
Minutes
Workshop Meeting
April 22, 2014

Attendance: Mayor Kenneth Neilson, Councilmen Garth Nisson, Thad Seegmiller, Kress Staheli, Ronald Truman, Jeff Turek, City Manager Roger Carter, City Attorney Jeff Starkey, City Recorder Danice Bulloch, Community Development Director Drew Ellerman, Public Works Director Mike Shaw, Finance Supervisor Brian Brown, Police Chief Jim Keith, Audience: Jason Velez, Alisann Poutinen, John Poutinen, Kevin Vent, Sally Johnson, John Anderson, Judith Anderson, Dori Wagoner, Cheryl Thomas, Norman Thomas, Steven Sorensen, Kim Jones, Reid Hansen, Gary Beus, Russell Turner, Jill Turner, Samantha Sadlier, Bob McHenry, Barbara Parker, Anna Walder, Arnie Walder, Daniel Bowen, Carol Bowen, Cliff Whyte, Marilyn Whyte, Mary Boatwright, Tom Boatwright, Shirley Houskeeper, Ron Houskeeper, Christopher Knowlton, Gaylene Thurston, JoAnne Lamoreaux, Randy Lamoreaux, Harlan Bass, Julie Wand, Lynn Leasure, Betty Leasure

Meeting commenced at 6:30 P.M.

1. Approval of the Agenda.

Councilman Seegmiller made a motion to approve the agenda. Councilman Truman seconded the motion; which passed with the following role call vote:

<i>Councilman Nisson</i>	<i>Aye</i>
<i>Councilman Seegmiller</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

2. Discussion of the Montessori School. Jason Velez

Mayor Neilson explained how he would like this to item to be handled. This should be a discussion, without repetition.

Jason Velez explained he had a meeting with the City Manager and City Attorney yesterday. The City is operating in a global interest for all of the citizens of the community. A lawsuit has been filled. However, the city does not want to join in the litigation, but have been active in other ways. He would like to comment the safety is just as important as traffic, which should be an

issue for the State of Utah. He handed out a letter to the Council. He reviewed the land use and information from Jennifer Youngfield with the State of Utah. There is a concerns about the road circling the school, traffic issues, and a plan should be presented for a 5 year projection to include enrollment. The school is saying there would be 410 students, but they project more students. He explained how the amount of student progress. The traffic study should show the increase in enrollment. The City should have concerns with the traffic and safety, and do everything they can to show the State there is an issue. He would like to know if a permanent cap can be put on the growth achieved. He has not seen the plan, but would like to know if a fence is going to be put around this property. There is a potential hazard with the project if there is not fencing in place. He would like to know how many students this size of building is meant to house. This is a very large building at 32,000 square feet, which means they are obviously building for growth.

Councilman Truman commented he has raised many valid issues. However, the City is not cowering to what the developer wants. Our City Attorney has had many communications with the State of Utah, and those communications continue on a daily basis.

Councilman Seegmiller explained within the communications, Washington City has expressed concerns with traffic, safety, and how this fits into the surrounding community.

Mr. Velez stated he has been dealing with this through the entire process, and there were many concessions made for the development early on. He would agree the City is giving tremendous involvement. He is hoping to give guidance to the Council, asking to work diligently and help the residents. If there is some way to bind the school at 410 students, that would at least be a mitigation to having the school in this location. Washington City does have a very good land use attorney, but he is asking the City for help.

Councilman Staheli asked how the communication has been with our State Representative or Senator Vickers. Washington City is basically tied because of State Law.

Mr. Velez stated he has reached out to our State Representatives. He asked if they would inquire of the State Office to find out if the permit was issued, and if they have worked with the City. He received nothing. Last week he had Senator Vickers at his house with roughly twenty neighbors, and they had a nice discussion. He has been more responsive since that time, but he still does not know what can be done.

Councilman Seegmiller explained months ago we employed our lobbyist, and hired engineers. We are at the point now, wondering what else we can do as a City. Citizens have asked why the city has not joined the suit with the residents. The answer is because it is not our case. The City may at some point have a different case for litigation. We are continuing to look at the issue and looking at different ways to see what can be done.

Mr. Velez commented it is not a bad thing that the City is not getting involved in the lawsuit. However, it would be very bad if the City were not getting involved, and digging deeper with the concerns that have been brought forth.

Councilman Seegmiller commented he feels the growth issue is completely obvious. The reality is the feedback the Staff was getting back from the State was much better, prior to the filing of the

lawsuit. We continue to try and engage the State with the concerns of the City.

Mr. Velez stated Council may be able to get information from a gentleman by the name of Aaron Brough, aaronbrough@school.utah.gov. He is the gatekeeper of the schools, so to speak.

Councilman Turek stated some of the things the Council has done, is trying to firm up the numbers, such as what would happen if the school expand, and what can be expected. There are some huge concerns of the City, and the Council wants the residents to know, we are fighting the fight. He feels some of the greatest resources are to engage our representatives, especially if we were to go to legislation.

Mr. Velez commented everyone wants the school stopped, but if we could at least get some clarification and mitigation. It would be nice to have more transparency as well.

Randy Lamoreaux stated all of these people working for the State, technically work for the Governor. It might be helpful if the City were to contact the Governor.

City Manager Roger Carter stated the Governor does not necessarily have the control you would think over these employees. Our last conversation with Senator Vickers, he believes he has enough support to call for a legislative audit with the Department of Education process, in preparation for the next legislative session.

Mr. Lamoreaux stated he is very pleased with the discussion tonight. He has felt in the dark from where the City stands. This is a terribly unfortunate situation, where something is able to get through without the City having any say. He appreciate the efforts of the City.

Russ Turner stated we are talking about a business and the growth of the business. There are some tools available, and he feels the City could put a taxation on the number of students. They are obviously planning to use the streets for parking, and the City could mark those streets as no parking. Things can be done to let them know they are not welcome in Washington City.

Councilman Seegmiller explained along the lines of the business analogy, they would be similar to the sexually oriented businesses. Regardless of whether we want something in our area there is legislation bigger than us, that says we have to allow these types of things in our City. Citizens don't realize there are laws that make it so we have to allow them in. We can limit these types of zones to an extent.

City Manager Carter explained the City does not have taxation power, it would have to be granted so by the State.

Gary Davis commented he feels the City is trying hard. There was a meeting held with representation from the Boyer Company, the architect, Julie from the School, City, and himself. They had drawings available, which he shared with Council. There was room for roughly 100 parked cars on the property. He feels they are going to try very hard to control the traffic. However, the traffic study suggests there should be 200 parking spaces. He would suggest having an ordinance in place that does not allow any waiting or parking along the public streets.

Councilman Turek stated he knows of at least 3 other public schools who have street parking for their pick-up and drop-off, which means all of those would be affected as well.

Councilman Seegmiller explained part of adopting an ordinance is enforcing it, which means it would need to be enforced throughout the City.

Mr. Davis stated he is not aware of any other schools that have residential driveways within 50 feet of the school. His home is too close, and he feels he would most definitely have to move if something is not done.

Councilman Turek commented he certainly appreciates the idea, and they may be able to do something. He would hope as a parent the safety of children being taken to the school would be priority.

Councilman Truman stated he appreciates the concerns he has investigated, and for bringing those to the Council.

Reed Hansen expressed his strong opposition to the Montessori School. He would like the City to do whatever possible to stop it from going in. He feels the school went around the City and citizens and used deceitful tactics to get the building permit. There will be countless safety issues and bottomless liabilities. If parking is not allowed on Fairway Drive, then the parents are going to be using the smaller streets for parking, and this will cause gridlock on the other streets in the area. It is not right to build the school at this location.

Lynn Leasure stated he had the opportunity to look at the traffic study performed by Horrocks Engineering, which was reviewed by Jay Nelson to evaluate the study.

Councilman Seegmiller stated there was a preliminary review done on the traffic study, but they are now engaged in a more indepth review.

Mr. Leasure stated his concern with the traffic study, there was no future growth taken into account for the Green Springs area. Generally, when a study is done, you would look at the future growth. There will be a major congestion problem where Fairway Drive and Green Springs comes together. He feels the study is flawed, and should be brought to the attention of the State. He thinks charter schools are great, but it is the wrong location. There are many homes people come down and just spend the weekends, but these people will eventually move down here permanently, and there will be a major traffic problem. The golf cart path will be very dangerous as well. He feels the City should be represented in Court, as the Judge questioned where there City was, and was adamant about the fact someone should be present.

Councilman Seegmiller stated the City has different issues and a different process. We are not saying we do not support the lawsuit, but we do not want to be a part of it.

Councilman Truman commented he is surprised the Judge asked why the City was not present, as Washington City is not part of the suit.

City Attorney Starkey commented the exhibits, which were part of the citizens claims were

included in the correspondence between the City and the State. The City had nothing more to comment on, other than what has already been done. He is not certain why the Judge made the comment. However, it was made fairly early on, and it seemed he understood the City's position as he moved forward.

Mr. Leasure asked if the City is interested in stopping the school, or have we decided it is a lost cause.

City Attorney Starkey stated we are continually involved, and our objection has been ongoing.

Councilman Seegmiller stated we do not get to vote and stop the school. This ability has been taken away from municipalities by the State.

Mr. Leasure stated he understands, but would like to know if the City has a concern which would help to stop the building of the school.

Councilman Seegmiller stated we have many concerns. Without disclosing legal strategy, there are things we cannot disclose tonight. We acknowledge the Council does not have the vote as well. The only thing we can do is follow our legal Council.

Councilman Turek commented it has been quite evident what the City's position is. However, we feel as though it has fallen on deaf ears. It has been very frustrating because we feel our citizens are going to be negatively impacted, and we have no way to protect them.

Mr. Leasure stated he is happy the City is having Jay Nelson doing a more indepth traffic study. He would like to know when it would be available.

City Manager Carter stated it is on the fast track, but we do not have a date.

Mr. Leasure again state the traffic is going to be a huge problem.

Councilman Turek stated he agrees the traffic will be an issue.

Judith Anderson stated she is concerned about the unintended consequences. The school was required to outline a closure procedure, which could be caused by a number of different things, but what happens if the school closes. The space has been zoned open space, which means there are very few things permitted. If the school should close there will be a two-story building sitting in the middle of open space. If the City has to rezone the property to accommodate the building, none of the options would be desirable for the surrounding community.

JoAnn Lamoreaux stated the traffic will be terrible. A fence around the school is not going to detour the children. It is very difficult to control 300-400 children at a time. She believes the school could not even survive with only 410 students. It is most likely just a low number in order to get the City to sign off.

Councilman Turek commented these are some great points, and he agrees it is difficult to see childrens lives put in danger.

Mr. Hansen stated the safety is the main concern. If a child is hit who will be liable, would the State be responsible, or is the City. Everyone would most likely feel it is the City's responsibility.

Julie Wand with the Montessori School, stated she wanted to thank everyone for their comments. She wants to open the door for communication, there have been statements made tonight that are not true, and she can respond to them. Charter schools do grow, and finances are available for them to review. However, 410 students would be enough for a school to be viable. Charter schools typically do not close, which was stated as a concern of the residents. She would love to talk with the citizens, and address their concerns. She does know that legislation has written laws, that we all do not agree with. She wants to make sure the children are safe and the community feels safe.

Councilman Turek asked what determined choosing this particular piece of property.

Ms. Wand stated a real estate agent was looking for property, which would fit their requirements. The board went on a field trip to look at 10 different pieces of property. They narrowed the selection down to 3 parcels, and made offers on the properties. Ultimately, the board voted on the piece of land.

Councilman Turek asked if the intersections or golf cart crossings were discussion items for the particular piece of land they chose.

Ms. Wand stated she would have to go back and review the minutes to see what items were discussed. The one thing their agent instructed them on was the property is landlocked. There would be no potential for growth, which she felt was a good thing. She does not want the school to grow any larger.

Councilman Turek clarified they do not have plans to expand.

Ms. Wand stated in charter schools, they need to maintain a certain profit margin in order to keep functioning. If it is possible, then they will be able to stay with the lower enrollment numbers. She explained the funding statistics per student with Council.

Councilman Turek asked if K-7 grades is capped by the charter schools.

Ms. Wand confirmed, yes charter schools do not go beyond 7th grade.

Councilman Staheli asked if the capacity of the school is greater than 410.

Ms. Wand stated there are only 14 class rooms that have 25 children. There are special education rooms, which are separate from the rest of the rooms, and there are 3 of them. The other rooms could not be converted to use as extra class rooms.

Councilman Staheli clarified the Council is not against charter schools, they are simply frustrated with the State bypassing the City completely.

Mr. Leasure stated he is looking at the budget and there has some concern if the school is feasible at 410 students. He asked if they expect to be completely full at 410 students all of the time.

Ms. Wand stated she hopes they are.

Mr. Leasure explained in the budget it states if there is 75% enrollment, then they will break even. However, she just stated there are only 14 classrooms holding 25 students in each, which totals 350 students.

Ms. Wand stated with the 2 half days it would make up the difference between 350 to 410 students.

Mr. Leasure stated he understands the Boyer Company is guaranteeing in their contracts for the enrollment.

Ms. Wand confirmed he is correct.

Mr. Leasure asked about the operating capital.

Ms. Wand stated the document stated they would be at 90% in 3 years.

Karen Vit asked what is the acceptability of ingress and egress for handicapped rooms.

Ms. Wand explained they will be built to a level 2 handicapped accessibility.

Ms. Vit stated she has seen some of the other schools have to redo their handicapped areas.

Ms. Wand stated because this is a new building, all of the codes will be adhered to.

Mr. Lamoreaux stated the unintended consequences from traffic are real. He has seen hundreds of traffic studies, they never over project traffic impacts. The consequences are something that cannot be mitigated. The impacts are serious and are going to be very costly to the City, and should have been considered by the Boyer Company. The traffic will only get worse as the developments continue to grow to the north.

Mayor Neilson thanked everyone for attending.

3. Discussion and review of 2015 Fiscal Year Department Budgets.

City Manager Roger Carter explained this has been a very upbeat year. He reviewed the revenues for the year and options for maintaining the fund balance. In projecting the revenue for the upcoming year, we have been conservative with the numbers of building permits.

Councilman Turek commented he feels it would be wise to be conservative.

City Manager Carter stated we have a number of fee schedule changes, which are being reviewed, and will be coming to Council in the near future.

Councilman Turek asked with the irrigation, could the rate increase now, rather than waiting. We know the amount is going to have to increase in order to maintain the irrigation system.

Councilman Seegmiller stated he feels there could be a better flow for our system. The amounts should be determined depending on the amount of time allowed on the spring, and how much flow is received.

Councilman Turek stated we obviously know there is a huge shortfall. He feels it would be good to do a small increase now, and then once a study is completed we can adjust accordingly.

Councilman Truman commented we need to figure out what the true costs actually are.

City Manager Carter explained a study had been done for pressurized irrigation, and it included a true cost of the water. We knew at that time, the cost to put in a pressurized system would not fly.

Councilman Turek asked how many users we have currently have on the irrigation system. We continue to have increases in subsidizing, but we are still holding with the current rates.

City Manager Carter stated there is so much more that needs to be done with the irrigation system, but we do not have the funds to maintain the system to any future extent.

Councilman Seegmiller stated many citizens feel the City does not do any of the maintenance, and the water belongs to them.

City Manager Carter discussed different options for the irrigation system with Council.

Councilman Staheli clarified the part-time employees as well as the legislative budget. He asked for information on the personnel discussion as he was not at the previous meeting.

City Manager Carter briefly reviewed the benefits and personnel budget information.

Councilman Staheli stated he would be cautious in the future due to the fact we may not have the rebates from the insurance to apply toward the increase as we do this upcoming budget year.

Administrative Services Manager Kimberly Ruesch reviewed the part-time pay scale with Council.

City Manager Carter explained we are going to be allocating money from Storm Drain, which he then had Kimberly review.

Councilman Staheli asked how far along we are in the budget process, and how did Staff determine where increases would be applied.

City Manager Carter stated we must have the tentative budget adopted in May. We have asked the Department Heads to maintain the same level of service as in the previous year.

Councilman Truman asked if Staff decided to discontinue working with Vanguard for the Golf

Course.

City Manager Carter stated we are still going through due diligence process.

Council discussed the revenue and expenditures associated with the Community Center.

Councilman Staheli asked about the membership projections, are combined with the sales.

Community Center Director Wendi Bulkley, explained the point of sales shows merchandise and memberships have been combined.

Councilman Staheli asked how much longer we have on the bond for the Community Center.

Administrative Services Manager Ruesch stated we are 6 years into the 20 year bond.

Councilman Staheli asked if there are bond options for our soccer fields or if impact fees can be used.

Councilman Turek commented he has had many residents ask him when the soccer fields would be built.

Administrative Services Manager Ruesch explained the money from the sale of property at the corner of Main and Buena Vista has been earmarked for the payoff of the Community Center.

Public Works Director Mike Shaw reviewed the streets projects in the proposed budget.

Councilman Staheli asked about the Fire and Police Departments.

City Manager Carter briefly reviewed both of their budgets.

Councilman Truman asked if the Fire Department is still requesting a ladder truck.

Fire Chief Brent Hafen stated the ladder truck has been pushed off. One of the biggest concerns would be getting an additional station out toward Coral Canyon. It would be something to do with the capital funds. The ladder truck would become more pertinent if we have taller buildings. The main concern would be to have stations to accommodate all of our citizens. He explained some insurance companies who have an increased rate on the plans for those in Coral Canyon because the nearest station is farther away than they prefer. Chief Kulmann contact him to see if there would be an interest in doing a joint station between Washington City and Hurricane City in the Coral Canyon area. We do have land for the station, but this would have to be discussed further before any decisions are made.

Administrative Services Manager Ruesch reviewed the Leisure Services budget with Council. The soccer park is scheduled for 2016, and they have budgeted to complete the park.

Councilman Staheli asked how much it would cost to install an outdoor pool at the Community Center.

Leisure Services Director Barry Blake stated they have been looking into some different options.

Councilman Nisson asked why he does not see the loss on the Community Center, but he can see the loss to the golf course.

City Manager Carter stated the Community Center shows as a transfer in a different category, which he explained to Council.

Councilman Truman noted his top priorities would be the Police Station, Streets Projects, and a Fire Station in the Coral Canyon area.

City Manager Carter stated we are seeing some tentative numbers on the Public Safety Impact Fee Study. We currently have a \$200.00 impact fee on each building permit. The study is showing an approximate increase to \$600.00. The impact fees can only cover 50% of the structure, which means we would have to come up the the remaining 50%. We are looking at the possibility of expanding the current Public Safety Building. This may be an option to some cost savings.

Councilman Turek agreed his top priority moving forward would be the Police Station.

Administrative Services Manager Ruesch stated if Council would like to have an additional conversation to be more specific on the distribution of the additional funds, it can be scheduled. There is a small amount of time remaining before the final budget needs to be adopted.

Councilman Turek asked if the money has to be designated to a specific project, or can it just be put into Capital Projects.

Administrative Services Manager Ruesch stated the money is required to be designated to a specific project. However, the money could be reallocated in a City Council Meeting.

City Manager Carter explained if we were to keep the Police Station where it is currently, we would be able to expand the building, and not lose the level of service in the process.

Councilman Truman stated it would be his preference to not raise the impact fees.

Council members discussed the streets they may be interested in allocating additional money for.

Mayor Neilson thanked Staff for all of their efforts keeping the City running smoothly.

4. Adjournment

Councilman Turek made a motion to adjourn the meeting. Councilman Seegmiller seconded the motion; which passed with the following role call vote:

<i>Councilman Nisson</i>	<i>Aye</i>
<i>Councilman Seegmiller</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>

Councilman Truman Aye
Councilman Turek Aye

Meeting adjourned at 10:00 P.M.

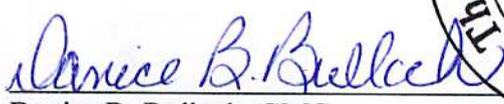
Passed and approved this 14th day of May 2014.

Washington City

Attest by:




Kenneth F. Neilson, Mayor


Danice B. Bulloch, CMC
City Recorder

