

Minutes of the Centerville **City Council** meeting held Tuesday, May 4, 2021, at 7:00 p.m. with participants present at Centerville City Hall and electronically via Zoom due to infectious disease COVID-19.

MEMBERS PRESENT

Mayor Clark Wilkinson

Council Members Tamilyn Fillmore
William Ince
Stephanie Ivie
George McEwan
Robyn Mecham

STAFF PRESENT

Brant Hanson, City Manager
Lisa Romney, City Attorney
Jennifer Hansen, Deputy Recorder
Mike Carlson, Deputy Public Works Director
Bruce Cox, Parks and Recreation Director
Jacob Smith, Administrative Services Director

PRAYER OR THOUGHT Mayor Wilkinson

PLEDGE OF ALLEGIANCE

OPEN SESSION

No comments.

PUBLIC HEARING – FY2022 TENTATIVE BUDGET

Administrative Services Director Jacob Smith presented a FY2022 Proposed Budget, and answered questions from the Mayor and Council. He said the FY2022 Proposed Budget maintained level of service across the board, and he encouraged everyone to read through the Budget Summary at the beginning of the Budget document. He explained the American Rescue Plan would cover any pandemic-related expenses. Mr. Smith reviewed expected revenues and expenses with the Council, and spoke of some of the capital projects included in the Budget.

Mayor Wilkinson opened a public hearing at 7:28 p.m., and closed the public hearing seeing that no one wished to comment.

Councilmember McEwan **moved** to adopt the FY2022 Proposed Budget as the FY2022 Tentative Budget, set public hearing for the FY2022 Final Budget for June 1, 2021 at 7:00 p.m., and direct Staff to provide noticing as required by law. Councilmember Ince seconded the motion, which passed by unanimous vote (5-0).

TRUTH-IN-TAXATION PROPERTY TAX INCREASE DISCUSSION

Throughout budget discussions for FY2022, departments expressed a need for additional funding in their respective operational budgets to maintain the City's high level of service with the cost of providing services having increased. An increase in property tax was discussed as a way to increase City revenue and continue funding the high level of service.

1 Administrative Services Director Jacob Smith showed a graph depicting the history of
2 property tax rates in Centerville. Mr. Smith and City Manager Brant Hanson explained how
3 property tax was calculated in Utah. Mr. Smith listed how pandemic-related funding from the
4 federal government was used. Councilmember Mecham commented that the Council had
5 discussed the need for some of the items on the list prior to 2020. Mr. Hanson agreed some of
6 the items were on a "wish list", but had never been included in the City budget. He added that the
7 scope of the wish list items changed due to the City's needs during the pandemic.
8

9 Mr. Smith explained that whether or not 2020 CARES Act funding could be used for
10 safety/emergency personnel costs was disputed and unclear; therefore, the same amount
11 allocated for emergency personnel costs on the CARES Act expense list, was set aside from the
12 General Fund to the Capital Improvements Fund, to be transferred back to the General Fund if
13 necessary following an audit of the City's use of CARES Act funding. Mr. Smith and Mr. Hanson
14 explained what they knew about expected 2021 American Rescue Plan Act (ARPA) funds.
15

16 Councilmember Mecham said the last time the City went through truth in taxation it had
17 been twenty years since it had happened, and said if the City went through truth in taxation in
18 2021 it better be for enough of an increase to cover the staff time and public education costs of
19 the truth in taxation process. Councilmember Mecham expressed the opinion that a property tax
20 increase every three or four years would be better than smaller increases every year, and
21 commented that once property taxes went up, they never came down. She spoke of funds
22 transferred to the General Fund from the RDA, pandemic-related funds received from the federal
23 government, and the fact that the last property tax increase only increased City revenue by
24 \$300,000, and said she did not think she could justify a property tax increase to the citizens.
25 Councilmember Mecham pointed out that Mr. Smith stated earlier in the meeting that the FY2022
26 Proposed Budget maintained level of service without a property tax increase. She expressed the
27 opinion that the City had enough money to maintain current level of service in FY2022.
28

29 Councilmember McEwan pointed out there were restrictions and limited timeframes on
30 how some of the money Councilmember Mecham referred to could be spent. The City had needs
31 like sidewalk and street repair and water system maintenance. He suggested the City was going
32 backwards with current property tax income in terms of ability to fund services. He commented
33 that Utah's population was not shrinking, the City ranked high on property crime rates, and
34 Centerville was no longer a small community. Councilmember McEwan stated he felt honor bound
35 to help the citizens by making police and public works resources available to the community. He
36 said he believed the ARPA funds were a great opportunity to offset shortfalls in capital equipment,
37 but ARPA funds would not enable the City to increase staff levels to meet the service needs of a
38 growing population. He said he agreed with Councilmember Mecham that a truth in taxation
39 hearing should be meaningful.
40

41 Councilmember Fillmore commented that because of the nature of property tax rates in
42 Utah, the rates were literally going down almost constantly as property values went up.
43 Responding to Councilmember Mecham's comment that before the previous increase the City
44 had gone 20 years without an increase, Councilmember Fillmore said it was 20 years of scraping
45 by, and the City was still catching up and was still behind in equipment, roads, and other areas.
46 She pointed out the City's property tax rate was in the lower half in a comparison of similar-sized
47 cities.
48

49 Councilmember McEwan said he believed the City needed more personnel to deal with
50 crime if the City had uninvestigated crime because the Police Department was too thin on
51 resources, as suggested by the Police Chief.

1 Councilmember Ivie said she was approached by several citizens in the last few weeks
2 who said they were on fixed incomes and asked that the Council not raise property taxes and
3 price them out of the homes they purchased years ago. She said with the number of fixed incomes
4 and students on free or reduced lunches in Centerville, this was not the time to increase property
5 taxes. She said she would rather scale back the services the City was providing. Councilmember
6 Ivie said she might be willing to consider a property tax increase next year if the City's financial
7 situation had changed.

8
9 Responding to Councilmember Mecham's comment about the cost of public education
10 materials for truth in taxation, Councilmember Fillmore said she was interested in seeing public
11 education cost data, and said she believed educating the citizens was one of the most important
12 things the Council did, and was worth investment.

13
14 Councilmember Ince said he was torn between the two positions. He said it was his
15 recollection that the 2017 40% property tax increase had an average annual impact on citizens of
16 \$40. Councilmember Ince said he was inclined to think the Council needed to be realistic and
17 recognize what costs were and at least try to maintain the revenue level the City got to four years
18 ago. He said he was inclined to agree that truth in taxation every year would be more work than
19 necessary, but said if an increase did not occur every second, or worst case every third year, the
20 Council was fooling themselves. He said he did not love it, but believed it would be a mistake to
21 not try to protect the rate.

22
23 Councilmember McEwan said he was inclined to agree with Councilmember Ince. He
24 spoke of the many services provided by the City he felt he enjoyed at a reasonable rate as a
25 citizen. Councilmember McEwan pointed out that a truth in taxation hearing would give citizens
26 an opportunity to tell the Council why they believed an increase was a good or a bad idea.
27 Councilmember McEwan said he did not believe truth in taxation should necessarily occur every
28 year, but believed the City needed to restore the balance to where it was before.

29
30 Mayor Wilkinson said he knew the City needed additional revenue from a stable source.
31 He said he was interested in learning the number of citizens on fixed incomes. The Mayor said
32 he agreed with Councilmember McEwan that the CARES Act and ARPA funds were good for
33 one-time needs, but would not increase City revenue in the long-run. He said he agreed with the
34 concept of limited government, but believed services provided by a city were important to the
35 health and wellness of a community. Mayor Wilkinson said he hoped the citizens would really
36 weigh-in at the truth in taxation hearing.

37
38 Councilmember Ince said citizens to whom he had explained the situation had agreed that
39 the City needed a property tax increase. Mr. Hanson said the initial cost to add two police officers
40 was \$300,000-\$400,000. With that range as a benchmark, a 20%-25% property tax increase
41 would be needed.

42
43 Councilmember Fillmore **moved** to direct Staff to move forward in an expedient manner
44 with the truth in taxation process, using the 2017 process as a pattern and adapting the public
45 education process used in 2017, bringing back information and recommendations as soon as
46 possible for the Council to more clearly define public education efforts. Councilmember McEwan
47 seconded the motion. Councilmember Ince suggested adding that the target was to get back to
48 the rate the Council landed on in 2017. Councilmember Fillmore commented that details would
49 be more clearly defined with the next discussion. The motion passed by majority vote (3-2), with
50 Councilmembers Fillmore, Ince, and McEwan in favor and Councilmembers Ivie and Mecham
51 dissenting. Mr. Hanson recognized and commended City department heads for their efforts to
52 keep costs low.

The Council took a break at 8:44 p.m., and returned at 8:52 p.m.

BID AWARD – THE HIVE PUD – CULINARY WATERLINE – LABOR

Deputy Public Works Director Mike Carlson explained three bids were received for labor for The Hive PUD Culinary Waterline Project. He recommended the project be awarded to Six Star. Councilmember McEwan **moved** to award the labor bid for The Hive PUD Culinary Waterline Project to Six Star in the amount of \$142,893.75. Councilmember Ivie seconded the motion, which passed by unanimous vote (5-0).

BID AWARD – THE HIVE PUD – CULINARY WATERLINE – MATERIALS AND PARTS

Four bids were received for materials and parts for The Hive PUD Culinary Waterline Project. Mr. Carlson recommended awarding bid to Ferguson for materials and parts. Councilmember Ince **moved** to award bid for materials and parts for The Hive PUD Culinary Waterline Project to Ferguson for the amount of \$90,806.05 plus tax. Councilmember McEwan seconded the motion, which passed by unanimous vote (5-0).

BID AWARD – CHASE LANE OVERLAY – 400 WEST TO FRONTAGE ROAD

Mr. Carlson recommended awarding bid for the Chase Lane Overlay Project between 400 West and Frontage Road to Post Asphalt (seven bids received). The project would include approximately \$100,000 worth of storm drainage improvements. Councilmember McEwan **moved** to award bid for the Chase Lane Overlay Project between 400 West and Frontage Road to Post Asphalt in the amount of \$337,655.00. Councilmember Mecham seconded the motion, which passed by unanimous vote (5-0).

BID AWARD – CRACK AND SLURRY SEAL PROJECT 2021

Mr. Carlson recommended the Crack and Slurry Seal Project 2021 be awarded to M&M Asphalt Services (four bids received). Councilmember Ince **moved** to award bid for the Crack and Slurry Seal Project 2021 to M&M Asphalt Services in the amount of \$197,579.00. Councilmember Ivie seconded the motion, which passed by unanimous vote (5-0).

**MUNICIPAL CODE AMENDMENTS – PARKSTRIP LANDSCAPING AND
HARDSCAPING – CMC 11.02**

Staff were directed to prepare proposed ordinance amendments to allow limited hardscaping within park strips. Ms. Romney said Staff suggested allowing limited hardscaping materials in park strips, limited to 1.5" to 6" decorative rocks, and recommended prohibiting all other hardscaping materials, including concrete, asphalt, bricks, pavers, and coarse wood or synthetic products such as bark, mulch, and wood chips. Staff recommended prohibiting wood or synthetic products due to stormwater maintenance issues, and recommended prohibiting concrete, asphalt, bricks, and pavers due to concerns about access to underground utilities and additional costs or complications with repair and restoration after utility work. Staff recommended the proposed amendments to allow limited hardscaping in park strips apply to all areas of the City, except the Parrish Lane Gateway Area. Ms. Romney explained if the proposed ordinance were approved by the Council, additional amendments to the Zoning Code would likely be necessary.

Councilmember Ivie said it made sense to her that bricks and pavers would not make utility maintenance difficult since they could be removed and replaced fairly easily. City Manager Hanson responded that once a precisely-placed paver was removed, it never went back the same. He said he would not want the City to be responsible for replacing pavers in exactly the same

1 position they started. Councilmember Ivie said she envisioned something more freeform, such as
2 flagstone interspersed with plants. Councilmember Fillmore said she agreed with Councilmember
3 Ivie, and asked if the ordinance could state City employees would do their best to replace
4 materials but could not be held liable. Mr. Hanson said perfect replacement was often the citizen
5 expectation. He said he believed the suggestion to allow freeform flagstone-type material with
6 plants was worth considering. Parks and Recreation Director Bruce Cox suggested allowing
7 "natural-looking rock and landscape", which would be different from pavers or brick. Ms. Romney
8 recommended referring the possibility of allowing larger boulders back to the committee for
9 consideration.

10
11 Councilmember Fillmore suggested allowing loosely-laid flagstone, and suggested
12 eliminating the maximum in the size range for decorative rocks. Mr. Hanson responded that
13 weeds tended to grow between rocks larger than 6 inches in size. Councilmember McEwan
14 suggested the City should specify a maximum size for boulders to avoid defensive landscaping.

15
16 Councilmember Mecham cautioned that rocks used in park strips tended to end up on
17 sidewalks, causing serious hazards to pedestrians and bicyclists. She said she liked the flagstone
18 idea better. Councilmember Fillmore said she preferred flatter materials in park strips for safety
19 reasons. She acknowledged the importance of accessibility and ease for utility access, but
20 pointed out that the need for utility access was infrequent, and appearance and practicality for
21 everyday use needed to be considered.

22
23 Councilmember McEwan commented on the high cost to retrofit a landscape to be
24 xeriscaped, and said he would not want the ordinance to be so restrictive that citizens were priced
25 out of making changes. Councilmember Ince said he agreed with being as unrestrictive as
26 possible. He asked if it would be possible to limit the amount of grass in the park strip for new
27 development. Mr. Hanson commented that sod and irrigation tended to be less expensive than
28 stone, and said the goal of Staff had been to express preferences without prohibiting existing
29 options.

30
31 Councilmember McEwan **moved** to approve Ordinance No. 2021-12 for park strip
32 hardscaping. Councilmember Ince seconded the motion, and suggested adding recognition that
33 the ordinance would change within the next two Council meetings. Councilmember McEwan
34 agreed to the addition. Ms. Romney answered questions about current landscaping code.

35
36 Mr. Hanson said the intention was to initiate public education efforts after the Council
37 approved changes to make sure citizens were aware of what was and was not approved, and let
38 citizens know the City would be more proactive with code enforcement going forward.

39
40 The motion failed (2-3), with Councilmembers McEwan and Ince in favor, and
41 Councilmembers Mecham, Ivie, and Fillmore dissenting. Councilmember Fillmore **moved** to
42 accept the committee's recommendation for the ordinance change for landscaping in park strips,
43 with the change of flagstone and brick pavers being allowed. Councilmember Ivie seconded the
44 motion. Councilmember Mecham said she would want to know where the committee stood on
45 flagstone. Mr. Hanson said he would want language included that placed the cost to replace
46 materials on the property owner if materials were moved by the City for utility access. Ms. Romney
47 responded that such language would be problematic. The Council discussed that they would not
48 want materials to be permanently affixed in the park strip. Mr. Hanson repeated he would want
49 language to protect the City.

50
51 Councilmember Fillmore **amended her motion** to include that the use of loosely-laid brick
52 pavers and/or flagstone was allowed. Councilmember Ivie seconded the addition. The amended
53 motion passed by majority vote (4-1), with Councilmember Mecham dissenting.

UDOT RELEASE OF EASEMENTS FOR WEST DAVIS CORRIDOR

UDOT was constructing a new 19-mile four-lane divided highway project in Davis County known as the West Davis Corridor. The first phase of construction would connect I-15 and Legacy Parkway at approximately Glovers Lane in Farmington. Part of the first phase of construction would include roadway and other improvements impacting properties in northern Centerville along Frontage Road. In order to accommodate the new construction, UDOT acquired additional right-of-way from certain properties along Frontage Road. The additional right-of-way includes property acquired from the City adjacent to the Lexington Park Subdivision. Ms. Romney explained UDOT was now requesting the City release two City easements over and across the Woods Park PDO and Garlick properties. The City owned a Detention Basin and Storm Drain Easement over all of Parcel A of the Woods Park PDO. UDOT was not offering any compensation for the release of this easement since UDOT would be installing storm drainage facilities with the construction of the West Davis Corridor that would eliminate the need for the easement. The City also owned an 80' wide Public Utility, Sidewalk/Public Pathway, and Drainage Easement over the frontage of the Garlick Property. UDOT was offering the City \$9,000 for release of this easement. Ms. Romney stated Staff recommended the Council approve the Right of Way Contract and Relinquishment of Easements.

Councilmember McEwan **moved** to approve the Right of Way Contract and Relinquishment of Easements for release of City easements to UDOT for West Davis Corridor along Frontage Road for the Woods Park PDO and Garlick properties. Councilmember Ivie seconded the motion, which passed by unanimous vote (5-0).

CONCEPTUAL PLAN AND DESIGN FOR NICHE WALL

Parks and Recreation Director Bruce Cox presented a conceptual plan and design for a niche wall at the Centerville City Cemetery. Councilmember McEwan expressed approval, and suggested a similar plan for interment of veterans at Freedom Hills Park. He said he would want the City to accept interment of veterans from surrounding cities as well as Centerville residents.

Councilmember Fillmore expressed approval for the design, and emphasized her desire for the area to be high quality. She asked if Mr. Cox intended to work with a professional landscape architect. Mr. Cox said he had done a lot of research on plants and materials, and did not believe the City needed to add the cost of a professional landscape architect. The Council discussed the desired aesthetic of the niche wall and surrounding space. Mr. Hanson commented Staff would look into adding the cost of professional design input. He added that Staff were torn in such situations between the desire to go above and beyond, and the desire to conserve financial resources.

MINUTES REVIEW AND ACCEPTANCE

Minutes of the April 20, 2021 Work Session and Council Meeting, and the April 27, 2021 Work Session were reviewed. Councilmember McEwan **moved** to accept all three sets of minutes. Councilmember Ince seconded the motion, which passed by unanimous vote (5-0).

CITY COUNCIL REPORT

Councilmember Ivie reported the community garden at Whitaker Museum was full. She informed the Council of upcoming Whitaker Museum events and projects, and provided an update on the Landmarks Commission.

1 **MAYOR'S REPORT**
2

- 3 • Mayor Wilkinson reported on a recent meeting with a community council.
4 • The Mayor provided an update on CenterPoint Theatre.
5

6 **CITY MANAGER'S REPORT**
7

- 8 • Mr. Hanson reported that Mike Carlson would fill the Centerville Public Works Director
9 position, and Dave Walker would fill the Deputy Public Works Director position. He
10 reported that Nate Plaizier was hired as Finance Director and would begin May 17th.
11 • Mr. Hanson reported that 16 of the 29 commercial accounts impacted by a recent
12 drainage billing review took advantage of the incentive offered for full payment up front.
13 • City Attorney Lisa Romney informed the Council that a polling place and voting centers
14 needed to be adopted for the 2021 election before May 12th. The Centerville polling
15 place would be the Centerville library. A special meeting was scheduled for May 11th
16 at 5:00 p.m. to approve the needed resolution.
17

18 **ADJOURNMENT AND CLOSED SESSION**
19

20 At 10:15 p.m., Councilmember Ivie **moved** to adjourn the meeting. Councilmember
21 Mechem seconded the motion, which passed by unanimous vote (5-0).
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23
24 
25 _____
26 Jennifer Hansen, Deputy Recorder
27

28 May 18, 2021
29 _____
30 Date Approved
31

28 
29 _____
30 Katie Rust, Recording Secretary
31

