

City of Washington Terrace

Minutes of a Regular City Council meeting
held on January 15, 2013
City Hall, 5249 South 400 East, Washington Terrace City,
County of Weber, State of Utah

MAYOR, COUNCIL, AND STAFF MEMBERS PRESENT FOR WORK SESSION

Mayor Mark C. Allen
Council Member Mary Johnston
Council Member Blair Brown
Council Member Robert Jensen
Council Member Scott Monsen
Council Member Val Shupe-excused
Finance Director Shari' Garrett
City Treasurer Laura Gamon
Chief Building Official Jeff Monroe
Leisure Services Director Aaron Solomon
Public Works Director Steve Harris
City Manager Tom Hanson
City Recorder Amy Rodriguez
Lt. Kevin Burns, Weber County Sheriff Office

Others Present

1 CITY COUNCIL WORK SESSION:

5:00 P.M.

• DENSITY ZONING DISCUSSION

Hanson stated that this issue was brought to his attention for discussion by Council Member Brown. Council Member Brown stated that he is asking for the opportunity to build a 4-plex on his property. He stated that he is investing in the community. Monroe stated that current zoning does not allow for a 4-plex or multi-family homes. He stated that state law may allow for a variance, which can include an identified hardship, conditional use permit, local zoning amendment, spot zoning, contract zoning. He stated that Dave Church from the ULCT emphasized that the city would have to open up building multi-family units to the whole community. Monroe stated that there are several pros to allowing multi-family units including increased property values, taxes, and clean-up of empty lots. Council Member Monsen stated that he believes that there are areas in the city that make sense to allow more dense zoning, but cautions that the city needs to be careful. He stated that he has no interest in spot zoning. Council Member Brown stated that he would like to invest his money in Washington Terrace rather than another city. He stated that he would not vote on this issue and realizes that with his status as a sitting Council Member, the city will need to be careful that any decision does not come back on Council.

Council Member Jensen asked for a background on the decision to change zoning in 2006. Monroe stated that at that time, the average low to moderate income housing for cities was at 15 percent. It was found by an independent study that Washington Terrace had an average of 65 percent. He stated that at that time, Council felt that not allowing any more multi-density housing would slow that process down. He also noted that the city was looking into starting a Good Landlord Program which highlighted where the calls for service were coming from and it was found that multi-family units had a high percentage of the calls. He stated that Council felt that homes should be owner occupied. Council Member Johnston stated that there was a grace period with a fair amount of time given for people who wanted to build multi-family homes. She stated that the statistics from the Good Landlord Program was a factor in the decision of Council. She also noted that the city was saturated with a high level of low to moderate income housing. Harris stated that single family lots were being replaced with duplexes. Council Member Johnston stated that the construction of the Woodland Cove Apartments caused a lot of controversy and complaints from citizens who felt that another large apartment complex was not needed in the Terrace.

Council Member Monsen stated that he was on Planning Commission at the time and voted against changing the ordinance. Council Member Monsen stated that he takes issue with 4-plexes or multi-family units being termed low to moderate income facilities. He asked if the city could put standards and qualifications on buildings. Monroe stated that there have been some legal problems with cities trying to tell someone how to build or restrict them. He stated that covenants usually come from developers and not the city.

Council Member Johnston stated that she is not in favor of changing the ordinance. She stated that she does not want the city to pick and choose who is allowed to build, stating that if enough of the Council does not like the ordinance as adopted, they can revisit the ordinance. Council Member Johnston stated that Council was very careful and thoughtful with the process in 2006. Mayor Allen agreed that it should be all or nothing, and not allow exemptions, variances, or contract zoning. He stated that to let a few build and not others does not reflect well on the city and does not look good. Council Member Jensen also agreed with Council Member Johnston. He stated that he remembered the trending in the city at the time and the commotion with the apartments being built. He stated that he believes that the Council did the right thing for the right reasons and did their due diligence. Monroe stated that there have been about 3 people who have come into the city asking for changes to the ordinance so that they can build multi-family units because it is generally more profitable.

Council Member Brown stated that demographic of America changing, with many buying multi-family units for their extended families. He stated that builders that will take their money and build somewhere else, leaving the city to deal with empty lots, charter or beehive group housing.

Mayor Allen stated that he and Council Member Shupe went with Hanson to Daybreak to look at what future communities are trending towards and suggested that the remaining Council Members do the same to get a better idea of what is possible. Hanson stated that the density discussion is not dead, but cautioned that the Council needs to look at the timing of the suggestion.

Council Members Monsen and Brown stated that they would like more discussion on the item. Council Members Johnston and Jensen stated that they would not. Mayor Allen stated that he feels it best to let the discussion die and bring back if needed after the Council does the field trips to Daybreak.

- **GAP ANALYSIS DISCUSSION**

Hanson stated that staff has been trying to use a process to identify gaps throughout the community. He explained that the analysis shows where we are and where we want to be in the future. It explains what are the gaps and how, and if, they can be bridged realistically.

Storm Water Regulatory compliance:

Harris stated that the Terrace is in a heavily populated county and therefore every community has to meet the storm water regulations regardless of size. He stated that the city is responsible for builders using regulations, monitoring, and fining people who are not using storm water compliance practices. Harris stated that to be in compliance takes training, personnel, and time. He stated that it would take 1.4 man years to put practice into compliance every year. He stated that the Public Works department needs another person to help keep the city in compliance. He explained some of the repercussions for not keeping city or developers in the city in compliance. Harris stated that he wants Council to really understand that the city has no choice but to do this. The amount that residents pay on their utility bill does not cover the cost of regulatory compliance. Harris stated that new permit requirements were significantly increased; noting that waste water will soon need a permit and a similar program. Harris stated that the policy was passed this past summer through ordinance, but there will also be budgetary issues. Options will be brought back during the budget process.

Road Maintenance:

Harris stated that the city has received significant grants to replace some roads. He stated that road maintenance is keeping roads up to a serviceable life, but there are some very poor roads in the city as well. B&C road funds from state road taxes are only a fourth of what is needed to keep city up on road maintenance. Garrett noted that the 5000 South road project was funded through STFF at 1.8 million dollars. She noted that the city collects only quarter of million dollars every year, which go to salt, snow plowing, and road maintenance. She stated that the city had to issue 5 million dollars in GO debt in 2001 because the city could not keep up with the road maintenance. She stated that that the City may need to go out in the future for more GO debt to rebuild roads because we cannot collect enough funds to maintain. She stated that the only way to pay for roads is through taxes. Hanson reiterated that roads are a big issue for the city.

Hanson stated that staying on top of road maintenance will extend the life of the road exponentially.

Harris stated that we only have 25 percent of what is needed to cover road maintenance.

Public Works foreman realignment of duties

Harris stated that there are many administrative reports (storm water, compliance etc.) that take up much of his time. He suggested upgrading the foreman position to superintendent. He stated that half of the foreman's time would be running crews and the other half doing administrative work. Hanson stated that another employee may need to be hired, but staff is also looking at management practices. Another factor will be what happens to time management once the city meters are read completely electronically.

Nuisance Enforcement

Monroe stated that he is working on a new policy concerning foreclosed homes.

He stated that there was a line item in the past for maintaining nuisance properties and would like to work on a new policy that can incorporate budgeting for property maintenance. Gamon stated that there is a loop hole in the system that allows titles to exchange without the liens being paid. The banks have priority on a title. Monroe stated that there is a trend in bigger cities that make banks responsible for vacant properties. The banks are made responsible to register the property and name who is responsible to maintain. Council Member Johnston stated that many vacant homes are an eyesore and she likes the idea of the city trying to keep up the property as best as possible. Monroe stated that if something happens to the property there will be a register of who to contact to resolve the issue. Hanson stated that a policy could be written that will have different triggers on when to put procedures into place. He stated that certain parameters can be set on when certain responses and triggers will be pulled. He reiterated that the addition would be a whole program, not just funding.

Garrett stated that the intent of the gap process is to see if Council agrees that current processes or ordinances are taking too long. If they do, these are options that we are exploring and can bring back for solutions. If Council is fine with way things are now, staff will move on. Mayor Allen stated that he would like to have funding for property clean ups because it is a question that is brought up all the time by Council as well as residents. Council Member Johnston agreed to look at a new policy and get the parameters in place. Council Member Monsen cautioned to make sure due process is considered and to make sure process is complete. Hanson stated that a lot of work will need to be done to explore options to have this prepared for the budget. Council Member Monsen stated that the city can also look at community involvement. Monroe stated that the city has had community or neighborhood projects in the past but there is a financial component to getting the community involved. He stated that past projects have failed because the city did not have the resources to help fund for tools, dumpsters, or other factors.

Customer Service- Utility Billing

Gamon stated that the auditors suggested implementing a deposit policy for shut-offs. She stated that to alleviate some of the frustrations and problems that occur, she is suggesting a policy consideration to waive the \$100 deposit fee if it is a first time shut off. She stated that staff will still follow policy and the customer will still be shut off, but suggests a more customer service oriented option for the first time shut-offs. Council Member Johnston stated that she likes the one time option and stated that she receives many angry and crying calls from those who have been shut off. Council Member Brown also supports the request and agrees mistakes are sometimes made and if they have a great track record, residents should be allowed to have the deposit fee waived one time only. Council Member Jensen agreed as well. Council Member Monsen stated his concern that a line must be drawn somewhere and if the fee is waived for one person, it should be waived for everyone that it happens to. Hanson reiterated that the practice will start from now moving forward. Gamon will bring back ordinance and rate schedule changes.

Fire Response and Engine Crew

Chief Bush stated that it takes 3 people to run an engine and sometimes the crew has to wait for the third person to report to the station. One of the solutions would be to have a 3 person shift instead the current 2 person shift. Bush anticipates a 3-4 minutes response time with a 3 person shift on duty at all times ready to run the engines. Hanson stated that they are looking into

different options regarding shift pay. Hanson noted that there would be budget implications. Hanson noted that call volume is very much same as a full time department, averaging about 1000 calls a year.

Paving and construction of roads at Rohmer Park

Solomon stated that he submitted a RAMP grant last Friday to pave a new road and add more parking for football and Terrace Days. Hanson stated that the park is a regional draw and lack of infrastructure is causing the facility to not be used to full potential.

Adams Ave. toll road

Hanson stated his concern that he does not have any data showing that Adams Ave. would be used if the toll was removed and the road was opened up. He noted that he believes that if the road was open, the traffic flow would be taken off hwy.89 and Riverdale, there would be increased bumper count, and it would alleviate traffic congestion. He questioned if Council felt that a traffic study should be done to show the state that there would be a regional link if the road is opened. Hanson stated that this issue will be brought back during an RDA meeting. Council Member Monsen questioned whether a traffic study is necessary and instructed Hanson to determine the cost of the study.

Economic Development

Hanson stated that one of the bridges to close the gap in terms of slow economic development in the city is to consider bringing a consultant in to take a look at what businesses would be viable businesses to pursue to come into the city.

Council Member Monsen stated that staff needs to set some concrete goals as to when these issues are going to be talked about. Hanson stated that they will be discussed in detail in coming months and that tonight's discussions were primer for the budget process.

Council Work Session ended at 6:53 p.m.

MAYOR, COUNCIL, AND STAFF MEMBERS PRESENT

Mayor Mark C. Allen
Council Member Mary Johnston
Council Member Blair Brown
Council Member Robert Jensen
Council Member Scott Monsen
Council Member Val Shupe- excused
Finance Director Shari' Garrett
Chief Building Official Jeff Monroe
Public Works Director Steve Harris
City Manager Tom Hanson
City Recorder Amy Rodriguez
Lt. Kevin Burns, Weber County Sheriff Office

Others Present

Charles and Reba Allen, Randi Weston, Ulis Gardiner

2. **ROLL CALL** **7:00 P.M**

3. **PLEDGE OF ALLEGIANCE**

4. **WELCOME**

5. **CONSENT ITEMS**

5.1 APPROVAL OF AGENDA

Item 12 "Motion to adjourn to closed session" is deleted from the agenda.

**5.2 APPROVAL OF DECEMBER 1, 2012 COUNCIL RETREAT MINUTES AND
DECEMBER 4, 2012 MEETING MINUTES**

Items 5.1 and 5.2 approved by general consent.

6. **CITIZEN COMMENTS**

There were no citizen comments.

7. **COUNCIL/STAFF RESPONSE AND CONSIDERATION TO CITIZEN
COMMENTS**

Due to lack of citizen comments, item 7 is unnecessary.

8. **NEW BUSINESS**

**8.1 PRESENTATION: AUDIT REPORT FOR FISCAL YEAR ENDING JUNE
30, 2012 PRESENTED BY THE FIRM OF LITZ AND COMPANY**

Brent Litz reported on the FY 11-12 audit highlighting financial statements, compliance and controls, state compliance, and the single audit. He stated that the firm has issued a clean report on the financial statements. He stated that there were no findings on compliance that they felt needed to be brought to attention.

Litz stated that the only finding on the single audit was a paper error and not a numbers error. A report on a single audit needs to be electronically sent to a federal clearing house and it was found that it was not filed electronically in 2010.

Litz reported that the city is between the minimum and maximum limits on fund balances and is financially sound.

Litz stated that in terms of revenue collections, Washington Terrace has the lowest percentage of revenue from sales tax. To counter the low revenue, charges for services were amongst the highest in the cities that were compared.

Council Member Jensen stated that funds are going down and inquired if Litz is finding this to be the trend in other cities. Litz stated that he believes this is the same trending as in other cities. Litz noted that a big issue for the city is if Washington Terrace can win a sales tax base to bring in more revenue. He stated that a question for Council is whether or not this is something the

residents' even want, or would they like to remain a bedroom community.

8.2 PRESENTATION: PRESENTATION TO DENZIL REMINGTON FOR THE COMPLETION OF THE RURAL WATER ASSOCIATION TRAINING

Hanson stated that training is critical to professional development and service level for city employees.

Public Works Director Steve Harris presented a plaque to Public Works foreman Denzil Remington III to mark his accomplishment of completing the Rural Water Association Training. Harris stated that Remington is very dedicated to looking at ways at improving the city. Harris stated that Remington handles his work efficiently, quickly, and professionally. Harris stated that the city is lucky to have Remington work in the city along with the public works crew. Harris stated that Remington has obtained every certification that the city requires at the highest level of expertise, and is currently taking courses in Emergency Management. Harris stated that a tremendous example, effective teacher, and a leader.

Harris stated that the city wants to honor Denzil Remington III in obtaining his Utility Management Certification, as it is a significant achievement.

Mayor Allen stated that Remington has a great work ethic and he enjoys seeing him out working in the city, stating that he is a great example and great employee. Mayor Allen also stated that the entire public works department has a great crew. Council Member Monsen stated that he would like to thank the crew for fixing a water break in his neighborhood earlier in the morning and appreciates their hard work.

8.3 PRESENTATION: QUARTERLY FINANCIAL REPORT

Garrett stated that budget adjustments will be brought back to Council within the coming months. Garrett noted that sales tax is at a zero percent increase. She stated that the city has seen a trending increase in city-wide and state-wide sales tax. Garrett stated that Franchise tax has also increased.

Garrett stated that there is a surplus at the end of the second quarter, which is typical.

Garrett stated that revenues overall are up 5 percent. She noted that the city is right in line with where we should be.

Garrett stated that the rate structure for the utility fund changed in July. She stated that so far usage is trending the same as last year, noting that revenues are coming in as projected.

She stated that refuse revenue is accomplishing what was expected.

Garrett stated that the budget is showing a surplus in some areas because there are projects that were budgeted for that have not been addressed as of yet.

8.4 PRESENTATION: SHERIFF OFFICE MONTHLY REPORT

Lt. Burns reported to Council that he is back as precinct Lt. at Washington Terrace. He stated that the office report does not show anything out of the ordinary. He stated that since the recent school shootings, the office has put more officers in the schools. He noted that there is more of a law enforcement presence in the schools and surrounding areas. The Sheriff's Office has been assessing school policies and practices to keep the schools safe. Council Member Johnston stated that Resource Officers are a vital part of the administration and appreciates the officers in the school.

Lt. Burns stated that the deputies have been helping out with snow removal enforcement and keeping the cars off the streets for snow plowing.

Council Member Brown stated that he asked Sheriff Thompson for new budget numbers and felt that the request was not responded to in the manner that he expected. He stated that he would like a quicker response. Sheriff Thompson stated that he has given the numbers to Hanson.

8.5 MOTION/ORDINANCE 13-01: AN ORDINANCE REPEALING AND RE-ENACTING CHAPTER 8.16 OF THE WASHINGTON TERRACE MUNICIPAL CODE RELATING TO INSPECTION AND CLEANING

Hanson stated that the ordinance was re-vamped to give more leverage to the city to enforce code violations. Hanson stated that the ordinance protects the integrity of the city with the intent to keep it from becoming run down. Chief Building Inspector Jeff Monroe stated that the code reflects current state code. Monroe stated that the Planning Commission gave a favorable recommendation to approve the ordinance. Monroe noted that there were several minor changes made to the version that Council received, and explained the changes.

Monroe stated that abandoned vehicles are now stated as a violation. Monroe thanked Planning Commissioner Charles Allen for taking an active part in reviewing ordinances and making changes and suggestions. Mayor Allen stated that he appreciates the efforts of Monroe and Planning attorney Bill Morris.

**Motion by Council Member Mosen
Seconded by Council Member Jensen
To approve Ordinance 13-01
Repealing and Re-enacting Chapter 8.16
Relating to Inspection and Cleaning
Approved unanimously (4-0)
Roll Call Vote taken**

9. COUNCIL COMMUNICATION WITH STAFF

*Council Member Brown thanked Monroe and Harris for their hard work. He also stated that he has heard good comments on snow removal and appreciates the efforts of the Public Works crew.

*Council Member Jensen also stated that he has heard a lot of good comments on snow removal this year.

*Council Member Mosen agreed with the comments of the Council.

*Mayor Allen stated that the Public Works crews are professionals and he emphasizes that statement to citizens who call him who might have issues with snow removal. He stated that certain rules need to be followed in regards to plowing and snow removal.

10. ADMINISTRATION REPORTS

There were no administrative reports.

11. UPCOMING EVENTS

January 21st: City Offices closed for the Martin Luther King Jr. Day Holiday

January 31st: Planning Commission Meeting 7:00 p.m.

February 5th: City Council Meeting 7:00 p.m.

February 19th: City Council Meeting 7:00 p.m.

12. MOTION: ADJOURN INTO CLOSED SESSION

Item has been deleted from the agenda. Please see item 5.1.

13. ADJOURN THE MEETING: MAYOR ALLEN

Mayor Allen adjourned the meeting at 7:55 p.m.

Date Approved

City Recorder