rocky Mountain Power Customer Contact Center
P.O. Box 400
Portland, Oregon 97202-0400

With a copy to:

Rocky Mountain Power
Attn: Office of the General Counsel
201 South Main Street, Suite 2300
Salt Lake City, UT 84111

SECTION 8. Plan, Design, Construction and Installation of Facilities.

8.1 Compliance with Applicable Laws. All Electric Facilities installed or used under authority of this Franchise shall be used, constructed, operated and maintained in accordance with applicable federal, state and city laws, codes and regulations, and shall be kept current with new codes as required by law.

8.2 Permits Required. Except in the case of an emergency, Rocky Mountain Power shall, prior to commencing any work in the Public Way, apply for and obtain a permit from the City in accordance with applicable City Ordinances. Rocky Mountain Power will abide by all applicable ordinances and all rules, regulations and requirements of the City, and the City may inspect the manner of such work and require remedies as may be necessary to assure compliance. Notwithstanding the foregoing, Rocky Mountain Power shall not be obligated to obtain a permit to perform emergency repairs. In the event of an emergency, Rocky Mountain Power shall notify the City as soon as practical of the emergency and the necessary repairs. Rocky Mountain Power shall apply as soon as practical thereafter for a permit for the work in the Public Way.

8.3 Location to Minimize Interference. All Electric Facilities shall be constructed, located and maintained so as to cause minimum interference with the Public Ways of the City and the use of such Public Ways by others. All Electric Facilities shall be constructed, installed, maintained, cleared of vegetation, renovated or replaced in accordance with applicable rules, ordinances and regulations of the City, State of Utah, and United States.

8.4 Damage to Public Property. If, during the course of work on its Electrical Facilities, Rocky Mountain Power causes damage to or alters the Public Way or public property, Rocky Mountain Power shall (at its own cost and expense and in a manner approved by the City) replace and restore the Public Way and public property to as good a condition as existed before the work commenced and in compliance with then current City standards. Rocky Mountain Power shall provide the City with immediate notice of such damage. All such repairs and restoration shall be made by Rocky Mountain Power within a reasonable time. If Rocky Mountain Power does not repair or replace the Public Ways or public property to as near as reasonably practicable the same condition as existed prior to the disturbance thereof or in compliance with then current City standards, the City shall so notify Rocky Mountain Power and give a reasonable time, not less than fifteen (15) days, to remedy the situation. If Rocky Mountain Power fails to perform, then the City shall have the option to perform or cause to be performed such reasonable and necessary work on behalf of Rocky Mountain Power and to

charge Rocky Mountain Power for the reasonable costs incurred. Upon receipt of demand for payment by the City, Rocky Mountain Power shall promptly reimburse the City for such costs.

8.5 Underground Installation. In addition to the installation of underground electric distribution lines as provided by applicable state law and regulations, Rocky Mountain Power shall, upon payment of all charges provided in its tariffs or their equivalent, place newly constructed electric distribution lines underground as may be required by City ordinance.

8.6 City Right to Use Poles. The City shall have the right without cost to use all poles and suitable overhead structures owned by Rocky Mountain Power within Public Ways for City wires used in connection with its fire alarms, police signal systems, radios, cameras, and other communication lines or devices used for governmental purposes; provided, however, any such uses shall be for activities owned, operated or used by the City for a public purpose and shall not include the provision of CATV, internet, or similar services to the public. Provided further, that Rocky Mountain Power shall assume no liability nor shall it incur, directly or indirectly, any additional expense in connection therewith, and the use of said poles and structures by the City shall be in such a manner as to prevent safety hazards or interferences with Rocky Mountain Power's use of same. Nothing herein shall be construed to require Rocky Mountain Power to increase pole size, or alter the manner in which Rocky Mountain Power attaches its equipment to poles, or alter the manner in which it operates and maintains its Electric Facilities. City attachments shall be installed and maintained in accordance with the reasonable requirements of Rocky Mountain Power and the current addition of the National Electrical Safety Code, as amended, or other uniform code as adopted by the State of Utah, pertaining to such construction. Further, City attachments shall be attached or installed only after written approval by Rocky Mountain Power.

8.7 Excavations. Rocky Mountain Power may excavate within the Public Ways subject to reasonable conditions and requirements of the City, including, but not limited to, excavation permit requirements as set forth in applicable City Ordinances. Pursuant to City Ordinances and construction standards, excavations must be conducted by boring, unless otherwise approved by the City as part of the excavation permit. Before installing new underground conduits or replacing existing underground conduits, Rocky Mountain Power shall first notify the City of such work and shall allow the City, at its own expense, to share the trench of Rocky Mountain Power to lay its own conduit therein, provided that such action by the City will not unreasonably interfere with Rocky Mountain Power's Electric Facilities or delay project completion.

8.8 Notice of Work. Except as otherwise provided herein for emergencies, before commencing any street improvements or other work within a Public Way the City, or its authorized contractor, shall contact Blue Stakes of Utah, Inc., or other authorized utility notification center under the Utah Damage to Underground Utilities Facilities Act as set forth in Utah Code Ann. §§ 54-8a-1, et seq., as amended.

8.9 City Emergencies. Except as otherwise provided herein, the City shall not, without prior written approval of Rocky Mountain Power, intentionally alter, remove, relocate, or otherwise interfere with any Rocky Mountain Power Electric Facilities. However, if it becomes necessary (in the judgment of the City Manager, City Public Works Director, Fire Chief or Police Chief) to cut or move any of the Electric Facilities because of a fire, emergency, disaster, or imminent threat thereof, these acts may be done without prior written approval of Rocky Mountain Power, and the repairs thereby rendered necessary shall be made by Rocky Mountain Power without charge to the City, but Rocky Mountain Power shall not be precluded from making a claim against any third party who may have caused said damage for the cost of such repairs. Any written approval required by this Section shall be promptly reviewed and processed by Rocky Mountain Power and approval shall not be unreasonably withheld.

8.10 Agents and Subcontractors. The requirements imposed upon Rocky Mountain Power under the terms of this Franchise shall extend to any agent, subcontractor or independent contractor that Rocky Mountain Power might employ to perform the duties and obligations set forth herein.

8.11 Guarantee of Repairs. For a period of two (2) years following the completion of the repair work performed pursuant to Subsection 8.4, Rocky Mountain Power shall maintain, repair, and keep in good condition, those portions of the Public Ways or private property restored, repaired, or replaced, to the satisfaction of the City, provided, however, that acceptance will not be unreasonably withheld.

8.12 Safety Standards. Rocky Mountain Power's work shall be properly protected at all times with suitable barricades, flags, lights, flares, or other devices as are reasonably required by applicable safety regulations or standards imposed by State and Federal law, MUTCD construction standards, and City standards.

SECTION 9. Relocations of Electric Facilities. The City reserves the right to require Rocky Mountain Power to relocate its Electric Facilities within the Public Ways in the interest of public convenience, necessity, health, safety or welfare at no cost to the City. Whenever the City shall, in the interest of the public convenience, necessity, health, safety or general welfare, require the relocation or reinstallation of any property of Rocky Mountain Power or its successors, in any Public Way, it shall be the obligation of Rocky Mountain Power or its successors, upon notice of such requirement, to promptly commence work to remove, relocate, or reinstall such Electric Facilities as may be reasonably necessary to meet the requirements of the City. Such relocation, removal, or reinstallation by Rocky Mountain Power shall be at no cost to the City. Before requiring a relocation of Electric Facilities, the City shall, with the assistance and consent of Rocky Mountain Power, identify a reasonable alignment for the relocated Electric Facilities within the Public Ways of the City.

SECTION 10. Reasonable Access to Records. In order to facilitate the enforcement of this Franchise, Rocky Mountain Power agrees to allow the City and its authorized representatives reasonable access to any part of Rocky Mountain Power's records regarding or relating to the

Electric Facilities within the City. Irrespective of whether the City intervenes in any proceeding before the Public Service Commission regarding any action of Rocky Mountain Power related to the terms and obligations of this Franchise, upon reasonable request, Rocky Mountain Power will provide the City access to all documents provided to other parties in connection with such proceedings. Rocky Mountain Power agrees to grant the City and its authorized representatives reasonable access to the books and records of Rocky Mountain Power insofar as such books and records relate to any matter covered by this Franchise.

SECTION 11. Vegetation Management. Rocky Mountain Power or its contractor may prune all trees and vegetation which overhang the Public Ways, whether such trees or vegetation originate within or outside the Public Ways to prevent the branches or limbs or other part of such trees or vegetation from interfering with Rocky Mountain Power's Electrical Facilities. Such pruning shall comply with the *American National Standard for Tree Care Operation (ANSI A300)* and be conducted under the direction of an arborist certified with the International Society of Arboriculture. A growth inhibitor treatment may be used for trees and vegetation species that are fast-growing and problematic. Nothing contained in this Section shall prevent Rocky Mountain Power, when necessary and with the approval of the owner of the property on which they may be located, from cutting down and removing any trees which overhang streets. Rocky Mountain Power shall make a reasonable effort, including written notice, to notify owners of property adjacent to the trees to be trimmed at least 72 hours prior to doing the work.

SECTION 12. Abandoned Facilities. Rocky Mountain Power shall remove at its own cost and expense any discontinued or abandoned Electrical Facilities from any Public Way. Rocky Mountain Power shall conduct such removal at its own initiative or upon written notice and demand of removal from the City. Rocky Mountain Power shall remove any discontinued or abandoned Electrical Facilities within ninety (90) days of receipt of written notice and demand from the City. Rocky Mountain Power shall be obligated at its own cost and expense to promptly restore the Public Way and any public or private property affected by such removal in accordance with the damages and guarantee provisions of Section 8.

SECTION 13. No Waiver. Neither the City nor Rocky Mountain Power shall be excused from complying with any of the terms and conditions of this Franchise by any failure of the other, or any of its officers, employees, or agents, upon any one or more occasions to insist upon or to seek compliance with any such terms and conditions.

SECTION 14. Transfer of Franchise. Rocky Mountain Power shall not transfer or assign any rights under this Franchise to another entity, except transfers and assignments by operation of law, unless the City shall first give its approval in writing, which approval shall not be unreasonably withheld; provided, however, inclusion of this Franchise as property subject to the lien of Rocky Mountain Power's mortgage(s) shall not constitute a transfer or assignment.

SECTION 15. Amendment. No amendment or amendments to this Franchise shall be effective until mutually agreed upon by the City and Rocky Mountain Power and formally adopted as an ordinance amendment.

SECTION 16. Non-Contestability--Breach of Contract.

16.1 Non-Contestability. Neither the City nor Rocky Mountain Power will take any action for the purpose of securing modification of this Franchise before either the Public Service Commission or any Court of competent jurisdiction; provided, however, that neither shall be precluded from taking any action it deems necessary to resolve difference in interpretation of the Franchise nor shall Rocky Mountain Power be precluded from seeking relief from the Courts in the event Public Service Commission orders, rules or regulations conflict with or make performance under the Franchise illegal.

16.2 Breach. In the event Rocky Mountain Power or the City fails to fulfill any of their respective obligations under this Franchise, the City, or Rocky Mountain Power, whichever the case may be will have a breach of contract claim and remedy against the other in addition to any other remedy provided by law, provided that no remedy which would have the effect of amending the specific provisions of this Franchise shall become effective without such action which would be necessary to formally amend the Franchise.

SECTION 17. Notices. Unless otherwise specified herein, all notices from Rocky Mountain Power to the City pursuant to or concerning this Franchise shall be delivered to the City Recorder's Office, 250 North Main, Centerville, Utah, 84014. Unless otherwise specified herein, all notices from the City to Rocky Mountain Power pursuant to or concerning this Franchise shall be delivered to the Vice President of Utah Power & Light Company at 201 South Main, 23rd Floor, Salt Lake City, Utah 84111 and such other office as Rocky Mountain Power may advise the City of by written notice.

SECTION 18. Severability. If any section, sentence, paragraph, term or provision hereof is for any reason determined to be illegal, invalid, or superseded by other lawful authority including any state or federal regulatory authority having jurisdiction thereof or unconstitutional, illegal or invalid by any court of common jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such determination shall have no effect on the validity of any other section, sentence, paragraph, term or provision hereof, all of which will remain in full force and effect for the term of the Franchise or any renewal or renewals thereof.

SECTION 19. Early Termination, Revocation or Forfeiture.

19.1 Grounds. The City may terminate or revoke this Franchise and all rights and privileges herein provided for any of the following reasons:

(1) Rocky Mountain Power, by act or omission, materially violates a duty or obligation herein set forth in any particular within Rocky Mountain Power's control, and with respect to which redress is not otherwise herein provided. In such event, the City, acting by or through its City Council, may after hearing determine that such failure is of a material nature; and thereupon, after written notice given to Rocky Mountain Power of

such determination, Rocky Mountain Power shall have six (6) months from the date it receives notice to remedy the conditions identified in the notice. After the expiration of such six (6) months period and failure to correct such conditions, the City may declare this Franchise forfeited, and thereupon Rocky Mountain Power shall have no further rights or authority hereunder, provided, however, that any such declaration of forfeiture shall be subject to judicial review as provided by law, and provided further that in the event such failure is of such a nature that it cannot reasonably be corrected within the six (6) months time provided above, the City may provide additional time for the reasonable correction of such alleged failure in lieu of the six (6) months time provided above.

(2) Rocky Mountain Power becomes insolvent, unable or unwilling to pay its debts, is adjudged bankrupt, or all or part of its Electric Facilities should be sold under an instrument to secure a debt and is not redeemed by Rocky Mountain Power within thirty (30) days.

19.2 Ordinance. No franchise revocation or termination may be effective under this Section until the City Council shall first adopt an ordinance terminating the Franchise and setting forth therein the reasons for termination, following not less than thirty (30) days prior written notice to Rocky Mountain Power of the public hearing on the ordinance. Rocky Mountain Power shall have an opportunity at the public hearing to be heard upon the proposed termination and, if terminated, the City Council shall make findings of fact and state its reasons for the action.

19.3 Rights and Remedies. Nothing contained herein shall be deemed to preclude Rocky Mountain Power from pursuing any legal or equitable rights or remedies it may have to challenge the action of the City Council or any successor governing body of the City following adoption of an ordinance terminating this Franchise as provided herein.

SECTION 20. Electrical Service. Subject to and in accordance with the terms of this Franchise, State law, and the terms and conditions imposed by the Public Service Commission, Rocky Mountain Power shall furnish electricity within the corporate limits of the City, or any additions thereto, to the City and to the inhabitants thereof, and to any person or persons or corporation doing business in the City or any additions thereto. All charges made, demanded or received by Rocky Mountain Power for furnishing electricity within the corporate limits of the City shall be just and reasonable in accordance with applicable provisions of State law, including, but not limited to *Utah Code Ann.* § 54-3-1 and § 54-3-8, as amended.

SECTION 21. Miscellaneous.

21.1 Compliance with Pollution Laws. Rocky Mountain Power shall comply with all applicable Federal and State air and water pollution laws and, upon the City's request, shall provide the City with a status report of such compliance and best management practices utilized.

21.2 Small Power Production. The City expressly reserves the right to engage in the production of electric energy, both from conventional power plants and from co-generations and small power production facilities.

21.3 Binding Effect. This Franchise shall be binding upon the parties and their authorized successors and assigns.

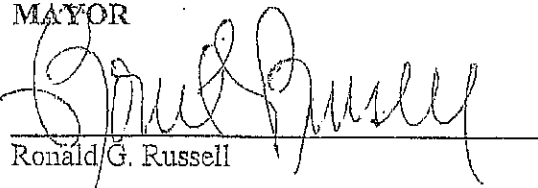
21.4 Omission Not a Waiver. The omission to specify or enumerate in this ordinance those provisions of general law applicable to all cities shall not be construed as a waiver of the benefits of any such provisions.

21.5 Preservation of Rights. Nothing in this Franchise shall affect the City's right, under the Municipal Energy Sales and Use Tax Act, as currently set forth in *Utah Code Ann.* § 10-1-301, *et seq.*, or any other applicable law then in effect, at any time hereafter to impose upon, charge or collect a municipal energy sales and use tax on the sale or use of taxable energy supplied by or through Rocky Mountain Power within the City, or to impose, charge or collect any lawful fee, tax, license fee, license tax, franchise fee or similar charge, or any combination of any of the foregoing provided the City is or becomes legally authorized to do so. Rocky Mountain Power reserves all lawful right to oppose any existing or future law or change or clarification thereof intended to permit such a charge or collection from Rocky Mountain Power.

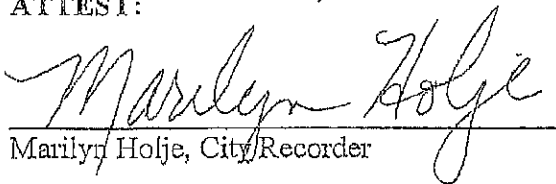
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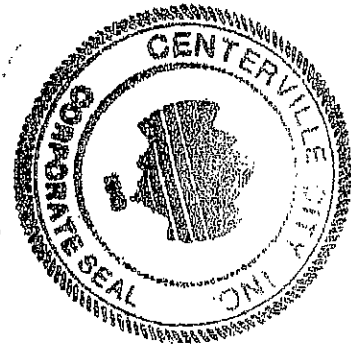
PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY,
STATE OF UTAH, THIS 3rd DAY OF OCTOBER, 2006.

MAYOR


Ronald G. Russell

ATTEST:


Marilyn Holje, City Recorder



Voting by the City Council:

	"AYE"	"NAY"
Councilmember Allen	<u>X</u>	_____
Councilmember Cutler	<u>X</u>	_____
Councilmember Dellastatious	<u>—</u>	_____
Councilmember Gutke	<u>X</u>	_____
Councilmember Lindstrom	<u>X</u>	_____

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
10/4/2016**

Item No. 4.

Short Title: Public Hearing - PDO Amendments - Chapel Ridge Cove PDO - 2172 North Chapel Ridge Circle

Initiated By: Jacob Toombs, Millcreek Homes, Applicant

Scheduled Time: 7:25

SUBJECT

Consider proposed amendments to the Chapel Ridge Cove Planned Development Overlay (PDO) to allow for alternative housing styles for Lots 5, 6, 8, 9 and 10 - Ordinance No. 2016-30

RECOMMENDATION

Adopt Ordinance No. 2016-30 amending the Chapel Ridge Cove Planned Development Overlay (PDO) to allow alternative housing styles.

BACKGROUND

On September 14, 2016, the Planning Commission reviewed and recommended approval of proposed amendments to the Chapel Ridge Planned Development Overlay (PDO) to add optional housing styles. The Staff Transmittal Report for this application is attached.

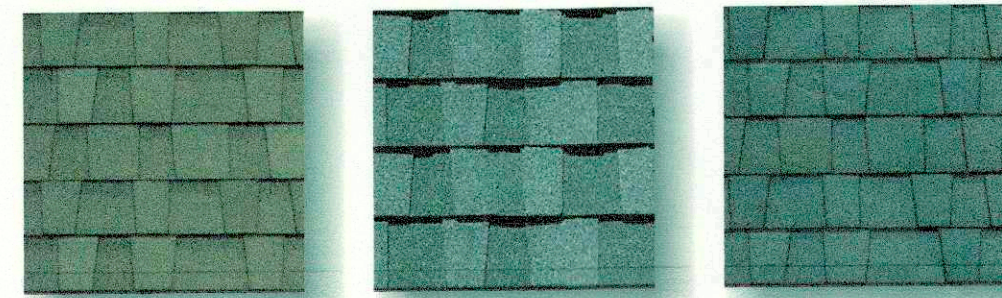
ATTACHMENTS:

Description

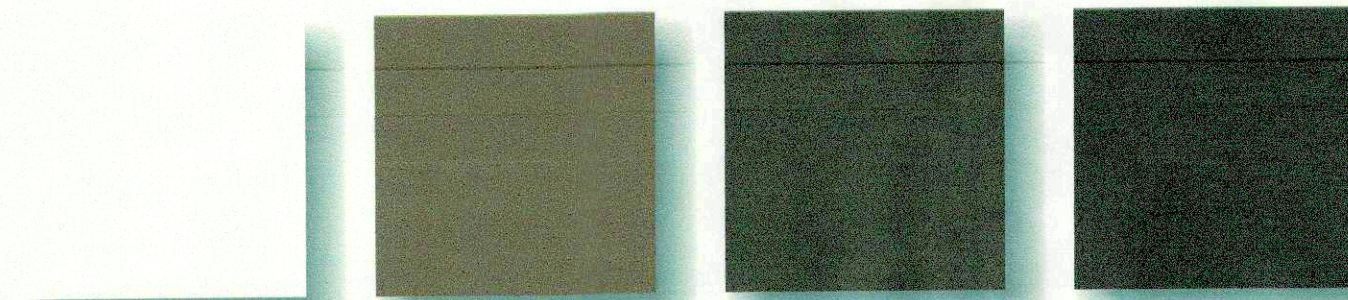
- ☐ Chapel Ridge Cove New House Plans, Colors & Materials
- ☐ 09-26-2016-Transmittal Report
- ☐ Ordinance No. 2016-30
- ☐ 09-14-2016 PC Staff Report Chapel Ridge Cove PDO Amendment
- ☐ 9-14-2016 PC minutes (pgs 10-13)

COLOR AND MATERIALS

SHINGLES



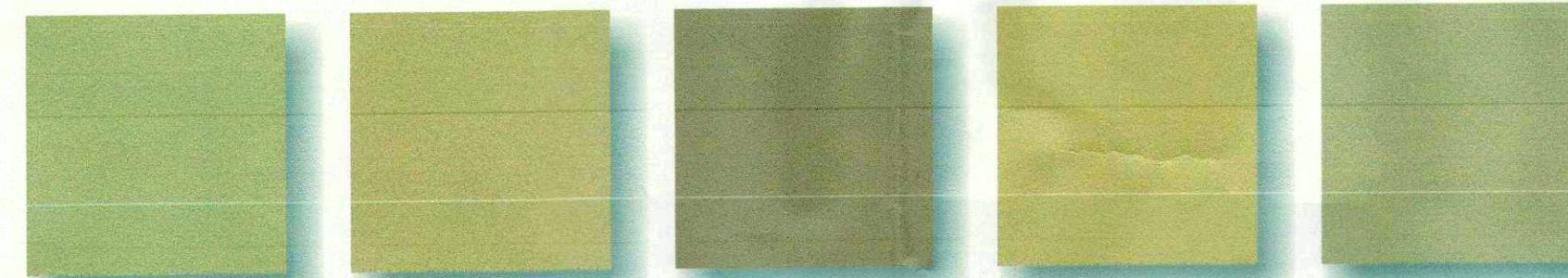
FASICA



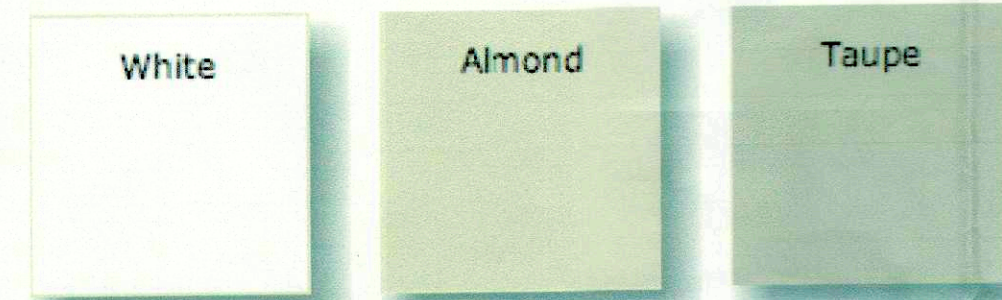
BOARD &
BATTON



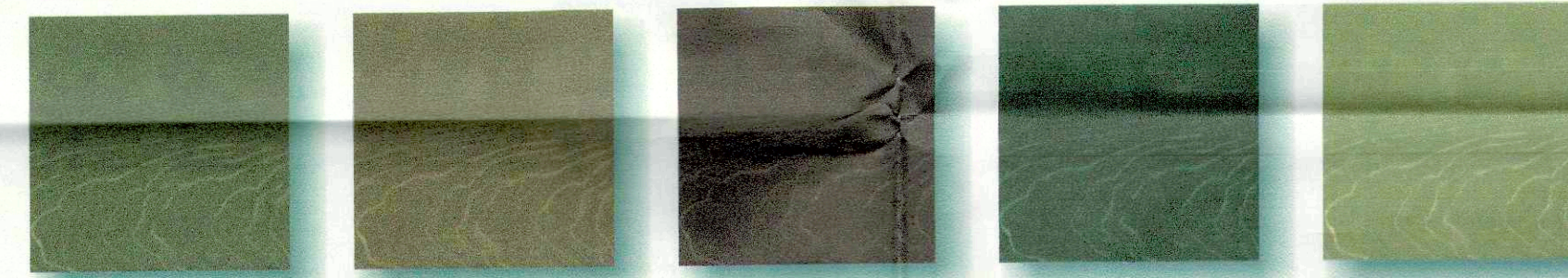
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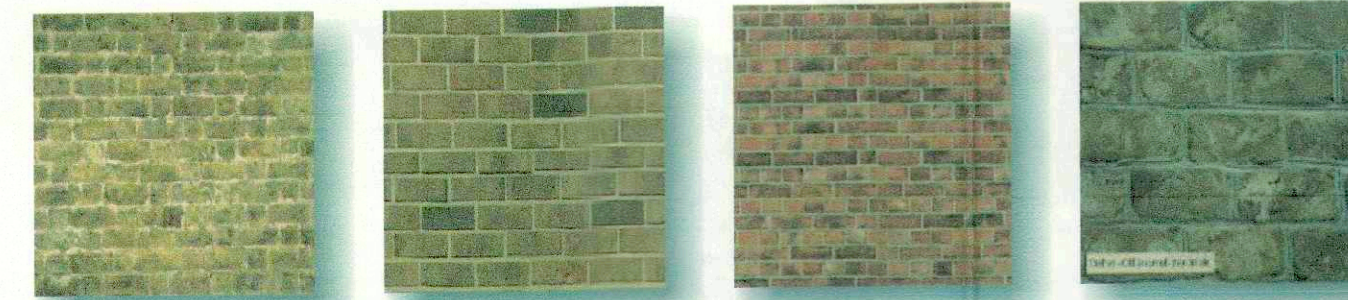
WINDOW



WOOD TRIM



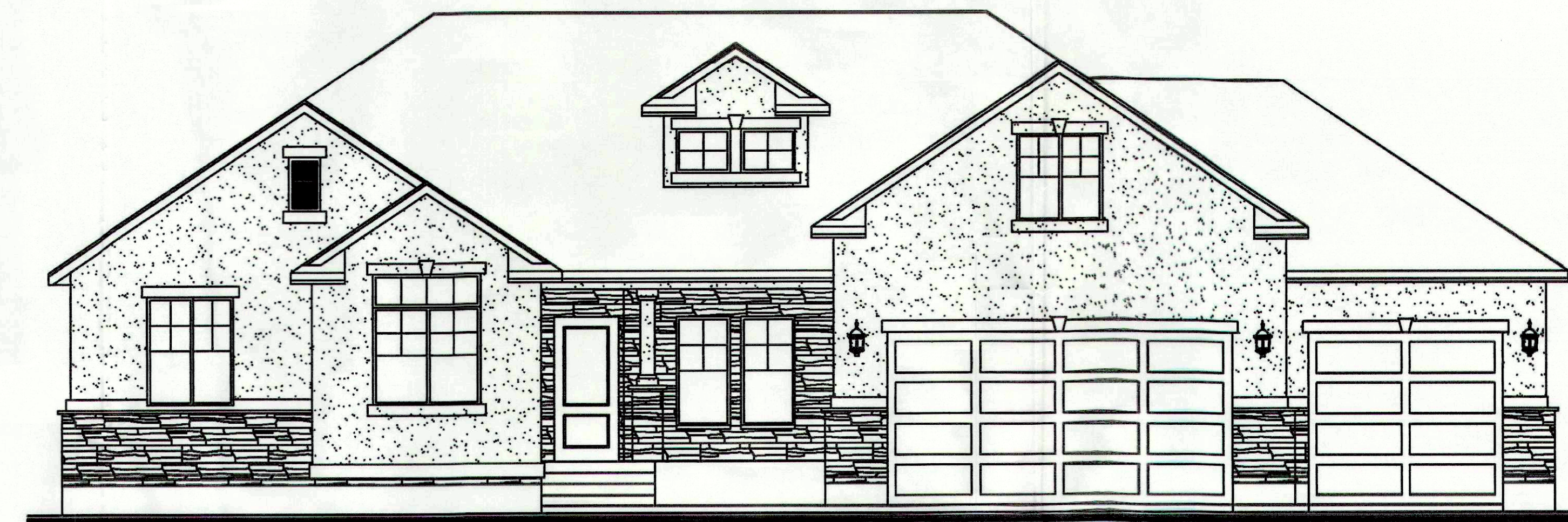
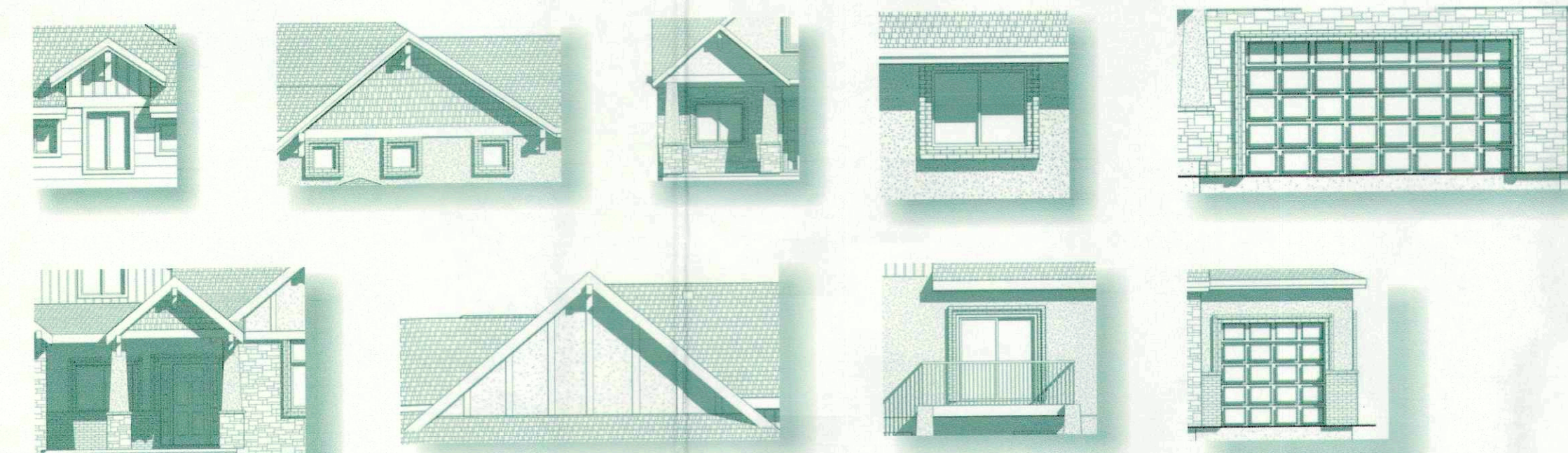
BRICK TRIM



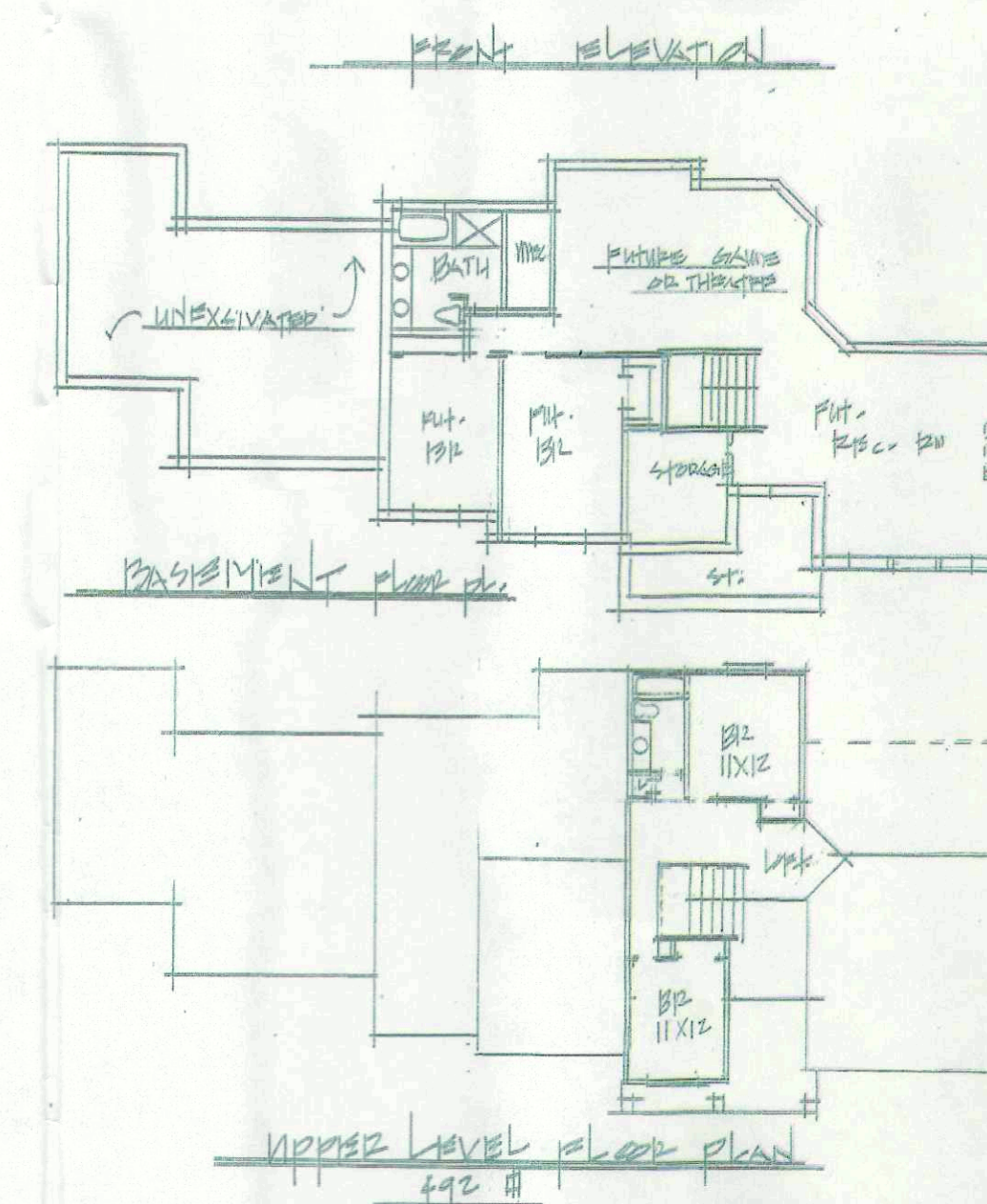
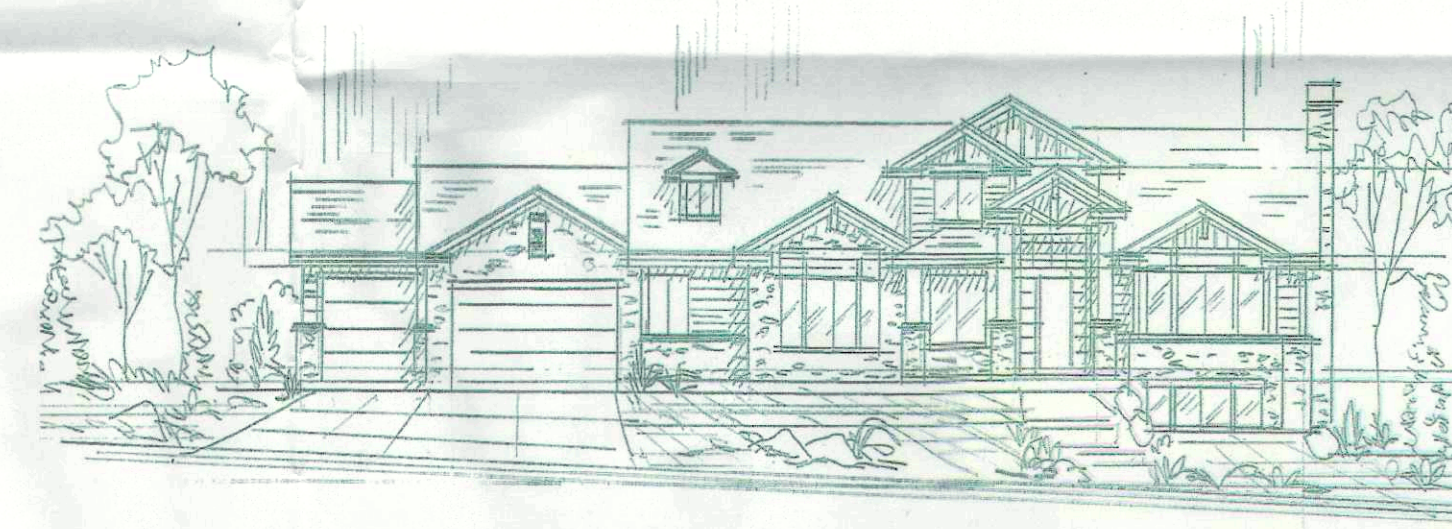
STONE



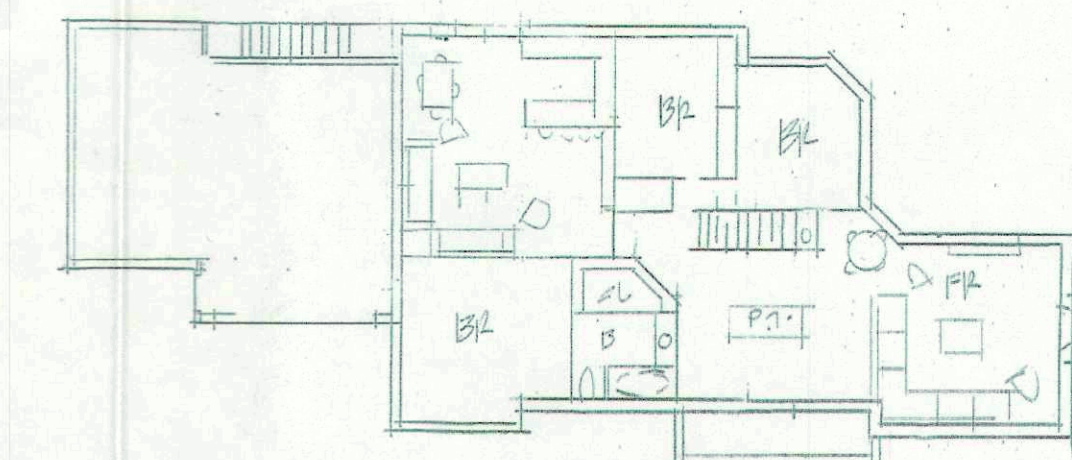
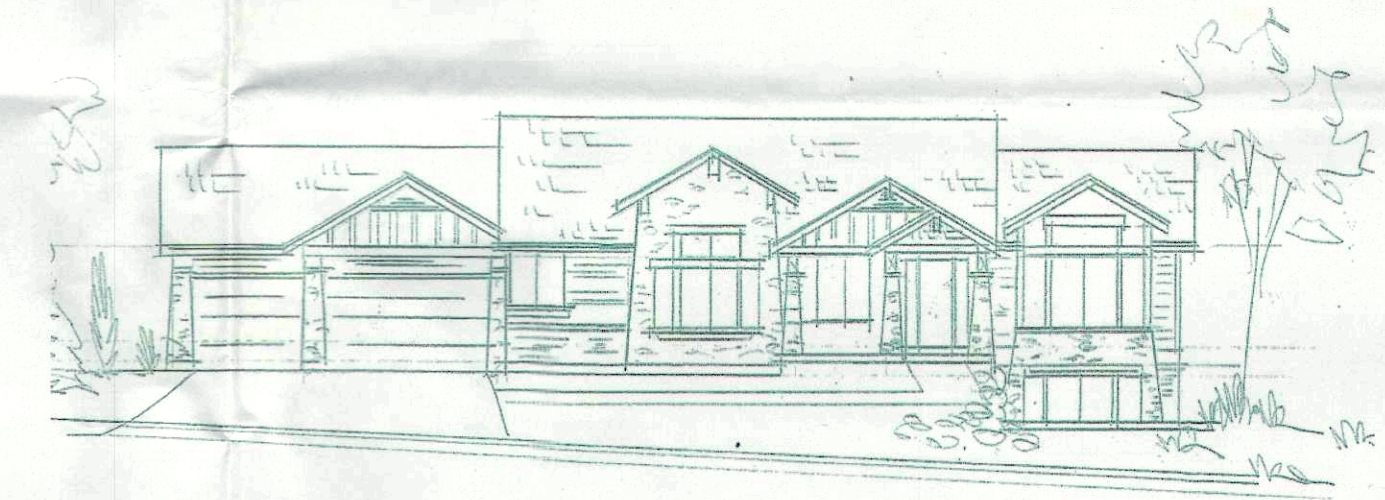
ARCHITECTURAL ELEMENTS



PLAN - 1

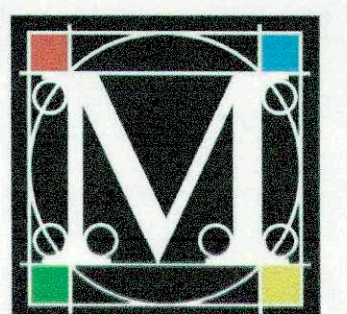


PLAN - 2



PLAN - 3

CHAPEL RIDGE COVE
SUBDIVISION
CENTERVILLE CITY, UT



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

PLANNING COMMISSION TRANSMITTAL REPORT

**PROPERTY OWNER/
APPLICANT:**

**JACOB TOMBS
MILLCREEK HOMES
138 EAST 12300 SOUTH, SUITE “C”
DRAPER, UT 84020
(millcreekhomes@msn.com)**

PROPERTY:

**CHAPEL RIDGE COVE SUBDIVISION
2250 NORTH 150 EAST**

ACREAGE:

2.50 ACRES

ZONING:

R-L (RESIDENTIAL-LOW)

APPLICATION:

PDO ZONE MASTER PLAN AMENDMENTS;
▪ *AMEND THE SPECIFIC HOUSE ELEVATION STYLES
AND ALLOW OTHER STYLES, PROVIDED THEY ARE
CONSISTENT WITH THE APPROVED ARCHITECTURAL
DESIGN ELEMENTS*

**PC RECOMMENDATION: RECOMMENDED APPROVAL TO THE CITY
COUNCIL OF THE ZONE MAP AMENDMENT**

BACKGROUND

The petitioner, Mr. Jacob Tombs, desires to amend the architectural house style designs of the PDO Master Conceptual Plan and related approvals for the Chapel Ridge Subdivision. This proposed amendment can be summed up as follows:

- *In addition to the three (3) approved building elevations, known as Deuel, Parrish, and Grover, allow other house styles proposed as Plan 1, Plan 2 and Plan 3 (see attachments).*
- *Nonetheless, keep in place the approved architectural theme, materials list, and the 360 degree visual requirements of the original approvals.*

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

On September 14, 2016, the Planning Commission reviewed the petition, held a public hearing, debated, and then voted to approve the petition to amend the Chapel Ridge Subdivision PDO approval, as follows:

1. In addition to the three (3) approved building elevations, known as Deuel, Parrish and Grover, other house elevations that are compatible in style, architectural features and materials and meet all other requirements of the PDO.
2. However, the amendment shall keep in place the approved architectural theme, materials list, and the 360 degree visual requirements of the original approvals.

Suggested Reasons for the Action (Findings):

- a) The Commission finds that amendments to a PDO approval are subject to the original procedure used for obtaining a preliminary approval.
- b) The Commission finds that according to Section 12.41.010, the purpose of the PDO provisions is to allow “...*mixed residential/commercial projects to be developed in a manner that allows design flexibility, integration of mutually compatible uses, integration of open spaces, clustering of dwelling units, and optimum land planning with greater efficiency, convenience and amenity than is possible under conventional zone regulations.*”
- c) The Commission finds that Section 12.41.070 allows for “variations from development standards” from both the Subdivision and Zoning Ordinances.
- d) The Commission finds that the proposed amendments are not variations from our adopted standards, any such request was already approved with the original PDO approval.
- e) The Commission finds that original design concern seemed to entail the discussions around the setbacks and the house elevation design elements and not particularly focused on actual floor plans for the homes.
- f) Therefore, the Commission finds that the amendment request would remain consist with the intent of the original PDO and Subdivision Plan review and approvals.

Planning Commission Vote (5-0):

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

LIST OF PREVIOUS PLANNING COMMISSION MEETINGS

- SEPTEMBER 14, 2016 Planning Commission Meeting

ORDINANCE NO. 2016-30

AN ORDINANCE AMENDING THE PLANNED DEVELOPMENT OVERLAY FOR THE CHAPEL RIDGE COVE PDO TO ALLOW FOR ALTERNATIVE HOUSING STYLES

WHEREAS, the City Council previously approved the rezoning of property for the Chapel Ridge Cove Subdivision from Residential-Low (R-L) to Residential-Low/Planned Development Overlay (R-L/PDO) as more particularly provide in Ordinance No. 2012-22; and

WHEREAS, the City Council has previously amended the Planned Development Overlay (PDO) for Chapel Ridge Cove as more particularly provided in Ordinance No. 2012-30 regarding right-of-way width and rear yard setback requirements for decks; and

WHEREAS, the Developer has recently requested an additional amendment to the Chapel Ridge Cove PDO to allow for alternative home designs; and

WHEREAS, the Planning Commission has reviewed and recommended approval of the proposed amendments to the Chapel Ridge Cove PDO and all appropriate hearings have been held in accordance with City Ordinances and State law.

BE IT ENACTED AND ORDAINED BY THE CITY COUNCIL OF CENTERVILLE, UTAH, AS FOLLOWS:

Section 1. **Amendment.** The Planned Development Overlay (PDO) approval for the Chapel Ridge Cove PDO is hereby amended as follows:

1. In addition to the three approved building elevations known as Deuel, Parrish and Grover, other house elevations may be used so long as such elevations and housing plans are substantially compatible in style, architectural features and materials to the previously approved elevations and meet all other requirements of the PDO.

2. However, the amendment shall keep in place the approved architectural theme, materials list, and the 360 degree visual requirements of the original approvals.

Section 2. **Conditions.** Except as otherwise amended in Section 1, all development within the Chapel Ridge Cove PDO is subject to all applicable conditions of approval as set forth in the original rezone Ordinance No. 2012-22 and the amendments set forth in Ordinance No. 2012-30.

Section 3. **Findings.** This amendment to the Planned Development Overlay (PDO) approval for the Chapel Ridge Cove PDO is based on the following findings:

- a. The Council finds that amendments to a PDO approval are subject to the original procedure used for obtaining approval.
- b. The Council finds that according to Section 12.41.010, the purpose of the PDO provisions is to allow “mixed residential/commercial projects to be developed in a manner that allows design flexibility, integration of mutually compatible uses, integration of open spaces, clustering of dwelling units, and optimum land planning

with greater efficiency, convenience and amenity than is possible under conventional zone regulations.”

- c. The Council finds that Section 12.41.070 allows for “variations from development standards” from both the Subdivision and Zoning Ordinances.
- d. The Council finds that the proposed amendments are not variations from the City’s adopted standards and that any such request was already approved with the original PDO approval.
- e. The Council finds that original design concern seemed to entail the discussions around the setbacks and the house elevation design elements and not particularly focused on actual floor plans for the homes.
- f. Therefore, the Council finds that the amendment request remains consist with the intent of the original PDO and Subdivision Plan review and approvals.

Section 4. This Ordinance shall take effect immediately upon posting or 30 days after final passage by the City Council, whichever is closer to the date of final passage.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY,
STATE OF UTAH, ON THIS 4th DAY OF OCTOBER, 2016.**

CENTERVILLE CITY

BY: _____
Paul A. Cutler, Mayor

ATTEST:

Marsha L. Morrow, City Recorder

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 _____, 20____.

PUBLISHED OR POSTED this ____ of _____, 20____.

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

**STAFF REPORT
AGENDA: ITEM 2**

**PROPERTY OWNER/
APPLICANT:**

**JACOB TOMBS
MILLCREEK HOMES
138 EAST 12300 SOUTH, SUITE “C”
DRAPER, UT 84020
(millcreekhomes@msn.com)**

PROPERTY:

**CHAPEL RIDGE COVE SUBDIVISION
2250 NORTH 150 EAST**

ACREAGE:

2.50 ACRES

ZONING:

R-L (RESIDENTIAL-LOW)

APPLICATION:

PDO ZONE MASTER PLAN AMENDMENTS;
▪ *AMEND THE SPECIFIC HOUSE ELEVATION STYLES
AND ALLOW OTHER STYLES, PROVIDED THEY ARE
CONSISTENT WITH THE APPROVED ARCHITECTURAL
DESIGN ELEMENTS*

RECOMMENDATIONS: APPROVE THE PROPOSED AMENDMENTS

BACKGROUND/STAFF COMMENT

The petitioner, Mr. Jacob Tombs, desires to amend the architectural house style designs of the PDO Master Conceptual Plan and related approvals for the Chapel Ridge Subdivision. This proposed amendment can be summed up as follows:

- *In addition to the three (3) approved building elevations, known as Deuel, Parrish, and Grover, allow other house styles proposed as Plan 1, Plan 2 and Plan 3 (see attachments).*
- *Nonetheless, keep in place the approved architectural theme, materials list, and the 360 degree visual requirements of the original approvals.*

PDO AMENDMENT PROCEDURE SECTION 12.41.080(g)

Amendments to a PDO approval are subject to the original procedure used for obtaining a preliminary approval. Thus, the process to amend the Chapel Ridge PDO Master Plan is to

review the changes, notice and hold a public hearing, debate the merits of the request, and make a recommendation to the City Council, whom repeats the same decision-making process.

According to Section 12.41.010, the purpose of the PDO provisions is to allow “...*mixed residential/commercial projects to be developed in a manner that allows design flexibility, integration of mutually compatible uses, integration of open spaces, clustering of dwelling units, and optimum land planning with greater efficiency, convenience and amenity than is possible under conventional zone regulations.*”

Thus, Section 12.41.070 allows for “variations from development standards” from both the Subdivision and Zoning Ordinances. However, the proposed amendments are not variations from our adopted standards, any such request was already approved. Nonetheless in the original PDO approval, the developer (originally, Mr. Alan Prince) committed to specific design elevations relating to house plans for the subdivision lots. The original preliminary and final subdivision approvals for the Chapel Ridge development, with regards to the architecture design chosen by the developer consisted of the following:

A Preliminary Subdivision Approval Design Element:

Front elevations for each home style were to be submitted in color renderings, which consisted of three (3) design schemes submitted, and were labeled as Deuel, Parrish and Grover, as part of a final plans approval (*see Commission Approval 10-24-2012*).

A Final Subdivision Approval Design Element:

“The side and rear elevations for the Deuel house design shall be upgraded to enhance the 360-degree visual appeal and shall be deemed acceptable by staff, using the other design themes as the standard” (*see Council Approval 11-20-2012*)

From staff’s review of the original PDO approvals, these specific house plan design schemes were proposed by the developer. The City’s concern seemed to entail the discussions around the setbacks and the house elevation design elements and not particularly focused on actual floor plans for the homes. Thus, it is staff’s opinion that the amendment request would remain consist with the intent of the original PDO and Subdivision Plan review and approvals.

STAFF RECOMMENDATION

(*Suggested Motion for an amendment in regards to the original PDO approval*). I hereby make a motion for the Planning Commission to recommend to the City Council, to approve the petition to amend the Chapel Ridge Subdivision PDO approval, as follows:

1. *In addition to the three (3) approved building elevations, known as Deuel, Parrish and Grover, other house styles are approved and are labeled as Plan 1, Plan 2 and Plan 3, as submitted with the amendment request, dated August 23, 2016.*
2. *Nonetheless, the amendment shall keep in place the approved architectural theme, materials list, and the 360 degree visual requirements of the original approvals.*

Suggested Reasons for the Action (Findings):

- a) The Commission finds that amendments to a PDO approval are subject to the original procedure used for obtaining a preliminary approval.
- b) The Commission finds that according to Section 12.41.010, the purpose of the PDO provisions is to allow “...*mixed residential/commercial projects to be developed in a manner that allows design flexibility, integration of mutually compatible uses, integration of open spaces, clustering of dwelling units, and optimum land planning with greater efficiency, convenience and amenity than is possible under conventional zone regulations.*”
- c) The Commission finds that Section 12.41.070 allows for “variations from development standards” from both the Subdivision and Zoning Ordinances.
- d) The Commission finds that the proposed amendments are not variations from our adopted standards, any such request was already approved with the original PDO approval.
- e) The Commission finds that original design concern seemed to entail the discussions around the setbacks and the house elevation design elements and not particularly focused on actual floor plans for the homes.
- f) Therefore, the Commission finds that the amendment request would remain consist with the intent of the original PDO and Subdivision Plan review and approvals.

1 she tends to concur with Chair Hirschi to be in favor of the R-H zoning for this property,
2 especially since the property to the east is zoned R-H.

3
4 Commissioner Daly said the property is zoned commercial-high and the property owner
5 has every right to develop his property as commercial-high. He said the Commission can be
6 proactive in their planning to decide what it is they want in the south end of Centerville. He said
7 everything around Dick's, with a few minor exceptions, is residential-low. He thinks it would be
8 a mistake to put more than residential-medium in the neighborhood.

9
10 Following further discussion, Commissioner Johnson called the question on the motion.
11 Commissioner Johnson said he tends to agree with Commissioner Daly. He feels whether they
12 zone it R-M or R-H, they are sending two distinct messages that will be sent to the development
13 community.

14
15 A roll call vote was taken and the motion passed by a (4-1) vote. Commissioners Kjar,
16 Hayman, Hirschi and Johnson voted in favor of the motion. Commissioner Daly voted against
17 the motion.

18
19 **PUBLIC HEARING – CHAPEL RIDGE COVE PUD, 2172 N CHAPEL RIDGE**
20 **CIR - Consider the proposed R-L/PDO amendment for Chapel Ridge Cove P.U.D., which**
21 **consists of amending use of specific house plans for Lots 5, 6, 8, 9 & 10 - Jacob Toombs,**
22 **Millcreek Homes, Applicant.**

23
24 Cory Snyder, Community Development Director explained that this project is on the
25 north end of Centerville by the Park Hills Subdivision east of the LDS Chapel. This is a planned
26 development overlay project with an R-M Zoning. The reason the PDO was put in place was due
27 to the down-hill cul-de-sac and there were a number of problems associated with that. Along
28 with the approval were exceptions, including designs of the homes. There are notes on the plat
29 pertaining to designs and setbacks and how decks are measured. Mr. Snyder said at the time, the
30 developer committed to three elevations. He said they didn't really review the floor plans and
31 approve the floor plans designs per say, but approved the front elevations of the Deuel, Parrish
32 and the Grover plans. A couple of those plans and elevations have been built in the project. The
33 new owner of the project, Millcreek Homes, owns the remaining lots and the petitioner, Mr.
34 Jacob Tombs, desires to amend the architectural house style designs of the PDO Master
35 Conceptual Plan and related approvals for the Chapel Ridge Subdivision. This proposed
36 amendment can be summed up as follows:

- 37
- In addition to the three (3) approved building elevations, known as Deuel, Parrish, and
38 Grover, allow other house styles proposed as Plan 1, Plan 2 and Plan 3 (as shown on
39 attachments in the staff report).
 - However, keep in place the approved architectural theme, materials list, and the 360
40 degree visual requirements of the original approvals.
- 41
42

1 Mr. Snyder explained that amendments to a PDO approval are subject to the original
2 procedure used for obtaining a preliminary approval. Thus, the process to amend the Chapel
3 Ridge PDO Master Plan is to review the changes, notice and hold a public hearing, debate the
4 merits of the request, and make a recommendation to the City Council, whom repeats the same
5 decision-making process.

6
7 According to Section 12.41.010, the purpose of the PDO provisions is to allow "...mixed
8 residential/commercial projects to be developed in a manner that allows design flexibility,
9 integration of mutually compatible uses, integration of open spaces, clustering of dwelling units,
10 and optimum land planning with greater efficiency, convenience and amenity than is possible
11 under conventional zone regulations."

12
13 Thus, Section 12.41.070 allows for "variations from development standards" from both the
14 Subdivision and Zoning Ordinances. However, the proposed amendments are not variations from
15 our adopted standards, any such request was already approved. Nonetheless, in the original PDO
16 approval, the developer (originally, Mr. Alan Prince) committed to specific design elevations
17 relating to house plans for the subdivision lots. This request is not to make any other changes,
18 but just adding three additional elevations to the original three elevations to try and market those
19 lots. It is staff's opinion that the amendment request would remain consistent with the intent of
20 the original PDO and Subdivision Plan review and approvals and staff is supportive of the
21 request.

22
23 Jacob Toombs, applicant, explained their desire is to offer different floor plans and not
24 restrict the floor plans to what is currently available. They want to be able to offer more options,
25 yet still follow the design elements on the exterior. They would keep the feel of the
26 neighborhood the same. Mr. Snyder said the elevations drive the floor plan and they have been
27 limited to the three floor plans. Mr. Snyder asked for clarification. He said it was his
28 understanding that they were just wanting to add three additional elevations to the three currently
29 approved. But apparently Mr. Toombs is asking for the ability to be flexible in the floor plans
30 they offer, providing those plans meet all the architectural requirements. Mr. Toombs agreed
31 that was their intention. Mr. Snyder said the Planning Commission can approve the modification
32 without having to be renoticed.

33
34 Commissioner Daly said he wanted to make sure he understood that everything else
35 would remain the same, the developer is just wanting the leeway to change the floor plans. Mr.
36 Toombs agreed. He said they wanted to keep the craftsman style architecture. Mr. Snyder said
37 the plat notes would remain in place for the design and they would still be subject to the 360
38 degree elevation.

39
40 Chair Hirschi asked how many homes were occupied. Mr. Toombs replied there were
41 currently 5 occupied homes and 5 lots to be built on.

42

1 Chair Hirschi opened the public hearing. Seeing no one wishing to comment, he closed
2 the public hearing.

3
4 Cory Snyder reminded the Planning Commissioners that this is a recommendation to the
5 City Council because it involves a PDO approval.

6
7 Commissioner Kjar made a **motion** for the Planning Commission to recommend to the
8 City Council, to approve the petition to amend the Chapel Ridge Subdivision PDO approval, as
9 follows:

- 10
11 1. In addition to the three (3) approved building elevations, known as Deuel, Parrish
12 and Grover, other house styles are approved and are labeled as Plan 1, Plan 2 and
13 Plan 3, as submitted with the amendment request, dated August 23, 2016.
14 2. However, the amendment shall keep in place the approved architectural theme,
15 materials list, and the 360 degree visual requirements of the original approvals.

16
17 ***Reasons for the Action (Findings):***

- 18 a) The Commission finds that amendments to a PDO approval are subject to the original
19 procedure used for obtaining a preliminary approval.
20 b) The Commission finds that according to Section 12.41.010, the purpose of the PDO
21 provisions is to allow "...mixed residential/commercial projects to be developed in a
22 manner that allows design flexibility, integration of mutually compatible uses,
23 integration of open spaces, clustering of dwelling units, and optimum land planning
24 with greater efficiency, convenience and amenity than is possible under conventional
25 zone regulations."
26 c) The Commission finds that Section 12.41.070 allows for "variations from
27 development standards" from both the Subdivision and Zoning Ordinances.
28 d) The Commission finds that the proposed amendments are not variations from our
29 adopted standards, any such request was already approved with the original PDO
30 approval.
31 e) The Commission finds that original design concern seemed to entail the discussions
32 around the setbacks and the house elevation design elements and not particularly
33 focused on actual floor plans for the homes.
34 f) Therefore, the Commission finds that the amendment request would remain consist
35 with the intent of the original PDO and Subdivision Plan review and approvals.

36
37 Commissioner Daly seconded the motion.

38
39 Commissioner Daly made a motion to amend the motion to include other house
40 elevations that are compatible in style, architectural feature and materials and meet all other
41 requirements of the PDO. Chair Hirschi seconded the motion to amend. The motion passed by
42 unanimous roll-call vote (5-0).

Chair Hirschi asked for a vote on the main motion as amended. The motion passed by unanimous roll-call vote (5-0).

PUBLIC HEARING – CODE TEXT AMENDMENT, CLIMATE CONTROLLED STORAGE - Consider the proposed Zoning Code Text Amendment to add a new business use of “Storage, Climate Controlled” to various sections of the code, in response to the application submitted - Steve Tate, Applicant.

Commissioner Johnson recused himself from this item because he has significant professional interest in this topic.

Cory Snyder, Community Development Director, reported this was brought before the Planning Commission in a prior meeting. The request is to add “climate controlled storage” to utilize some space that he feels is currently underutilized or vacant. Mr. Tate has interest in the Parrish Square shopping area just west of Dicks’ Market (where Auto Zone and TonyBurgers are located). Mr. Tate has a building suite (previously a gym) where he would like to establish a “climate controlled storage” type use. Currently, this type of use is not listed in Centerville’s Zoning Ordinance. Therefore, his petition is to create a definition, list the use in the Table of Uses, and allow such use to be located in the C-H Zone.

Mr. Snyder stated there was some discussion at the August 10, 2016 Planning Commission meeting and the Commission directed staff to re-evaluate the matter and consider options such as an “overlay district, new zoning district, etc.” to allow for the possibility of allowing this specific use within the area of the Parrish Square Shopping Center. Staff have identified the following three options for the Planning Commission to consider:

- 1) **OPTION #1 “ALL C-H ZONES ALLOWANCE”** – Consider allowing “climate controlled storage” in all of the Commercial-High Zones. However, limit the allowable square feet to a maximum of 10,000 square feet to mitigate the over proliferation of this, as previously discussed by the Commission. The amendments would consist of adding the use to the C-H Zone, but restricting the size in the use Table 12.35, shown in the staff report.

Mr. Snyder explained the pros and cons of this option. He said this would eliminate targeting specific location areas. Additionally, the purpose of the C-H Zone is to allow building sizes ranging from 10,000 to 50,000 square feet (see Section 12.30.020.d.2). However, this option allows the subject use in all C-H Zoning Districts. The subject use would be the only listed use to the lower end of the allowable building size range.

- 2) **OPTION #2 “USE THE ZONING OVERLAY ALLOWANCE”** – The subject area and use desired by the applicant is located in the “Parrish Square Shopping Center,” which is already located in an overlay district. It is in the South Main Street Corridor. The South Main Street Corridor has the underlying zone uses and adds other uses that are

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
10/4/2016**

Item No. 5.

Short Title: Public Hearing - Zoning Map Amendment (Rezone) - Balling Townhomes - 323 East Pages Lane

Initiated By: Scott Balling, Balling Engineering, Property Owner & Applicant

Scheduled Time: 7:35

SUBJECT

Consider the proposed Zone Map Amendment (rezone) for property located at approximately 323 East Pages Lane from Commercial-High (C-H) to Residential-High (R-H) - Ordinance No. 2016-31

RECOMMENDATION

Adopt Ordinance No. 2016-31 amending the Centerville City Zoning Map by changing the zoning of approximately 0.51 acres of real property located at 323 East Pages Lane from Commercial-High (C-H) to Residential-High (R-H) based on the findings recommended by the Planning Commission.

BACKGROUND

On September 14, 2016, the Planning Commission reviewed and recommended for approval the proposed rezone of property from Commercial-High (C-H) to Residential-High (R-H). The Staff Transmittal Report for this application is attached.

ATTACHMENTS:

Description

- ☐ Staff transmittal report re PC recommendation for Rezone from C-H to R-H
- ☐ Applicant Submittal re Rezone from C-H to R-H
- ☐ Rezone Vicinity Map
- ☐ Ordinance No. 2016-31-Balling Rezone
- ☐ 09-14-2016 PC Staff Report Balling Townhomes Rezone from C-H to R-H
- ☐ 9-14-2016 PC minutes (pgs 1-10)

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

PLANNING COMMISSION TRANSMITTAL REPORT

APPLICANT: **SCOTT BALLING**
 PO BOX 805
 CENTERVILLE, UT 84014
 JSCOTTBALLING@GMAIL.COM

PROJECT ADDRESS: **323 EAST PAGES LANE**

ACREAGE: **0.513 ACRES**

EXISTING ZONING: **COMMERCIAL-HIGH (C-H)**

APPLICATION: **ZONE MAP AMENDMENT TO REZONE 323 EAST
PAGES LANE FROM COMMERCIAL-HIGH (C-H) TO
RESIDENTIAL-HIGH (R-H)**

PC RECOMMENDATION: **RECOMMENDED APPROVAL TO THE CITY
COUNCIL OF THE ZONE MAP AMENDMENT**

BACKGROUND

Recently, Mr. Balling submitted an application to rezone his property from Commercial-High (C-H) to Residential-High (R-H). His desire is to rezone the property and then come back to the Planning Commission for review and approval of possibly six (6) townhomes. He believes his property will be more compatible with adjacent properties if it is amended to allow for multi-family development. The property east of the Balling lot is Zoned Residential-High (R-H) and the property to the north, owned by the LDS Church is Zoned Residential-Low (R-L). To the west, adjacent to 300 East is the J.A. Taylor Elementary School Zoned as Public Facility-Medium (PF-M). Across Pages Lane to the south is the old Dick's Market site, Zoned Commercial-High (C-H).

This application will not be addressing the townhomes or desired density and will only be reviewing the request for a rezone. If approved by the City Council, the applicant will be required to apply for any related site plan approvals and/or a conditional use permit prior to developing this property.

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

On September 14, 2016, the Planning Commission reviewed the petition, held a public hearing, debated, and then voted to recommend the Zone Map Amendment for 323 East Pages Lane from Commercial-High (C-H) to Residential-High (R-H), for the following reasons:

- a) The proposed amendment meets the requirements found in Section 12.21.080(4)(e).
- b) The proposed Zone Map Amendment is consistent with the overall intent of the goals and objectives of the General Plan [Section 12.480.2(c)].
- c) According to the associated Neighborhood Plan, amending the zoning map for this location to Residential-High (R-H) appears to likely have less of a long-term impact on the surrounding neighborhood than the current zoning of Commercial-High (C-H) that is anticipated in the plan.

Planning Commission Vote (4-1):

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

LIST OF PREVIOUS PLANNING COMMISSION MEETINGS

- SEPTEMBER 14, 2016 Planning Commission Meeting

Honorable Mayor and Councilmembers:

The attached information are some comments, plans and elevations which we have previously hand delivered to all residents within 700 ft. of this property and also provided copies to all the members of the Planning Commission. We appreciate your review and look forward to discussing our property at the Oct. 4th Council Meeting. My name is Scott Balling. My wife and I reside at 1995 North 100 East, Centerville. We are the owners of two parcels of land at the corner of 300 East and Pages Lane. ID # 03-004-0082 and 03-004-0083. We purchased both parcels separately and at different times. The parcel on the South contains an office building, home of Balling Engineering. The parcel on the North is vacant property. We are at this time requesting rezone of both parcels. It would be wise to give you some background concerning these parcels.

About ten years ago we made a request to rezone the North Parcel from the Current C-H zone to an R-H Zone in order to develop a tri-plex on this property. At that time we received the recommendation of the Planning Commission for this request. However, at the City Council Meeting there were several residents along 300 East Street who were desirous that we prohibit vehicular access to and from 300 East St. and require all access from Pages Lane. This is due to the loading and un-loading areas related to the adjacent Taylor Elementary School. At our recommendation the Council decided to table the discussion and requested that we meet with some of the adjacent neighbors in hopes of reaching an agreement. We met with several of the adjacent owners but we could not see a viable way to continue our engineering business and also provide an access through are parking area to residential property to the north. Because of economic reasons and a desire to meet these neighborhood wishes we decided to hold off on our request until the commercial uses on the South property were changed or discontinued. The neighbors we met with at the time were very much in agreement with this decision.

At this time we are making a request to rezone both parcels with the plan to have sole access to a 6-unit development from Pages Lane. We would discontinue all commercial uses of the property and remove all existing access and curb cuts from 300 East Street. The existing "No Parking" restrictions along the frontage of this property are in agreement with our proposed plans and it is our desire that they should remain.

Existing Commercial Use

As mentioned the current property is zoned C-H. It is the only property with this zoning on the North side of Pages Lane and therefore it is probably out of harmony with the adjacent areas. The property was originally built as a banking facility with a drive through teller window that exits onto 300 East Street. We maintain that this curb cut is existing and perpetual as well at the commercial access to 300 East Street. As a commercial zoned property some of the permitted uses that are readily viable include: a Bed and Breakfast, Rental Services, Child Care Facilities, Laundry and dry cleaning Facilities, Printing and Copying services, General Retail, and Secondhand Stores. All of these type of uses are currently applicable with access to both Pages Lane and 300 East Street. As you can see, many of the uses are less than desirable particularly adjacent to the loading area of Taylor Elementary School.

In addition, we all know that the demand for Commercial Property along Pages Lane has been diminishing substantially in the last five to ten years. This is evident from the excessive vacancy. This vacancy has a tendency to diminish and destroy property values, leave properties in disrepair and neglect, and increase crime and loitering. Some of this is already showing up as evident. In the last year we have had our masonry wall tagged with graffiti and some substantial theft on our property. We anticipate this will continue. For these reasons it is best that we move forward with rejuvenating plans and discontinue commercial uses. This request is without question an up-zone from the current usage.

Compatibility of this Rezone Request.

The request for an R-H zone is the only option which is compatible with this area. This is the same existing zone as the two properties to the east. The nearest single family residence is over 300 feet

from this property and within that same distance there are 12 multi-family apartment or townhome dwellings. The nearest R-M Zone is located about 600 ft. to the west of this property on the other side the Taylor Elementary School. To mandate that this property be zoned to an R-M or R-L Zone or a zone which would only allow single family homes or a lesser density would not be in harmony with the adjacent properties. It would be spot zoning. It would be arbitrary and capricious. It would place an unjustifiable, non-harmonious and damaging burden on the property which is not required of adjacent properties.

Density

Should the R-H Zone be approved this property would be granted a permitted use of up to 8 units per acre and a conditional use of up to 12 units per acre. The site has an attributed area of 0.73 acres and therefore the permitted use would be up to 5.7 units and the conditional use would be up to 8.7 units. We intend to construct a 6-plex on the property. The adjacent property to the East with the R-H Zone has 8 units on an attributed area of 0.70 acres. Our proposed plan would have two units less than this property on an attributed area that is slightly larger. The adjacent property density is 11.43 units/acre. Our proposed density would be 8.2 units/acre.

Description and size of the proposed units.

I know that while this request is solely to assess the compatibility of the rezone request. As owners we would like to make clear what are intentions are and what we propose to construct in this location from the get-go.

I have provided you with site, floor, and elevation plans for the proposed townhomes. All of these townhomes will be developed in a format such that each unit may be individually and separately owned. These properties will be somewhat similar to the townhomes found on the corner of Pages Lane and 400 East. All of the units will include the following:

- Two car enclosed garages
- Three or more bedrooms
- Three or more bathrooms
- Master bedroom suites
- Large family and gathering rooms.

It is the desire of the owner to provide most (4 of the units) with the Master Bedroom Suite on the Main Floor which may be more appealing to baby boomers or those approaching retirement, fewer steps and stairs. With the exclusion of the garages the finished floor area of all units will be from 1,800 to 2,400 square feet. It is expected that the value of all units will exceed \$300,000.00. As such, each unit will be equal or exceed the size and value of a majority of the homes within the extended vicinity.

Elevations, Heights and Setbacks

The intended setback of the townhomes is 25 feet from Pages Lane and 20 Feet from 300 East Street. This meets the zone requirements. It is also equal or exceeds the setback distance of the existing commercial building. There are two middle units with proposed second floor usage. In all cases the height of the building will be less than the height of the existing commercial building.

Exterior Design and Materials

The owners desire to develop these townhomes with a craftsman style architecture. All exterior surfaces, with exception of the soffits and fascia trim, will be either masonry or a "Hardy Board" type material, no stucco or aluminum siding. The roofs will contain architectural grade asphalt shingles. Many extra pop-outs, supports, columns, and corbels as shown on the enclosed elevation views have been added to give this project the true craftsman style. In addition we hope to provide an integrated exterior in an attempt to give the appearance of a single structure without identifiable delineation between each of the units. Please look at the elevations and floor plans provided so that you can get a feel for our proposal.

We feel that six units on this site is the maximum that we can provide and keep the amenities,

appearance, and floor plans we intend for quality units. More units of this type simply will not fit. We have spent substantial time looking at the option of fewer units. It comes down to the cost of the demolition. We have an existing commercial structure that we propose to remove this from the site. This demolition will likely cost about \$100,000 and this expense must be amortized over all newly constructed units. Six units would be sufficient but five would require other plans. With five or less units we would look at ways to remodel and salvage the existing commercial building and convert its use to residential. The existing building has sufficient floor areas but it was designed and used commercially. It has been said that this conversion to residential would be like putting lipstick on a pig. We much prefer to start from scratch with a clean design slate and follow through with the intended craftsman style we intend from one corner of the property and throughout. We can assure you that the finished product will be very appealing and add beauty to the area and neighborhood.

Past Experience of the Owner/Developer

As Owner's we just completed a traditional style 10-plex townhome development located at 155 West 620 South in Farmington which we are very proud of. I have attached a picture for your review. As designed, this project will contain many extras that exceed in quality this recent project. We invite you to visit and review this site and perhaps talk to the neighbors in the area and see what their opinions are. Many of the neighboring properties in this area are single family homes. If you should take time to visit with the wonderful residents living herein you will find that they are the highest quality of citizens and residents.

As property owners on Pages Lane we can see that something needs to be done to revitalize this area and stimulate some attractive and updated uses. We believe that this project may be the first and set a beautiful precedence in the area that we hope will be extended and followed. While we have spent substantial time and resources in our design, we are not finished. We sincerely want to make it the best we can do and are always looking for suggestions for betterments. We welcome and will listen and discuss any of your comments and suggestions. Thanks for your considerations.

Scott and Angie Balling
801-589-7305
Email: jscottballing@gmail.com

N00°01'41"W 197.70'

N00°01'41"W 164.70'

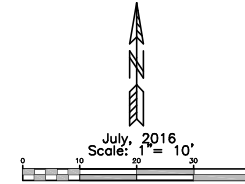
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N89°35'15"E 113.92'

S74°07'20"E N89°45'55"E
5.47' 7.47'

N00°36'27"E 163.01'

Garth Heer
Property



	Area (sq.ft.)	Percent
Building	8,326	37.2
Landscaping	8,961	40.1
Driveway and Walks	5,067	22.7
Total	22,354	100
Area to Centerlines	31,800	0.73 Acres
Number of Units	6 Units	
Density	8.2 Units/Acre	
Parking	18 Spaces (3 per Unit)	
Unit Dimensions		
Unit 1 (3 Bedroom, 2.5 Bath)		
Basement	913 sq.ft.	
Main Floor	894 sq.ft.	
Total	1,807 sq.ft.	
Unit 2 (4 Bedroom, 3.5 Bath)		
Basement	807 sq.ft.	
Main Floor	788 sq.ft.	
2nd Floor	729 sq.ft.	
Total	2,324 sq.ft.	
Unit 3 (3 Bedroom, 2.5 Bath)		
Basement	1,532 sq.ft.	
Main Floor	1,063 sq.ft.	
Total	2,595 sq.ft.	
Unit 4 (4 Bedroom, 3.5 Bath)		
Basement	934 sq.ft.	
Main Floor	934 sq.ft.	
Total	1,868 sq.ft.	
Unit 5 (4 Bedroom, 3.5 Bath)		
Basement	827 sq.ft.	
Main Floor	799 sq.ft.	
2nd Floor	777 sq.ft.	
Total	2,403 sq.ft.	
Unit 6 (3 Bedroom, 2.5 Bath)		
Basement	1,047 sq.ft.	
Main Floor	1,017 sq.ft.	
Total	2,054 sq.ft.	

Balling Engineering
Civil Engineering • Surveying • Planning
323 E. Paces Lane
Centerfile, Utah 84014
Phone: (801) 298-7237
Fax: (801) 298-0416

The Cottages on the Corner

Site Grading Plan

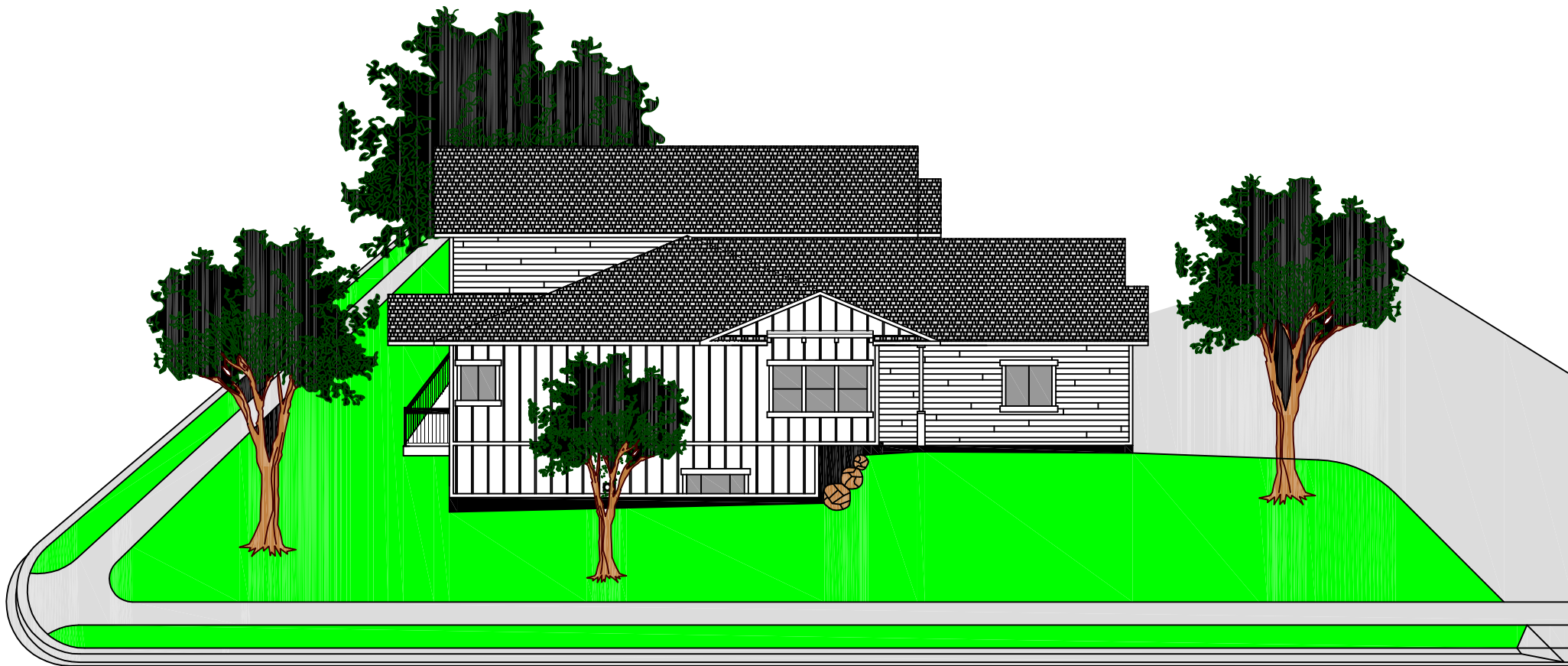
For Kestrel Bay LLC
323 East Page Lane
Centerville, Utah 84014
Phone: 801-589-7305
Email: jscotbell@gmail.com

Revisions	Description
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Surveyor Scott Bolling
 Date Surveyed _____
 Drafting _____
 Checked By _____
 Submittal Date **09-21-10**
 File Number _____

C101

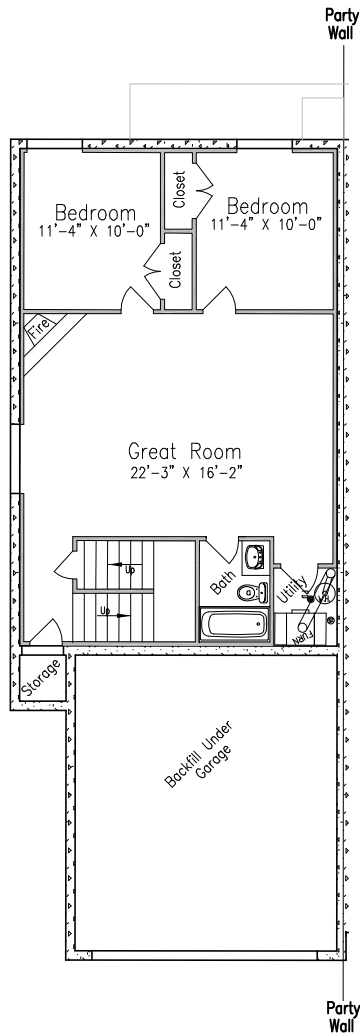
Sheet X of X



View from Pages Lane

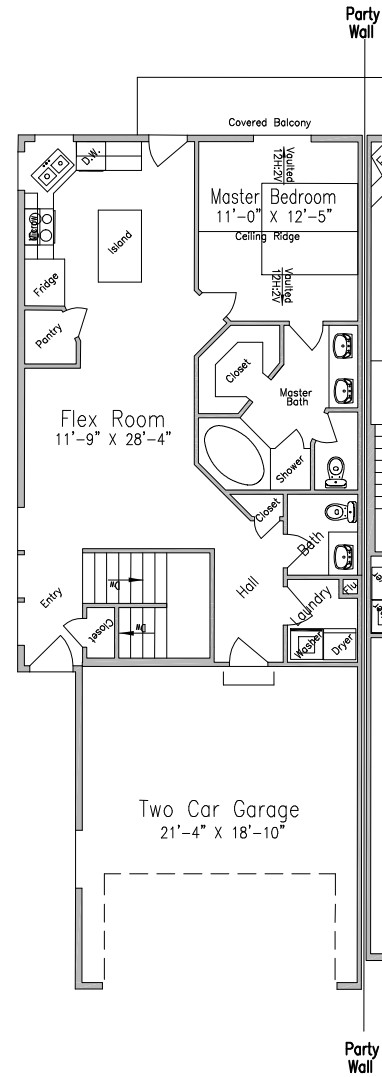


View from 300 East Street



Basement Plan
Scale: 1/4" = 1'-0"

Unit 2

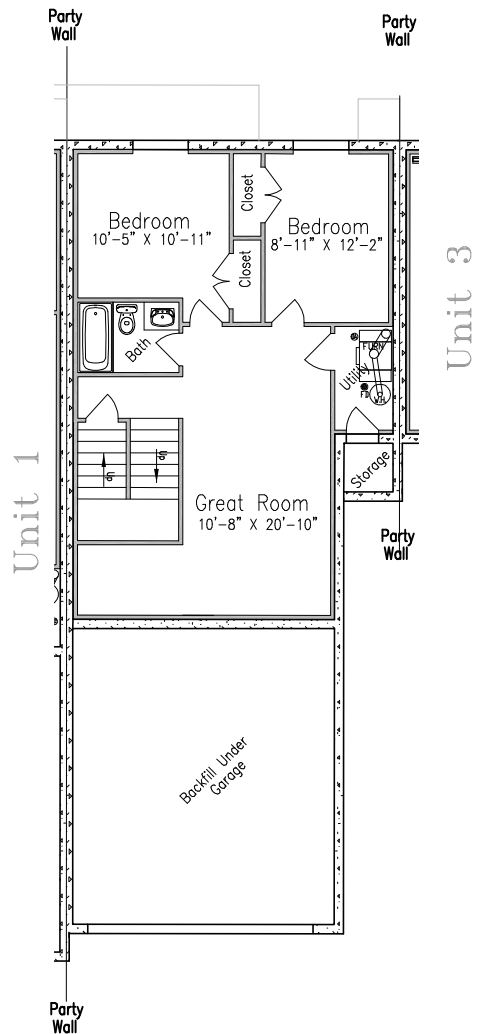


Main Floor Plan
Scale: 1/4" = 1'-0"

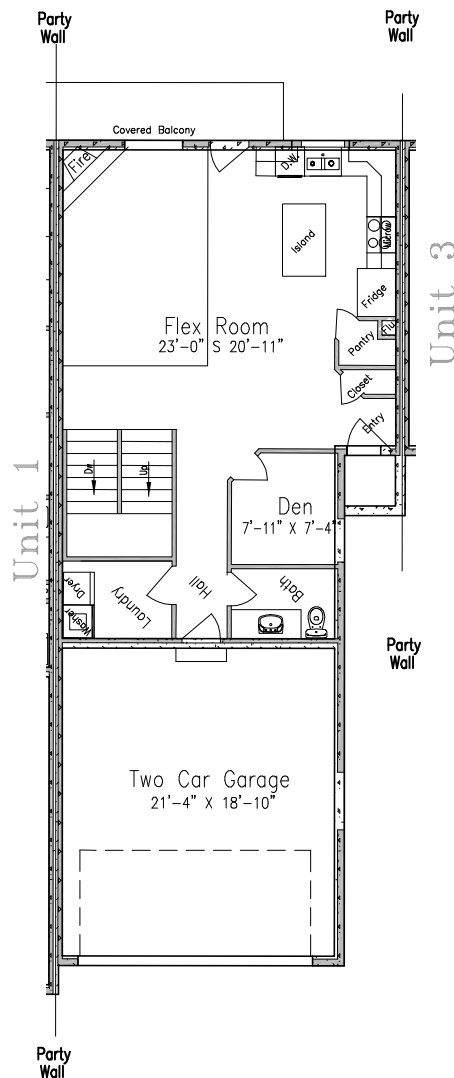
Unit 2

Revisions		
By	Description	Date

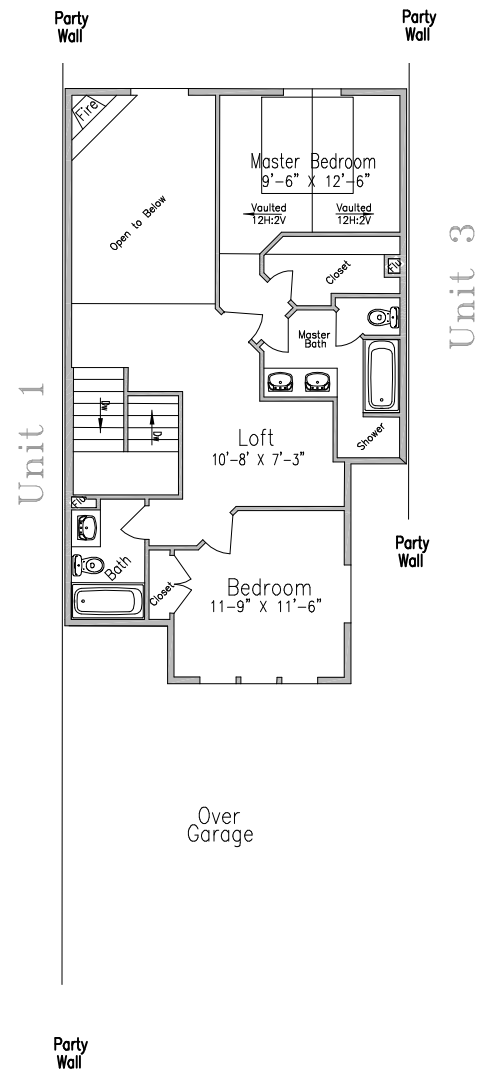
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Date Surveyed	
Drafting	
Checked By	
Submittal Date	08-21-18
File Number	



Basement Plan
Scale: 1/4" = 1'-0"



Main Floor Plan
Scale: 1/4" = 1'-0"



Second Floor Plan
Scale: 1/4" = 1'-0"

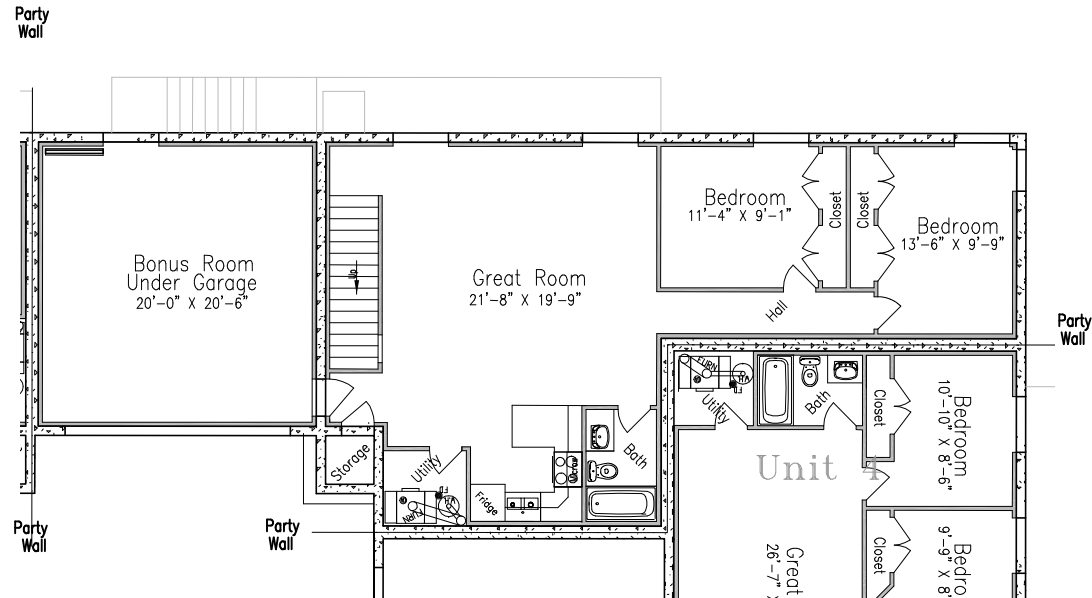
The Cottages on the Corner
Unit 2 Floor Plans
For Kestral Bay LLC
323 East Page Lane
Centerville, Utah 84014
Phone: 801-580-7306
Email: jballing@jballing.com

Revisions			
Surveyor	Date	Description	By
Scott Balling			
Date Surveyed			
Drafting			
Checked By			
Submittal Date	08-21-18		
File Number			

A102
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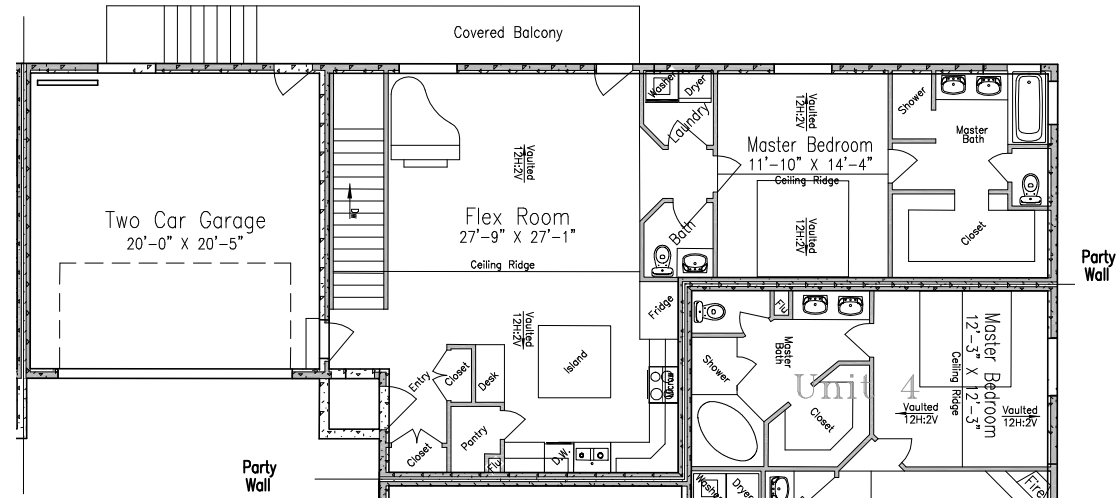
Balling Engineering
Civil Engineering • Surveying • Planning
323 E. Page Lane
Centerville, Utah 84014
Phone: (801) 580-7307
Fax: (801) 580-4419

Unit 2



Basement Plan
Scale: 1/4" = 1'-0"

Unit 2



Main Floor Plan
Scale: 1/4" = 1'-0"

Balling Engineering
Civil Engineering • Surveying • Planning
323 E. Page Lane
Centerville, Utah 84014
Phone: (801) 295-7237
Fax: (801) 295-4419



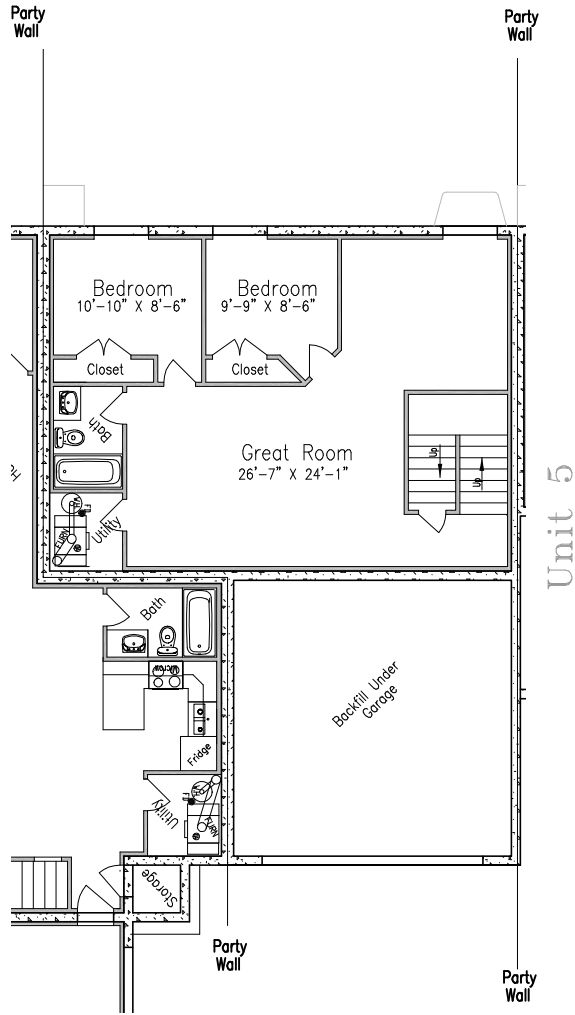
The Cottages on the Corner
Unit 3 Floor Plans
For Kestral Bay LLC
323 East Page Lane
Centerville, Utah 84014
Phone: 801-586-7306
Email: jacobballing@gmail.com

Revisions		By	
Date	Description	Date	Description

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Drafting: [Blank]
Checked By: [Blank]
Submittal Date: 08-21-18
File Number: [Blank]

Sheet X of X

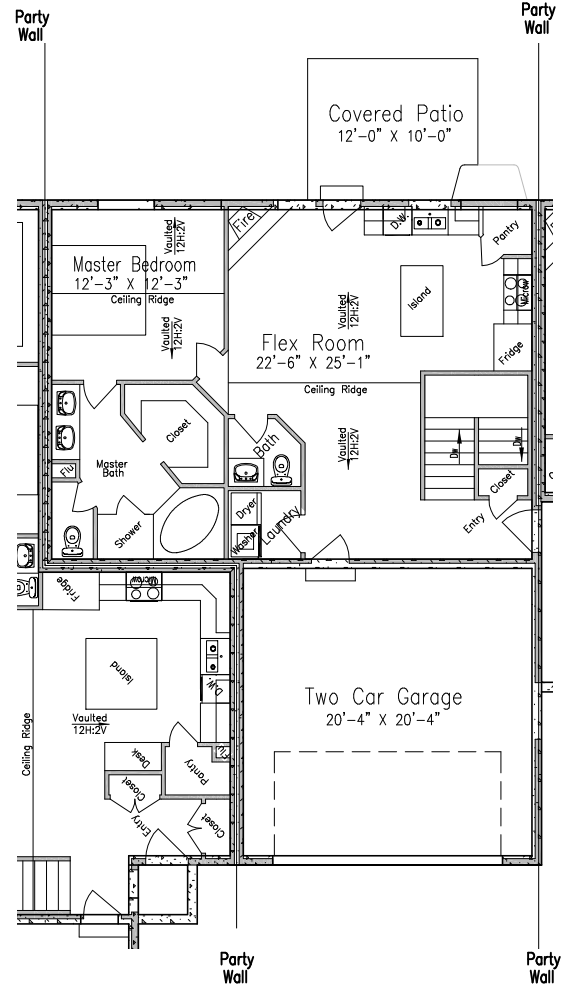
Unit 3



Basement Plan
Scale: 1/4" = 1'-0"

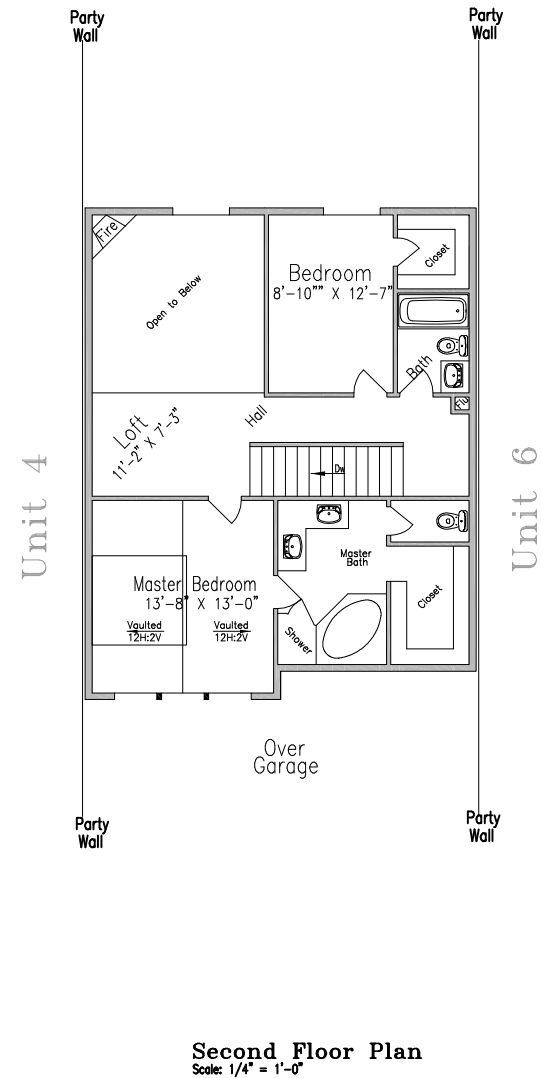
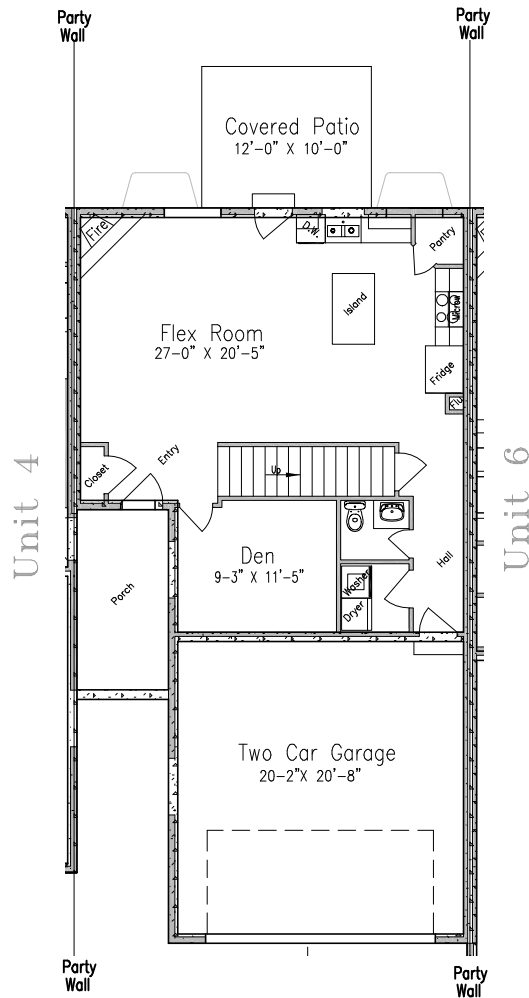
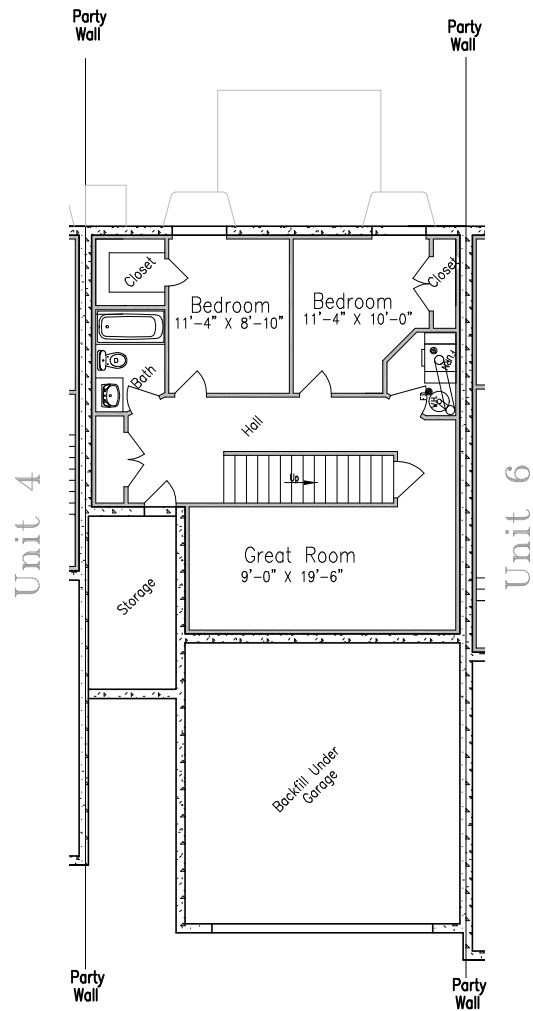
Unit 5

Unit 3



Main Floor Plan
Scale: 1/4" = 1'-0"

Revisions		
By	Description	Date



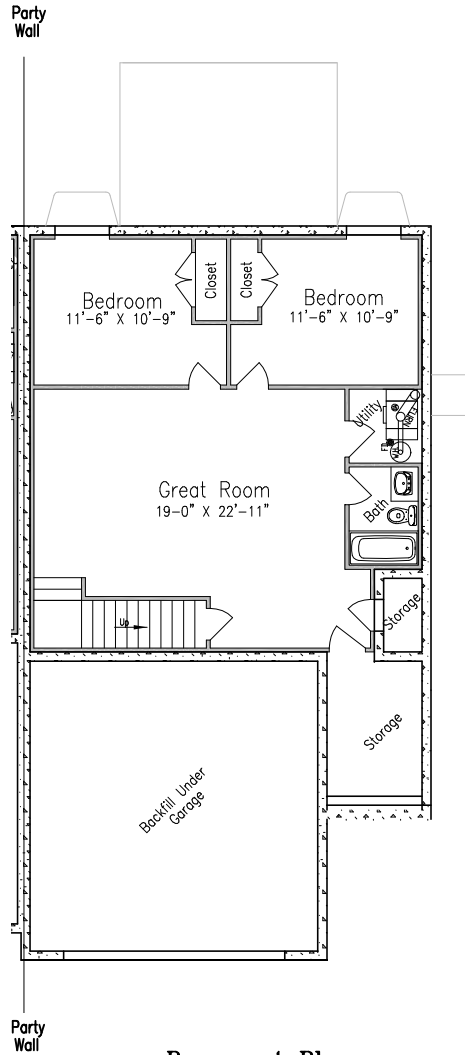
Balling Engineering
Civil Engineering • Surveying • Planning
323 E. Paces Lane
Centerville, Utah 84014
Phone: (801) 395-7237
Fax: (801) 395-7419

The Cottages on the Corner
Unit 5 Floor Plans
For Kestrel Bay LLC
323 East Paces Lane
Centerville, Utah 84014
Phone: 801-395-7305
Email: jballing@ballingeng.com

Revisions			
Surveyor	Date	Description	By
Scott Balling			
Date Surveyed			
Drafting			
Checked By			
Submittal Date	08-21-18		
File Number			

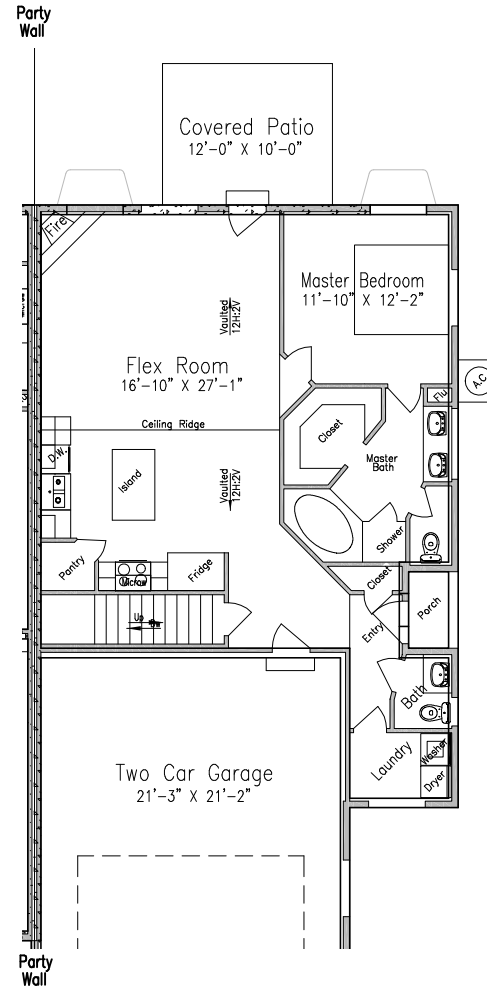
A105
Sheet X of X

Unit 5



Basement Plan
Scale: 1/4" = 1'-0"

Unit 5



Main Floor Plan
Scale: 1/4" = 1'-0"

A106

Sheet X of X

Revisions

Surveyor	Scott Balling	Date	Description	By
Date Surveyed				
Drafting				
Checked By				
Submittal Date	08-21-18			
File Number				

The Cottages on the Corner Unit 6 Floor Plans

For Kestral Bay LLC
323 East Paces Lane
Centerville, Utah 84014
Phone: 801-580-7306
Email: jacobballing@gmail.com



Balling Engineering
Civil Engineering • Surveying • Planning
323 E. Paces Lane
Centerville, Utah 84014
Phone: (801) 580-7307
Fax: (801) 580-4419



Scale: $1/4" = 1$ foot



Interior Space

Scale: $1/4" = 1$ foot



For Kestrel Bay LLC
323 East Page Lane
Centerville, Utah 84014
Phone: 801-589-7305
Email: brookbellin@gmail.com

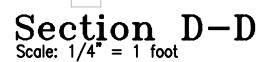
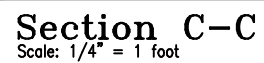
Surveyor Scott Bolling
Date Surveyed _____
Drafting _____
Checked By _____
Submittal Date 09-21-10
File Number _____

Sheet X of X



REF

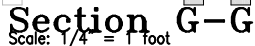
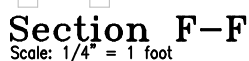
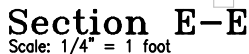
Phone: (801) 295-7237
Fax: (801) 299-0419



A202	Surveyor <u>Scott Bolling</u>		Revisions	
	Date Surveyed _____	Date _____	Description _____	By _____
	Drafting _____			
	Checked By _____			
	Submittal Date <u>09-21-10</u>			

A202

Sheet X of X



The Cottages on the Corner
Elevations (Sheet 3)

For Kestrel Bay LLC
3423 East Page Lane
Centerville, Utah 84014
Phone: 801-580-7903
Email: jcoothalling@gmail.com

A203

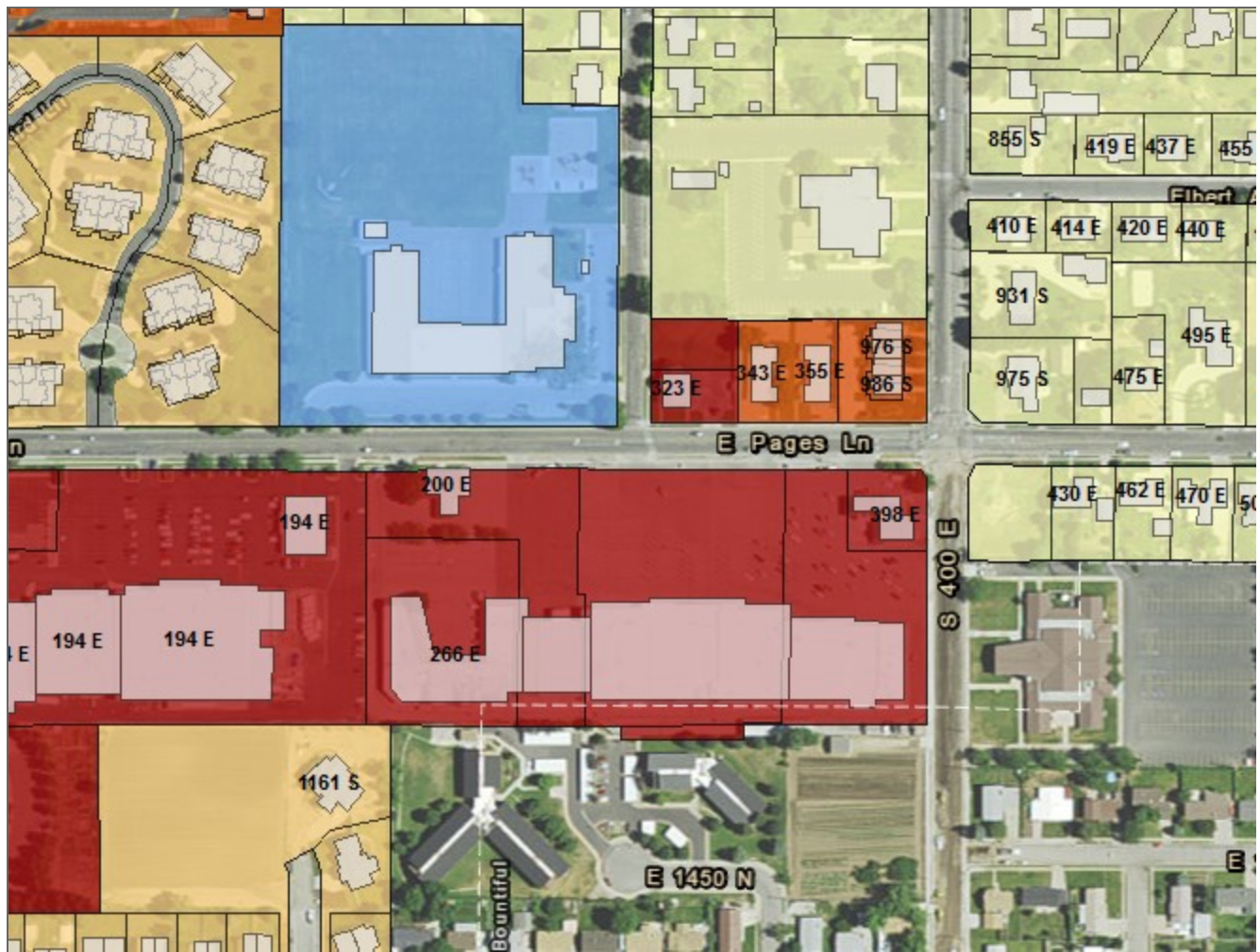
Sheet X of X



Kestrel Bay Townhomes
155 West 620 South, Farmington, Utah
Designed and Constructed by Scott and Angie Balling

CentervilleZoningMap

Centerville City Zoning Map



USDA FSA, Microsoft | Esri, HERE, iPC | Esri, HERE, DeLorme, iP

ORDINANCE NO. 2016-31

AN ORDINANCE AMENDING THE CENTERVILLE CITY ZONING MAP BY CHANGING THE ZONING OF APPROXIMATELY 0.51 ACRES OF CERTAIN REAL PROPERTY LOCATED AT 323 EAST PAGES LANE FROM COMMERCIAL-HIGH (C-H) TO RESIDENTIAL-HIGH (R-H)

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 Commercial-High (C-H) to Residential-High (R-H) 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 323 East Pages Lane in Centerville City consisting of approximately 0.51 acres, as more particularly described in **Exhibit A**, attached hereto and incorporated herein by this reference, is hereby rezoned from Commercial-High (C-H) to Residential-High (R-H) and the Centerville City Zoning Map is correspondingly amended as described herein.

Section 2. Findings. The rezone of the subject property from Commercial-High (C-H) to Residential-High (R-H) and the 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 proposed Zone Map Amendment is consistent with the overall intent of the goals and objectives of the General Plan [Section 12-480-2(c)].
3. According to the associated Neighborhood Plan, amending the Zoning Map for this location to Residential-High (R-H) appears to likely have less of a long-term impact on the surrounding neighborhood than the current zoning of Commercial-High (C-H) that is anticipated in the plan.

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 4th DAY OF OCTOBER, 2016.

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 _____, 2016.

PUBLISHED OR POSTED this ____ of _____, 2016.

EXHIBIT A

Property Description



Balling Engineering

323 East Pages Lane
P.O. Box 805
Centerville, Utah 84014
Phone: (801) 295-7237
Fax: (801) 299-0419
Email: jscottballing@gmail.com

August 24, 2016

RE: Request for Rezone of property at 323 East Pages Lane

Property Description

Beginning at a point on the north boundary of Pages Lane which is S89°45'55"W 299.00 ft. along said North Line of Pages Lane from the West Boundary of 400 East Street, said point of beginning being also S00°00'40"W 279.93 ft. and S89°45'55"W 228.28 ft. along said north line Pages Lane from the East Quarter Corner of Section 18, T.2N., R.1E., S.L.B. & M. and running thence S89°45'55"W 135.00 ft. along said North Line of Pages Lane; thence N00°03'55"E 162.41 ft. along the east line of 300 East Street to a point on the boundary line agreement recorded in Book 3178, Page 1042 of Davis County Official Records; thence along said agreement in the following three courses (i) N89°35'15"E 119.73 ft., (ii) S74°07'20"E 5.47 ft., (iii) S89°16'24"E 10.16 ft.; thence N89°45'55"E 6.08 ft.; thence S00°23'55"W 162.42 ft. to the point of beginning.

Containing 0.513 Acres.

Prepared by J. Scott Balling, P.L.S.

A handwritten signature in black ink, appearing to read 'J. Scott Balling', is written over a horizontal line.

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

**STAFF REPORT
AGENDA: ITEM 1**

APPLICANT: SCOTT BALLING

MAILING ADDRESS: PO BOX 805
CENTERVILLE, UT 84014

EMAIL: JSCOTTBALLING@GMAIL.COM

PROJECT ADDRESS: 323 EAST PAGES LANE

ACREAGE: .513

EXISTING ZONING: COMMERCIAL-HIGH (C-H)

APPLICATION: ZONE MAP AMENDMENT TO REZONE 323 EAST PAGES LANE FROM COMMERCIAL-HIGH (C-H) TO RESIDENTIAL-HIGH (R-H)

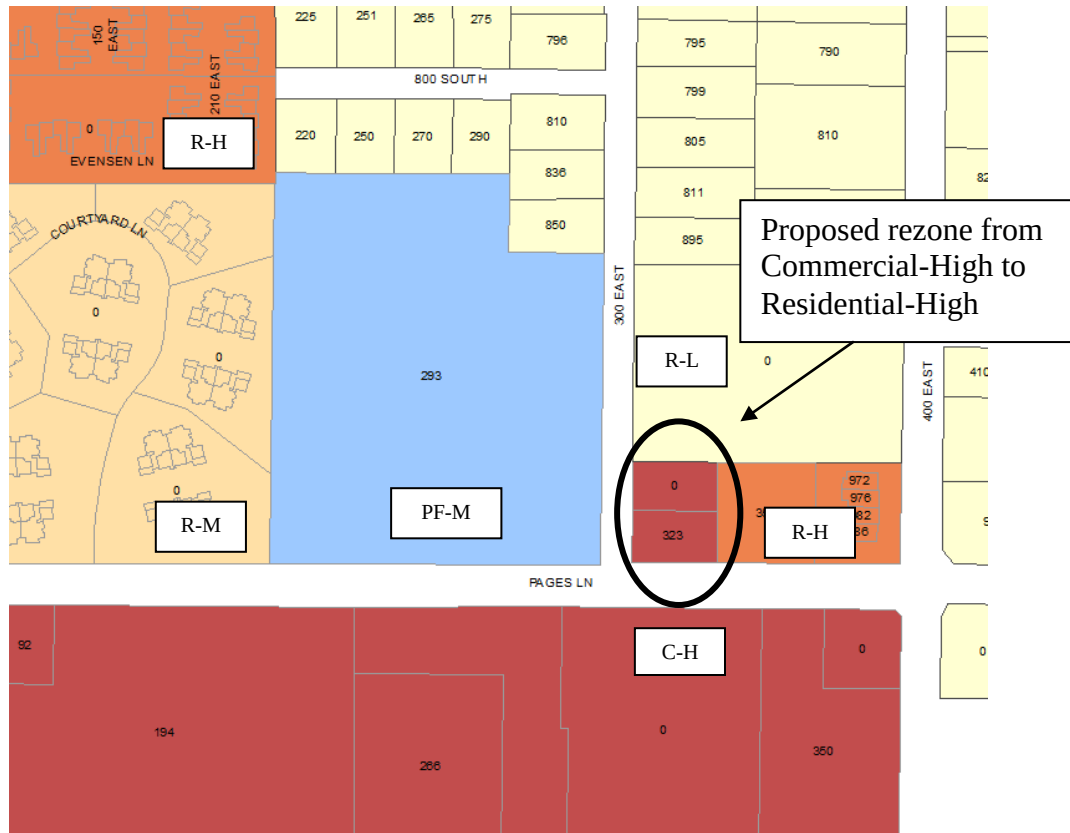
RECOMMENDATION: ACCEPT THE ZONE MAP AMENDMENT AND RECOMMEND APPROVAL TO THE CITY COUNCIL

BACKGROUND

Recently, Mr. Balling submitted an application to rezone his property from Commercial-High (C-H) to Residential-High (R-H). His desire is to rezone the property and then come back to the Planning Commission for review and approval of possibly 6 townhomes. He believes his property will be more compatible with adjacent properties if it is amended to allow for multi-family development. The property east of the Balling lot is Zoned Residential-High (R-H) and the property to the north, owned by the LDS Church is Zoned Residential-Low (R-L). To the west, adjacent to 300 East is the J.A. Taylor Elementary School Zoned as Public Facility-Medium (PF-M). Across Pages Lane to the south is the old Dick's Market site, Zoned Commercial-High (C-H).

This application will not be addressing the townhomes or desired density and will only be reviewing the request for a rezone. The applicant will be required to receive additional site plan approvals and a conditional use permit prior to any construction taking place on this property.

Current Zoning Map



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:** Section 12.480.2(a) of the General Plan, states this location is within Neighborhood 1, Southeast Centerville and is further divided into other subareas and the subject property is part of the Pages Lane Commercial Area. Additionally, the general goals and policies of the neighborhood plan address the specific areas around Centerville Elementary and Centerville Junior High, but do not specifically address the area around or near J. A. Taylor Elementary. However, in the "Pages Lane Commercial Area" J. A. Taylor Elementary is referenced in relation to the use and development of commercial sites and detrimental impacts of commercial uses on the school are to be avoided. The debate for the Commission and the City is whether rezoning is: 1) equal to the commercial development concerns; and 2) is the request potentially detrimental to the elementary school?

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

- **Staff Response:** Staff believes Mr. Balling's property is ideal for higher density residential and to be zoned accordingly. Being adjacent to Pages Lane, which is considered a collector/arterial street, would not be conducive to single-family homes. Therefore, Residential-Low (R-L) does not appear to be appropriate. In addition, multi-family is already found directly to the east, which appears to have had minimal impact to the community over the years. By keeping this property Commercial-High (C-H) it has the potential of bringing some allowed commercial uses that are not well suited to be adjacent to a school and other residential properties. Staff believes the proposed change would be in harmony with the north side of Pages Lane, which consists of mostly multi-family and the elementary school.

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

- **Staff's Response:** The rezone will not adversely impact adjacent properties than the existing commercial zone. When the future proposed townhomes are being reviewed for conceptual and final site plan approval, the Commission will review and ensure compliance with development standards that were designed to be sensitive to surrounding properties. Additionally, if the density falls within the conditional use allowances, such density and use impacts would be identified and mitigation measures would be expected from the developer.

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

- **Staff Response:** The area is located within an already developed neighborhood with adequate facilities and services. Any future development would be reviewed by City staff to ensure that proper public utilities have been set forth and other zoning concerns have been satisfied.

PLANNING STAFF RECOMMENDATIONS

PROPOSED ACTION: I hereby make a motion for the Planning Commission to accept the Zone Map Amendment for 323 East Pages Lane from Commercial-High (C-H) to Residential-High (R-H), and to recommend approval to the City Council.

SUGGESTED REASONS FOR THE ACTION:

1. The proposed amendment meets the requirements found in Section 12.21.080(4)(e).
2. The proposed Zone Map Amendment is consistent with the overall intent of the goals and objectives of the General Plan [Section 12.480.2(c)].
3. According to the associated Neighborhood Plan, amending the zoning map for this location to Residential-High (R-H) appears to likely have less of a long-term impact on

the surrounding neighborhood than the current zoning of Commercial-High (C-H) that is anticipated in the plan.

1 **PLANNING COMMISSION MINUTES OF MEETING**

2 **Wednesday, September 14, 2016**

3 **7:00 p.m.**

4
5 A quorum being present at Centerville City Hall, 250 North Main Street, Centerville,
6 Utah. The meeting of the Centerville City Planning Commission was called to order at 7:00 p.m.

7
8 **MEMBERS PRESENT**

9 Kevin Daly
10 David Hirschi, Chair
11 Logan Johnson
12 Cheylynn Hayman
13 Scott Kjar

14
15 **MEMBERS ABSENT**

16 Gina Hirst
17 Becki Wright

18
19 **STAFF PRESENT**

20 Cory Snyder, Community Development Director
21 Lisa Romney, City Attorney
22 Marsha L. Morrow, City Recorder

23
24 **VISITORS**

25 Interested citizens

26
27 **PLEDGE OF ALLEGIANCE**

28
29 **OPENING COMMENT/LEGISLATIVE PRAYER**

Chair Hirschi

30
31 **MINUTES REVIEW AND APPROVAL**

32
33 The minutes of the Planning Commission meeting held August 24, 2016 were reviewed
34 and amended. Commissioner Johnson made a **motion** to approve the minutes as amended. The
35 motion was seconded by Commissioner Hayman and passed by unanimous roll-call vote (5-0).

36
37 **PUBLIC HEARING – BALLING TOWNHOMES, 323 EAST PAGES LANE -**
38 **Consider the proposed Zone Map Amendment for property located at 323 East Pages Lane**
39 **from C-H (Commercial-High) to R-H (Residential-High) - Scott Balling, Balling**
40 **Engineering, Property Owner & Applicant.**

41 Cory Snyder, Community Development Director, explained this report was originally
42 prepared by the Assistant Planner, who as of Monday has taken a job as a planner in Amherst,
43 Massachusetts. Mr. Snyder said this is a request for a rezone and is a legislative decision, so the
44 Planning Commission will make a recommendation to the City Council. The subject property is

owned by Mr. Balling and located east of his business located on the corner of Pages Lane and 300 East. Mr. Balling has submitted an application to rezone his property from Commercial-High (C-H) to Residential-High (R-H). He believes his property will be more compatible with adjacent properties if it is amended to allow for multi-family development. The property east of the Balling lot is zoned Residential-High (R-H) and the property to the north, owned by the LDS Church is zoned Residential-Low (R-L). To the west, adjacent to 300 East is the J.A. Taylor Elementary School zoned as Public Facility-Medium (PF-M). Across Pages Lane to the south is the old Dick's Market site, zoned Commercial-High (C-H).

Mr. Snyder explained the criteria review for a zone map amendment, as explained in the staff report.

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

Mr. Snyder said the location of the proposed rezone is within the Neighborhood 1, Southeast Centerville, Section 12-480-2(2), and further divided into other subareas. The subject property is part of the Pages Lane Commercial Area. He explained the general goals and policies of the neighborhood plan address the specific areas around Centerville Elementary and Centerville Junior High, but do not specifically address the area around or near J. A. Taylor Elementary. However, in the "Pages Lane Commercial Area" J. A. Taylor Elementary is referenced in relation to the use and development of commercial sites and detrimental impacts of commercial uses on the school are to be avoided. The debate for the Commission and the City is whether rezoning is: 1) equal to the commercial development concerns; and 2) is the request potentially detrimental to the elementary school?

Mr. Snyder said previous concerns when the applicant tried to rezone this property had to do with access off 300 East adjacent to the loading area of J.A. Taylor. He said the access issue will certainly be something that will need to be dealt with in regards to the impact on the school, whether the property remains Commercial-High or is rezoned to Residential-High. Staff's position is that R-H would be a compatible zone and still maintain the spirit of the City's General Plan.

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

Mr. Snyder stated that commercial potentially does have an impact because it is uniquely different than the residential uses. Historically, the main concern has been vehicular access and will mostly likely be a main concern whether commercial or residential. Residential would bring family and children to the school area, where as commercial uses would not. Whether that is good or bad, it could be looked at either way. He said, in his opinion, commercial is an oddity on that corner as all the other commercial is on the south side of Pages Lane. Except for the school,

1 all the other property is zoned residential. Therefore staff does not think it would be disharmony
2 to move it to Residential-High Zone.

3
4 3) What is the extent to which the proposed amendment may adversely affect adjacent
5 property?
6

7 Mr. Snyder stated that as indicated before, access has probably historically been the main
8 concern. Whether commercial or residential, access off of Pages Lane or 300 East each
9 introduce a different set of impacts. Commercial does have some conditional uses i.e. car wash,
10 car lot, fast food, etc. that the Planning Commission can use as mitigation. However, this site is
11 probably not feasible for some of those types of conditional uses. Residential-High you have
12 conditional use on density—anything greater than 8 units an acre, that has ability to mitigate
13 impact, but there is a permitted allowance of up to 8 units an acre. He further explained the
14 parking issues depending on the density. This property is almost ½ acre in net density. Gross
15 density is what our ordinance is and that would make this property nearly ¾ acre. Physically the
16 site might be limited on the number of dwellings that could actually be put on this site due to the
17 number of parking stalls that would be required per unit, depending on the size.
18

19 4) What is the adequacy of facilities and services intended to serve the subject property?
20

21 Mr. Snyder said the site would have adequate facilities and uses to serve the
22 development. Staff is of the opinion that the request for R-H is not out of character with the
23 criteria for the rezone and support the idea of moving it from commercial to a multi-family
24 zoning.
25

26 Chair Hirschi asked for clarification on the number of dwelling units that would be
27 permitted on this site without a conditional use and with a conditional use. Mr. Snyder said with
28 residential-high the number of units allowed would be 8 units per acre. With a conditional use it
29 could be upwards of 9-12 units. With the size of the property you could probably be looking at 6
30 on the low end and 9 on the high end, or again 6-9 with a conditional use.
31

32 Commissioner Johnson asked about the current access points on the property and if they
33 would be grandfathered in. Mr. Snyder said Centerville is different than UDOT. UDOT
34 controlled roads have very stringent access standards. Both Pages and 300 East are Centerville
35 controlled roads. The engineer would look at distances from corners, i.e. the offset of left turns.
36

37 Scott Balling, applicant, distributed a handout to the Planning Commission (attached).
38 Mr. Balling informed the Commissioners that he tried to deliver this to every neighbor within
39 500 feet of the property. He said they own two parcels of land on the corner of 300 East and
40 Pages Lane. Each parcel was purchased at different times. The parcel on the south contains the
41 office building currently occupied by Balling Engineering. The south parcel has access off
42 Pages Lane. The north parcel has a sole access from the frontage on 300 East Street. He

1 explained that about 10 years ago, he submitted a request to rezone the north property from C-H
2 to R-H with the intention of developing a triplex on the property. This request was approved by
3 the Planning Commission. However, there was substantial opposition to the plan at the City
4 Council level due to the vehicular access off of 300 East because of the loading and unloading at
5 the elementary school across the street on 300 East. At their recommendation, the City Council
6 tabled it for that reason and requested they meet with the adjacent property owners in hopes of
7 reaching an agreement. They met with several of the adjacent owners, but could not see a viable
8 way of continuing their engineering business and also provide an access to the residential
9 property to the north. Because of economic reasons and their desire to meet these wishes, they
10 decided to hold off on this request until the commercial uses to the south were changed or
11 discontinued.

12
13 Mr. Balling said at this time their request is to rezone both parcels with a plan of a sole
14 access to a multi-unit development on Pages Lane. They would discontinue all the commercial
15 uses of the property and remove all existing access and curb cuts from 300 East Street. The
16 existing "No Parking" restrictions along the frontage of this property are in agreement with his
17 proposed plans and would remain.

18
19 As stated before, Mr. Balling said this is the only commercial property on the north side
20 of Pages Lane and, therefore, is probably not in harmony with the adjacent areas. The property
21 was originally built as a banking facility with a drive-through teller window that exits onto 300
22 East Street. That curb cut has remained as commercial access to 300 East Street. As
23 commercially zoned property, there are permitted uses that are readily viable such as a bed and
24 breakfast, rental services, child care facilities, laundry and dry cleaning services, printing and
25 copying services, general retail and second-hand stores. Many of these uses are less than
26 desirable, particularly adjacent to the loading area at the elementary school. He said the demand
27 for commercial property along Pages Lane has been diminished substantially the last 5 to 10
28 years, which is evident by the excessive vacancies. These vacancies have a tendency to diminish
29 and destroy property values, leave properties in disrepair and neglect and increase crime and
30 loitering. In the last year they have had a masonry wall on the site tagged with graffiti and
31 substantial theft on the property. They anticipate that this will increase. For these reasons they
32 feel it best they move forward with a rejuvenating plan and discontinue commercial uses. Their
33 request for R-H zoning would be an up-zone from its current usage and is the only option which
34 is compatible with the area. This is the same zoning as the two properties to the east. The nearest
35 single-family residence is over 300 feet from this property and within that same distances there
36 are 12 multi-family apartment or townhome dwellings. To mandate this property be zoned an R-
37 M or R-L Zone would allow only single-family homes or lesser density and would not be in
38 harmony with the adjacent properties. It would be spot zoning, arbitrary and capricious. It would
39 place an unjustifiable and damaging burden on this property, which is not required on adjacent
40 properties.

1 Mr. Balling said should the R-H Zone be approved, the property would be granted a
2 permitted use of up to 8 units per acre and a conditional use of up to 12 units per acre. The site
3 has an attributed area of 0.73 acres, therefore the permitted use would be granted up to 5.7 units
4 per acres and the conditional use up to 8.7 units. He is only proposing to have 6 units, as shown
5 on the plans in the handout.

6
7 Mr. Balling said he wants to be upfront with his intentions of what they want to construct
8 on this property from the beginning. Therefore, the site plan has been provided (sheet 3 of the
9 handout), along with floor and elevation plans for the proposed townhomes. All the townhomes
10 would be developed in a PUD type format so that each unit can be individually and separately
11 owned. These townhomes would be similar to the townhomes found on the corner of Pages and
12 400 East Street. They will include 2-car enclosed garages, three or more bedrooms, three or more
13 bathrooms, master bedroom suites and large family and gathering rooms. It is their desire to
14 have most of the master bedroom suites (4) on the main floor. The finished floor area of all units
15 would be from 1,700 to 2,400 square feet (excludes the garage area). The expected value of all
16 units will exceed \$300,000.

17
18 Mr. Balling explained the elevation, heights and setbacks of the townhomes as shown in
19 the handout. He said in all cases the height of the townhomes would be less than the height of
20 the existing commercial building. The setbacks would be equal to or less than the setbacks with
21 the existing commercial building. He explained the exterior design and materials style
22 architecture, the grade of asphalt shingles, pop-out supports, columns, and corbels as shown on
23 the elevation views of the handout.

24
25 Mr. Balling said he just completed a traditional style 10-plex townhome development in
26 Farmington. As designed, this proposed project would contain many extras that exceed the
27 quality of this recent project. He attached a picture in the handout.

28
29 Mr. Balling said that as property owners on Pages Lane, they can see that something
30 needs to be done to revitalize this area and stimulate some attractive and updated uses. He
31 believes this project may be the first and set a beautiful precedence in the area, which they hope
32 will be extended and followed. He thanked the Planning Commission for their consideration.

33
34 Commissioner Kjar asked if these units would be for rental or sold units. Mr. Balling
35 responded they are hoping to be sold units. Whether they retain ownership he can't say for sure.

36
37 Chair Hirschi asked about ownership at his Farmington project. Mr. Balling responded
38 that they retain ownership, rented all out within a month's time and they receive \$1,700 per unit.
39 He said these units are two story, so mostly are occupied by young families.

40
41 Commissioner Hayman asked staff how this project would compare with Shaela Park
42 density if this project were to move forward with the density of 6 units on the ¾ acres. Mr.

1 Snyder responded that the Shaela Park was about 6.5 units per acre. It was less than the Hafoka
2 property. That was approximately 7.7 or 7.8 units per acre.

3
4 Chair Hirschi opened the public hearing.

5
6 Marti Money, Centerville, thanked the Planning Commission for all the work they do.
7 She commented on all the work that has been done by the property owner. However, she feels
8 medium density would be enough for neighborhoods such as this neighborhood. The higher
9 density, permitted use density seems to be a mistake. She appreciated the comment regarding
10 the Hafoka property. Certainly, there were a lot of lessons learned with that development. She
11 said as a community we are still trying to learn those lessons, and it is her hope that the
12 legislative body will see the merits in controlling the density. As Centerville continues to be built
13 out, medium density should be the highest density that is permitted.

14
15 Richard Ryan, indicated that he lived in Centerville when Mr. Balling tried to get the
16 previous building going and trying to get the access onto 300 East Street. He said the biggest
17 concern about 300 East was the wideness of the road. It is not a typically wide road and with the
18 school it makes it pretty difficulty to maneuver. He would prefer that there not be an access off
19 300 East. He is not necessarily for high density and would rather see it as medium density, but
20 would not really oppose it if the density was kept at 6 units per acre. He likes what Mr. Balling
21 does and appreciates what he has done with the property the past few years. Mr. Ryan said he
22 would much rather see it residential than commercial, however, he would prefer it be medium
23 density.

24
25 Shauna Chumakov, reiterated what had already been said. She appreciated residential
26 coming in rather than staying commercial. She does not agree with the fact that it be high-
27 density. She would prefer it be more of a medium-density, but understands the need to get what
28 you want out of your property. Centerville is a great place to live and is a very family-centered
29 community. She would prefer the units be owner-based and not rental units because of the
30 transient factor. Ms. Chumakov said she would like to have a statute that makes it so the highest
31 density allowed or permitted would be medium-density. She doesn't want Centerville to become
32 like Salt Lake.

33
34 Dale Engberson, asked the Commission what the difference was between high density
35 and medium density. He said he knows that Mr. Balling has invested a lot of money in the
36 property over the years. He said something less desirable could be developed if it were to remain
37 zoned commercial-high. He thinks the rights of the property owner should be taken into
38 consideration in the decision to rezone the property to residential-high.

39
40 Garth Heer, said he and his wife own the property to the east of Mr. Balling's property.
41 He said Mr. Balling's arrangement looks to him to be a very nice arrangement. His concern is
42 that the units have the back facing onto 300 East. He would like to see this addressed so as not

1 to have garbage cans or parking on 300 East to have a better curb appeal. Mr. Heer said his units
2 have some renters that have lived in his units for 20 years and are solid citizens. He said Mr.
3 Balling with his business next door has been very good neighbors.

4
5 Chair Hirschi thanked the citizens for their comments. He said he had a letter submitted
6 for the record from Heather Strasser and Marti Money because they were not able to attend the
7 meeting tonight. However, Marti Money was present and presented her views. The letter states
8 they are essentially opposed to high density for a variety of reasons outlined in the letter. Chair
9 Hirschi said one of the reasons in the letter that hasn't already been stated by others tonight is the
10 potential precedent that would be set for changing the zoning here and what affect it might have
11 on other areas, such as across the street, or other areas in south Centerville.

12
13 Seeing no one else wishing to speak, Chair Hirschi closed the public hearing.

14
15 Chair Hirschi invited the applicant to respond to what has been said. Cory Snyder, said
16 he would like to respond to Mr. Engberson's question regarding the difference between high
17 density and medium density before the applicant responds. Mr. Snyder said the density for R-H
18 is up to 8 units an acre for permitted use and 9-12 for conditional use. He said the permitted use
19 in the R-M is 1-4 units an acre and conditional use is 5-8. Chair Hirschi stated that even with a
20 conditional use the R-M could still have 5-8 units per acre. Mr. Snyder concurred.

21
22 Mr. Snyder said he would also like to address the relation to surrounding properties, the
23 commercial high is the predominant zoning in the area. Over the past few years, this has
24 deteriorated. The goal is to look at redevelopment of this property. It may or may not be related
25 to the site being considered tonight, but the Planning Commission should at least keep that in
26 mind. In discussions that have taken place, there has been mentioned the possibility of replacing
27 the commercial to residential. The absorption rate for redevelopment would create a high-
28 density neighborhood here. Whether that would be in a year or 15 years, there is that possibility
29 that if this property doesn't remain commercial, it could be a high-density neighborhood area.
30 The Planning Commission needs to look at weighing the balance with the surrounding
31 properties.

32
33 Scott Balling, applicant, said he agrees with Mr. Snyder that the "details are in the
34 design" of this. They have put a lot of thought and design in this proposed project. He said their
35 intentions are to maximize the value of what they build on this site. They are shooting for the
36 high-end townhome. He feels quality is important and they are aiming for the highest quality
37 with this project. He reiterated their intentions to record these individually so they have the
38 potential to sell each unit.

39
40 Mr. Balling responded to the comment regarding the view from the west. He said they
41 also think that is very critical. He said all garbage facilities would be inside the courtyard

(Section C of the handout shows the view from the west). However, they are open to suggestions to make it look nicer.

Chair Hirschi asked Mr. Balling if he had any anticipation of privacy fencing along 300 East. Mr. Balling said he has thought about putting a nice wall of some kind, similar to the masonry wall they put in with the neighbors to the east. They would certainly have to have approval from the LDS church. He said he would rather make the units look nicer that put a privacy fence on 300 East.

Commissioner Hayman asked about the backyards and how they would be cared for. Mr. Balling responded they are wanting to record this as a PUD, with each unit privately owned and all the yards are commonly owned, with a homeowners association being responsible for the maintenance of the grass areas. Commissioner Hayman commended Mr. Balling for all the work he has put into this and for the handout, which has been very helpful for them to see what his intentions are for developing his property.

Chair Hirschi made a **motion** for the Planning Commission to accept the Zone Map Amendment for 323 East Pages Lane from Commercial-High (C-H) to Residential-High (R-H), and to recommend approval to the City Council for the following reasons:

Reasons For The Action:

- a) The proposed amendment meets the requirements found in Section 12.21.080(4)(e).
- b) The proposed Zone Map Amendment is consistent with the overall intent of the goals and objectives of the General Plan [Section 12.480.2(c)].
- c) According to the associated Neighborhood Plan, amending the zoning map for this location to Residential-High (R-H) appears to likely have less of a long-term impact on the surrounding neighborhood than the current zoning of Commercial-High (C-H) that is anticipated in the plan.

Commissioner Johnson seconded the motion.

Commissioner Johnson stated that when he first came onto the Planning Commission, there was a subject property for rezone and the public concern was the precedence that would be set, which would allow more and more to happen. He didn't think that was the case at the time, but that the Planning Commission considers each rezone request on a case-by-case basis. In his opinion he thinks as a Commission they should look at what has happened in the past as to the surrounding properties and what effect the rezone would have on those surrounding properties.

Chair Hirschi asked about the 4-plex that was built on the corner of Pages Lane and 400 East and if staff knew the zoning of that property before it was rezone R-H. Cory responded that was before his time. Scott Balling said he did the work for Mr. Trump on that property. It was a

1 central PUD, all individually owned. There is a homeowners association maintaining the yards.
2 Mr. Balling, did not, however, remember what the land was zoned prior to that.

3
4 There was further discussion on the density of the property if it were to be zoned R-M.
5 Cory calculated that the R-M caps at 8 so that would allow 5 units under the R-M and R-H is
6 capped at 8 so 6 would be permitted.

7
8 Commissioner Kjar commented that he didn't think the R-H zoning was out of character
9 with the surrounding properties. He thinks it would be a nice addition to the area. He said he is
10 not troubled with the R-H request because that is what the zoning is just to the east and more
11 than likely the reality is that it will be the same across the street.

12
13 Commissioner Daly said he doesn't live too far from this area and his kids go to J.A.
14 Taylor. He is concerned about what will happen to the Dick's property across the street. He
15 thinks that is very important to consider in their discussions. He said he would be greatly
16 opposed to high-density on the Dick's property and would fight against it. He is also concerned
17 about the precedent that would be set with this rezone request. Centerville is a bedroom
18 community and with all the discussions regarding Main Street he doesn't think Centerville wants
19 higher density. What they are looking for his more R-M.

20
21 Commissioner Daly said he did contact the principal of J.A. Taylor to see how this would
22 affect the school. The principal said J.A. Taylor does have the capacity for additional students, so
23 this particular development would not necessarily overburden the school. The principal was,
24 however, concerned about the timing. With school already started, adding an additional 20 kids
25 could strain things. He said the school cannot turn away any student that lives within the school
26 boundaries. Commissioner Daly said this project wouldn't necessarily be detrimental to the
27 school but he would be very concerned with higher density across the street and what affect that
28 would have on the school. He said he would not object to the R-M Zone in this case and not the
29 higher density because of the precedent that would be set, even though it is zoned higher density
30 to the east.

31
32 Chair Hirschi commented that while it is important to look to the future, they have a
33 property owner who is invested in his property, who has been paying commercial taxes on that
34 property for a long period of time. Mr. Balling has presented a plan on how to develop this
35 property in a manner that has been presented, either in a 5 unit or 6 unit format. It is not going to
36 make a detrimental impact to the school or surrounding properties with either case. Chair
37 Hirschi said he would weigh in on approving the zoning as requested because he doesn't see any
38 impacts that this would have that they couldn't address at a future day, especially from the
39 standpoint of precedent.

40
41 Commissioner Hayman commented that she came into the meeting thinking that R-M
42 would be sufficient, but the applicant has presented a plan where she has changed her mind and

1 she tends to concur with Chair Hirschi to be in favor of the R-H zoning for this property,
2 especially since the property to the east is zoned R-H.

3
4 Commissioner Daly said the property is zoned commercial-high and the property owner
5 has every right to develop his property as commercial-high. He said the Commission can be
6 proactive in their planning to decide what it is they want in the south end of Centerville. He said
7 everything around Dick's, with a few minor exceptions, is residential-low. He thinks it would be
8 a mistake to put more than residential-medium in the neighborhood.

9
10 Following further discussion, Commissioner Johnson called the question on the motion.
11 Commissioner Johnson said he tends to agree with Commissioner Daly. He feels whether they
12 zone it R-M or R-H, they are sending two distinct messages that will be sent to the development
13 community.

14
15 A roll call vote was taken and the motion passed by a (4-1) vote. Commissioners Kjar,
16 Hayman, Hirschi and Johnson voted in favor of the motion. Commissioner Daly voted against
17 the motion.

18
19 **PUBLIC HEARING – CHAPEL RIDGE COVE PUD, 2172 N CHAPEL RIDGE**
20 **CIR - Consider the proposed R-L/PDO amendment for Chapel Ridge Cove P.U.D., which**
21 **consists of amending use of specific house plans for Lots 5, 6, 8, 9 & 10 - Jacob Toombs,**
22 **Millcreek Homes, Applicant.**

23
24 Cory Snyder, Community Development Director explained that this project is on the
25 north end of Centerville by the Park Hills Subdivision east of the LDS Chapel. This is a planned
26 development overlay project with an R-M Zoning. The reason the PDO was put in place was due
27 to the down-hill cul-de-sac and there were a number of problems associated with that. Along
28 with the approval were exceptions, including designs of the homes. There are notes on the plat
29 pertaining to designs and setbacks and how decks are measured. Mr. Snyder said at the time, the
30 developer committed to three elevations. He said they didn't really review the floor plans and
31 approve the floor plans designs per say, but approved the front elevations of the Deuel, Parrish
32 and the Grover plans. A couple of those plans and elevations have been built in the project. The
33 new owner of the project, Millcreek Homes, owns the remaining lots and the petitioner, Mr.
34 Jacob Tombs, desires to amend the architectural house style designs of the PDO Master
35 Conceptual Plan and related approvals for the Chapel Ridge Subdivision. This proposed
36 amendment can be summed up as follows:

- 37
- In addition to the three (3) approved building elevations, known as Deuel, Parrish, and
38 Grover, allow other house styles proposed as Plan 1, Plan 2 and Plan 3 (as shown on
39 attachments in the staff report).
 - However, keep in place the approved architectural theme, materials list, and the 360
40 degree visual requirements of the original approvals.
- 41
42

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
10/4/2016**

Item No. 6.

Short Title: General Plan Amendments - Bicycle & Non-Motorized Vehicle Pathways and Trails Master Plan Map

Initiated By: Centerville Trails Committee

Scheduled Time: 7:55

SUBJECT

Consider proposed General Plan amendments to Section 12-450-3 regarding Bicycle and Non-Motorized Vehicle Pathways in the Transportation and Circulation element of the General Plan, and amendments and updates to the Centerville Trails Master Plan Map as referenced in Section 12-460-2 regarding Trails in the Community Facilities element of the General Plan – Ordinance No. 2016-21

RECOMMENDATION

Approve Ordinance No. 2016-21 amending Section 12-450-3 of the Centerville General Plan regarding Bicycle and Non-Motorized Vehicle Pathways and amendments and updates to the Centerville Trails Master Plan Map as referenced in Section 12-460-2 of the General Plan.

BACKGROUND

On June 22, 2016, the Planning Commission reviewed the Trails Committee's proposed amendments to the General Plan regarding bicycle and non-motorized paths and the Centerville Trails Master Plan Map. The Planning Commission recommends approval of the proposed amendments. The Planning Commission's recommendation is set forth in the attached Transmittal Report.

On July 19, 2016, the City Council held a public hearing and reviewed the proposed amendments to the General Plan regarding trails and bikeways. After some discussion and debate, the City Council approved a motion to table approval of the proposed amendments until the Council had a chance to meet with the Trails Committee to discuss the matter. On August 25, 2016, the City Council met in a joint work session with the Trails Committee to discuss the proposed General Plan amendments regarding trails and bikeways. As part of that meeting, the groups discussed the City Attorney proposed edits to the language in the General Plan and agreed to these edits as well as another change to make reference to two maps: (1) a map showing the current existing trails and bikeways; and (2) a map showing future proposed trails and bikeways. Staff prepared a new Ordinance No. 2016-21 reflecting the text edits suggested by the City Attorney and adding language in Section 12-450-3 and Section 12-460-2 to reference two maps: (1) the Centerville Trails and Bikeways Map; and (2) the Centerville Trails and Bikeways Master Plan. On September 6, 2016, the City Council considered this matter, but tabled action with direction to Staff to make recommended changes to the maps. On September 20, 2016, the City Council considered this matter, but tabled action due to public comment and concerns regarding equestrian uses. The Council directed Staff to make recommended changes to the map and text to add new labels and color coding for the maps to clarify equestrian uses. The revised Ordinance No. 2016-21 and the revised maps are attached.

ATTACHMENTS:

Description

- ▣ Ordinance No. 2016-21-Bikes & Trails
- ▣ Ordinance No. 2016-21-Exhibit A
- ▣ Ordinance No. 2016-21-Exhibit B
- ▣ 9-20-2016 cc draft minutes pg 3
- ▣ 9-6-2016 CC minutes (pg 2)
- ▣ 8-25-2016-Joint CC TC Work Session
- ▣ 7-19-2016 CC Transmittal Report
- ▣ City Engineer Email
- ▣ City Attorney Email on Redlines
- ▣ City Attorney Suggested Redlines
- ▣ 6-22-2016 PC Staff Report
- ▣ 6-22-2016 PC recommendation pgs 2-3

ORDINANCE NO. 2016-21

AN ORDINANCE AMENDING SECTION 12-450-3 OF THE CENTERVILLE GENERAL PLAN REGARDING BICYCLE AND NON-MOTORIZED VEHICLE PATHWAYS, AMENDING SECTION 12-460-2 OF THE SAME REGARDING TRAILS, AND ADOPTING THE CENTERVILLE TRAILS AND BIKEWAYS MAP AND THE TRAILS AND BIKEWAYS MASTER PLAN AS REFERENCED IN SECTION 12-460-2 AND SECTION 12-460-2

WHEREAS, the Trails Committee requests and recommends amendments to Section 12-450-3 of the Centerville General Plan regarding bicycle and non-motorized vehicle pathways in the City and amendments and updates to the Centerville Trails Master Plan Map as referenced in Section 12-460-2 of the same; and

WHEREAS, the proposed amendments and revisions to Section 12-450-3 and Section 12-460-2 of the Centerville General Plan regarding bicycle and non-motorized vehicle pathways and the Centerville Trails Master Plan Map have been reviewed by the Planning Commission and the Planning Commission recommends approval of the proposed amendments; and

WHEREAS, City Council has determined that the proposed amendments to the General Plan are consistent with the goals, objectives and policies of the Centerville General Plan and are in the best interest of the City and the public to provide updated language and maps for City trails and bicycle and non-motorized pathways; and

WHEREAS, the proposed amendments to the General Plan 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 General Plan.

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

Section 1. Amendment. Section 12-450-3 of the Centerville General Plan regarding Bicycle and Non-Motorized Vehicle Pathways is hereby amended to read in its entirety as follows.

12-450-3. Bicycle and Non-Motorized Vehicle Pathways

Centerville should strive to become a bicycle friendly community. Bicycling in the City should promote, increase, improve, and enhance riding in the City as a safe, healthy, and enjoyable means of transportation and recreation. The Trails Committee desires to make the City a supportive environment for cyclists through establishing the following:

- Provide more biking lanes to increase, improve and enhance bicycling
- Introduce signage and pavement markings to create bike friendly streets

- Provide supportive law enforcement and education programs to assist motorists and bicyclists alike to become knowledgeable of traffic laws and to encourage adherence to such traffic laws
- Create and maintain a bikeways map that is downloadable via the City website that illustrates the current bicycle paths within the City for the following classification of bicycle paths: (1) Bike Paths (Class I) defined as bikeways that provide bicycle travel on a paved right-of-way completely separated from any street or highway; (2) Bicycle Lanes (Class II) defined as bikeways that provide a striped and stenciled lane for one-way bike travel on a street or highway adjacent to motor vehicle travel; and (3) Bicycle Routes and Bike Friendly Streets (Class III) defined as bikeways that provide for shared use with pedestrian or motor vehicle traffic identified only by signing.

Due to the City's unique geography many bicycle events pass through the City. Therefore, it is important to establish links to bicycle paths, lanes and routes with neighboring cities, and to create safe places to lock bicycles up both at the beginning and end of a trip. The City should consider adopting requirements for new commercial developments to include bicycle racks and bicycle maintenance stands with integrated tools.

In some cases, infrastructure solutions alone cannot solve all of the problems that bicyclists encounter. Infrastructure modifications may not always be necessary to create a supportive environment for bicyclists. Integrating engineering approaches with education, enforcement, and encouragement programs multiplies the benefits to bicyclists.

The currently available bikeways within the City are shown in the attached Centerville Trails and Bikeways Map. This map may be updated as future trails and bikeways are established. Potential future bicycle paths within the City are set forth in the attached Centerville Trails and Bikeways Master Plan.

~~Despite attention given to bicycles as an alternative means of regular transportation in recent years, the bicycle today is still used primarily for recreation. Because of the frequent conflicts and problems that result from bicycle sharing street rights-of-way, Centerville City has determined it best to not encourage Class III bikeways, where the bikeway is on the automobile right-of-way with only signs and stripes on the pavement indicating the bikeway. Public funding for bikeways in Centerville City should only be for Class I and II bikeways, where they are physically separated from the automobile rights-of-way. Such a bikeway could be developed as a part of the buffer strip recommended along the Frontage Road, or as part of a linear park along Ricks Creek. The City should actively support the implementation of a Class I or Class II bikeway/pedestrian pathway from the east side the Interstate to the future Legacy Parkway trail system west of Interstate 15. This pathway needs to be properly incorporated into the expanded overpass for Centerville City at Parrish Lane that will be build during the reconstruction of Interstate 15. The overpass should be planned to be sufficiently wide to properly accommodate the bikeway/pathway including appropriate separation or barriers along with other surface improvements.~~

Section 2. Subsection 12-460-2 of the Centerville General Plan regarding Trails is hereby amended to read in its entirety as follows.

12-460-2. Trails

Trails enhance the quality of life of a community by providing recreational opportunities and alternative modes of transportation while promoting better health. According to one study, 57 percent of prospective homebuyers cited a nearby trail as the most desired amenity when buying a home.

Centerville City values its trails and aims to create and maintain an organized network of urban trails connecting residences, parks, schools, churches, and businesses within the city and providing access to the foothill trails, the Legacy Parkway Trail, and adjacent communities. This section of the General Plan identifies existing trails and general objectives regarding trail development and maintenance ~~(see attached map for locations of trails and trailheads).~~ The currently available trails and trail systems within the City are shown in the attached Centerville Trails and Bikeways Map. This map may be updated as future trails and bikeways are established. Potential future trails and trail systems within the City are set forth in the attached Centerville Trails and Bikeways Master Plan.

1. Overview of Existing Trails. Four major trail systems are currently available to residents as depicted on the attached Centerville Trails and Bikeways ~~Master Plan~~ Map. These major trail systems include:
 - (a) Hillside Trail Network.
 - (b) Regional Trail Network. The Regional Trail Network includes the Legacy Parkway Trail and the Denver and Rio Grand Western (D&RGW) Trail. The D&RGW Trail runs from Roy and ~~will~~ connects with the Legacy Parkway Trail in Centerville. This trail system also connects with the Jordan River Parkway trail system which runs through the Salt Lake Valley.
 - (c) Urban ~~Inner-city~~ Pathways. The City has a number of internal pedestrian pathways and bikeways throughout the City. These urban pathways are often associated with developed parks or provide a connection to other trail systems. ~~All inner-city pathways should be limited to non-motorized use and prohibit equestrian use.~~
 - (d) Motorized Trails. In addition to the above mentioned trails for non-motorized use, the “Fire Break Road” and “bowl area” are currently designated for motorized vehicle usage.

* * *

Section 3. Amendment. The Centerville Trails and Bikeways Map as referenced in Section 12-450-3 and Section 12-460-2 of the Centerville General Plan regarding established Trails and Bikeways within the City is hereby adopted as set forth in **Exhibit A** attached hereto and incorporated herein by reference. The Centerville Trails and Bikeways Master Plan as referenced in Section 12-450-3 and Section 12-460-2 of the Centerville General Plan regarding future proposed Trails and Bikeways within the City is hereby adopted as set forth in **Exhibit B** attached hereto and incorporated herein by reference.

Section 4. 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 5. Omission Not a Waiver. The omission to specify or enumerate in this ordinance those provisions of general law applicable to all cities shall not be construed as a waiver of the benefits of any such provisions.

Section 6. Effective Date. This Ordinance shall become effective immediately 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, ON THIS 4th DAY OF OCTOBER, 2016.

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 _____, 2016.

PUBLISHED OR POSTED this ____ of _____, 2016.

Exhibit A

Centerville Trails and Bikeways Map

Exhibit B

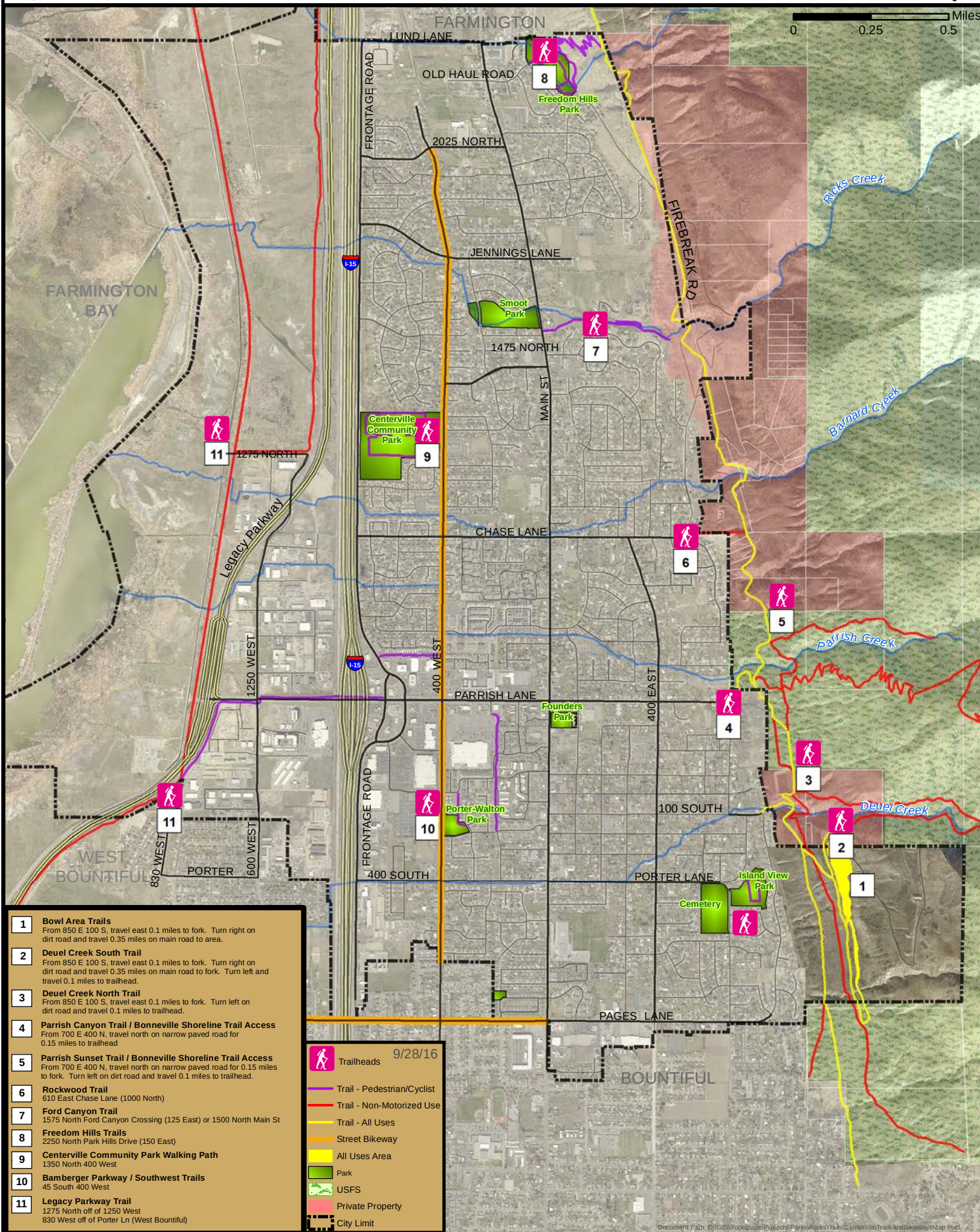
Centerville Trails and Bikeways Master Plan



Centerville Trails and Bikeways Map



0 0.25 0.5 Miles



- 1 Bowl Area Trails**
From 850 E 100 S, travel east 0.1 miles to fork. Turn right on dirt road and travel 0.35 miles on main road to area.
- 2 Deuel Creek South Trail**
From 850 E 100 S, travel east 0.1 miles to fork. Turn right on dirt road and travel 0.35 miles on main road to fork. Turn left and travel 0.1 miles to trailhead.
- 3 Deuel Creek North Trail**
From 850 E 100 S, travel east 0.1 miles to fork. Turn left on dirt road and travel 0.1 miles to trailhead.
- 4 Parrish Canyon Trail / Bonneville Shoreline Trail Access**
From 700 E 400 N, travel north on narrow paved road for 0.15 miles to trailhead
- 5 Parrish Sunset Trail / Bonneville Shoreline Trail Access**
From 700 E 400 N, travel north on narrow paved road for 0.15 miles to fork. Turn left on dirt road and travel 0.1 miles to trailhead.
- 6 Rockwood Trail**
610 East Chase Lane (1000 North)
- 7 Ford Canyon Trail**
1575 North Ford Canyon Crossing (125 East) or 1500 North Main St
- 8 Freedom Hills Trails**
2250 North Park Hills Drive (150 East)
- 9 Centerville Community Park Walking Path**
1350 North 400 West
- 10 Bamberger Parkway / Southwest Trails**
45 South 400 West
- 11 Legacy Parkway Trail**
1275 North off of 1250 West
830 West off of Porter Ln (West Bountiful)

 Trailheads 9/28/16

 Trail - Pedestrian/Cyclist

 Trail - Non-Motorized Use

 Trail - All Uses

 Street Bikeway

 All Uses Area

 Park

 USFS

 Private Property

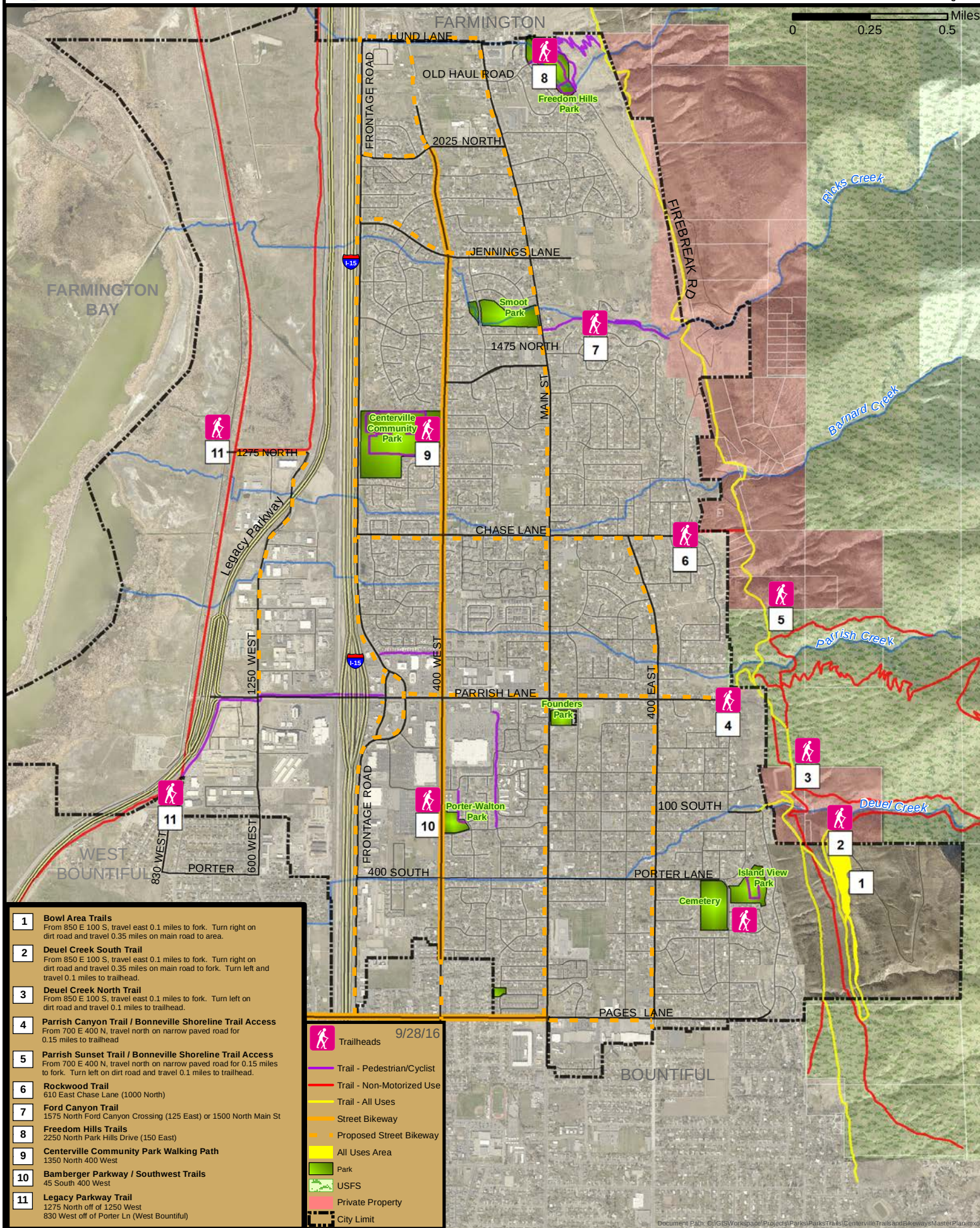
 City Limit



Centerville Trails and Bikeways Master Plan



0 0.25 0.5 Miles



1 Ravi Cerar – Mr. Cerar commented that, as a cyclist, he is frequently on Main Street in
2 the morning, and has never seen a horse on Main Street when he has been out. He said he
3 would hate to see the ability taken away when there is not a high quantity of horses on the
4 roads.

5
6 **GENERAL PLAN AMENDMENTS – BICYCLE & NON-MOTORIZED VEHICLE**
7 **PATHWAYS AND TRAILS MASTER PLAN MAP**
8

9 City Manager Thacker presented suggested revisions to the proposed Centerville Trails
10 and Bikeways Map and the Centerville Trails and Bikeways Master Plan. He explained that the
11 intent had not been to prohibit equestrian use on roadways and trails. The revisions would
12 more clearly identify the few community pathways on which equestrian use is prohibited
13 because the pathways were not designed and built for equestrian use. He suggested a text
14 amendment to clarify equestrian use in the General Plan. Councilwoman Fillmore suggested
15 the Trails Committee check the Farmington equestrian trail access at Freedom Hills Park. She
16 suggested it would be beneficial to have equestrian representation on the Trails Committee.
17 Bruce Cox, Parks and Recreation Director, described the history and evolution of the Parks and
18 Recreation Committee and Trails Committee.

19
20 Councilman McEwan made a **motion** to table this issue to the next Council meeting.
21 Councilman Ince seconded the motion. Mark Dimond, Trails Committee Chair, commented that
22 the term “community pathway” does not sit well with him, since equestrians are part of the
23 community. Mayor Cutler suggested the Trails Committee make recommendations for the term
24 used on the map. The motion to table passed by unanimous vote (5-0).

25
26 **AGREEMENTS REGARDING CONSTRUCTION OF WATER MAIN UNDER**
27 **RAILROAD TRACKS**
28

29 Staff explained the proposed Agreements with Utah Transit Authority (UTA) and Utah
30 Pacific Railroad (UPR) for a water main project under I-15. Councilwoman Ivie made a **motion**
31 to approve Agreements with UTA and UPR allowing the City to install a water main under I-15 at
32 Chase Lane to improve culinary water service to the area west of I-15. Councilwoman Fillmore
33 seconded the motion, which passed by unanimous vote (5-0).

34
35 **PUBLIC HEARING – ZONING CODE AMENDMENTS – SOUTH MAIN STREET**
36 **CORRIDOR (SMSC) OVERLAY – SUBSECTION 12.48-180(b) – SCOPE CORRECTION**
37

38 When the City adopted the comprehensive updates to the Zoning Code pursuant to
39 Ordinance No. 2016-20 (adopted June 21, 2016), an inadvertent correction to the term
40 Residential “Boulevard” Subdistrict changed the intended applicability of the SMSC Public
41 Space Plan. Adding the term “Boulevard” to the Residential Subdistricts reference
42 unintentionally made the SMSC Public Space Plan applicable to the North Gateway Mixed-Use
43 Subdistrict and the Pages Lane Mixed-Use Subdistrict. The proposed amendment to
44 Subsection 12.48.180(b) is to specifically list the Subdistricts subject to the SMSC Public Space
45 Plan; i.e. the Traditional Main Street and City Center Subdistricts.

46
47 At 8:20 p.m. Mayor Cutler opened a public hearing, and closed the public hearing seeing
48 that no one wished to comment.

49
50 Councilman McEwan made a **motion** to approve Ordinance No. 2016-26 amending
51 Subsection 12.48.180(b) of the SMSC Public Space Plan to correct the list of Subdistricts
52 subject to the SMSC Public Space Plan. Councilwoman Mecham seconded the motion.
53 Councilwoman Ivie referred to Mr. Summerhays’ comment recommending north/south and

minutes as amended, and the August 25 joint meeting minutes. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).

SUMMARY ACTION CALENDAR

- a. Approve Recording Secretary Agreement
- b. Approve addition of Police Department Evidence Technician/Emergency Management Assistant Position to the Centerville City Position Pay Grade Schedule – Ordinance No. 2016-23
- c. Approve Amendment No. 1 to Interlocal Cooperation Agreement with Davis County regarding CDBG Program – Resolution No. 2016-23

Councilwoman Ivie made a **motion** to approve item (b) on the Summary Action Calendar, including Ordinance No. 2016-23. Councilman McEwan seconded the motion, which passed by unanimous vote (5-0). Councilwoman Fillmore made a **motion** to approve items (a) and (c) on the Summary Action Calendar, including Resolution No. 2016-23. Councilman Ince seconded the motion, which passed by unanimous vote (5-0).

GENERAL PLAN AMENDMENTS – BICYCLE AND NON-MOTORIZED VEHICLE PATHWAYS AND TRAILS MASTER PLAN MAP

On August 26, 2016, the Council met in a joint work session with the Trails Committee to discuss proposed General Plan amendments regarding trails and bikeways. As part of that meeting, the groups discussed the City Attorney proposed edits to the language in the General Plan and agreed to these edits as well as another change to make reference to two maps: (1) a map showing the current existing trails and bikeways; and (2) a map showing future proposed trails and bikeways.

Steve Thacker, City Manager, explained changes to the two maps recommended by staff to improve the accuracy and clarity of the maps. The Council and staff discussed equestrian use of roadways and trails. Bruce Cox, Parks and Recreation Director stated he feels equestrian use is not compatible with paved cycling/pedestrian trails. Space for equestrian use is provided along side the paved Legacy Parkway Trail. Lisa Romney, City Attorney, said she is not aware of any prohibition of equestrian use of City streets. Councilman McEwan made a **motion** to table approval of Ordinance No. 2016-21 pending revised maps from City staff. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).

FINANCIAL REPORT

Blaine Lutz, Finance Director, presented a financial report (unaudited) for the fiscal year ending June 30, 2016, and answered questions from the Council.

ACCESSORY BUILDING SETBACKS AND FLAG LOT ORDINANCE AMENDMENTS

Cory Snyder, Community Development Director, asked for direction from the Council regarding accessory building setbacks and the flag lot ordinance. Discussions of these two topics – and potential code amendments – are among the short-term goals the Council agreed upon in their March goal-setting session. Since these topics are addressed in the Zoning Code, any amendments would have to be considered by the Planning Commission before coming back to the Council for formal approval. Responding to a question from Councilman Ince, Mr. Snyder explained that in the past the zoning process was more involved with asking for direct neighbor input and consent. The process has been generalized to a public notice system with input received at public hearings. Councilwoman Mecham expressed concern with potential

PRELIMINARY DRAFT (1)

Minutes of the Joint Centerville City Trails Committee/Centerville City Council meeting held Thursday, August 25, 2016 at 8:00 p.m. in the City Hall Multi-Purpose Room (downstairs) at 250 North Main Street, Centerville, Utah.

CITY COUNCIL MEMBERS PRESENT

Paul Cutler, Mayor
Tamilyn Fillmore
William Ince
Stephanie Ivie
George McEwan
Robyn Mecham

TRAILS COMMITTEE MEMBERS PRESENT

Denise Cox
Mark Dimond, Chair
Matt Johnson
Mikael Remington
Rick Turner, arrived at 8:30 p.m.

TRAILS COMMITTEE MEMBERS ABSENT

Brandon Federico
Mark Oligschlaeger

STAFF PRESENT

Steve Thacker, City Manager
Lisa Romney, City Attorney
Bruce Cox, Parks and Recreation Director
Connie Larson, Recording Secretary

VISITORS

Boy Scout Troop 1776

PLEDGE OF ALLEGIANCE

Boy Scout Troop 1776

BICYCLE MASTER PLAN PRESENTATION AND RECOMMENDATION

Steve Thacker, City Manager, said the City Council requested to meet with the Trails Committee about General Plan amendments pertaining to the Master Trails Plan text and map. Mark Dimond, Trails Committee Chair, explained the Trails Committee feels Centerville should strive to become a bicycle-friendly community.

Councilman McEwan asked for the definition of when parking is allowed in a bike lane. Matt Johnson explained if there is a specific bike lane on a shoulder there would be no parking allowed, unless there is room to have parking. If a road is wide enough for a bike lane and parking lanes in the same area, then parking is allowed. When there is a Share the Road sign, parking is allowed in the bike lane if there is a wide shoulder. There are three different classes of bike lanes based on national standards. Class III bike route is not striped; the bikeway provides for shared

1 use with motor vehicles, indicated with “Shared the Road” signage. Class I is a separate bike path
2 which would be like the Legacy Trail, and Class II is a specific bike lane striped on the street.
3 Mayor Cutler said there have been questions on how the bike lanes were chosen, and the process
4 used to choose bike lanes. There is concern for the safety of cyclists on Parrish Lane, especially
5 merging from the off ramp on east bound Parrish Lane. The Master Plan shows Parrish Lane as a
6 proposed bike lane route from 400 East to the trail head at 1250 West, but the City Council is
7 concerned about promoting Parrish Lane as a bike route to the Legacy Trail.
8

9 Mr. Thacker reported he and three other City employees met with UDOT last week to
10 brainstorm about the future rebuilding of the I-15 interchange. UDOT has done traffic counts as a
11 basis for this discussion, documenting current congestion, and there are two interchange design
12 concepts agreed upon for further study. One of the subparts to be studied for both concepts is the
13 possible incorporation of a combination pedestrian/bike pathway on Parrish Lane, separated from
14 the street (i.e. behind the curb). It is conceivable to convert some of the right-of-way behind the
15 curb for this purpose. Mr. Thacker suggested showing Parrish Lane as a proposed bike route to use
16 as leverage in future negotiations with UDOT. Councilwoman Fillmore mentioned Dan Burden,
17 national walkability expert, who suggested in his study of Centerville that the City has an
18 extraordinarily wide right-of-way that could be used to improve walkability. Councilwoman Ivie
19 expressed concern about mothers allowing young children to bike or walk alone on Parrish Lane,
20 as it currently is, with the assumption that it is safe.
21

22 Lisa Romney, City Attorney, suggested preparing two maps. One map for showing trails
23 and bike lanes. A second map of proposed future bike lanes for inclusion in the General Plan,
24 showing where the City would like to implement bike lanes when possible. Matt Johnson asked
25 how bike routes can be made safer. Chair Dimond explained the pedestrian/bike bridge was just
26 installed, but there is a need to solve the safest route to the bridge now. Mayor Cutler stated the
27 bike lanes on the Frontage Road north of Parrish will be completed next year, and hopefully bike
28 lanes on the Frontage Road south of Parrish will be completed in the future. Chair Dimond stated
29 when there are striped bike lanes, cars will give more room to cyclists. Councilman Ince suggested
30 the street sweepers be asked to give priority to the streets with striped bike lanes, so they are free
31 of debris and cyclists will not be forced to ride in the car lane.
32

33 At 8:30 p.m., Rick Turner arrived at the meeting.
34

35 Councilman McEwan suggested having signs installed on Parrish Lane at 1250 West
36 informing pedestrians to not walk on the south side of the overpass, but to use the pedestrian
37 walkway on the north side of Parrish. Mayor Cutler agreed and asked the Trails Committee to
38 follow up on this suggestion.
39

40 Lisa Romney, City Attorney, explained these General Plan amendments were not noticed
41 as an action item for this work session, but it will be on the September 6th City Council agenda for
42 action. Mike Smith will be asked to make a separate map of the proposed trails for bikes and
43 pedestrians. Councilman Ince asked what it would cost to stripe Bamberger Way with bike lanes
44 to direct cyclists to 400 West and then to Parrish Lane. Mr. Thacker explained the parking issues
45 on Bamberger Way should be evaluated first before bike lanes are considered.
46

1 The City Council agreed to create a map of the current trails for cyclists and pedestrians on
2 the City website and in the City newsletter, and to have the proposed plan for trails and bike lanes
3 in the General Plan.

4
5 **JOINT TRAILS COMMITTEE/CITY COUNCIL DISCUSSION AND**
6 **RECOMMENDATION FOR LANE STRIPING ON MAIN STREET SOUTH OF**
7 **PARRISH**
8

9 Steve Thacker, City Manager, displayed a drawing of how Main Street south of Parrish
10 Lane could be striped, based on a recommendation from the City Engineer. UDOT said everything
11 will be redone in 2018 after they overlay the road. They do not want to change the median this
12 year, but are willing to narrow the median in 2018 for bike or travel lanes. There is 42-44 feet of
13 asphalt, which means there can be an 11-foot travel lane in each direction for vehicles, leaving 4
14 to 5 feet of asphalt on each side beyond the shoulder stripe, and the gutter would be beyond that.

15
16 Mr. Thacker is negotiating with the Utah Transit Authority (UTA) to include a bus stop on
17 1250 West at the trail head. This would mean extending the right-turn pocket lane to allow the bus
18 to leave the travel lane to pick-up passengers. UTA is supportive of this plan, and would pay for
19 some of the trailhead amenities. The first bus stop is currently by the roundabout on 1250 West,
20 and then the bus travels through West Bountiful. This bus route has two runs in the morning, and
21 two runs in the evening. Since this area will be a bus stop, he has proposed to Maverik a closed
22 roof pavilion at the stop, which is \$7,000 less than a trellis covering. Councilwoman Mecham said
23 there is a \$600,000 grant available for sidewalks on major roads that are within one mile of schools.
24 Mr. Thacker said at this time, all of the major roads near schools have sidewalks.

25
26 Councilman Ince said there are people he has talked to who are upset with cyclists who
27 have their own idea of interpreting the traffic laws. He asked what can be done to train and
28 encourage cyclists to follow the traffic laws. Chair Dimond replied it is usually ignorance on the
29 cyclist's part, and it is difficult to educate a community on bike etiquette. Many group bike rides
30 are sponsored by local bike shops. Bike shops could be asked to remind bikers of the laws before
31 their ride begins. In the October newsletter, Chair Dimond and Matt Johnson will write an article
32 on cycling courtesy and the importance of following traffic laws. This could be converted into a
33 handout that can be given to bike stores.

34
35 **EXCUSE CITY COUNCIL TO PROCEED WITH TRAILS MEETING**
36

37 At 9:15 p.m., the City Council, Steve Thacker and Lisa Romney were excused from the
38 meeting. Councilwoman Robyn Mecham remained at the meeting as the Committee's liaison.

39
40 **MINUTES REVIEW AND APPROVAL**
41

42 Minutes of the June 23, 2016 Trails Committee meeting were reviewed. Chair Mark
43 Dimond made a **motion** to approve the minutes as written. Matt Johnson seconded the motion,
44 which was passed by unanimous vote (5-0).
45

**PLAN AND MAKE ASSIGNMENTS FOR PEDESTRIAN BRIDGE OPENING
EVENT**

The Trails Committee chose October 8th at 10 a.m. for the opening event for the pedestrian bridge. Local businesses and UDOT will be invited to attend this event. The opening events will be held on the west side at 1250 West, and parking will be on 1250 West north of Parrish. The Police Department will be asked to close 1250 West during this time, and to give a demonstration on bicycle safety. Instead of releasing balloons, homing pigeons could be used. Steve Chingren, a Centerville resident, has homing pigeons and other birds that he trains for bird shows at Hogle Zoo. Rick Turner will contact Mr. Chingren about using his pigeons for this event. The City website, The Davis Clipper, and the utility bill will be used to advertise this event.

TRAILS RELATED VOLUNTEER PROJECTS REPORT

Denise Cox was contacted by a Boy Scout who would like to install trail markers on the Bonneville Shoreline Trail made of fiberglass for his Eagle Scout project. Councilwoman Mecham reported a Boy Scout is working with Police Chief Paul Child on installing crossing flags on Main Street at the cross walks. Maintaining the Rockwood Trail would be a good Eagle Scout project.

FOLLOW UP TO BIKE TRACK IDEA

This item will be discussed at a future date.

NEXT MEETING

The next Trails Committee meeting will be held on Thursday, September 15, 2016 at 8:00 p.m. at City Hall.

ADJOURN

At 10:00 p.m., Chair Dimond made a **motion** to adjourn. Matt Johnson seconded the motion, which was passed by unanimous vote (5-0).

Mark Dimond, Chair

Date Approved

Connie Larson, Recording Secretary

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

PLANNING COMMISSION TRANSMITTAL REPORT

APPLICANT: **CENTERVILLE CITY TRAILS COMMITTEE
C/O PAUL CUTLER, MAYOR
250 NORTH MAIN STREET
CENTERVILLE, UTAH 84014**

APPLICATION: **GENERAL PLAN AMENDMENT**

APPLICANT REQUEST: AMEND THE FOLLOWING:

- SECTION 12-450-3 - BICYCLE AND NON-MOTORIZED VEHICLE PATHWAYS IN TRANSPORTATION AND CIRCULATION
- PART 12-460 - UPDATE THE CENTERVILLE TRAILS MASTER PLAN MAP IN COMMUNITY FACILITIES ELEMENT

PC RECOMMENDATION: **ACCEPT THE GENERAL PLAN AMENDMENTS
AS SUBMITTED BY THE TRAILS COMMITTEE**

BACKGROUND

The Centerville City Trails Committee has requested an amendment to Section 12-450-3, of the General Plan, concerning bike lanes throughout the City and desired to rewrite this section of the General Plan. In addition, they desire to amend the Centerville Trails Master Plan Map in order to reflect any updates since it was revised back in 2012.

PROPOSED AMENDMENTS

The following is the proposal written by the Trails Committee.

[1st Proposal] 12-450-3. BICYCLE AND NON-MOTORIZED VEHICLE PATHWAYS

[delete old and add new language] The goal would be to make every street a safe place to ride and the City a bicycle community. Bicycling in the City should promote, increase, improve, and enhance riding in the City as a safe, healthy, and enjoyable means of transportation and recreation. The Trails Committee desires to make the City a supportive environment for cyclists through establishing the following:

- *More biking lanes to increase, improve and enhance bicycling*
- *Introduce signage, pavement markings, or even traffic diverters, to create bike friendly streets*
- *Supportive law enforcement and education programs ensures that motorists and bicyclists alike are adhering to and are knowledgeable on the traffic laws*

- *Create and maintain a bikeways map that is downloadable via the City website that illustrates the current and potential future travel: **Bike Paths** (Class I); bikeway that provide bicycle travel on a paved right-of-way completely separated from any street or highway, **Bicycle Lanes** (Class II) bikeway providing a striped and stenciled lane for one-way travel on a street or highway, and **Bicycle Routes and Bike Friendly Streets** (Class III); bikeway provides for shared use with pedestrian or motor vehicle traffic and is identified only by signing*

Due to the City's unique geography many bicycle events pass through the City. Therefore, it is important to establish links to bicycle paths, lanes and routes with neighboring cities. Create safe places to lock bicycles up both at the beginning and end of a trip. Include requirements in new business facility development to include bicycle racks and bicycle maintenance stands with integrated tools.

In some cases, infrastructure solutions alone cannot solve all of the problems that bicyclists encounter. Infrastructure modifications may not always be necessary to create a supportive environment for bicyclists. Integrating engineering approaches with education, enforcement, and encouragement programs multiplies the benefits to bicyclists.

[2nd Proposal] *UPDATE TO CENTERVILLE TRAILS MASTER PLAN MAP IN COMMUNITY FACILITIES, PART 12-460, AS SUBMITTED TO THE CITY*

PLANNING COMMISSION RECOMMENDATION

On June 22, 2016, the Planning Commission received the proposed amendment, held a public hearing, and discussed the matter. The Planning Commission then recommended approval to the City Council.

Planning Commission Vote (5-0):

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

SUGGESTED REASONS FOR THE ACTION:

1. The proposed amendments meet the requirements found in Section 12-21-080(4)(e).
2. The proposed General Plan Amendments meet the goals and objectives of the General Plan concerning trails within Centerville [Section 12-460-2].
3. The proposed amendments will not have a negative impact on the surrounding community.

4. With the Planning Commission reviewing the amendment and making a recommendation to the City Council, the proposal has met the approval standards for a General Plan Amendment (12-21-070.e).

LIST OF PREVIOUS PLANNING COMMISSION MEETINGS

- JUNE 22, 2016 Planning Commission Meeting

Lisa Romney

From: Kevin Campbell <Kevin.Campbell@esieng.com>
Sent: Wednesday, July 13, 2016 12:12 PM
To: Lisa Romney
Cc: Cory Snyder; Randy Randall; Bruce Cox; Steve Thacker
Subject: Trails Committee - Bicycle and non-motorized vehicle pathways

Lisa –

After discussion with Randy and Cory:

- Our first comment is that we should stay away from “traffic diverters” in our public streets mainly due to asphalt maintenance issues, snow removal issues and added costs of maintaining this infrastructure.
- Secondly, we think that the wording of making “every” street a safe place to ride is not practical as most of our streets are minor residential streets which only have 28’ to 29’ of pavement width. There is not enough width to introduce pavement markings or signage. With on-street parking allowed on both sides on most residential streets, there is barely enough room for two cars to pass each other in this situation. We think that bike signage and striping should be looked at only for minor collectors, collectors and arterials. Staff is leery of wording to have “the goal be to make every street a safe place to bike”, followed by the wording of “introducing signage and pavement markers to create bike friendly streets”.

When we rebuild streets we do update the inlet grates to make them bicycle safe. This is something we have done for some time and could possibly be made part of the written plan.

Let us know your thoughts on this Lisa.

Respectfully submitted,

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

Lisa Romney

From: Lisa Romney
Sent: Thursday, July 14, 2016 11:24 AM
To: Brandon Toponce; Cory Snyder
Subject: General Plan Amendments - Bicycle Paths and Trails
Attachments: 12-450-3-(bike paths)-amd.doc; 12-450-3-(bike paths)-lgr redlines.docx

I have prepared the attached ordinance for the upcoming City Council meeting for the proposed General Plan amendments regarding bicycle paths and trails. The attached ordinance uses the language recommended by the Trails Committee and the Planning Commission. In preparing this ordinance, I have a few suggested changes to the proposed language. I have attached a redline version of my suggested changes. These changes are intended to address the following:

1. Reduce language that “ensures” safety or other potential liability or expectation language in the provisions
2. Provide uniform verb tense and sentence structure in list order
3. Clarify bike path classifications and related descriptions

Please review these redline edits and let me know if you have any concerns or changes. I would like to submit these redline edits to the City Council.

Thanks, Lisa

Lisa G. Romney | Centerville City Attorney
250 North Main Street |Centerville, Utah 84014
(801) 335-8842

This email may contain confidential or privileged information. If you believe you have received it in error, please notify the sender immediately and delete this message without copying or disclosing it.

City Attorney Suggested Changes to
Trails Committee and Planning Commission Version
July 15, 2016

12-450-3. Bicycle and Non-Motorized Vehicle Pathways

~~The goal would be to make every street a safe place to ride and the City a bicycle community. Centerville should strive to become a bicycle friendly community.~~ Bicycling in the City should promote, increase, improve, and enhance riding in the City as a safe, healthy, and enjoyable means of transportation and recreation. The Trails Committee desires to make the City a supportive environment for cyclists through establishing the following:

- ~~Provide m~~More biking lanes to increase, improve and enhance bicycling
- Introduce signage, ~~and~~ pavement markings, ~~or even traffic diverters,~~ to create bike friendly streets
- ~~Provide s~~Supportive law enforcement and education programs ~~to assist~~ ensures ~~that~~ motorists and bicyclists alike ~~to become~~ are adhering to and are knowledgeable ~~of on the~~ traffic laws ~~and to encourage adherence to such traffic laws~~
- Create and maintain a bikeways map that is downloadable via the City website that illustrates the current and potential future travel ~~for the following classification of bicycle paths:~~ (1) Bike Paths (Class I); ~~defined as~~ bikeways that provide bicycle travel on a paved right-of-way completely separated from any street or highway; (2) Bicycle Lanes (Class II) ~~defined as~~ bikeways ~~that provide providing~~ a striped and stenciled lane for one-way ~~bike~~ travel on a street or highway ~~adjacent to motor vehicle travel;~~ and (3) Bicycle Routes and Bike Friendly Streets (Class III); ~~defined as~~ bikeways ~~that provides~~ for shared use with pedestrian or motor vehicle traffic ~~and is~~ identified only by signing.

Due to the City's unique geography many bicycle events pass through the City. Therefore, it is important to establish links to bicycle paths, lanes and routes with neighboring cities, ~~and to create~~. ~~Create~~ safe places to lock bicycles up both at the beginning and end of a trip. ~~The City should consider adopting~~ ~~Include~~ requirements ~~for in new commercial business facility~~ developments to include bicycle racks and bicycle maintenance stands with integrated tools.

In some cases, infrastructure solutions alone cannot solve all of the problems that bicyclists encounter. Infrastructure modifications may not always be necessary to create a supportive environment for bicyclists. Integrating engineering approaches with education, enforcement, and encouragement programs multiplies the benefits to bicyclists.

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

**STAFF REPORT
AGENDA: ITEM 2**

APPLICANT: CENTERVILLE CITY TRAILS COMMITTEE

APPLICATION: GENERAL PLAN TEXT AMENDMENTS FOR SECTION 12-450-3, BICYCLE AND NON-MOTORIZED VEHICLE PATHWAYS IN TRANSPORTATION AND CIRCULATION, PART 12-450, AND AN UPDATE TO CENTERVILLE TRAILS MASTER PLAN MAP IN COMMUNITY FACILITIES, PART 12-460

RECOMMENDATION: ACCEPT THE ZONE TEXT AMENDMENTS AND RECOMMEND APPROVAL TO THE CITY COUNCIL

BACKGROUND

The Centerville City Trails Committee has requested an amendment to Section 12-450-3, of the General Plan, concerning bike lanes throughout the City. In addition, they will also be amending the Centerville Trails Master Plan Map in order to reflect any updates since it was revised back in 2012.

ZONE TEXT AMENDMENT REVIEW

PROPOSED AMENDMENT

The following is the proposal written by the Trails Committee:

12-450-3. BICYCLE AND NON-MOTORIZED VEHICLE PATHWAYS

The goal would be to make every street a safe place to ride and the City a bicycle community. Bicycling in the City should promote, increase, improve, and enhance riding in the City as a safe, healthy, and enjoyable means of transportation and recreation. The Trails Committee desires to make the City a supportive environment for cyclists through establishing the following:

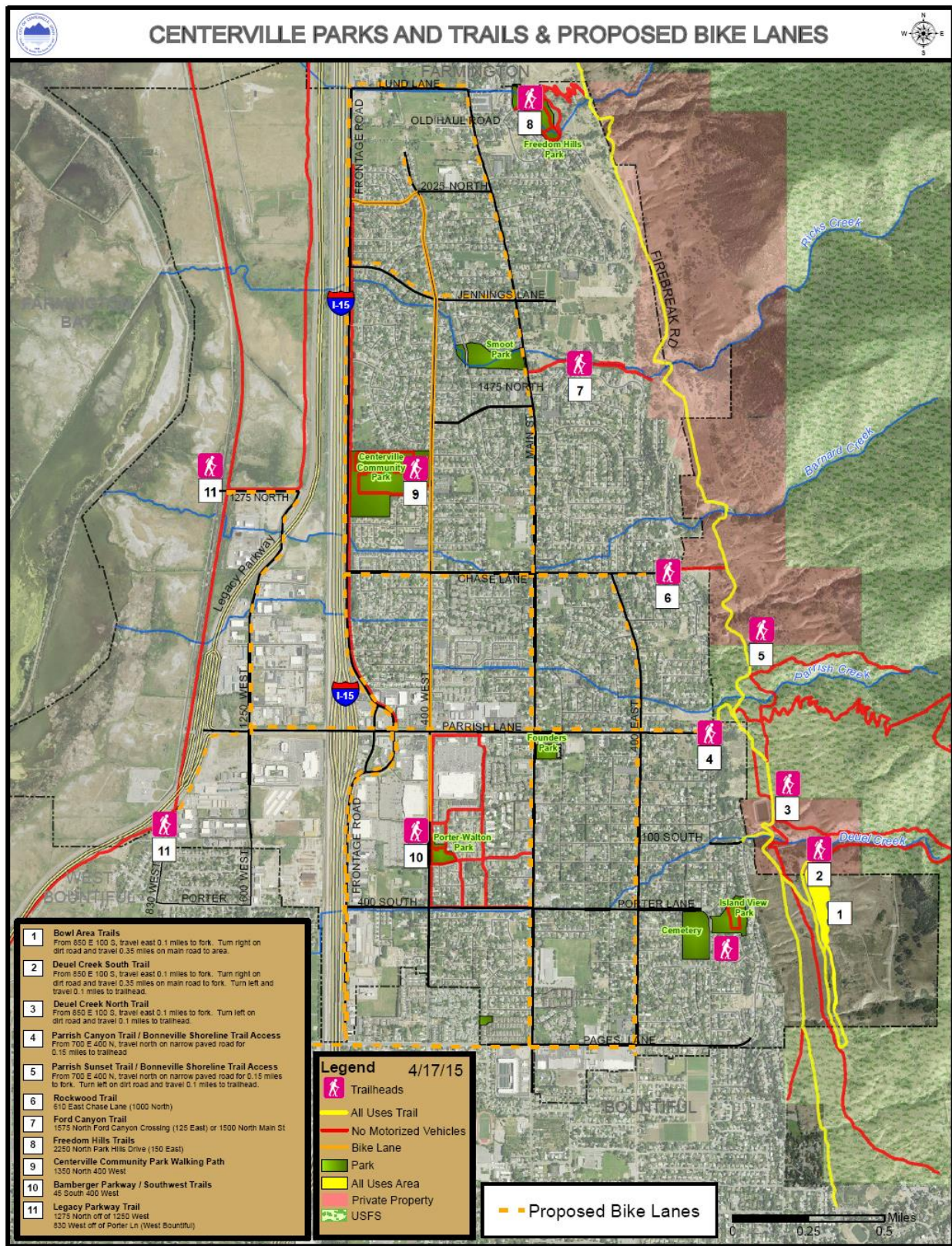
- More biking lanes to increase, improve and enhance bicycling
- Introduce signage, pavement markings, or even traffic diverters, to create bike friendly streets
- Supportive law enforcement and education programs ensures that motorists and bicyclists alike are adhering to and are knowledgeable on the traffic laws
- Create and maintain a bikeways map that is downloadable via the City website that illustrates the current and potential future travel: **Bike Paths** (Class I); bikeway that provide bicycle travel on a paved right-of-way completely separated

from any street or highway, **Bicycle Lanes** (Class II) bikeway providing a striped and stenciled lane for one-way travel on a street or highway, and **Bicycle Routes and Bike Friendly Streets** (Class III); bikeway provides for shared use with pedestrian or motor vehicle traffic and is identified only by signing

Due to the City's unique geography many bicycle events pass through the City. Therefore, it is important to establish links to bicycle paths, lanes and routes with neighboring cities. Create safe places to lock bicycles up both at the beginning and end of a trip. Include requirements in new business facility development to include bicycle racks and bicycle maintenance stands with integrated tools.

In some cases, infrastructure solutions alone cannot solve all of the problems that bicyclists encounter. Infrastructure modifications may not always be necessary to create a supportive environment for bicyclists. Integrating engineering approaches with education, enforcement, and encouragement programs multiplies the benefits to bicyclists.

See Page 3 for the proposed updated Centerville Parks and Trails & Proposed Bike Lanes Map



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:** Section 12-460-2(2) of the General Plan promotes the use of trails and bikeways through increased signage, maps and trailhead kiosks. In addition, this section also encourages the creation of a Citywide bike lane plan. Therefore, the proposed changes appear to be consistent with the existing goals and objectives of the General Plan.
- 2. Is the proposed amendment harmonious with the overall character of existing development in the vicinity of the subject property?**
 - **Staff Response:** The proposed amendments are consistent with what has already been implemented within the City, and the future goals of the Trails Committee. By creating a plan that encourages more enhanced bicycle pathways and safety, these pathways may become harmonious with the overall character of the surrounding community.
- 3. What is the extent to which the proposed amendment may adversely affect adjacent property?**
 - **Staff Response:** Staff does not see any negative affect concerning the proposed amendments. They do however help to increase awareness and the implementation of safe bike travel.
- 4. What is the adequacy of facilities and services intended to serve the subject property?**
 - **Staff Response:** As funds become available, the Trails Committee will work with the Centerville Streets Department and/or UDOT, in implementing their master plan of bike pathways throughout the community.

PLANNING STAFF RECOMMENDATIONS

PROPOSED ACTION: I hereby make a motion for the Planning Commission to accept the General Plan amendments and recommend approval to the City Council regarding Section 12-450-3, and the updated Centerville Trails Master Plan Map as found in Section 12-460-2, as both stated in the June 22, 2016 Planning Staff Report.

SUGGESTED REASONS FOR THE ACTION:

1. The proposed amendments meet the requirements found in Section 12-21-080(4)(e).
2. The proposed General Plan Amendments meet the goals and objectives of the General Plan concerning trails within Centerville [Section 12-460-2].
3. The proposed amendments will not have a negative impact on the surrounding community.

1 following conditions and reasons for action. Vice Chair Johnson seconded the motion, which
2 passed by unanimous vote (5-0).

3
4 Conditions:

- 5
6 1. Prior to the final plat being recorded, the applicant shall record the lot line adjustment
7 at the Davis County Recorder's Office.
8 2. After the final plat is deemed complete by the City Engineer and City Attorney, the
9 applicant shall submit to the City Recorder for recordation with the Davis County
10 Recorder's Office.
11 3. The final construction drawings shall be reviewed and approved by the City Engineer
12 prior to any building permit being issued.
13 4. The applicant shall post a bond prior to recording the final plat in relation to all public
14 improvements; including the new fire hydrant located adjacent to 400 East.
15 5. A final approval from Deuel Creek Irrigation shall be submitted prior to recording the
16 final plat.

17
18 Reasons for Action (Findings):

- 19
20 a. The Planning Commission approved the concept of a Small Subdivision Waiver/Flag
21 Lot at the April 27, 2016 meeting.
22 b. All previous conditions of approval from the April 27, 2016 Planning Commission
23 meeting have been adequately addressed by the applicant.
24 c. Proper fire protection has been approved by the South Davis Metro Fire Marshal and
25 all other applicable easements and utilities have been reviewed and found to be
26 sufficient.
27 d. Secondary water rights are required for approval before final plat recordation.

28
29 **PUBLIC HEARING – GENERAL PLAN AMENDMENT, BICYCLE AND NON-**
30 **MOTORIZED VEHICLE PATHWAYS AND TRAILS MASTER PLAN MAP**

31
32 The Centerville City Trails Committee has requested an amendment to Section 12-450-
33 3, of the General Plan, concerning bike lanes throughout the city. In addition, they would like to
34 amend the Centerville Trails Master Plan Map in order to reflect any updates since it was last
35 revised in 2012. Staff explained that the amendment would allow for Class III bike lanes, which
36 are currently discouraged by the General Plan. The Commissioners discussed recent striping
37 on Main Street by UDOT. Commissioner Wright said she plans to contact multiple bike clubs
38 about the possibility of contributing funds toward signs and bike pavement markings. Mr.
39 Snyder explained the different classes of bike lanes. Commissioner Daly said he has
40 reservations with cars and bikes sharing the same lane, but he is fine with the striping situation
41 on 400 West.

42

43 Class I	Provides bicycle travel on a paved right-of-way completely separated
44	from any street or highway
45 Class II	Provides a striped and stenciled lane for one-way bike travel on a street
46	or highway adjacent to auto travel
47 Class III	Provides for shared use with pedestrian or motor vehicle traffic identified
48	only by signing

49

50 At 7:36 p.m., Vice Chair Johnson opened a public hearing and closed the public hearing
51 seeing that no one wished to comment. Commissioner Daly made a **motion** for the Planning
52 Commission to accept the General Plan amendments and recommend approval to the City

Council regarding Section 12-450-3, and the updated Centerville Trails Master Plan Map as found in Section 12-460-2, with the following reasons for the action. Commissioner Kjar seconded the motion, which passed by unanimous vote (5-0).

Reasons for Action (findings):

1. The proposed amendments meet the requirements found in Section 12-21-080(4)(e).
2. The proposed General Plan Amendments meet the goals and objectives of the General Plan concerning trails within Centerville [Section 12-460-2].
3. The proposed amendments will not have a negative impact on the surrounding community.
4. With the Planning Commission reviewing the amendment and making a recommendation to the City Council, the proposal has met the approval standards for a General Plan amendment [12-21-070(e)].

PUBLIC HEARING – CODE TEXT AMENDMENT, SENSITIVE/CONSTRAINED LANDS

The City Council and Planning Commission recently directed the planning staff to prepare specific edits regarding how “sensitive and constrained lands” are to be applied to gross densities of residential development, as allotted within the Zoning Code. Recently these lands (wetlands, flood channels, steep slopes, etc.) are being viewed negatively when such lands are included in the gross density calculations. Thus, staff has been asked to prepare text edits for the Zoning Code to prohibit the use of the acreage associated with these lands to be used in the gross density calculations in residential development projects. Mr. Snyder explained proposed Zoning Ordinance text edits, including elimination of the word “sensitive” in this context.

Land, Constrained – Land that comprises or consists of federally regulated wetlands, floodplain channels, river or stream channels, ponds, canyons or ravines or cliffs or other tracts with steep slopes greater than 30%.

Density, Gross – The number of dwelling units per acre within a subdivision or other development based on the total tract area that is deemed developable.

Land, Developable – Land that is not deemed constrained, which is capable of being improved, subject to the requirements of this Title.

Referring to recent development of the Hafoka property, Mr. Snyder advised that the Commissioners not let any one project drive their decisions. He stated that, from his perspective as a planner, constrained open space can be quality open space. Ms. Romney agreed with narrowly defining the term constrained land. The goal is to provide a legally sustainable definition of constrained land for purposes of calculating density. Mr. Snyder cautioned that being subjective about what is “sensitive” could lead to legally dangerous arbitrary decisions. He added that the proposed language would not necessarily have prevented the Hafoka situation.

Vice Chair Johnson opened a public hearing at 8:01 p.m. and closed the public hearing seeing that no one wished to comment. Responding to a question from the Planning Commission, Mr. Snyder explained that existing and possibly new development regulations could also be used to meet the desired outcome. Allowing the gross density to include these subject lands, but restricting the placement of development on usable lands, encourages clustering of the density, thereby making it cost effective to preserve these areas for accessory

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
10/4/2016**

Item No. 7.

Short Title: Administrative Policy - Newsletter, Utility Bill Inserts and Public Outreach Policy

Initiated By: City Council

Scheduled Time: 8:05

SUBJECT

Consider adoption of new administrative policy regarding Newsletter, Utility Bill Inserts and Public Outreach Policy - Resolution No. 2016-24

RECOMMENDATION

Approve Resolution No. 2016-24 adopting a new administrative policy regarding Newsletter, Utility Bill Inserts and Public Outreach Policy.

BACKGROUND

The City Council requested Staff to prepare a written policy governing the use of City newsletters, utility bill inserts and other public communications. The Council specifically requested the policy to address the limitations and conditions for the use of such communications for non-city purposes or entities such as utility bill inserts for advertising CenterPoint Theatre events and other governmental or nonprofit entity information. Staff has prepared the attached Newsletter, Utility Bill Inserts and Public Outreach Policy for consideration by the Council.

ATTACHMENTS:

Description

- Resolution No. 2016-24-Newsletter Policy
- Newsletter, Utility Bill Inserts and Public Outreach Policy

RESOLUTION NO. 2016-24

**A RESOLUTION OF THE CENTERVILLE CITY COUNCIL ADOPTING
THE NEWSLETTER, UTILITY BILL INSERTS AND PUBLIC OUTREACH
POLICY**

WHEREAS, the City Council desires to adopt written policies governing the use of City newsletters, utility bill inserts and other public communications, specifically addressing the limitations and conditions for use of such communications for non-city purposes or entities; and

WHEREAS, the City Council desires to adopt the Newsletter, Utility Bill Insert and Public Outreach Policy as more particularly set forth herein governing the use of City newsletters, utility bill inserts and other public communications; and

WHEREAS, the City Council finds that the adoption of the Newsletter, Utility Bill Insert and Public Outreach Policy as set forth herein is in the best interest of the City and the public and will provide written directives and guidelines for Staff regarding the limited use of City communications for non-city purposes.

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

Section 1. Adoption. The City Council hereby adopts the Newsletter, Utility Bill Insert and Public Outreach Policy as more particularly set forth in **Exhibit “A,”** attached hereto and incorporated herein by reference.

Section 2. Severability. 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 3. Effective Date. This Resolution shall become effective immediately upon its passage.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY,
STATE OF UTAH, THIS 4th DAY OF OCTOBER, 2016.**

CENTERVILLE CITY

By: _____
Mayor Paul A. Cutler

ATTEST:

Marsha L. Morrow, City Recorder

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

Newsletter, Utility Bill Insert and Public Outreach Policy



CENTERVILLE CITY NEWSLETTER, UTILITY BILL INSERTS AND PUBLIC OUTREACH POLICY

October 4, 2016

This Newsletter, Utility Bill Insert and Public Outreach Policy sets forth guidelines and procedures for use of the City website, newsletters, utility bill inserts and other public communications.

Newsletter, Utility Bill Inserts and Public Outreach Policy

- 010. Purpose and Scope.**
- 020. City Communications and Public Outreach.**
- 030. Nonpublic Forum.**
- 040. Governmental or Nonprofit Information.**
- 050. Monetary and In-Kind Benefit Reporting.**
- 060. No Separate Right of Action.**

010. Purpose and Scope.

The purpose of this Policy is to establish guidelines and procedures for use of City website, newsletters, utility bill inserts and other various public communications.

020. City Communications and Public Outreach.

Centerville City supports an accessible and transparent government and encourages community participation on many levels. In an effort to share the progress of the City effectively with the public, the City communicates with its residents and business owners through a variety of mediums. The City provides information about City services, public meetings, activities and more on the Centerville City website and via social media. The City also produces a newsletter with several publications throughout the year providing residents and business owners with information about operations, issues, services and projects that have a City-wide significance. The City may also reach out to residents and business owners through a utility bill insert. Utility bill inserts usually target upcoming City-sponsored open houses, events, or public service information.

030. Nonpublic Forum.

The City website, newsletters, utility bill inserts and other public outreach communications from the City are not intended to constitute a public forum and are not open to private individuals or groups to contribute articles regarding matters of private or commercial concerns. In addition, except as otherwise provided herein, the City does not allow private or commercial advertising in any of its various forms of public communication. City communications are supported by taxpayer dollars and all uses of such communications shall be made for authorized public purposes in accordance with Utah law.

040. Governmental or Nonprofit Information.

As staff time and media space permits, the City may provide information or advertising for upcoming governmental or nonprofit events, issues, projects or services that meet one or more of the following requirements:

Newsletter, Utility Bill Inserts and Public Outreach Policy

(a) The information is related to a governmental entity or program and deemed to be in the public interest or related to public safety issues (such as advertising for the Davis County Health Fair, providing information on water quality from the Weber Basin Water Conservancy District, or providing fire safety information from the South Davis Metro Fire Service Area);

(b) The information or advertising is related to a governmental entity or nonprofit corporation that receives financial support or cooperation from the City (such as providing information about or advertising for the CenterPoint Theatre supported by the Centerville RDA, the Bountiful Summerfest which receives an annual donation from the City, the Whitaker Museum, or the Davis County Chamber of Commerce); or

(c) The information or advertising is related to a governmental entity or nonprofit corporation of which the City is a member or has a representative on the entity's board of directors (such as the Mosquito Abatement District, South Davis Recreation District, CenterPoint Theatre, Davis County Chamber of Commerce, or UTOPIA).

050. Monetary or In-Kind Benefit Reporting.

If the City includes a full-page newsletter or utility bill insert for a governmental entity or nonprofit under the strict guidelines and provisions of this policy, the governmental entity or nonprofit corporation shall be responsible to pay for the actual cost of the newsletter or utility bill insert (i.e. copy, printing and paper costs of the insert) and may be required to pay for mailing costs or other incidentals. The City, within its discretion, may pay for the cost of mailing the insert as part of the City's standard mailing costs for the newsletter or utility bill. The Finance Department shall document and report any in-kind financial value of such mailing costs and other incidentals associated with including the information in the newsletter or utility bill in accordance with applicable IRS regulations. The City Finance Department shall also document and ensure that the total amount of services or nonmonetary assistance provided under this policy to nonprofit entities does not exceed 1% of the City's budget for the current fiscal year in accordance with Utah Code § 10-8-2.

060. No Separate Right of Action.

The provisions of this policy are intended to provide guidelines for City staff regarding the use of City communications and shall not create a separate right of action by any third party for failure of the City or its officers or employees to comply with the same. The City reserves the right to limit or prohibit the use of City communications for non-City entities or interests.

CENTERVILLE

Staff Backup Report 10/4/2016

Item No. 8.

Short Title: Discuss potential uses of RAP tax revenue

Initiated By:

Scheduled Time: 8:20

SUBJECT

RECOMMENDATION

Consider all requests for RAP Tax funding and make decisions about how these funds will be spent during the next few years.

BACKGROUND

Due to voter approval to extend the RAP Tax, effective April 1, 2016, the City will receive an estimated \$375,000 in RAP Tax revenue in FY 2017. That amount is expected to increase 4-5% per year thereafter during the 10-year reauthorization period. The attached memo from Lisa Romney, City Attorney, explains the eligible uses of these funds per State law.

The City Manager is aware of requests for RAP Tax funding from three entities: 1) Parks & Recreation Committee; 2) CenterPoint Legacy Theatre; and 3) Whitaker Museum Board. The Parks & Rec Committee is anticipating that most of the revenue will be used for projects included on the Parks Capital Improvement Plan. This information is included in the documents provided for the October 4 work session prior to the regular City Council meeting. CenterPoint Theatre's request was heard during the RDA/ACB meeting held September 13, 2016.

The Whitaker Museum Board submitted a proposed Capital Improvement Plan during the FY 2017 budget process. RAP Tax funding in the amount of \$8000 was appropriated as part of their adopted budget for the current fiscal year. The Museum's proposed CIP is attached for the Council to review again in connection with the current matter on the agenda.

In prior actions, the City Council has approved to date the following uses of RAP Tax revenue generated by the April 1, 2016 renewal:

- Baseball infield soil replacement project -- \$11,267
- Museum facility projects in FY 2017 Budget -- \$8000
- Crack sealing parking lots & trails in City parks -- approx. \$8000

ATTACHMENTS:

Description

- Whitaker Museum CIP

The Whitaker Museum Capital Improvement Plan

Three year plan includes # 1 through 4

High to Low Priority

1 Whitaker Exterior Park - Phase 1: Safety & Handicap Accessibility Driveway egress-ingress, hard surface parking (20/30 parking stalls) exterior lighting (driveway, parking, sidewalk) Repair concrete crack at entryway, handicap ramp	\$300,000 -500,000
2 Physical Facility/Functional - Phase 1: Operations Functional kitchen sink/faucet, sensor lighting on building exterior, laptop for handicap patrons to virtual tour	\$ 4,800
3 Preservation & Restoration - Phase 1: Interior restoration of Carriage House Repairing (ceiling, lighting, heating, bathroom, including desk, chair, patron table) carriage house for functional director's office and community research	\$ 12,000
4 Preservation & Restoration - Phase 2: Preservation of Archives/Artifacts a. Digitize Archives and locked file cabinets, protective glass box for 115 year old Whitaker silk wedding dress, appraisals b. Shelving in basement and attic to store artifacts, school house rehabilitation windows, doors, floor, shingles (without proper preservation items are deteriorating in the schoolhouse) c. Grand Room (wood exterior door refinished, period screen door, threshold completed) Hallway (alcove completed and large photo display) Paint interior windows d. Barn (storage for wagon, etc.)	\$ 30,800 (a-c) \$60,00-500,000(d)
5 Preservation & Restoration - Phase 3: Exterior Restoration Carriage House Exterior façade of carriage doors , move gas meter, driveway to carriage house	\$ 9,000
6 Whitaker Exterior Park - Phase 2: Landscaping Master landscape plan, north, west, south flower bed planting/ drip system Sprinkler system/entire yard, landscape around utilities, level north lawn, partial remove of ground cover under trees/plant grass, tree replacement	\$ 15,000
7 Physical Facility/Utilitarian - Phase 1: Preventative Complete rock foundation on new addition, re-plaster east wall of parlor, re-finish flooring in original building, re-point chimney/seal, seal wood-shake shingles, front rain-gutters	\$ 16,500
8 Physical Facility/Functional - Phase 2: Operations Functional fireplace, barrel vault ceiling, outdoor picnic table. Period brass plate outlet covers (incl. electrical plugs) Metal exterior calendar display of events, bathroom light fixture, donation box, area rug, plant Identification plaques, time period furniture, drinking fountain (outdoor hand pump)	\$ 16,600
9 One Time Essential Professional Signs (parking at city hall, do not touch, watch your step, etc.) Storytelling Banner on Light Pole, kitchen exterior door (time period) Hooks on the building to hold Story Telling sign, display cabinet (house temporary exhibits) Relocate flagpole (purchase flag) Restore T. Whitaker self-portrait, convert kitchen stove to electrical	\$ 18,725

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
10/4/2016**

Item No. 9.

Short Title: Mayor's Report

Initiated By: Mayor Cutler

Scheduled Time: 9:05

SUBJECT

- a. UTOPIA/UIA financial reports
- b. City Hall furniture and sound upgrades

RECOMMENDATION

BACKGROUND

The latest UTOPIA/UIA financial reports are expected to be available prior to the meeting. Mayor Cutler will also update the Council on efforts to upgrade the lobby furniture and sound quality in the Council chambers. Please note there are several furniture pieces on loan in the lobby as style examples for the Council to see; however, the couch is **not** the color that would actually be purchased. The Mayor would like the Council's feedback on the sample pieces.

ATTACHMENTS:

Description

- ☐ UIA financials
- ☐ UTOPIA Financials

Finance Committee Report (Unaudited)
 UIA
 August 2016 (16.67% of Budget)

	Current Month	Year to Date	FY17 Budget	% of Budget	Prior Year YTD	% of Budget
Revenue						
Recurring	\$ 705,847	\$ 1,401,830	\$ 8,694,905	16.12%	\$ 1,205,131	16.14%
Install	9,120	16,390	-		19,595	
Interest Income	17,629	34,294	39,000	87.93%	241	#DIV/0!
Other Income	-	-	-		-	
Total Revenue	\$ 732,596	\$ 1,452,514	\$ 8,733,905	16.63%	\$ 1,224,967	16.41%
Operating Expenses						
Administrative Expense	30,302	\$ 88,983	\$ 396,000	22.47%	8,325	2.70%
Professional Services	1,894	3,789	24,000	15.79%	3,716	15.48%
Network Management	53,787	105,993	724,593	14.63%	66,012	14.87%
Misc. Expense	-	-	-		-	
Total Operating Expenses	85,983	198,765	1,144,593	17.37%	78,052	10.06%
Debt Payments						
IRU Capital Lease Interest	6,000	12,000	96,000	12.50%	12,000	12.50%
Interest Expense	243,950	487,899	2,904,000	16.80%	324,169	12.58%
Principal (1)	-	-	1,645,000	0.00%	-	0.00%
Total Bond Payments	249,950	499,899	4,645,000	10.76%	336,169	9.14%
Total Expenditures	\$ 335,932	\$ 698,665	\$ 5,789,593	12.07%	\$ 414,221	9.30%
Use/Contribution to Fund Balance (Revenues Over/Under Expenditures)	396,664	753,850	2,944,312		810,746	

(1) Annual Principal payment made each October

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

UIA
Actual vs Budget

	Aug-16				Aug-16 YTD			
	Actual	Budget	Variance	Prior Year	Actual	Budget	Variance	Prior YTD
Revenue								
Recurring	705,847	683,382	22,464	608,368	1,401,830	1,356,977	44,853	1,205,131
Install	9,120		9,120	15,603	16,390	-	16,390	19,595
Total Revenue	<u>714,967</u>	<u>683,382</u>	<u>31,584</u>	<u>623,971</u>	<u>1,418,220</u>	<u>1,356,977</u>	<u>61,243</u>	<u>1,224,726</u>
Administrative Expense								
Wages / Benefits		-	-		-	-	-	-
Advertising	22,800	27,000	4,200	-	75,185	54,000	(21,185)	92
Dues / Memberships		-	-		-	-	-	-
Supplies		-	-		-	-	-	-
Licenses		-	-		-	-	-	-
Training / Seminars		-	-		-	-	-	-
Travel		-	-		-	-	-	-
Meeting Expense		-	-		-	-	-	-
Bank Service Charges	7,502	6,000	(1,502)	4,094	13,798	12,000	(1,798)	8,233
Telecom Expense		-	-		-	-	-	-
Computer Expense		-	-		-	-	-	-
Bad Debt Expense		-	-		-	-	-	-
Insurance		-	-		-	-	-	-
Equipment		-	-		-	-	-	-
Vehicle Expense		-	-		-	-	-	-
Occupancy		-	-		-	-	-	-
Utilities		-	-		-	-	-	-
Less Install costs to be cap'd		-	-		-	-	-	-
Admin Expenses	<u>30,302</u>	<u>33,000</u>	<u>2,698</u>	<u>4,094</u>	<u>88,983</u>	<u>66,000</u>	<u>(22,983)</u>	<u>8,325</u>
Professional Services								
Accounting		-	-		-	-	-	-
Payroll / HR		-	-		-	-	-	-
Public Relations		-	-		-	-	-	-
City Admin Fee	1,894	2,000	106	1,855	3,789	4,000	211	3,716
Legal		-	-		-	-	-	-
Lobbyists		-	-		-	-	-	-
Consulting		-	-		-	-	-	-
Contract Labor		-	-		-	-	-	-
Professional Services	<u>1,894</u>	<u>2,000</u>	<u>106</u>	<u>1,855</u>	<u>3,789</u>	<u>4,000</u>	<u>211</u>	<u>3,716</u>
Total Agency Expense	<u>32,196</u>	<u>35,000</u>	<u>2,804</u>	<u>5,949</u>	<u>92,772</u>	<u>70,000</u>	<u>(22,772)</u>	<u>12,040</u>
Network Management								
Asset Management		-	-		-	-	-	-
Operations	34,135	35,220	1,085	28,375	67,525	69,805	2,280	56,870
Field Maintenance	18,013	18,013	-	4,054	36,026	36,026	-	8,107
Provisioning	1,639	1,397	(242)	100	2,442	2,684	242	1,035
Colocation Fees		-	-		-	-	-	-
Interconnect Fees		-	-		-	-	-	-
Easements		-	-		-	-	-	-
Subscriber Connections		-	-		-	-	-	-
Network Management	<u>53,787</u>	<u>54,630</u>	<u>843</u>	<u>32,529</u>	<u>105,993</u>	<u>108,515</u>	<u>2,522</u>	<u>66,012</u>
Total Operating Expenses	<u>85,983</u>	<u>89,630</u>	<u>3,647</u>	<u>38,477</u>	<u>198,765</u>	<u>178,515</u>	<u>(20,250)</u>	<u>78,052</u>
Operating Profit (Loss)	628,984	593,752	35,232	585,493	1,219,455	1,178,462	40,993	1,146,674
Other Income / Expense								
Depreciation		300,000	300,000	220,706	-	600,000	600,000	441,412
Misc Expense		-	-		-	-	-	-
Interest Income	(17,629)	(5,000)	12,629	(99)	(34,294)	(10,000)	24,294	(241)
Other Income		-	-		-	-	-	-
Interest Expense	241,734	253,500	11,766	166,034	483,468	507,000	23,532	332,068
Amort Bond Issue Costs		-	-		-	-	-	-
Total Other Income / Expense	<u>224,105</u>	<u>548,500</u>	<u>324,395</u>	<u>386,641</u>	<u>449,174</u>	<u>1,097,000</u>	<u>647,826</u>	<u>773,239</u>
Net Income	<u>404,879</u>	<u>45,252</u>	<u>359,627</u>	<u>198,853</u>	<u>770,281</u>	<u>81,462</u>	<u>688,819</u>	<u>373,435</u>

U/A															
Actual vs Budget	Jul-16	Aug-16	Sep-16	Oct-16	Nov-16	Dec-16	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	YTD	Budget YTD	Variance
Revenue															
Recurring	695,984	705,847	-	-	-	-	-	-	-	-	-	-	1,401,830	1,356,977	44,853
Install	7,270	9,120	-	-	-	-	-	-	-	-	-	-	16,390	-	16,390
Total Revenue	703,254	714,967	-	-	-	-	-	-	-	-	-	-	1,418,220	1,356,977	61,243
Administrative Expense															
Wages / Benefits	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Advertising	52,385	22,800	-	-	-	-	-	-	-	-	-	-	75,185	54,000	(21,185)
Dues / Memberships	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Supplies	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Licenses	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Training / Seminars	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Travel	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Meeting Expense	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Bank Service Charges	6,296	7,502	-	-	-	-	-	-	-	-	-	-	13,798	12,000	(1,798)
Telecom Expense	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Computer Expense	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Bad Debt Expense	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Insurance	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Equipment	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Vehicle Expense	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Occupancy	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Utilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Less Install costs to be cap'd	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Admin Expenses	58,681	30,302	-	-	-	-	-	-	-	-	-	-	88,983	66,000	(22,983)
Professional Services															
Accounting	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Payroll / HR	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Public Relations	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
City Admin Fee	1,895	1,894	-	-	-	-	-	-	-	-	-	-	3,789	4,000	211
Legal	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Lobbyists	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Consulting	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Contract Labor	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Professional Services	1,895	1,894	-	-	-	-	-	-	-	-	-	-	3,789	4,000	211
Total Agency Expense	60,576	32,196	-	-	-	-	-	-	-	-	-	-	92,772	70,000	(22,772)
Network Management															
Asset Management	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Operations	33,390	34,135	-	-	-	-	-	-	-	-	-	-	67,525	69,805	2,280
Field Maintenance	18,013	18,013	-	-	-	-	-	-	-	-	-	-	36,026	36,026	-
Provisioning	803	1,639	-	-	-	-	-	-	-	-	-	-	2,442	2,684	242
Colocation Fees	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Interconnect Fees	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Easements	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Subscriber Connections	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Network Management	52,206	53,787	-	-	-	-	-	-	-	-	-	-	105,993	108,515	2,522
Total Operating Expenses	112,783	85,983	-	-	-	-	-	-	-	-	-	-	198,765	178,515	(20,250)
Operating Profit (Loss)	590,471	628,984	-	-	-	-	-	-	-	-	-	-	1,219,455	1,178,462	40,993
Other Income / Expense															
Depreciation	-	-	-	-	-	-	-	-	-	-	-	-	-	600,000	600,000
Misc Expense	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Interest Income	(16,664)	(17,629)	-	-	-	-	-	-	-	-	-	-	(34,294)	(10,000)	24,294
Other Income	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Interest Expense	241,734	241,734	-	-	-	-	-	-	-	-	-	-	483,468	507,000	23,532
Amort Bond Issue Costs	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Other Income / Expense	225,070	224,105	-	-	-	-	-	-	-	-	-	-	449,174	1,097,000	647,826
Net Income	365,401	404,879	-	-	-	-	-	-	-	-	-	-	770,281	81,462	688,819

UIA FINANCIAL STATEMENTS

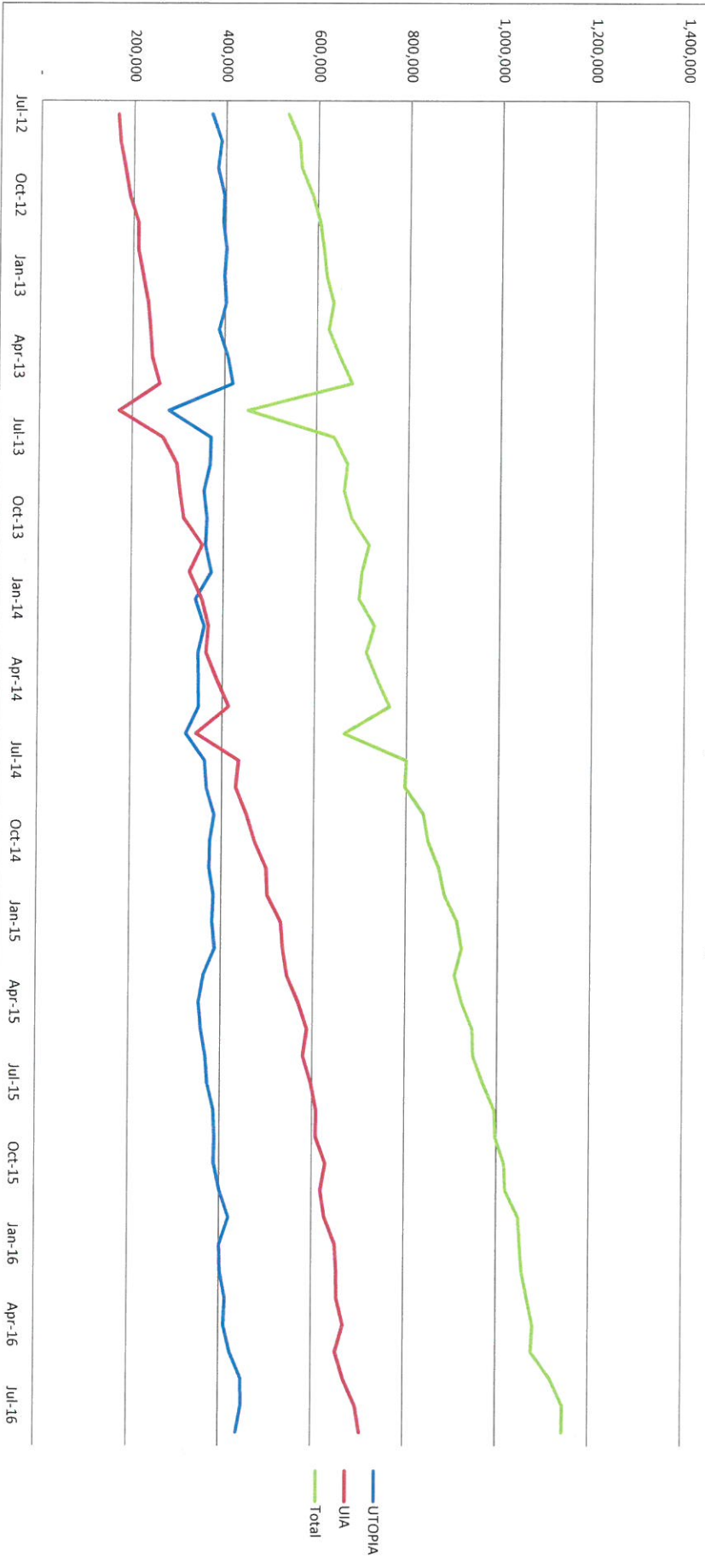
INCOME STATEMENT

	FYE 2011	FYE 2012	FYE 2013	FYE 2014	FYE 2015	FYE 2016	Jul-16	Aug-16	FYE 2017
Revenue									
Access Revenue	-	2,352,589	2,493,656	4,093,711	6,131,864	7,682,757	693,860	705,847	1,399,727
Install Revenue	-	-	177,915	226,314	401,962	165,521	7,270	9,120	16,390
Misc	368,452	-	1,116,927	288,557	70,036	101,328	-	-	-
Total Revenue	368,452	2,352,589	3,788,498	4,608,581	6,603,902	7,949,606	701,150	714,967	1,416,117
Administrative Expense									
Wages / Benefits	-	-	-	-	-	-	-	-	-
Advertising	-	512,959	161,626	85,778	86,013	231,039	52,385	22,800	75,185
Dues / Memberships	-	-	-	-	-	-	-	-	-
Supplies	53	-	-	-	-	-	-	-	-
Licenses	679	-	-	-	-	-	-	-	-
Training / Seminars	-	-	-	-	-	-	-	-	-
Travel	-	-	-	-	-	-	-	-	-
Meeting Expense	-	-	-	-	-	-	-	-	-
Bank Service Charges	-	10,105	24,572	44,193	55,790	75,034	6,296	7,502	13,798
Telecom Expense	-	-	-	-	-	-	-	-	-
Computer Expense	-	-	-	-	-	-	-	-	-
Bad Debt Expense	-	-	105,634	-	-	-	-	-	-
Insurance	-	-	-	-	-	-	-	-	-
Equipment	-	-	-	-	-	-	-	-	-
Vehicle Expense	-	-	-	-	-	-	-	-	-
Occupancy	-	-	-	-	-	-	-	-	-
Utilities	-	-	-	-	-	-	-	-	-
Less Install costs to be cap'd	-	-	-	-	-	-	-	-	-
Admin Expenses	732	623,064	291,832	129,970	141,803	306,073	58,681	30,302	88,983
Professional Services									
Accounting	-	-	-	-	-	-	-	-	-
Payroll / HR	-	-	-	-	-	-	-	-	-
Public Relations	-	-	-	-	-	-	-	-	-
City Admin Fee	-	5,590	16,912	21,572	22,448	22,646	1,895	1,894	3,789
Legal	-	-	-	-	-	-	-	-	-
Lobbyists	-	-	-	-	-	-	-	-	-
Consulting	-	-	-	-	-	-	-	-	-
Contract Labor	-	-	-	-	-	-	-	-	-
Professional Services	-	5,590	16,912	21,572	22,448	22,646	1,895	1,894	3,789
Total Agency Expense	732	528,654	308,744	151,542	164,251	328,719	60,576	32,196	92,772
Network Management									
Asset Management	1,049,417	-	1,644	-	-	-	-	-	-
Network Operations	-	57,210	189,555	261,060	311,090	366,085	33,390	34,135	67,525
Field Maintenance	-	13,513	47,410	45,426	44,102	42,952	18,013	18,013	36,026
Provisioning	-	24,134	16,808	15,058	9,020	11,265	803	1,639	2,442
Colocation Fees	-	-	-	-	-	-	-	-	-
Interconnect	-	-	-	-	-	-	-	-	-
Easements	-	-	-	-	-	-	-	-	-
Subscriber Connections	-	-	-	-	-	-	-	-	-
Network Management	1,049,417	94,857	255,416	321,543	364,212	420,302	52,206	53,787	105,993
Total Operating Expenses	1,050,149	623,512	564,160	473,086	528,462	749,022	112,783	85,983	198,765
Operating Profit (Loss)	(681,697)	1,729,077	3,224,338	4,135,495	6,075,440	7,200,584	588,368	628,984	1,217,352
Other Income / Expense									
Depreciation	6,083	1,041,862	1,716,159	2,251,384	2,653,387	3,002,054	-	-	-
Misc Expense	-	-	-	-	-	-	-	-	-
Interest Income	(2,831)	(207,148)	(45,760)	(43,454)	(14,963)	(126,667)	(16,664)	(17,629)	(34,294)
Other Income	-	(1,286,371)	(840,840)	(577,877)	(799,864)	(247,294)	241,734	241,734	483,468
Interest Expense	226,788	2,135,047	2,042,019	1,911,999	1,917,898	2,568,921	-	-	-
Amort Bond Issue Costs	4,498	53,979	53,979	462,096	-	396,388	-	-	-
Total Other Income / Expense	234,538	1,737,369	2,925,556	4,004,148	3,756,459	5,593,402	225,070	224,105	449,174
Net Income	(916,235)	(8,292)	298,782	131,348	2,318,981	1,607,182	363,298	404,879	768,178

UIA FINANCIAL STATEMENTS

BALANCE SHEET									
ASSETS									
Current Assets									
Total Cash	25,121,887	10,754,056	3,395,598	6,570,176	4,467,659	28,590,169	28,643,795	27,351,738	27,351,738
Cash	63,836	1,593,657	666,897	996,661	2,168,755	3,146,791	3,815,336	3,071,979	3,071,979
Restricted Cash	25,058,051	9,160,399	2,728,701	5,573,515	2,298,904	25,443,378	24,828,458	24,279,760	24,279,760
Required Cash	-	-	-	-	-	-	-	-	-
Accounts Receivable	56,009	2,412,305	3,885,803	4,055,567	4,052,716	3,960,585	4,161,493	4,027,803	4,027,803
Interco w/UTOPIA	-	(270,299)	-	-	-	-	(128,477)	(175,743)	(175,743)
Interest Receivable	-	-	-	-	-	-	-	-	-
Inventory	41,489	592,052	162,042	273,137	658,843	885,408	1,144,549	1,283,474	1,283,474
Prepaid Expenses	159,590	-	-	-	-	-	-	-	-
Other Current Assets	-	-	-	-	-	-	-	-	-
Total Current Assets	25,378,965	13,468,115	7,443,443	10,898,860	9,179,219	33,436,162	33,821,360	32,487,272	32,487,272
Property, Plant & Equipment	-	-	-	-	-	-	-	-	-
Cost	18,998,459	29,571,798	36,037,263	44,397,748	47,811,222	51,300,077	51,755,193	53,608,287	53,608,287
Accum Depreciation	(6,083)	(1,047,945)	(2,764,103)	(5,015,487)	(7,668,875)	(10,670,929)	(10,670,929)	(10,670,929)	(10,670,929)
Net PP&E	18,992,376	28,523,854	33,273,160	39,382,260	40,142,348	40,629,149	41,084,264	42,937,358	42,937,358
Capital Leases	-	-	-	-	-	-	-	-	-
Deposits	-	-	-	-	-	-	-	-	-
Bond Issuance (Net of Amort.)	1,344,982	1,291,003	1,237,024	-	-	-	-	-	-
Swap Asset	-	-	-	-	-	-	-	-	-
TOTAL ASSETS	45,716,343	43,302,972	41,953,627	50,281,140	49,321,567	74,065,311	74,905,624	75,424,631	75,424,631
LIABILITIES									
Current Liabilities									
Accounts Payable	437,680	1,641,105	1,426,895	815,350	194,773	517,774	751,557	632,065	632,065
Accrued Liabilities	14,797	-	61,165	125,692	106,921	(78,604)	(88,255)	43,674	43,674
Deferred Revenue	27,750	(300)	-	300,000	-	-	11,150	34,866	34,866
Accrued Interest	147,930	366,201	621,166	408,513	402,597	605,940	855,889	1,105,839	1,105,839
Customer Deposits	-	-	-	-	-	-	-	-	-
LTD - Current Portion	-	-	-	-	-	-	-	-	-
Cap Lease - Current Portion	-	-	-	-	-	-	-	-	-
Other Accr Liabilities	-	-	-	-	-	-	-	-	-
Total Current Liabilities	628,167	2,007,006	2,109,226	1,649,554	704,291	1,045,110	1,530,341	1,816,434	1,816,434
Notes Payable - Cities	-	-	798,754	2,248,467	3,352,210	3,417,291	3,417,291	3,417,291	3,417,291
Notes Payable - Other	-	-	-	-	-	-	-	-	-
Bonds Payable	29,500,000	29,500,000	28,835,000	39,355,000	38,375,000	61,665,000	61,665,000	61,665,000	61,665,000
RUS Notes Payable	-	-	-	-	-	-	-	-	-
Less Current Portion LTD	-	-	-	-	-	-	-	-	-
Total Long Term Debt	29,500,000	29,500,000	29,633,754	41,603,467	41,727,210	65,082,291	65,082,291	65,082,291	65,082,291
Capital Lease Payable - LT	16,186,728	12,415,549	10,544,199	8,195,602	5,763,170	3,428,164	3,428,164	3,264,414	3,264,414
Other Accrued Liabilities	317,693	304,943	292,193	563,939	539,335	2,315,003	2,306,788	2,298,572	2,298,572
Total Liabilities	46,632,579	44,227,499	42,579,373	52,012,562	48,734,007	71,870,569	72,347,584	72,461,711	72,461,711
EQUITY									
Retained Earnings	(916,235)	(924,527)	(626,746)	(1,731,422)	587,559	2,194,742	2,558,040	2,962,920	2,962,920
Total Shareholders' Equity	(916,235)	(924,527)	(626,746)	(1,731,422)	587,559	2,194,742	2,558,040	2,962,920	2,962,920
TOTAL LIABILITIES / EQUITY	45,716,343	43,302,972	41,953,627	50,281,140	49,321,567	74,065,311	74,905,624	75,424,631	75,424,631

Recurring Revenue Combined (UTOPIA and UIA)



**UIA Revenue v. Bond Obligation
(Monthly Recurring Revenue)**



Finance Committee Report (Unaudited)
UTOPIA
August 2016 (16.67% of Budget)

	<u>Current Month</u>	<u>Year to Date</u>	<u>FY17 Budget</u>	<u>% of Budget</u>	<u>Prior Year YTD</u>	<u>% of Budget</u>
Revenue						
Recurring	\$ 438,795	\$ 888,368	\$ 5,244,248	16.94%	\$ 759,052	17.63%
Install	29,249	30,649	-		11,300	
UIA IRU	109,421	217,010	1,307,133	16.60%	180,179	16.39%
Interest Income	786	1,535	-		35	#DIV/0!
Other Income	55,000	55,000	-	#DIV/0!	-	#DIV/0!
Total Revenue	<u>\$ 633,251</u>	<u>\$ 1,192,562</u>	<u>\$ 6,551,382</u>	18.20%	<u>\$ 950,566</u>	17.59%
Operating Expenses						
Administrative Expense	\$ 432,558	\$ 916,071	\$ 5,970,229	15.34%	\$ 811,804	14.40%
Professional Services	28,172	57,758	458,880	12.59%	64,283	10.95%
Network Management	177,090	340,255	1,992,720	17.07%	470,749	22.36%
Misc. Expense	-	-	-		-	
Total Operating Expenses	<u>637,820</u>	<u>1,314,084</u>	<u>8,421,829</u>	15.60%	<u>1,346,836</u>	16.17%
Bond Payments						
Interest Expense	1,005,918	2,162,782	13,918,000	15.54%	2,190,697	16.06%
Principal	150,946	150,946	702,005	21.50%	78,514	19.54%
Total Bond Payments	<u>1,156,864</u>	<u>2,313,728</u>	<u>14,620,005</u>	15.83%	<u>2,269,210</u>	16.16%
Total Expenditures	<u>\$ 1,794,684</u>	<u>\$ 3,627,812</u>	<u>\$ 23,041,834</u>	15.74%	<u>\$ 3,616,046</u>	16.16%
Use/Contribution to Fund Balance (Revenues Over/Under Expenditures)	<u>(1,161,433)</u>	<u>(2,435,250)</u>	<u>(16,490,452)</u>		<u>(2,665,481)</u>	

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

UTOPIA
Actual vs Budget

	Aug-16				Aug-16 YTD			
	Actual	Budget	Variance	Prior Year	Actual	Budget	Variance	Prior YTD
Revenue								
Recurring	438,795	428,550	10,246	386,426	888,368	855,294	33,075	759,052
Install	29,249		29,249	2,765	30,649	-	30,649	11,300
UIA IRU	109,421	103,751	5,670	92,112	217,010	206,831	10,180	180,179
Total Revenue	577,465	532,300	45,165	481,303	1,136,027	1,062,124	73,903	950,531
Administrative Expense								
Wages / Benefits	364,800	387,636	22,836	349,063	740,996	775,272	34,276	667,848
Advertising	1,880	28,400	26,520	1,707	52,400	56,800	4,400	35,787
Dues / Memberships		1,025	1,025	25	31	2,050	2,019	50
Supplies	2,104	1,175	(929)	492	3,762	2,350	(1,412)	879
Licenses	397	-	(397)	-	897	-	(897)	-
Training / Seminars		1,936	1,936	300	-	3,872	3,872	300
Travel	844	3,800	2,956	1,050	1,146	7,600	6,454	1,815
Meeting Expense	462	1,225	763	287	1,282	2,450	1,168	543
Bank Service Charges	87	500	413	55	162	1,000	838	55
Telecom Expense	6,681	7,660	979	6,431	13,348	15,320	1,972	12,952
Computer Expense	12,127	16,745	4,619	4,441	16,890	33,491	16,601	8,268
Bad Debt Expense		-	-	-	-	-	-	-
Insurance	19,705	20,000	295	17,791	39,660	40,000	340	35,583
Equipment	2,050	2,500	450	3,634	3,422	5,000	1,578	4,288
Vehicle Expense	3,237	6,000	2,763	3,548	5,979	12,000	6,021	8,612
Occupancy	14,220	14,000	(220)	13,899	28,439	28,000	(439)	27,798
Utilities	3,964	4,500	536	3,517	7,656	9,000	1,344	7,026
Admin Expenses	432,558	497,102	64,545	406,240	916,071	994,205	78,134	811,804
Professional Services								
Accounting	3,000	3,000	-	3,000	6,000	6,000	-	6,000
Payroll / HR	1,227	3,100	1,873	3,198	3,341	6,200	2,859	5,100
Public Relations		-	-	-	-	-	-	-
I/T Support		-	-	-	-	-	-	-
Legal	11,945	14,140	2,195	15,510	24,417	28,280	3,863	27,733
Lobbyists	12,000	12,000	-	13,000	24,000	24,000	-	25,000
Consulting		-	-	-	-	-	-	-
Contract Labor		6,000	6,000	450	-	12,000	12,000	450
Professional Services	28,172	38,240	10,068	35,158	57,758	76,480	18,722	64,283
Total Agency Expense	460,730	535,342	74,612	441,398	973,829	1,070,685	96,856	876,087
Network Management								
Asset Management		1,000	1,000		-	2,000	2,000	-
Head End		-	-	23,188	-	-	-	47,021
Field Maintenance	104,509	89,060	(15,449)	83,572	201,132	178,120	(23,012)	227,198
Electronic Maintenance	7,598	5,000	(2,598)	21,115	9,049	10,000	951	35,561
Colocation Fees	43,536	47,000	3,464	49,963	87,629	94,000	6,371	113,049
Interconnect Fees	10,813	13,000	2,187	11,570	21,673	26,000	4,327	23,490
Easements	10,635	11,000	365	12,107	20,773	22,000	1,227	24,430
Network Management	177,090	166,060	(11,030)	201,514	340,255	332,120	(8,135)	470,749
Total Operating Expenses	637,820	701,402	63,583	642,912	1,314,084	1,402,805	88,721	1,346,836
Operating Profit (Loss)	(60,355)	(169,102)	108,747	(161,609)	(178,056)	(340,680)	162,624	(396,306)
Other Income / Expense								
Depreciation		550,000	550,000	380,866	-	1,100,000	1,100,000	761,732
Misc Expense		-	-	-	-	-	-	-
Interest Income	(786)	-	786	(17)	(1,535)	-	1,535	(35)
Other Income	(55,000)	-	55,000	-	(55,000)	-	55,000	-
Interest Expense	1,005,918	1,158,000	152,082	1,056,092	2,162,782	2,316,000	153,218	2,190,697
Amort Bond Issue Costs	6,315	6,315	-	6,315	12,631	12,631	-	12,631
Total Other Income / Expense	956,448	1,714,315	757,868	1,443,255	2,118,878	3,428,631	1,309,753	2,965,024
Net Income	(1,016,803)	(1,883,418)	866,615	(1,604,865)	(2,296,934)	(3,769,311)	1,472,377	(3,361,330)

UTOPIA															
Actual vs Budget															
	Jul-16	Aug-16	Sep-16	Oct-16	Nov-16	Dec-16	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	YTD	Budget YTD	Variance
Revenue															
Recurring	449,573	438,795	-	-	-	-	-	-	-	-	-	-	888,368	855,294	33,075
Install	1,400	29,249	-	-	-	-	-	-	-	-	-	-	30,649	-	30,649
UIA IRU	107,590	109,421	-	-	-	-	-	-	-	-	-	-	217,010	206,831	10,180
Total Revenue	558,563	577,465	-	-	-	-	-	-	-	-	-	-	1,136,027	1,062,124	73,903
Administrative Expense															
Wages / Benefits	376,196	364,800	-	-	-	-	-	-	-	-	-	-	740,996	775,272	34,276
Advertising	50,520	1,880	-	-	-	-	-	-	-	-	-	-	52,400	56,800	4,400
Dues / Memberships	31	-	-	-	-	-	-	-	-	-	-	-	31	2,050	2,019
Supplies	1,657	2,104	-	-	-	-	-	-	-	-	-	-	3,762	2,350	(1,412)
Licenses	500	397	-	-	-	-	-	-	-	-	-	-	897	-	(897)
Training / Seminars	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Travel	302	844	-	-	-	-	-	-	-	-	-	-	-	3,872	3,872
Meeting Expense	820	462	-	-	-	-	-	-	-	-	-	-	1,146	7,600	6,454
Bank Service Charges	75	87	-	-	-	-	-	-	-	-	-	-	1,282	2,450	1,168
Telecom Expense	6,668	6,681	-	-	-	-	-	-	-	-	-	-	162	1,000	838
Computer Expense	4,763	12,127	-	-	-	-	-	-	-	-	-	-	13,348	15,320	1,972
Bad Debt Expense	-	-	-	-	-	-	-	-	-	-	-	-	16,890	33,491	16,601
Insurance	19,955	19,705	-	-	-	-	-	-	-	-	-	-	-	-	-
Equipment	1,372	2,050	-	-	-	-	-	-	-	-	-	-	39,660	40,000	340
Vehicle Expense	2,742	3,237	-	-	-	-	-	-	-	-	-	-	3,422	5,000	1,578
Occupancy	14,220	14,220	-	-	-	-	-	-	-	-	-	-	5,979	12,000	6,021
Utilities	3,692	3,964	-	-	-	-	-	-	-	-	-	-	28,439	28,000	(439)
Admin Expenses	483,513	432,558	-	-	-	-	-	-	-	-	-	-	7,656	9,000	1,344
Professional Services													916,071	994,205	78,134
Accounting	3,000	3,000	-	-	-	-	-	-	-	-	-	-	6,000	6,000	-
Payroll / HR	2,114	1,227	-	-	-	-	-	-	-	-	-	-	3,341	6,200	2,859
Public Relations	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
I/T Support	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Legal	12,472	11,945	-	-	-	-	-	-	-	-	-	-	24,417	28,280	3,863
Lobbyists	12,000	12,000	-	-	-	-	-	-	-	-	-	-	24,000	24,000	-
Consulting	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Contract Labor	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Professional Services	29,586	28,172	-	-	-	-	-	-	-	-	-	-	57,758	76,480	18,722
Total Agency Expense	513,099	460,730	-	-	-	-	-	-	-	-	-	-	973,829	1,070,685	96,856
Network Management															
Asset Management	-	-	-	-	-	-	-	-	-	-	-	-	-	2,000	2,000
Head End	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Field Maintenance	96,623	104,509	-	-	-	-	-	-	-	-	-	-	-	-	-
Electronic Maintenance	1,451	7,598	-	-	-	-	-	-	-	-	-	-	201,132	178,120	(23,012)
Colocation Fees	44,094	43,536	-	-	-	-	-	-	-	-	-	-	9,049	10,000	951
Interconnect Fees	10,860	10,813	-	-	-	-	-	-	-	-	-	-	87,629	94,000	6,371
Easements	10,138	10,635	-	-	-	-	-	-	-	-	-	-	21,673	26,000	4,327
Network Management	163,165	177,090	-	-	-	-	-	-	-	-	-	-	20,773	22,000	1,227
Total Operating Expenses	676,264	637,820	-	-	-	-	-	-	-	-	-	-	340,255	332,120	(8,135)
Operating Profit (Loss)	(117,701)	(60,355)	-	-	-	-	-	-	-	-	-	-	1,314,084	1,402,805	88,721
Other Income / Expense													(178,056)	(340,680)	162,624
Depreciation	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Misc Expense	(749)	(786)	-	-	-	-	-	-	-	-	-	-	-	1,100,000	1,100,000
Interest Income	-	(55,000)	-	-	-	-	-	-	-	-	-	-	(1,535)	-	1,535
Other Income	1,156,864	1,005,918	-	-	-	-	-	-	-	-	-	-	(55,000)	-	55,000
Interest Expense	6,315	6,315	-	-	-	-	-	-	-	-	-	-	2,162,782	2,316,000	153,218
Amort Bond Issue Costs	1,162,431	956,448	-	-	-	-	-	-	-	-	-	-	12,631	12,631	-
Total Other Income / Expense	(1,280,132)	(1,016,803)	-	-	-	-	-	-	-	-	-	-	2,118,878	3,428,631	1,309,753
Net Income													(2,296,934)	(3,769,311)	1,472,377

UTOPIA FINANCIAL STATEMENTS

INCOME STATEMENT

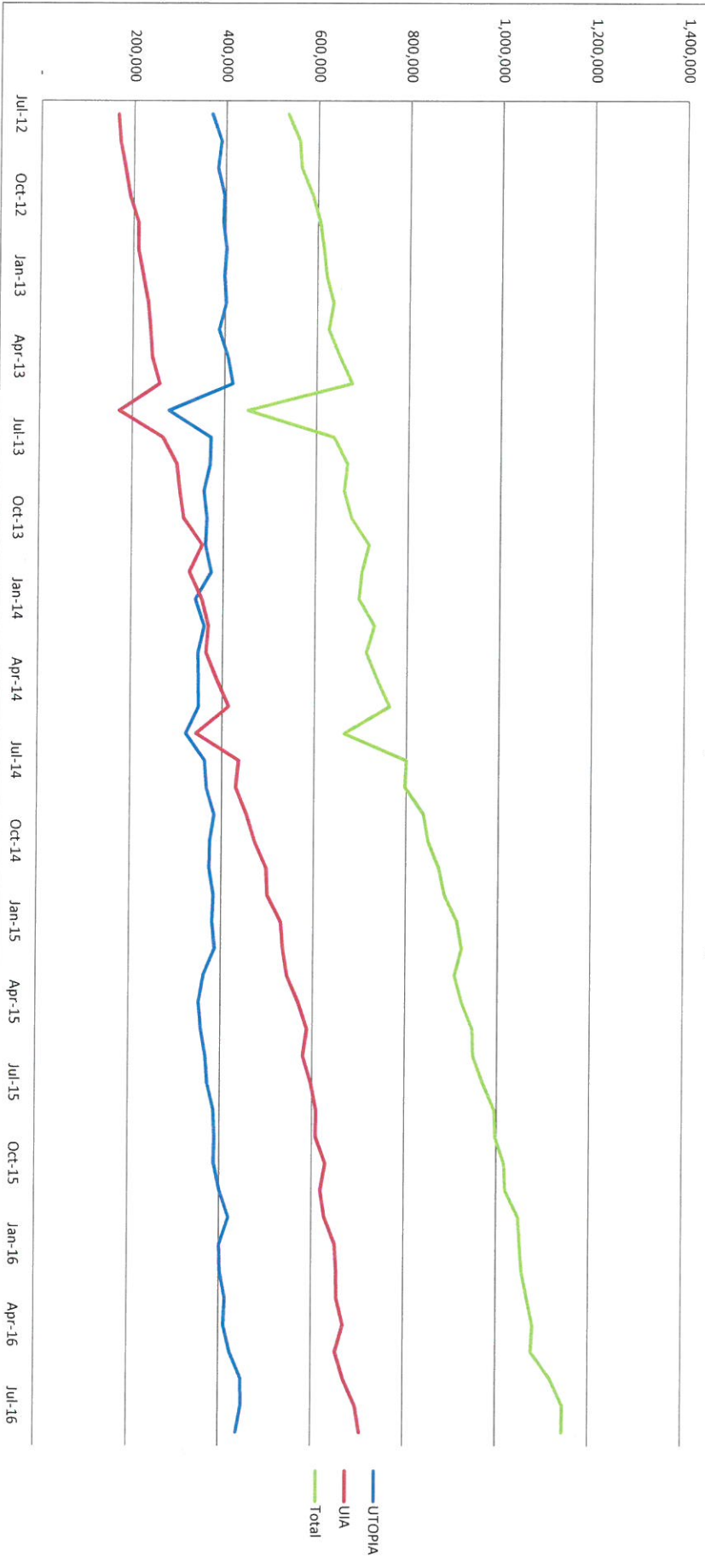
	FYE 2011	FYE 2012	FYE 2013	FYE 2014	FYE 2015	FYE 2016	Jul-16	Aug-16	Sep-16	Jun-17	FYE 2017
Revenue											
Access Revenue	4,054,306	4,220,394	4,588,554	4,266,844	4,456,113	4,858,406	449,573	438,795	-	-	888,368
Install Revenue	247,292	222,612	95,709	65,403	192,044	105,784	1,400	29,249	-	-	30,649
Services Revenue	2,145,567	-	-	200	1,028,753	1,097,973	107,590	109,421	-	-	217,010
Misc	54,583	749,857	908,350	976,495	-	-	-	-	-	-	-
Total Revenue	6,501,749	5,192,863	5,592,613	5,308,942	5,676,910	6,062,164	558,563	577,465	-	-	1,136,027
Administrative Expense											
Wages / Benefits	2,500,985	3,881,311	4,452,649	4,050,698	3,787,009	4,063,978	376,196	364,800	-	-	740,996
Advertising	141,056	89,361	15,298	60,142	97,210	208,511	50,520	1,880	-	-	52,400
Dues / Memberships	37	1,959	457	940	300	345	31	-	-	-	31
Supplies	12,397	16,987	8,510	8,013	8,244	9,255	1,657	2,104	-	-	3,762
Licenses	-	100	-	538	-	-	500	397	-	-	897
Training / Seminars	884	7,847	1,870	1,204	-	300	-	-	-	-	-
Travel	56,917	49,913	25,719	38,489	10,698	10,171	302	844	-	-	1,146
Meeting Expense	8,273	8,073	8,263	9,422	7,108	9,067	820	462	-	-	1,282
Bank Service Charges	12,524	1,022	6,534	5,091	798	1,025	75	87	-	-	162
Telecom Expense	91,542	104,475	82,955	83,892	79,804	79,413	6,668	6,681	-	-	13,348
Computer Expense	21,609	74,105	103,393	52,126	76,821	70,600	4,763	12,127	-	-	16,890
Bad Debt Expense	1,255,873	-	36,339	-	-	-	-	-	-	-	-
Insurance	187,909	166,683	185,963	194,893	204,633	223,314	19,955	19,705	-	-	39,660
Equipment	9,922	12,608	14,493	27,567	20,875	37,458	1,372	2,050	-	-	3,422
Vehicle Expense	79,320	113,759	63,434	76,696	62,104	60,277	2,742	3,237	-	-	5,979
Occupancy	165,828	163,790	169,688	164,223	163,584	167,489	14,220	14,220	-	-	28,439
Utilities	34,406	58,582	50,162	56,512	50,039	43,627	3,692	3,964	-	-	7,656
Admin Expenses	4,589,479	4,750,576	5,225,745	4,830,446	4,569,228	4,984,829	483,513	432,558	-	-	916,071
Professional Services											
Accounting	21,000	28,475	30,000	36,000	36,000	36,000	3,000	3,000	-	-	6,000
Payroll / HR	19,182	13,573	12,506	15,767	18,098	26,480	2,114	1,227	-	-	3,341
Public Relations	73,702	54,671	40,000	-	-	-	-	-	-	-	-
IT Support	-	-	(11,085)	(2,675)	-	-	-	-	-	-	-
Legal	356,030	351,839	745,550	1,478,049	722,647	153,211	12,472	11,945	-	-	24,417
Lobbyists	238,662	213,652	189,022	163,500	157,000	139,000	12,000	12,000	-	-	24,000
Consulting	98,974	15,000	-	-	-	-	-	-	-	-	-
Contract Labor	581,318	302,872	58,558	102,870	29,125	12,567	-	-	-	-	-
Professional Services	1,388,869	980,081	1,064,551	1,793,511	962,870	367,257	29,586	28,172	-	-	57,758
Total Agency Expense	5,978,348	5,730,657	6,290,297	6,623,956	5,532,098	5,352,086	513,099	460,730	-	-	973,829
Network Management											
Asset Management	-	-	-	-	-	-	-	-	-	-	-
Head End	144,272	324,054	299,881	392,814	304,972	41,446	96,623	104,509	-	-	-
Field Maintenance	731,031	840,487	739,745	703,205	871,915	996,716	1,451	7,598	-	-	201,132
Electronic Maintenance	76,812	167,096	26,982	55,127	61,196	12,774	44,094	43,536	-	-	9,049
Colocation Fees	214,050	302,706	390,765	402,091	562,554	539,356	10,860	10,813	-	-	87,629
Interconnect	163,183	155,634	139,122	139,122	146,858	144,148	10,138	10,635	-	-	21,673
Easements	68,444	138,110	124,898	129,068	119,543	157,336	10,388	10,635	-	-	20,773
Network Management	1,397,873	1,935,636	1,737,906	1,821,426	2,067,037	1,891,774	163,165	177,090	-	-	340,255
Total Operating Expenses	7,376,220	7,666,294	8,028,202	8,445,383	7,599,135	7,243,860	676,264	637,820	-	-	1,314,084
Operating Profit (Loss)	(874,472)	(2,473,430)	(2,435,589)	(3,136,440)	(1,922,225)	(1,181,697)	(117,701)	(60,355)	-	-	(178,056)
Other Income / Expense											
Depreciation	5,305,860	4,752,106	4,828,740	4,739,040	4,549,861	4,937,744	(749)	(786)	-	-	-
Misc Expense	(197,429)	(7,851)	(6,128)	166,802	292,133	-	(4,639)	(55,000)	-	-	(1,535)
Interest Income	(21,066)	(6,553)	(8,487)	(6,353)	(11,413)	(38,448)	1,156,864	1,005,918	-	-	(55,000)
Other Income	(528,477)	(6,536,791)	(7,128,126)	(1,611,378)	(10,229,342)	(4,639)	6,315	6,315	-	-	2,162,782
Interest Expense	13,250,285	11,763,205	13,019,793	13,342,189	13,530,005	13,804,119	1,162,431	956,448	-	-	12,631
Amort Bond Issue Costs	76,005	95,797	109,935	75,384	75,784	75,784	-	-	-	-	-
Total Other Income / Expense	17,885,177	10,059,913	10,815,727	16,705,694	8,207,030	18,774,561	1,162,431	956,448	-	-	2,118,878
Net Income	(18,759,649)	(12,533,343)	(13,251,315)	(19,842,134)	(10,129,254)	(19,956,257)	(1,280,132)	(1,016,803)	-	-	(2,296,934)

UTOPIA FINANCIAL STATEMENTS

BALANCE SHEET									
ASSETS									
Current Assets									
	FYE 2011	FYE 2012	FYE 2013	FYE 2014	FYE 2015	FYE 2016	Jul-16	Aug-16	Sep-16
Total Cash	490,469	1,304,238	1,455,028	1,244,533	9,257,097	2,653,706	2,393,740	3,346,538	3,346,538
Cash	161,526	136,840	258,282	20,272	8,004,422	1,370,750	1,110,783	2,063,582	2,063,582
Restricted Cash	328,943	1,167,397	1,196,746	1,224,261	1,252,675	1,282,956	1,282,956	1,282,956	1,282,956
Required Cash	-	-	-	-	-	-	-	-	-
Accounts Receivable	967,545	2,078,210	1,011,539	286,507	327,665	373,114	493,909	417,604	417,604
Interco	-	270,289	-	-	-	-	128,477	175,743	175,743
Notes Receivable	-	-	-	8,195,602	5,763,170	-	3,428,164	3,428,164	3,428,164
Inventory	1,980,890	1,934,979	1,458,151	1,482,071	1,091,701	765,849	711,552	694,069	694,069
Prepaid Expenses	(66,732)	200,338	123,657	106,385	81,478	78,264	85,940	49,121	49,121
Other Current Assets	-	-	-	-	-	-	-	-	-
Total Current Assets	3,372,172	5,788,064	4,048,375	11,295,098	16,521,111	7,299,097	7,241,782	8,111,238	8,111,238
Property, Plant & Equipment	-	-	-	-	-	-	-	-	-
Cost	112,910,013	119,185,887	126,531,581	127,734,505	130,212,442	124,972,254	125,137,275	124,013,798	124,013,798
Accum Depreciation	(33,342,035)	(38,094,141)	(42,922,881)	(47,541,350)	(52,091,211)	(44,116,579)	(44,116,579)	(44,116,579)	(44,116,579)
Net PP&E	79,567,978	81,091,746	83,608,699	80,193,155	78,121,231	80,855,675	81,020,696	79,897,218	79,897,218
Capital Leases	-	-	-	-	-	-	-	-	-
Deposits	10,686	10,686	10,686	10,686	10,686	10,686	10,686	10,686	10,686
Bond Issuance (Net of Amort.)	2,197,796	3,071,832	2,961,898	1,970,383	1,894,608	1,818,824	1,812,509	1,806,193	1,806,193
Swap Asset	-	-	-	-	3,436	319	319	319	319
TOTAL ASSETS	85,148,631	89,962,328	90,629,658	93,469,332	96,551,072	89,984,602	90,085,992	89,825,655	89,825,655
Deferred Outflow of Resources	52,415,487	106,904,222	74,446,651	76,269,515	84,004,933	113,026,375	113,026,375	113,026,375	113,026,375
TOTAL ASSETS & DEF OUTFLOW	137,564,118	196,866,550	165,076,310	169,738,847	180,556,005	203,010,977	203,112,367	202,852,030	202,852,030
LIABILITIES									
Current Liabilities									
Accounts Payable	1,018,239	925,295	624,529	562,579	832,744	692,109	629,463	430,733	430,733
Accrued Liabilities	318,857	602,822	248,416	260,391	316,051	642,136	984,024	987,885	987,885
Deferred Revenue	1,757,917	5,190,417	6,885,417	17,070,573	16,677,085	16,217,079	16,162,496	16,107,912	16,107,912
Accrued Interest	885,750	1,070,419	1,091,388	1,112,789	1,134,605	1,156,864	1,156,864	1,156,864	1,156,864
Customer Deposits	-	-	-	-	-	-	-	-	-
LTD - Current Portion	-	-	-	-	-	-	-	-	-
Cap Lease - Current Portion	-	-	-	-	-	-	-	-	-
Other Accr Liabilities	-	-	-	-	-	-	-	-	-
Total Current Liabilities	3,980,764	7,788,952	8,649,750	18,946,271	18,960,485	18,708,188	18,932,846	18,683,394	18,683,394
Notes Payable - Cities	15,833,657	29,625,945	42,723,758	56,088,636	69,647,888	83,853,023	85,009,887	86,166,751	86,166,751
Notes Payable - Other	236,561	113,886	105,025	96,075	87,036	77,906	77,906	77,906	77,906
Bonds Payable	185,000,000	185,000,000	184,996,270	184,970,208	184,803,065	184,401,178	184,401,178	184,250,232	184,250,232
RUS Notes Payable	-	-	-	-	-	-	-	-	-
Less Current Portion LTD	-	-	-	-	-	-	-	-	-
Total Long Term Debt	201,070,218	214,739,831	227,825,052	241,154,918	254,537,989	268,332,107	269,488,971	270,494,889	270,494,889
Capital Lease Payable - LT	216,210	85,450	58,076	29,607	-	-	-	-	-
Other Accrued Liabilities	52,415,487	106,904,222	74,446,651	76,269,515	84,924,852	113,794,258	113,794,258	113,794,258	113,794,258
Total Liabilities	257,682,679	329,518,454	310,979,529	336,400,312	358,423,325	400,834,554	402,216,075	402,972,542	402,972,542
EQUITY									
Retained Earnings	(120,118,561)	(132,651,904)	(145,903,219)	(166,661,465)	(177,867,320)	(197,823,577)	(199,103,709)	(200,120,511)	(200,120,511)
Total Shareholders' Equity	(120,118,561)	(132,651,904)	(145,903,219)	(166,661,465)	(177,867,320)	(197,823,577)	(199,103,709)	(200,120,511)	(200,120,511)
TOTAL LIABILITIES / EQUITY	137,564,118	196,866,550	165,076,310	169,738,847	180,556,005	203,010,977	203,112,367	202,852,030	202,852,030

CASH FLOW STATEMENT		FYE 2011	FYE 2012	FYE 2013	FYE 2014	FYE 2015	FYE 2016	Jul-16	Aug-16	Sep-16	Jun-17	FYE 2017
Cash Flow from Operating Activities												
Net Income (loss)	(18,759,649)	(12,533,343)	(13,251,315)	(19,842,134)	(10,129,254)	(19,956,257)	(1,280,132)	(1,016,803)	-	-	-	(2,296,934)
Depreciation	5,305,860	4,752,106	4,828,740	4,739,040	4,549,861	4,937,744	-	-	-	-	-	-
Cap Lease Amort	-	-	-	-	-	-	-	-	-	-	-	-
Bond Amort	76,005	95,797	109,935	75,394	75,784	75,784	6,315	6,315	-	-	-	12,631
Equity - Other Changes	0	(0)	-	(916,111)	(1,076,601)	-	-	-	-	-	-	-
PPE Disposals - Cost	219,225	-	-	120,572	-	-	12,912,375	-	-	-	-	-
PPE Disposals - Acc Depr	(219,225)	-	-	(120,572)	-	-	(12,912,375)	-	-	-	-	-
Changes in:	-	-	-	-	-	-	-	-	-	-	-	-
Cash	123,096	24,686	(121,442)	238,010	(7,984,150)	6,633,672	259,967	(962,798)	-	-	-	(692,832)
Restricted Cash	1,648,440	(836,455)	(29,349)	(27,514)	(28,414)	(30,282)	-	-	-	-	-	-
Receivables	(22,761)	(1,110,665)	1,066,671	725,032	(41,158)	(45,448)	(120,795)	76,305	-	-	-	(44,490)
Notes Receivable	15,763	(270,299)	270,299	-	-	-	(128,477)	(47,266)	-	-	-	(175,743)
Interest Receivable	690	-	-	(8,195,602)	2,432,432	-	-	-	-	-	-	-
Inventories	185,276	45,911	476,828	(3,920)	370,370	2,335,006	325,852	54,298	17,483	-	-	71,781
Prepaid Expenses	2,357,729	(267,070)	76,681	17,272	24,907	3,214	3,214	(7,676)	36,819	-	-	29,143
Other Assets	16,676	(54,488,735)	32,457,570	(1,822,864)	(7,735,418)	(29,021,442)	-	-	-	-	-	-
Deposits	-	-	-	-	-	-	-	-	-	-	-	-
Bond Issuance, Net	(0)	(969,834)	(0)	916,111	-	-	-	0	0	-	-	0
Swap Asset	-	-	-	-	(3,436)	3,117	-	-	-	-	-	-
Accounts Payable	354,482	(92,945)	(300,766)	(61,950)	270,165	(140,634)	(62,646)	(198,730)	-	-	-	(261,376)
Accrued Liabilities	16,470	283,964	(354,405)	11,875	55,660	326,085	341,888	3,861	-	-	-	345,749
Deferred Revenue	1,664,311	3,432,500	1,495,000	10,325,096	(333,428)	(460,006)	(54,583)	(54,583)	-	-	-	(109,167)
Accrued Interest	15,402	184,668	20,969	21,401	21,816	22,259	-	-	-	-	-	-
Customer Deposits	-	-	-	-	-	-	-	-	-	-	-	-
Cap Lease - Current Portion	-	-	-	-	-	-	-	-	-	-	-	-
Other Accr Liabilities	-	-	-	-	-	-	-	-	-	-	-	-
Other Liabilities	(48,601)	54,357,974	(32,484,944)	1,794,395	8,625,729	28,869,406	-	-	-	-	-	-
Net Cash Provided by (Used in) Op	(7,030,791)	(7,393,738)	(5,739,527)	(12,006,371)	(10,905,133)	(6,121,931)	(991,843)	(2,129,396)	-	-	-	(3,121,238)
Cash Flow from Investing Activities												
Capital Expenditures	(1,970,220)	(6,275,875)	(7,345,693)	(1,323,496)	(2,477,937)	(7,672,188)	(165,021)	1,123,478	-	-	-	958,457
Capital Leases	-	-	-	-	-	-	-	-	-	-	-	-
Net Cash Provided by (Used in) Inve	(1,970,220)	(6,275,875)	(7,345,693)	(1,323,496)	(2,477,937)							

Recurring Revenue Combined (UTOPIA and UIA)



**CENTERVILLE
CITY COUNCIL
Staff Backup Report
10/4/2016**

Item No. 10.

Short Title: City Manager's Report

Initiated By: City Manager

Scheduled Time: 9:15

SUBJECT

- a. Update re future events:
- October 5 -- Sidewalks & Trees Open House, 6 to 8 p.m.
 - October 8 -- Emergency Communications Exercise, 10 a.m.
 - October 8 -- Pedestrian Bridge ribbon-cutting, 12 noon

RECOMMENDATION

BACKGROUND

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
10/4/2016**

Item No. 11.

Short Title: Miscellaneous Business

Initiated By:

Scheduled Time: 9:20

SUBJECT

RECOMMENDATION

At this time there are no topics showing under this heading.

BACKGROUND

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
10/4/2016**

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: 9:25

SUBJECT

RECOMMENDATION

At this time the City Manager does not know of a need for a closed meeting, but the agenda allows for that possibility.

BACKGROUND

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
10/4/2016**

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
10/4/2016**

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