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City of Washington Terrace

Minutes of a Regular Planning Commission Meeting held on
Thursday, October 25, 2018
City Hall, 5249 South 400 East, Washington Terrace City,
County of Weber, State of Utah

12 **PLANNING COMMISSION AND STAFF MEMBERS PRESENT**

13 Chairman Wallace Reynolds
14 Commissioner Dwight Henderson
15 Commissioner Dan Johnson
16 Commissioner Charles Allen
17 Commissioner Darren Williams- excused
18 Vice- Chair Scott Larsen – excused
19 Commissioner T.R. Morgan- excused
20 Chief Building Inspector Jeff Monroe
21 City Recorder Amy Rodriguez
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23 **Others Present**

24 None

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26 **1. ROLL CALL** **6:00 p.m.**

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28 **2. PLEDGE OF ALLEGIANCE**

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30 **3. WELCOME**

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32 **4. RECURRING BUSINESS**

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34 **4.1 MOTION: APPROVAL OF AGENDA**

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36 **Motion by Commissioner Johnson**
37 **Seconded by Commissioner Allen**
38 **to approve the agenda**
39 **Approved Unanimously (4-0)**

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41 **4.2 MOTION: APPROVAL OF MINUTES FOR AUGUST 30 ,2018**

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44 **Motion by Commissioner Allen**
45 **Seconded by Commissioner Johnson**
46 **to approve the minutes from August 30,2018**
47 **Approved Unanimously (4-0)**

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5. NEW BUSINESS

**5.1 DISCUSSION: REVIEW OF MUNICIPAL CODE CHAPTER 8.16,
“INSPECTION AND CLEANING”**

Monroe stated that the Commission has been reviewing the chapter over the last few months. He stated that the prosecuting attorney recommended cleaning up the language so that the code can be enforceable. He stated that he has reviewed the notes given to him by the Commission to incorporate new language into the code.

Monroe reviewed some of the changes in the proposed amendments.

Chairman Reynolds suggested that we may want to add the types of materials and objects that can be “abandoned”, ie. appliances, furniture, tires, and items as such. He stated that other items are pretty well covered within the ordinance.

Commissioner Allen stated that he has 39 items that he would like to be reviewed by Monroe and added to the ordinance under Monroe’s discretion.

Monroe stated that staff tried a different approach this year in dealing with nuisances, and unfortunately, it failed. The discussions are a bi-product of the knowledge learned this year while dealing with the court processes.

Monroe stated that he tried to cross reference city codes within the ordinance. He stated that if the prosecutor cannot process under the nuisance code, they should be able to pull up the original code referenced in the amendment and prosecute under that code.

Chairman Reynolds asked what the consequences are if they fail to come into compliance.

Monroe stated that a ten dollar fine can be set onsite. Monroe stated that every citation has to come to court, and if the resident continues to remain out of compliance, the judge may impose penalties with a possible \$750.00 fine, up to and including jail time.

Monroe stated that he does not have the resources to clean up issues and properties right now. He stated that there used to be money in the budget under his per view to clean up properties.

Monroe stated that the city has a lien process, however, it could be years before someone sells that house so that the city could recoup the money. Commissioner Johnson stated that he understands why we would want the property cleaned up, however, he does not believe that the city should have to pay for it. Monroe stated that the city does not bring residents to civil court. He prefers to bring them to criminal court. Monroe stated that it is a long process once the citation is issued. Monroe stated that the process works if he can get the offender in front of the judge. He stated that he realizes that it is frustrating to staff, Council, and residents, when code violations are drawn out.

Chairman Reynolds stated that the city is trying to do everything they can to get residents to take care of their property. He stated that that it seems like it takes forever to get the violators in compliance. He stated that the new ordinance has more teeth and hopefully will encourage residents to take care of their property. He noted that the newsletter has articles on what is expected, and yet there are many residents who do not read the newsletter.

94 Commissioner Henderson asked what it would take to increase the minimum fine. Monroe
95 stated that it could be changed in the ordinance. Chairman Reynolds stated that we should
96 research neighboring cities on their fines, stating that he believes they are higher than our fines.
97 Monroe stated that other cities are leasing the properties, as well as charging a daily fee. Monroe
98 stated that the city would like to do that, however, there have been instances where the cases
99 have been dismissed. Monroe stated that only the prosecutor should be the one dismissing a fine,
100 or a citation. Monroe stated that this is part of a civil case.

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102 Monroe stated that landlords are not the main problem, stating that he sees more issues with the
103 property management companies. Monroe stated that many times violations are taken care of,
104 just to be repeated a few weeks later. Chairman Reynolds stated that he agrees with
105 Commissioner Henderson's suggestion to increase the fines. Commissioner Johnson stated that
106 Monroe needs to have the power to enforce the code, otherwise making changes is pointless.

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108 Monroe stated that he will give the nuisance code to staff to be handed out to new residents to
109 the city when they sign up for services.

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111 **5.2 MOTION: APPROVAL OF THE 2019 ANNUAL MEETING SCHEDULE**

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113 Changes were suggested for Thanksgiving, Halloween, and Christmas holidays. The dates will
114 be adjusted to accommodate these dates.

115 **Motion by Commissioner Henderson**
116 **Seconded by Commissioner Johnson**
117 **to approve the 2019 annual meeting schedule**
118 **Approved Unanimously (4-0)**

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121 **6. UPDATE COMMISSION ON CURRENT DEVELOPMENT PROJECTS AND**
122 **ZONING ISSUES**

123 Monroe stated that the property located at 140 E 5000 S will be coming before Development
124 Review Committee next month to discuss a possible infill development.
125 He stated that he has not heard anything from Dingman concerning the new shop that was
126 proposed a few months ago.
127 Monroe stated that there are only 3 lots left on the Fieldcrest Subdivision.

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130 **7. MOTION: ADJOURN THE MEETING**

131 **Motion by Commissioner Johnson**
132 **Seconded by Commissioner Henderson**
133 **to adjourn the meeting**
134 **Approved Unanimously (4-0)**
135 **time: 6:58 p.m.**

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Date approved

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City Recorder

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