

City of Washington Terrace

Minutes of a Regular City Council meeting

Held on August 15, 2023

City Hall, 5249 South 400 East, Washington Terrace City, Utah

MAYOR, COUNCIL, AND STAFF MEMBERS PRESENT

Mayor Mark C. Allen

Council Member F. Carey Seal

Council Member Jeff West

Council Member Jill Christiansen

Council Member Scott Barker

Council Member Randy Ferlin

Parks and Recreation Director Carlos Grava

Public Works Director Jake Meibos

City Manager Tom Hanson

City Recorder Amy Rodriguez

Others Present

Cheryl Parkinson, Steve Nielsen

1. WORK SESSION

5:00 P.M.

Topics to include; but are not limited to:

- **Rohmer Park update and playground selection**

Grava stated that the park selections have been approved in the budget. The current budget is \$225,000. He stated that they received three different designs and three different quotes. The work session is to review each project and Council will make a selection during the regular meeting.

He stated that the playground will be larger than any playgrounds that we currently have.

He displayed the three options.

Option 1. The slide is very large compared to the other options. The equipment will include a spinner, along with different swing options. It also includes a spin cup. He stated that the playground is for ages 5-12. He stated that the estimate is \$253,789.

Option 2. Staff recommends option 2. He stated that there is a large slide, a smaller slide, nylon shades for some of the equipment, a spinner, and swing options. The play cubes can be used by toddlers as well. The age group is also 5-12 years of age. He stated that there is good use of the space. The estimate for this option is \$227,452.

Option 3. Grava stated that this option is more for 9-12 year old age group. He stated that younger kids can use the playgrounds, but it is mostly set up for the older children, with lots of climbing structures. He stated that the swings are the same set up as the other options. Hanson stated that it is a good option, however, it is a little higher than our budget allows. The estimate for this option is \$243,267.

46 Grava displayed the color options for the playground equipment. Council Member Christiansen stated that
47 yellow slides are definitely cooler, whereas darker colors retain more heat.
48

49 Hanson stated that there is seating for the pickleball courts, but no benches for the park. Council Member Seal
50 stated that he would recommend benches for the park. Grava stated that large benches and shade structures will
51 be put in to service both the pickleball and the park. He stated that it is in future plans.
52 Council Member Christiansen stated that option 3 is different and likes it the best, noting that the climbing
53 structures are most played upon. Council Member Seal noted that other parks are due for an upgrade, and
54 climbing structures may be placed in those parks.
55

56 Grava stated that we would not be able to combine different features because of the cost.
57 Hanson stated that there are restraints with the items that must go in, such as the retaining wall. He stated
58 that the park is a big percentage of the project and is hesitant to go much higher than the \$225,000 budget.
59 Council Member West stated that his grandkids would play on option 2 all day long. Council Member
60 Christiansen stated that older kids don't play on slides at all. She stated that she likes option 2, however, option
61 3 is better. Council Member Barker stated that it depends on the kids that are at the park.
62

63 Grava stated that there is an idea for a rustic playground in the park, which could be used for the older
64 children's climbing needs.
65

66 A water fountain will be installed in the area. Council discussed the shaded benches, with Grava stated that the
67 cost for shade coverings was very high. Council Member West stated that some businesses might want to
68 sponsor a playground if we could get the word out. Hanson stated that we are reaching out to different vendors
69 for a commercial grade shade structure. Council Member West suggested contacting the school district to see
70 which vendors they use for their equipment.
71

72 Council agreed that the colors should be light. Grava stated that the color scheme can be decided at a later date.
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74 Grava displayed the color layout for the pickleball court and gave a quick update on the pickleball court
75 project.
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MAYOR, COUNCIL, AND STAFF MEMBERS PRESENT

Mayor Mark C. Allen
Council Member F. Carey Seal
Council Member Jeff West
Council Member Jill Christiansen
Council Member Scott Barker
Council Member Randy Ferlin
Parks and Recreation Director Carlos Grava
Public Works Director Jake Meibos
General Planner Tyler Seaman
City Manager Tom Hanson
City Recorder Amy Rodriguez

Others Present

Cheryl Parkinson, Steve and Sharae Nielsen, Zunyaid Zishan, Amy Miller, Chris Henefer, Jeremy Krause, Sherry Stevens

2. ROLL CALL 6:00 P.M.

3. PLEDGE OF ALLEGIANCE

4. WELCOME

5. CONSENT ITEMS

5.1 APPROVAL OF AGENDA

5.2 APPROVAL OF JULY 18, 2023, COUNCIL MEETING MINUTES

Items 5.1 and 5.2 were approved by general consent.

6. CITIZEN COMMENTS

Cheryl Parkinson stated that she is concerned about citizens in the city that may not have a cooling system available to them. She stated that there are two locations close to us that residents can go to to get out of the heat. She stated that it would be advantageous for us to remind residents that they can go to the Library, or the Civic/Senior Center to relieve themselves of the heat.

Chris Henefer asked what is the intent of Golden West Credit Union for the open lot on 5600 South and wanted to know if they are planning on putting high density housing. He commented that one of the lots on 5600 South and 150 East is used as a test track for ATV's and other vehicles. He stated that there are young children in that area and would like to let the sheriff's know that some residents are using the area recklessly.

Hanson stated that the property that Henefer is referring to is zoned for commercial.

Steve Nielson stated that he has questions on the ground coverage for Rohmer Park, noting that wood chips can cause splinters and rubber mulch is hard to put out if there is a fire. He is also concerned about the height of the towers, as children may be able to fall out or hit something on the way down. He stated

that rope materials deteriorate quicker than other materials.

M.L. stated that he took a proactive approach to make sure that the City knows of the problems in his neighborhood and wanted to make it safer. He stated that he wanted to clarify he is in support of the people's survey and information gathered for the Council to be using to set their priorities and goals, stating that the citizen's responses need to be transparent. He stated that he believes that it should be one vote per household and one vote for business. He stated that outside of the city input should strictly be for input.

He stated that the Council has an important decision to make on a contract tonight and wants to know why certain contractors are given preference and are considered the only contractor to do the job due to past performance, system knowledge, and so forth. He stated that the City needs to look at why certain contractors are deemed indispensable and no one else can take the contract.

7. NEW BUSINESS

7.1 DISCUSSION/MOTION: APPROVAL OF THE ROHMER PARK PLAYGROUND DESIGN

Hanson stated that the designs were discussed during the work session, noting that there were three options to choose from. Hanson noted that the intent is that kids could have somewhere to play or go while the families play pickleball. Hanson stated that eventually there will be a restroom and bowery in the area. Hanson showed and explained the three design concepts to Council and the audience. Hanson noted that the playgrounds were designed with children safety in mind.

**Motion by Council Member Seal
Seconded by Council Member Barker
To approve the Rohmer Park playground
Design Option 2 as presented
Approved unanimously (5-0)**

7.2 DISCUSSION/MOTION: TO APPROVE THE PURCHASE AND INSTALLATION OF THE ROHMER PARK PLAYGROUND

Grava stated that we need the commitment for option 2. He stated that the cost is estimates at \$227452 for the playground, with insurance estimated at \$297 per year. He stated that the warranty is for 20 years. Grava stated that the ground covering is soft fall and after estimates that maintenance and reparations will most likely begin after 2 years, and will cost around \$500-800. Grava stated that the funds for phase two have been approved in the budget and is asking for approval of the playground installation.

Grava stated the soft fall is soft fiber and not wood chips and is engineered for safety. He stated that we will have to follow the maximum depth safety standards. Grava stated that the way the structure is engineered makes it harder for kids to climb out and fall. He stated some kids may find a way but the designed was engineered for safety of the children.

Grava stated that the material of the rope is nylon and is engineered for outside. He stated that there are no rope options on option two, except for a few on the spinner.

Hanson stated that Grava has worked to get other comparison pricings and we feel that we are getting comparison pricing with Big T Recreation and allows us to us state contract vendors in keeping with our

184 purchasing policies.

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186 **Motion by Council Member West**
187 **Seconded by Council Member Christiansen**
188 **To approve the purchase and installation of the**
189 **Rohmer Park playground as discussed**
190 **Approved unanimously (5-0)**
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192 **7.3 DISCUSSION/MOTION: APPROVAL TO EXTEND THE CONTRACT TO**
193 **WILKINSON OUTDOOR MAINTENANCE FOR LANDSCAPING AND GROUNDS**
194 **MAINTENANCE AGREEMENT**

195 Hanson stated that there was a concern made in citizen comments concerning opportunities for other
196 contractors to bid on the contract. Hanson stated that there is a limited number of contractors that can
197 handle a system like a city for contract work.

198 Hanson stated that he has learned that Wilkinson experience has been exceptional and responds to all of
199 the City needs and accomplishes very much at a competitive price.

200 Hanson stated that years ago the Mayor and Council gave an opportunity to a local vendor, and the city
201 suffered as a result. Wilkinson was brought on once again and has given exceptional experience and has
202 accomplished a lot at a competitive price. Hanson stated that we are trying to create the best value for our
203 city.
204

205 Meibos stated that the Wilkinson contract is up at the end of the year. Meibos stated that if it is not
206 approved, the time line will allow the city to go out for a Request for Bid, and allow Wilkinson to put in a
207 bid if warranted. Meibos stated that there are exceptions in our purchasing policy. He stated that there are
208 exceptions to our bidding policy in our purchasing policy. He stated that an extension may be granted
209 when it is determined that the benefits are in the best interest of the City. He stated that considerations
210 include but are not limited to institutional knowledge, value, cost savings, past performance, resource
211 conservation, and supply chain. Meibos stated that he has had lengthy meetings about the contract. Meibos
212 stated that Wilkinson's institutional knowledge that Chris has amassed over twenty years puts him over the
213 top, and that the City is very happy with the work that he has done.. He stated that the contract was
214 updated, to include a 3 percent increase yearly. He stated that staff felt comfortable forgoing the CPI rates.
215 Meibos stated that an addition was made to introduce zero-scaping and water conservation efforts. Meibos
216 stated that Wilkinson is willing to do extra for the City.
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218 Mayor Allen stated that the contract went out to bid around 15 years ago and the contractor quit after three
219 months. He stated that Wilkinson was brought back on. The Mayor stated that Wilkinson has proven that
220 he has the institutional knowledge needed for the job. He stated that he has been working with Wilkinson
221 for 23 years.
222

223 Hanson stated that the automatic extension would be brought back to Council for ratification. Meibos
224 stated that Wilkinson provides equipment, sprinklers, fertilizer, weed spray, maintenance parts and
225 chemicals. He stated that if we need extra sprinklers or parts, the City may have to pay. Council Member
226 Barker stated that there are many costs that the public does not know about from year to year.
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228 Council Member Christiansen stated that she feels that the bidding process protects the city to ensure that
229 we are getting the best value. She stated that in her perspective it helps to see other bids. She stated that

she feels like it is a disservice not to go out to bid. She stated that she is not sure if it is in the best interest of the city to go a long time without bidding the contract. Meibos stated that staff knows what is out there and feels like they know what the contract entails. He stated that they considered giving someone an opportunity and may get a lower cost, however, staff felt that they did not want to put the parks at risk while someone learns the operations. He stated that we are comfortable with the increase and recommend continuing with the contract.

Hanson stated that there are considerable costs when companies participate in an RFP. He stated that it is not fair to those companies if we did not have the intent to take a risk on a new company. Hanson stated that if staff did not have historical perspective, and knowledge from other cities, and did not feel that we are getting the best value from Wilkinson, staff would not be bringing this recommendation to Council. Hanson stated that it is very costly to do this maintenance in house by using full time employees and seasonal part time employees.

**Motion by Council Member Barker
Seconded by Council Member Ferlin
To approve the extension with
With Wilkinson Outdoor Maintenance
For landscaping and ground Maintenance
Approved unanimously (5-0)**

**7.4 PRESENTATION/ACTION: DESIGN PROPOSAL FOR THE ADAMS AVENUE
PARCEL**

Hanson stated that the property is owned by the Redevelopment Agency. It is located behind the library and is across the street from the water tower. Hanson stated that we have been trying to have the property sold. Seaman stated that the property has been appraised and listed two years ago. He stated that he has received a lot of interest. He stated that 95 percent of the interest is “mixed use” which is commercial with residential on top. Seaman stated that there is a lot of push from the legislature for low to moderate income. Seaman stated that the units will not be low to moderate income housing.

Seaman stated that we allow for infill properties to be legal non-conforming. He stated that he and Hanson are looking to see if they should continue to work on “mixed use” or if Council would rather they strictly field interest for commercial only.

Seaman stated that commercial buildings are struggling. He stated many of the smaller commercial buildings across the street are vacant. Hanson stated that there is also vacancy at the medical building.

Hanson stated that there may be pressure on the market for leasing open space.

Hanson stated that building residential over commercial magnifies the taxable value for the city.

Seaman stated that the direction staff has been given is that this would have to be taken in as a development agreement because we do not have a mixed use zone. Seaman stated that he agrees that he does not want a ton of apartment units everywhere. He would like the control of a development agreement. He does not want to change the zoning to multi use.

Seaman stated that they will need to see what is happening with the schools, and maybe put stipulations that there is a senior community in that area. Hanson stated that any increment or incentive has not been offered or requested. Hanson stated that the school district would benefit from the tax increments from a multi-use stacked commercial building.

Seaman introduced a concept from a developer. He stated that the mixed use would have the bottom level look commercial. He stated that 80 percent of the concept looks commercial, with residential on top. He stated that the concern is to keep the level of quality of the apartments on top. Seaman stated that the businesses would take ownership of the entire property and have their businesses on the bottom.

Hanson stated that this product is upper end and a high quality product. He stated that the intent is to have a high quality product in a good location. He stated that it shouldn't impact the neighborhood. It is shouldered with commercial and city buildings. Seaman stated that there needs to be a setback separation from the power lines. He stated that the parking lot is maintained by the library and the city. The person owning the building would have use of all the parking lot.

Seaman stated that the property behind the library will remain an open space and maintained by the library. Seaman clarified that the builders would inhabit the office space on the bottom and own the units above.

Hanson stated that we are looking for a quality product with commercial on the bottom and a quality residential on the top. He stated that staff does not want to make a decision today that would effect twenty years down the road. Council Member Barker stated that he would prefer that the units be condos. He stated that he feels that there is an advantage to have the business on the lower floor. Hanson stated that he wanted to be mindful of the process to get the project back to Council for consideration. Hanson stated that there were many requests for strictly residential. Hanson stated that he is not interested in that concept.

Seaman stated that he has asked the developer to do research on property taxes and how it would impact the area. Seaman stated that he has been inside these types of units. He stated that he and Hanson has met with Matt Dixon and the quality that it brings to the community.

Hanson stated that they are asking for action to help guide the discussions moving forward with this type of a product to be put on that property location only.

Council Member Seal stated that he has agreed with the plans that have been discussed so far. Council Member West stated that he agrees with Council Member Seal and that it should be in a development agreement and stay strong on not rezoning, as this type of use is not allowed in a C-2 zone. He feels that we should proceed on looking for the right product on that particular property.

**Motion by Council Member West
Seconded by Council Member Seal
Continue investigation of a development project in the existing
Property as discussed.
Motion amended: recommend staff look into a
Mixed use development project on the
Adams Avenue Property
Approved unanimously (5-0)**

Hanson stated that this product will be a net-benefit to the City.

8. COUNCIL COMMUNICATION WITH STAFF

Council Member Seal congratulated the maintenance crew who put the concrete access walkway at Wright Park .

He stated that the Mosquito Abatement Board has used 20 percent more chemicals this year than they ever have before, He stated that there has been one West Nile case in Utah.

Council Member Seal stated that there is a huge for sale sign blocking the site triangle on Adams Ave. Seaman stated that he is about to tear down the green sign as a hazard.

Council Member Christiansen stated that it is important to disseminate the results of the survey to all residents. She would like for it to be available to residents who do not have computer access.

Council Member West stated that we have to make sure that the comments in surveys are separated by residents and non-residents. He stated that this concern was brought up with the survey group and the concerns will be addressed in the upcoming meeting.

Council Member West noted that there is a small walkway on 5450 S 150 S that kids use as a shortcut for school. He stated that it is very overgrown and wanted to know if the City owns it or who is responsible to maintain. Meibos stated that he will look into who owns the property. Hanson stated that we may be able to get this resolved before kids walk to school

Council Member Barker stated that Ms. Parkinson brought up the possibilities of the library to be used as a cooling station, but wondered if the Senior Center would be open. Hanson stated that it was discussed last year and it was found that the Senior Center or City Hall did not have a great location to put people in. He stated that we do not have a great way to welcome them or keep them comfortable, but he will check with the Senior Center facilitator and see how it would interlace with the activities that are occurring with the seniors. Hanson stated that he would get information out to residents so that they are aware that the Library is a location that is open to get out of the heat. Council Member Barker stated that we need to get information out concerning the Library. Hanson stated that the Library is an approved cooling station and has the capacity to welcome residents.

Council Member Barker asked if the property on Adams Ave. that was approved to be a medical facility has been sold. Seaman stated that it has and is zoned for commercial. Seaman stated that if someone wants to put in residential it would be hard to do.

Council Member Ferlin stated that everyone is doing a great job and appreciates all the efforts by everyone.

Mayor Allen shared that he received a phone call from a gentleman who wanted the Mayor to thank Tyler Seaman for his professional help on an issue and stated that he did a great job.

9. ADMINISTRATION REPORTS

Hanson stated that staff has been discussing options on trip hazards and new hazards. Hanson stated that trip hazards that are due to tree roots, the City repairs them and leaves a note to the owners that they will need to repair the hazard if it happens again.

Hanson stated that all the fleet in the program this year has been sold.

Hanson stated that the City has started an Employee Referral Program to help recruit employees.
Hanson noted that we have a new employee in the Utility Billing Department. He stated that there is an opening in Public Works.

Hanson stated that he and Council Members West and Barker will be working with Red Pepper on the survey process and how we can get people who are not comfortable with computers to be able to take part in the surveys. Council Member West stated that he welcomes ideas on how to secure and make this accessible to as many as possible.

10. UPCOMING EVENTS

August 31st: Planning Commission Meeting (tentative)
September 4th: City offices closed for Labor Day
September 5th: City Council Meeting 6:00 p.m.
September 6-8: Utah League of Cities and Towns Convention – Salt Lake City
September 19th: City Council Meeting 6:00 p.m.

11 MOTION: ADJOURN INTO CLOSED SESSION

**Motion by Council Member Barker
Seconded by Council Member West
To adjourn into closed session
Approved unanimously (5-0)
Roll Call Vote Taken
Time: 7:52 p.m.**

Mayor and Council adjourned into closed session to discuss:

- Strategy session to discuss pending or reasonably imminent litigation

12 ADJOURN THE MEETING: MAYOR ALLEN

**Motion by Council Member Christiansen
Seconded by Council Member Barker
To adjourn the meeting
Approved unanimously (5-0)
Time: 8:22 p.m.**

Mayor and Council adjourned and convened into a Redevelopment Agency Meeting.

Date Approved

City Recorder