

# City of Washington Terrace

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Minutes of a Regular City Council meeting  
Held on November 19, 2019  
City Hall, 5249 South 400 East, Washington Terrace City,  
County of Weber, State of Utah

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

Mayor Mark C. Allen  
Council Member Scott Monsen - excused  
Council Member Blair Brown - excused  
Council Member Larry Weir  
Council Member Scott Barker  
Council Member Jeff West  
Public Works Director Jake Meibos  
Maintenance Operations Supervisor Denzil Remington  
City Recorder Amy Rodriguez  
City Manager Tom Hanson  
Weber County Sheriff Lt. Jeff Pledger

## **Others Present**

Charles and Reba Allen, Carey Seal, T. Carter Musgrave, Ulis Gardiner, Dan Musgrave, Mechel Musgrave

1. **ROLL CALL** **6:00 P.M.**

2. **PLEDGE OF ALLEGIANCE**

3. **WELCOME**

4. **CONSENT ITEMS**

4.1 **APPROVAL OF AGENDA**

4.2 **APPROVAL OF NOVEMBER 5, 2019, MEETING MINUTES**

Council Member Weir noted that the motion was not complete in item 8.2. This will be corrected before the minutes are posted.

Items 4.1 and 4.2 were approved by general consent.

5. **SPECIAL ORDER**

**5.1 PUBLIC HEARING: A PUBLIC HEARING TO CONSIDER POTENTIAL PROJECTS FOR WHICH FUNDING MAY BE APPLIED UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) SMALL CITIES PROGRAM FOR PROGRAM YEAR 2020**

Mayor Allen opened the public hearing for the CDBG program and stated that the purpose of the hearing is to provide citizens with pertinent information about the Community Development

Block Grant Program and allow for discussion of possible applications for the 2020 funding cycle. It was explained that the grant money must be spent on projects benefitting primarily low and moderate-income persons. The Wasatch Regional Front, in which Washington Terrace is a member, is expected to receive approximately \$871,500 in this new program year. All eligible activities that can be accomplished under this program are identified in the CDBG Application Policies and Procedures Manual and interested persons can review it at any time.

Mayor Allen read several of the eligible activities listed including examples, such as Construction of public works and facilities, e.g., water and sewer lines, fire stations, acquisition of real property, provision of public services such as food banks or homeless shelters.

Mayor Allen indicated that in the past Washington Terrace has received 8 CDBG grants which were used to purchase Fire Department Equipment to include a slide in pump unit for the brush truck, thermal imaging equipment, and breathing apparatus, Seismic upgrades to two Water Tanks, a restroom and bowery at Victory Park, the 4525 Sewer Main Replacement, construction of the Civic/Senior and Fire Station, and currently water main feeds to the upgraded tank. The city has handed out its capital investment plan as part of the regional "Consolidated Plan". This list shows which projects the city has identified as being needed in the community.

It was asked that anyone with questions, comments or suggestions during the hearing please identify themselves by name, before they speak. The clerk will include your names in the minutes and we would like to specifically respond to your questions and suggestions during the hearing.

Mayor Allen stated that any grievances or complaints may be given to the City Recorder located at 5249 South 400 East (City Hall) or at 801-395-8283 between the hours of 7:00am to 6:00pm. They may also contact the City Manager at 801-395-8282.

The hearing was opened at 6:08 p.m.

The Mayor asked if there were any suggestions.

He stated that staff has suggestions, but Council is open to hearing any suggestions from residents.

Resident Carey Seal asked how the generator proposed by staff would be fueled. Hanson stated that it would be diesel fuel.

The hearing was adjourned at 6:15 p.m.

## **6. CITIZEN COMMENTS**

Resident Jeff Montegue- 249 W 5000 S- spoke on the HB 411 renewable energy bill. He stated that it requires a municipality to adopt a resolution by December 31<sup>st</sup> if they are willing to adopt renewable energy. He stated that our City should consider getting our energy from renewable power.

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

## **COMMENTS**

Council Member West wanted clarification if it is for City buildings or residents. Mayor Allen stated that it is for all residents. He stated that Ogden City is considering the subject at their meeting tonight. Mayor Allen stated that at first glance it looked as if it would cost more money to go to renewable energy. Hanson stated that once a city is engaged in renewable energy, prices will go up. Hanson stated that there may be some hesitancy to increase utility bills. Hanson stated that we do encourage residents to do individual things to their home that they feel is necessary for them. Hanson stated that he appreciates Mr. Montegue's presentation and staff will give it consideration, however, at this time, we do not want to put an undue burden onto the residents. Hanson stated that anyone can research HB411 online.

## **8. NEW BUSINESS**

### **8.1 MOTION/ORDINANCE 19-11: AN ORDINANCE ADOPTING CHAPTERS 5.16 AND 17.84 IN THE MUNICIPAL CODE ESTABLISHING CANNABUS REGULATIONS**

Hanson stated that legislation has enacted a legislation allowing cannabis to be used for medical purposes. Hanson stated that it must be dispensed through a pharmacy. Hanson stated that the city has been approached by a pharmacy that will be applying for a license with the state. Hanson stated that by state law, the city must enact an ordinance establishing cannabis regulations and establishing where a pharmacy can be located.

Hanson stated that the pharmacy will be highly regulated. Only patients with a prescription card will be allowed into the pharmacy.

Dr. Carter Musgrave stated that he has been able to see the benefits of medical marijuana. He stated that he wants to be on the frontlines to help patients who need help. He stated that pharmacy is one of the most regulated professions. He stated that every patient has to have a medical cannabis card prescribed by a medical doctor. The patient will come to the pharmacy and show their medical card while in a barrier. After approval, the patient will be able to have access to the pharmacy and will speak with the pharmacist. He stated that he is not allowed to market. Council Member Barker asked questions about Dr. Musgrave's practice so that he can inform residents who may ask why we allowed the pharmacy into the City. Dr. Musgrave stated that the state will only allow 14 licensing in the state. He stated that only 3 licenses will be allowed in our region. He stated that the state wants a good spread to be able to give good access to patients. Region one will be Weber County north through the state.

Dr. Musgrave stated that they need to have a location ready for his application.

He stated that the main form of medical cannabis will be topical, gel, and capsules. He stated that it is against the law to smoke medical cannabis. He stated this type of treatment helps epileptic patients, and cancer patients. He stated that medical cannabis is not the first form of treatment option for patients. He stated that if there is no improvement after various treatment options, the doctors may prescribe medical cannabis. Dr. Musgrave stated that cancer patients on radiation may lose their appetite and start to lose body mass. He stated that cannabis may help with appetite and also pain management, and help cut down on opioid use. Dr. Musgrave stated that insurance does not cover medical cannabis. Council Member Barker stated that he sees the need, but wonders if it will get out of hand. Dr. Musgrave stated that he will be highly regulated and that he will be the pharmacist in charge and on site. He stated that if he has to leave, he will need to have a pharmacist to work his hours or he will have to close.

Dr. Musgrave stated that his one big focus will be on security. He stated that it is very highly regulated. Council Member Weir asked the changes of addition.

Dr. Musgrave stated that he does not have the numbers on addiction rate, however, it is much less than opioid addiction. He stated that medical cannabis is very mild. He stated that if anyone overdoses on

medical cannabis, they would get sick. There will not be breathing failure as with opioids. Dr. Musgrave stated that the only sign he is allowed to put on the building is a green cross to symbolize medical cannabis. Council Member Barker asked where he could read more information on the subject. Dr. Musgrave stated that a good site would be: International society of medical cannabis pharmacies. Hanson stated that the location would be down the street by Dingman Printing. Council Member West stated that the state prohibits the city from applying any additional restrictions, as this type of business is governed by the state. He stated that he does not believe that there will be any residential buildout in the area. Hanson stated that we are required to pass an ordinance that allows for this type of business in the city if there is room. Hanson noted that it is a taxable business. Dr. Musgrave stated he appreciated staff's effort in getting the ordinance in place.

**Motion by Council Member Barker  
Seconded by Council Member Weir  
To adopt Ordinance 19-11 establishing  
Cannabis Regulations  
Approved unanimously (3-0)  
Roll Call Vote**

## **8.2 MOTION: APPROVAL TO AWARD CONTRACT FOR THE ADAMS AVENUE LIGHTING PROJECT**

Meibos stated that the project consists of repairing the conduit and lights to eight lights on Adams Avenue. Meibos stated that the bids were opened on November 8<sup>th</sup>. He stated that there was only one bid to repair the conduits and replace the lights with LED lighting. Meibos stated that the wires used in this area have gone bad. Hanson stated that the funding for this project will come out of the RDA. He stated that it directly impacts the RDA area. Hanson stated that he will check to see if we need to also approve the funding through the RDA. Meibos stated that new conduits and wires will be run to each light.

**Motion by Council Member West  
Seconded by Council Member Barker  
To award the contract for the Adams Avenue Lighting Project  
To Cache Valley Electric for \$ 60,169.12  
Approved unanimously (3-0)**

## **8.3 MOTION: BOARD OF CANVASS TO APPROVE THE 2019 MUNICIPAL ELECTION CANVASS RESULTS**

Rodriguez read the official results provided by the county: Total votes cast: 3837 (38.88 % voter turnout) Twenty Five Ballots were not counted due to missed deadlines, returned unsigned, and several signatures did not match voter registration. The results read: Scott L. Barker: 944 (25.66%) Blair Brown: 769 (20.66%) F. Carey Seal: 743 (19.96%) Scott Mosen: 618 (16.60%) Brett DeGroot 649 (17.43%). The three highest candidates will serve a 4 year term beginning in January 2020. The Council serves as the Board of Canvass.

**Motion by Council Member West  
Seconded by Council Member Weir  
To approve the Canvass Results for the  
2019 Municipal Election  
Approved unanimously (3-0)**

**9. COUNCIL COMMUNICATION WITH STAFF**

Council Member Weir stated that he received calls from parents who are concerned that basketball games are starting for elementary children at 9:00 p.m. He would like to see something done on that for next year.

Mayor Allen thanked Meibos and Remington for their work on getting projects completed that have been outstanding over the years. He stated that he likes seeing the trip hazards being fixed.

Mayor Allen stated that as an appreciation to staff, the Council has given staff a holiday coupon for one day off during the holiday season in lieu of a holiday party. He stated that it is a good soft cost for the city. Council agreed to proceed with that this year. Hanson stated that staff appreciates the gesture.

**10. ADMINISTRATION REPORTS**

Hanson stated that the next agenda will have the formal consideration and vote on the Lateral Protection Program. He stated that he has spoken to several cities who have the plan and received good suggestions on how to manage the plan. He stated that he has met with legal on the contract.

Hanson stated the annual Waffelpalooza will be held in December.

Hanson asked if Council had any specific topics that Council would like to discuss at the Council retreat in December.

**11. UPCOMING EVENTS**

- November 28<sup>th</sup>-29<sup>th</sup>: City Offices closed for Thanksgiving**
- December 3<sup>rd</sup>: City Council Meeting**
- December 7<sup>th</sup>: City Council Retreat**
- December 9<sup>th</sup>: Christmas Concert 7:00 p.m.**

**12. ADJOURN THE MEETING: MAYOR ALLEN**

Mayor Allen adjourned the meeting at 7:20 p.m.

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Date Approved

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City Recorder