

Minutes of the Centerville **City Council** meeting held Tuesday, October 5, 2021, at 7:00 p.m. with participants present at Centerville City Hall, 250 North Main Street, and electronically via Zoom.

MEMBERS PRESENT

Mayor Clark Wilkinson

Council Members Tamilyn Fillmore
William Ince
Stephanie Ivie
Robyn Mecham

MEMBER ABSENT George McEwan

STAFF PRESENT

Brant Hanson, City Manager
Lisa Romney, City Attorney
Jennifer Hansen, City Recorder
Jacob Smith, Administrative Services Director
Cory Snyder, Community Development Director
Nate Plaizier, Finance Director
Paul Child, Centerville Police Chief
Lt. Allen Ackerson, Centerville Police Department
Bruce Cox, Parks and Recreation Director

VISITORS

Dave Powers, Deputy Fire Chief South Davis Metro Fire
Kim and Brian Curnow, 4th of July Committee Co-Chairs
Marcus Keller, Zions Bank
Aaron Wade, Bond Counsel
Interested Citizens

PRAYER OR THOUGHT Councilmember Mecham

PLEDGE OF ALLEGIANCE

OPEN SESSION

Kyle Green, Centerville resident, expressed appreciation to the Council and Mayor. He thanked the current Council for striving to take care of the needs of the City before the wants. Mr. Green thanked the Centerville Police Department for their efforts regarding urban deer control.

Neil Tanner, Centerville resident, expressed appreciation to all who participated in service efforts on September 11th, and said he particularly noticed improvement to the west side of the City Cemetery.

Laura Eliason, Centerville resident, thanked the City and the 4th of July Committee for an awesome 4th of July celebration. She commented that handicap parking and maneuvering was much easier at Community Park than in previous years at Smith Park.

PUBLIC HEARING – ZONE MAP AMENDMENT – YOUNG POWER SPORTS

Community Development Director Cory Snyder explained the request to rezone property near 695 West 400 South from Commercial High (C-H) to Commercial Very High (C-VH) to add the subject property to the west commercial property partially developed as the former Tri-City

1 Power Sports location. The purpose would be to expand the overall recreational vehicle sales use
2 into the newly proposed power sports complex. Both properties had been acquired by the Young
3 Automotive Group. Mr. Snyder reported the Planning Commission and staff recommended
4 approval of the request.

5
6 Steve Peterson, representing Young Automotive Group, spoke of the desire to combine
7 parcels into one property and unify the zoning use for the planned power sports complex.

8
9 Mayor Wilkinson opened a public hearing at 7:19 p.m., and closed the public hearing
10 seeing that no one wished to comment. Councilmember Ivie expressed concern with increasing
11 the intensity of property near the Shaela Park residential neighborhood. Mr. Snyder responded
12 that a big difference between C-H and C-VH was the size of building allowed. He said the
13 proposed site plan currently included a building of about 84,000 square feet. Mr. Snyder explained
14 that, although the two parcels could be developed with different zoning and separate buildings,
15 the City's Zoning Ordinance standards did not like developments to be split between separate
16 zones. Councilmember Fillmore pointed out that C-VH backed by residential use was the pattern
17 along most of the Frontage Road.

18
19 Councilmember Ince **moved** to approve Ordinance No. 2021-23, a Zone Map Amendment
20 for Parcel 03-001-0038 from Commercial High to Commercial Very High, subject to the following
21 requirement and with the following reasons for action. Councilmember Fillmore seconded the
22 motion, which passed by unanimous vote (4-0).

- 23
24 1. Any rezone of the tract of land cannot become effective until the subject property is
25 legally combined and recorded with Davis County, thereby absorbing it into the
26 applicable partially developed lot to the west, also owned by the Young Automotive
27 Group.

28
29 Reasons for Action:

- 30
31 a) The City Council finds that there has been a sufficient review and consideration of the
32 criteria outlined in CZC 12.21.080.e of the Zoning Ordinance for rezone consideration.
33 b) The City Council finds that the rezone is substantially consistent with the goals of the
34 General Plan and the rezone approval criteria, as described in the staff report.
35 c) The City Council finds that the requirement condition of the rezone for parcel
36 absorption facilitates compliance with applicable zoning development regulations
37 adopted by the City and is desired by the petitioner.
38 d) Therefore, the City Council finds that the request for C-VH Zoning designation is
39 appropriate.

40
41 **CULINARY WATERLINE EASEMENT FOR STEVENS RESIDENCE**

42
43 City Attorney Lisa Romney explained that Jeffrey and Joann Stevens owned property at
44 approximately 1167 North Main Street, and desired to construct a new single-family home on the
45 property. As a condition of development, the Stevens must grant to the City a culinary waterline
46 easement. Staff answered questions from the Council.

47
48 Councilmember Fillmore **moved** to accept the Culinary Waterline Easement for Jeffrey
49 and Joann Stevens residence located at approximately 1167 North Main Street. Councilmember
50 Mecham seconded the motion, which passed by unanimous vote (4-0).

FOURTH OF JULY DEBRIEF

Kim Curnow, 4th of July Committee Co-Chair, reported on 2021 4th of July celebration activities. She spoke of success in hosting festivities at Community Park. For the future, she recommended assigning a volunteer to coordinate documenting the various activities with photographs, and recommended putting a volunteer committee in charge of cleaning up the park after the festivities. She recommended not allowing parking on the west side of 400 West the length of the park during festivities.

Ms. Curnow reported the events came in under budget. Responding to a question from Councilmember Fillmore, Ms. Curnow stated the same caliber of event would not be repeatable in the future without donations or an increase in budget from the City because of increased costs. She recommended additional garbage cans throughout the venue, more food trucks, and more police cones. Police Chief Paul Child reported that the size of the park required more resources than previous years, and made recommendations based on his observations and experience. Deputy Fire Chief Dave Powers said he agreed with Chief Child that the size of the park required more resources. He commented that Community Park was a much safer venue for fireworks than Smith Park, and provided better access from a safety perspective. He predicted, based on his professional experience, that the event would experience growth (possibly double) in 2022. Parks and Recreation Director Bruce Cox expressed the opinion that the one-day event went much smoother than multiple-day events in previous years.

Mayor Wilkinson expressed appreciation to Brian and Kim Curnow for their hard work. Ms. Curnow expressed gratitude for the community support they experienced.

PUBLIC HEARING – GENERAL OBLIGATION CEMETERY BOND ELECTION

On August 3, 2021, the Council voted in favor of a special bond election to be held on November 2, 2021, for the purpose of submitting to qualified electors of Centerville a proposition regarding the issuance of not to exceed \$7,000,000 of general obligation bonds to fund a new cemetery. Marcus Keller with Zions Bank explained his goal to provide the Council with a draft of a voter information pamphlet by Friday of that week.

Mayor Wilkinson opened a public hearing at 8:27 p.m.

Mary Jo Tanner, Centerville resident, said she came to the meeting to learn what the City intended to do. She asked if citizens would receive information regarding how large a property the Council was looking for, how long the project would take, how long it would take to fill a new cemetery, how far away the new property would be, and whether it was worthwhile for the City to invest in property for a new cemetery. She expressed support for the Council decision to approach the issue with a special bond election.

Mayor Wilkinson closed the public hearing at 8:34 p.m.

The Mayor spoke of many options for additional cemetery space he and the Council had explored in the last several years. He stated the intent with the bond issue, if passed by voters, was to purchase property within Centerville. Parks and Recreation Director Bruce Cox said the current City Cemetery was seven acres, and all burial spaces were sold. He described steps taken in recent years to add burial spaces to the current cemetery, including a niche wall.

Kevin Campbell, City Engineer, reported that hillside properties were studied for feasibility as cemetery space, with the finding that adding infrastructure to and ongoing maintenance of

1 hillside property for a cemetery would be more expensive. Councilmember Ivie spoke of additional
2 options considered by the Council in recent years.

3
4 Councilmember Fillmore spoke of a desire to share as much information as possible with
5 voters, and asked what opportunities the Council legally had for sharing information. City Manager
6 Brant Hanson responded that staff attached all related information to the agenda for that evening's
7 meeting, and said he had hoped that the public hearing and explanations that evening would be
8 sufficient, with no additional open house necessary. Councilmember Ivie expressed the opinion
9 that a separate open house should have taken place prior to a public hearing. Marcus Keller said
10 the Council could schedule an additional meeting for the public prior to the next scheduled Council
11 meeting, but the meeting and public hearing that evening met the legal requirement. He
12 expressed confidence that the voter information pamphlet could include the story the Council
13 wanted to tell, and stated the pamphlet would be sent to all registered voters, or all residents, if
14 the Council desired. He emphasized that an additional open house would be legally allowed.
15 Councilmember Fillmore spoke of the importance of sharing the financial analysis and the fact
16 that potential profits from sale of burial spaces at a new cemetery may allow the City to pay the
17 bond off before the 26-year term.

18
19 Councilmember Fillmore asked the Council if they would want to continue the current
20 policy of selling burial spaces at time of need, in which case new cemetery space would last for
21 quite some time, or if they would want to open up sale of burial spaces and recoup the cost of the
22 bond sooner.

23
24 Councilmember Mecham expressed the opinion that an open house should have been
25 held prior to the public hearing. She said she did not feel concern about whether the bond election
26 passed or failed, but would not want the special election to fail simply because citizens did not
27 know what they were voting on. She emphasized that the desire of the Council was to find out
28 what the citizens wanted with regard to cemetery space. She stated she wanted to hold an open
29 house.

30
31 Councilmember Fillmore suggested distributing the voter information pamphlet before an
32 open house. The Council discussed distribution timing of the voter information pamphlet, and the
33 fact that the general ballot would be mailed in two weeks. Councilmember Fillmore requested a
34 draft of the voter information pamphlet as soon as possible. Councilmember Mecham suggested
35 a general mailing to all residents, not just registered voters. Mr. Keller suggested scheduling an
36 open house prior to the next City Council meeting. He committed to providing the Council a draft
37 by Thursday of that week.

38
39 The Mayor allowed additional public comment.

40
41 Neil Tanner, Centerville resident, said he believed it was important for the bond election
42 to pass so the Council would have money in hand and have the ability to get the best deal for the
43 City. He said he liked the idea of an open house.

44
45 Councilmember Ince said he believed the Council should commit to submitting any
46 comments regarding the voter information pamphlet back to staff by Friday. Mr. Hanson spoke of
47 advertising an October 19 open house on social media. It was suggested the voter information
48 pamphlet include mention of the open house.

49
50 Mr. Keller commented that the City Council was, by default, in favor of the bond as a
51 legislative body having voted in favor of putting the issue on the ballot.

1 A Centerville resident asked the Council and staff if a new cemetery would be guaranteed
2 if the bond election passed. Aaron Wade, Bond Counsel, responded that approval of the bond on
3 the ballot would not guarantee a new cemetery.

4
5 Mr. Keller explained that a \$7 million bond would have a property tax impact on a \$400,000
6 primary residential home of \$56.46 per year. The tax levy would be removed when the bond was
7 paid off.

8
9 Mayor Wilkinson reopened the public hearing at 9:26 p.m.

10
11 Laura Eliason, Centerville resident, asked about double-depth burials and questioned the
12 limit of two sets of remains per burial space. She asked if a new cemetery would include cremation
13 niches, and asked if it would be possible to encourage or require double-depth burials to extend
14 the availability of burial space.

15
16 Bruce Cox, Parks and Recreation Director, said he was curious as a resident if the current
17 City Council would consider eminent domain to obtain property for a new cemetery if no property
18 owners were interested in the City's purchase offer.

19
20 Mayor Wilkinson closed the public hearing at 9:32 p.m. Councilmember Fillmore
21 commented that many of the decisions would be made by future Councilmembers.
22 Councilmember Ivie explained that some soil types would not accommodate double-depth burials.
23 Mr. Cox said the current City Cemetery had a specific area designated for double-depth burials,
24 and described some of the precautions necessary to accommodate double-depth burials. He
25 emphasized that no more than two sets of remains were allowed in a single grave.

26 27 **GENERAL OBLIGATION CEMETERY BOND ARGUMENTS**

28
29 Mayor Wilkinson stated no argument against a general obligation cemetery bond was
30 submitted. City Recorder Jennifer Hansen read aloud an argument for the issuance of \$7,000,000
31 in cemetery bonds.

32 33 **FRAUD RISK ASSESSMENT**

34
35 The Utah State Auditor required all local governments to complete a fraud risk assessment
36 annually. Finance Director Nate Plaizier presented the fraud risk assessment for FY2021 to the
37 Council, and stated the City was in the "Very Low" risk level category.

38 39 **BID AWARD – STREET SWEEPING PROJECT 2021-2022**

40
41 Mr. Hanson explained that only one bid was received for street sweeping for 2021-2022.
42 He recommended the Council award the project to Jacketta. Councilmember Mechem **moved** to
43 award the 2021-2022 Street Sweeping Project to Jacketta. Councilmember Fillmore seconded
44 the motion, which passed by unanimous vote (4-0).

45 46 **MINUTES REVIEW AND ACCEPTANCE**

47
48 Minutes of the September 21, 2021 Work Session, City Council Meeting, and Closed
49 Meeting were reviewed. Councilmember Ince **moved** to accept the minutes as presented.
50 Councilmember Fillmore seconded the motion, which passed by unanimous vote (4-0).

1 **CITY COUNCIL REPORT**

2
3 Councilmember Fillmore provided an update regarding the South Davis Recreation District
4 and the Parks Committee. She spoke of the possibility of applying for a grant to construct
5 pickleball courts on newly acquired property at Smith Park.
6

7 **MAYOR'S REPORT**

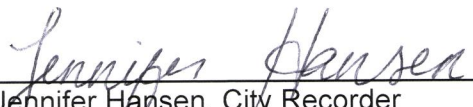
8
9 Mayor Wilkinson reported on the recent Utah League of Cities and Towns annual
10 convention.
11

12 **CITY MANAGER'S REPORT**

- 13
14 • Mr. Hanson reported on RAP Tax revenue obligations, and said he would schedule a
15 discussion regarding funds available for additional parks projects.
16 • The City Manager asked the Council to provide recommended topics for discussion at
17 an upcoming meeting with State Legislators.
18 • Mr. Hanson spoke of advertising City Council meetings on social media.
19

20 **ADJOURN AND CLOSED MEETING**

21
22 At 10:07 p.m., Councilmember Ince **moved** to adjourn the open meeting and move to a
23 closed session in Council Chambers to discuss acquisition or sale of real property, with no
24 intention to return to open meeting. Councilmember Mecham seconded the motion, which passed
25 by unanimous vote (4-0). In attendance were: Clark Wilkinson, Mayor; Councilmembers Fillmore,
26 Ince, Ivie, and Mecham; Brant Hanson, City Manager; Lisa Romney, City Attorney; and Jacob
27 Smith, Administrative Services Director.
28

29
30 
31 _____
32 Jennifer Hansen, City Recorder
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34 10-25-2021
35 _____
36 Date Approved
37

34 
35 _____
36 Katie Rust, Recording Secretary
37

