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2 **City of Washington Terrace**
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4 **Minutes of a Regular City Council meeting**
5 **held on January 21, 2014**
6 **City Hall, 5249 South 400 East, Washington Terrace City,**
7 **County of Weber, State of Utah**
8

9 **MAYOR, COUNCIL, AND STAFF MEMBERS PRESENT**

10 Mayor Mark C. Allen
11 Council Member Mary Johnston
12 Council Member Blair Brown- Excused
13 Council Member Robert Jensen
14 Council Member Scott Monsen
15 Council Member Val Shupe
16 City Manager Tom Hanson
17 City Recorder Amy Rodriguez
18 Public Works Director Steve Harris
19 Finance Director Shari' Garrett
20 Fire Chief Kasey Bush
21 Lt. Kevin Burns, Weber County Sheriff's Office
22 Sgt. Lane Finlay, Weber County Sheriff's Office
23 Clint Anderson, Weber County Sheriff's Office
24

25 **Others Present**

26 Charles and Reba Allen, Carmen O'Bright, Scott O'Bright, Marco O'Bright, Thomas O'Bright
27
28

29 **1. ROLL CALL**

6:00 P.M

30
31 **2. PLEDGE OF ALLEGIANCE**
32

33 **3. WELCOME**

34 Mayor Allen expressed his condolences to the Brown family.
35

36 **4. CONSENT ITEMS**
37

38 **4.1 APPROVAL OF AGENDA**

39 **4.2 APPROVAL OF JANUARY 7, 2014 MEETING MINUTES**

40 Items 4.1 and 4.2 approved by general consent.
41

42 **5. CITIZEN COMMENTS**

43 There were no citizen comments.
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46

47 **6. COUNCIL/STAFF RESPONSE AND CONSIDERATION TO CITIZEN**
48 **COMMENTS**

49 Due to lack of citizen comments in item 5, item 6 is unnecessary.
50

51 **7. NEW BUSINESS**

52
53 **7.1 PRESENTATION: FINANCE DEPARTMENT QUARTERLY REPORT**

54 Garrett presented the second quarter report highlighting that sales tax has increased since the last
55 reporting period. She stated that the city is seeing a bit of an advantage comparative to the rest of
56 the state. She noted that the bulk of the increase is due to property tax. Garrett noted that
57 licenses and permits have increased 60 percent. Garrett noted that collections for business
58 licenses are up around 6 percent. Garrett stated that budget adjustments for licenses and permits
59 are forthcoming.

60 Garrett stated that fines are down by 5 percent, which can be attributed to Marriott-Slaterville
61 fines. She stated that Terrace fines have increased by 12 percent.

62 Garrett explained that the water and refuse fund are at the levels expected. She stated that the
63 water model is generating the revenues that we need to sustain the system and rate structure.

64 Garrett stated that a surplus exists in the sewer fund; however the surplus will be exhausted as
65 the year progresses due to capital projects.

66 Hanson explained the Standard & Poor's Rating Direct Services report which was handed out to
67 Council. He stated that the city will be able to maintain a strong AA rating. Hanson stated that
68 Standard & Poor's recognizes the decisions that the Council makes regarding rate structure while
69 determining our rating. He stated that a diverse local economy and limited capital needs also
70 factor into the decision. Garrett noted that a AA rating is strong, noting that we do not have
71 100% control over circumstances that effect ratings, stating that if we did, we would have a AAA
72 rating. She noted that the items that can be controlled are looked at throughout the year. Hanson
73 stated that the monthly utility bill is considered "moderate" in the report.

74 Council Member Jensen inquired if there are any anticipated increases that would affect our
75 General Fund balance. Garrett noted that she does not expect any increases in the fund balance at
76 this time.
77

78 **7.2 PRESENTATION: SHERIFF'S OFFICE MONTHLY REPORT**

79 Lt. Burns expressed the Sheriff's Office condolences to Council Member Brown.

80 Sgt. Lane Finlay presented a year end overview report to Council. He stated that he based his
81 report on overall call numbers. He stated that total calls for service in 2013 were 6096. He
82 explained that calls for service have decreased over the years and credited this to a very strong
83 police present and enforcement in the city. He also stated that keeping the element out of the city
84 that causes much of the crime has had a strong impact to calls in the city.

85 Sgt. Finlay highlighted some major incidents that have happened in the city that required many
86 resources. He presented a 5 year comparison on call volume, noting that they have remained
87 fairly steady. He presented a call breakdown for December 2013. He noted that most of the
88 crimes against persons in December appear to be domestic violence related. Sgt. Finlay stated
89 that overall, violent crime and property crime rates remain relatively low.
90
91
92

93 **7.3 PRESENTATION: FIRE DEPARTMENT QUARTERLY REPORT**

94 Chief Bush reported that call numbers are down, explaining that this can be attributed to how
95 dispatch reports the calls. Chief Bush stated that calls to specific facilities will be reported in
96 upcoming quarterly reports. Chief Bush stated that he is still working on grants for new
97 equipment. Council Member Monsen asked if all of our firefighters are EMT's. Chief Bush
98 stated that all the firefighters are EMT certified with several staff members possessing advanced
99 EMT certifications.

100
101 **7.4 MOTION/ORDINANCE 14-01: ADOPTING ORDINANCE 14-01 RELATING**
102 **TO RETAIL TOBACCO SPECIALTY BUSINESSES AND ADOPTING**
103 **REGULATIONS AS PROVIDED BY STATE LAW**

104 Hanson stated that the ordinance will keep the city in compliance with state law regarding
105 tobacco specialty businesses and regulations.

106 **Motion by Council Member Jensen**
107 **Seconded by Council Member Monsen**
108 **To adopt Ordinance 14-01 relating to**
109 **Retail tobacco specialty businesses and adopting**
110 **Regulations as provided by state law**
111 **Approved unanimously (4-0)**
112 **Roll Call Vote**

113
114 **7.5 MOTION: APPROVAL OF CITY FUNDING PORTION FOR THE ADAMS**
115 **AVENUE SURFACE TRANSPORTATION PROJECT**

116 Harris stated that the city funding portion of the STP project is 6.77 percent, which is \$360,487
117 over the life of the project. He explained to Council that the funds to be approved are RDA
118 funds. He stated that the city is obtaining the land that is needed to widening the corridor of
119 Adams Avenue. In Some cases, temporary easements for widening the corridor are needed. He
120 also stated that some utility relocation is needed. Harris stated that the city has contracts in place
121 with Rocky Mountain Power and Questar, noting that legal has stated that the agreements will
122 hold. Harris noted that the construction management services will need to be under contract.
123 Harris stated that the bid project should be in place by March in place and will be funded through
124 this action tonight.

125 **Motion by Council Member Shupe**
126 **Seconded by Council Member Jensen**
127 **To approve the city portion of funding for the Adams Avenue,**
128 **Washington Boulevard to 5600 South,**
129 **Surface Transportation Project No. F-LC57(24)**
130 **for \$ 360,487.00**
131 **Approved unanimously (4-0)**
132

133 **7.6 MOTION: APPROVAL OF ADAMS AVENUE SURFACE**
134 **TRANSPORTATION PROJECT PROPERTY ACQUISITION**

135 Harris stated that the process for property acquisition is required and outlined by the Uniform
136 Act. Harris stated that the property owners may take less than offered, or even donate their land,
137 but he explained that the offers that are made have to be properly evaluated for the improvements
138 of the land, value of the land, and the reduction of usage of the land that they have. The offers
139 are currently being development now. He stated that there are 20 of them, however 2 are owned
140 by Washington Terrace and 1 by South Ogden. He explained that 15 of them will need to have
141 an ACE- Administrative Compensation Estimate. He explained that an ACE is done on
142 comparable takings, taking into consideration the requirements described in the Uniform Act.
143 Harris stated that the city must sign the agreements before negotiations can take place.
144 Harris stated that the agreements range from \$1,100 to \$24,000. He stated that we have been
145 advised of steps to take to reduce the time frame to get the project out to bid. He stated that the
146 city is proposing a signing initiative of \$2000 per property.

147
148 Mayor Allen clarified that this motion is to approve the process and not the dollar amount. Harris
149 stated that the city has hired Bill Cook to prepare the ACE's with the information from the
150 appraisals. Cook will write the ACE's and take them to the landowners and do the negotiation of
151 the amounts for us. Harris stated that staff is asking Council to approve the signing of the ACE's
152 and allow Bill Cook to negotiate amounts and allow us to go forward. He stated that the estimate
153 by the design engineers allows \$800,000 for property acquisition. Harris stated that the sooner
154 this is completed, the sooner we can bid and receive a better bid price.

155 Council Member Jensen asked if the city has eminent domain in case there is push back from any
156 of the landowners. Harris stated that yes it is a requirement and noted that fair market value must
157 be given under eminent domain. Council Member Jensen asked if there is a buffer between legal
158 and Council and would they be held harmless if they approve this process. Harris replied that
159 they would be held harmless under the city's eminent domain. Hanson stated that it is anticipated
160 that things would go smoothly because Harris has met with the property owners and has shown
161 them how it would affect their property.

162 Harris explained that the property acquisition is comprised of temporary construction easements
163 to gain access to the sidewalks. He also stated that some property may be taken from the
164 Department of Wild Life Resources. He noted that approximately 7 feet of land will need to be
165 taken from some parcels to accommodate the 5 lanes that UDOT would approve. One of the sites
166 is the city's well parcel. Harris stated that the closest building will be several feet away from the
167 sidewalk.

168 Council Member Monsen wanted to know why this is not in closed session. Harris stated that it
169 may have been more appropriate to do so. Council Member Shupe inquired if the entrance to the
170 road that we are acquisitioning will be moved. Harris stated that he is against leaving the road
171 open the way that it is and feels that it should be closed off. Harris stated that the city has the
172 option as to what to do with the road and staff will seek direction from Council at that time.

173
174 Harris stated that three things that we are required to do to move forward and need to be
175 approved by this action:

- 176 -Authorize the Mayor to sign the ACES for negotiations.
- 177 -Authorization must be given for condemnation proceedings that would come under the eminent
178 domain authority of Washington Terrace City.
- 179 -Have an administrative settlement authorization of up to 15 percent as well as the \$2000
180 incentive.

