



Regular City Council Meeting

Tuesday, February 20, 2024

City Hall Council Chambers

5249 South 400 East, Washington Terrace City

801-393-8681

www.washingtonterracecity.com

1. **WORK SESSION**: Joint work session with members of the Planning Commission 5:00 PM
Topics to include, but are not limited to:

- SB 174 "Local Land Use and Development Revisions"

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

3. **PLEDGE OF ALLEGIANCE**

4. **WELCOME**

5. **CONSENT ITEMS**

5.1 APPROVAL OF AGENDA

Any point of order or issue regarding items on the Agenda or the order of the agenda need to be addressed here prior to the approval of the agenda.

5.2 APPROVAL OF FEBRUARY 6, 2024, MEETING MINUTES

6. **CITIZEN COMMENTS**

This is an opportunity to address the Council regarding your concerns or ideas that are not on the agenda as part of a public hearing. Please limit your comments to no more than 3 minutes.

7. **NEW BUSINESS**

This agenda item consists of new items brought to Council for discussion or action.

71. MOTION: APPOINTMENT OF PLANNING COMMISSIONERS

Council approval of Mayor's re-appointment of Planning Commissioners Steve Jacobson and Matt Roper to serve a four year term. Possible appointment of new Planning Commissioner pending completion of application. deadline.

For more information on these agenda items, please visit our website at www.washingtonterracecity.com

In compliance with the Americans with Disabilities Act, persons who have need of special accommodation should contact the City Recorder at 801-395-8283. CERTIFICATE OF POSTING :The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted on the Public Notice Website www.utah.gov/pmn/, The City website www.washingtonterracecity.com, City Hall located at 5249 South 400 East, and sent to the *Standard Examiner* at least 24 hours prior to the meeting. Amy Rodriguez, City Recorder.

7.2 DISCUSSION/MOTION: APPROVAL OF THE PARK'S TERRACE CAPITAL INVESTMENT PROJECTS (TCIP)

Discussion concerning the Parks TCIP discussed at the 02/06/24 work session. Approval of presented projects in The 0-5 year Project Plan and funding options.

7.3 MOTION: APPROVAL TO AWARD CONSTRUCTION CONTRACT FOR THE 4525 SOUTH TRENCHLESS SEWER REHABILITATION PROJECT

Project has been sent out to bid. Results of the sealed bid and selection will be presented for approval.

7.4 DISCUSSION/ACTION: FUTURE OF WEBER MORGAN HEALTH DEPARTMENT SENIOR PROGRAMMING

Discussion on the future of Weber Morgan Health Senior Programming within the County and how it may affect Washington Terrace

8. COUNCIL COMMUNICATION WITH STAFF

This is a discussion item only. No final action will be taken.

9. ADMINISTRATION REPORTS

This is an opportunity for staff to address the Council pertaining to administrative items.

10. UPCOMING EVENTS

February 29th: Planning Commission Meeting 6:00 p.m. LEAP YEAR!!!!

March 5th: City Council Work Session (5:00p.m.) and Meeting (6:00p.m.)

March 19th: City Council Work Session (5:00p.m.) and Meeting (6:00 p.m.)

March 28th: Planning Commission Meeting (tentative) 6:00 p.m.

11. ADJOURN THE MEETING: MAYOR ALLEN

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Washington Terrace City

Subdivision Ordinance Revision – SB 174 Compliance Project

PROJECT MEMORANDUM

TO: Washington Terrace Cross Project Team
FROM: Planning Outpost Project Team
SUBJECT: Draft Subdivision Ordinance Memo
DATE: January 29, 2024

1.0 Introduction

This section describes the background of the project, the work performed in the development of the memo, and the format of the memo.

1.1 Project Background/Work Performed

Washington Terrace (City) retained Planning Outpost on January 9, 2024, to assist with the adoption of a new subdivision ordinance that is compliant with Senate Bill (SB) 174. An analysis of the City's existing subdivision ordinance along with policy considerations and findings are contained in this memorandum (memo).

This memo provides an analysis of the City's current Title 16 residential subdivision ordinance in relation to the provisions of SB 174. The memo supplements the Utah League of Cities and Towns (ULCT) documents by providing the City individual analysis of how the City's ordinance differs and complies with SB 174. Planning Outpost will facilitate a web-conference work session with the City Team to review the draft memo and collect any feedback for inclusion in the final version which will be the basis to revise the City's Title 16 residential subdivision.

Planning Outpost provided the City with an intake form and information request on January 9, 2024. The intake form consists of fifteen questions to help guide and focus the analysis. An example is Question 7:

"The new state law has stringent review cycle timelines. One tool to assist in the timeline is the determination of a complete application having been made to the City. The review timelines are 15 days for preliminary plat and 20 days for final plat. What is the soonest timeframe your jurisdiction's staff could conduct the complete application analysis?"

Once the application is deemed complete, the State of Utah (State) mandatory review time (Shot Clock) of 15-business days or three weeks to fully review the preliminary plat before scheduling for planning commission and 20-business days per cycle to fully approved final plat.

The information request sheet was submitted to and received by the City. The purpose of this document is to receive the most updated City ordinances, ask about administrative procedures that may be impacted by a new subdivision ordinance, and for staff review contacts.

Subsequently, on January 31, 2024, Planning Outpost will facilitate a web-conference to review and discuss the memo with City stakeholders. The purpose of this meeting is to follow up on the City's previously provided information; further document and confirm the City's subdivision processes; compare their existing subdivision ordinance with compliance to SB 174 and identify policy decisions needed to be made by the City.

1.2 Memo Format

This memo is composed of five sections, as described below:

1. **Introduction.** This section describes the background of the project, the work performed in the development of the memo, and the format of the memo.
2. **Senate Bill 174 – Subdivision Ordinance.** This section of the memo describes SB 174 legislative intent, intake, review, appeal, and non-compliance impacts.
3. **Subdivision Analysis.** This section of the memo describes the similarities and differences between the City's Subdivision ordinance with SB 174, and calls out policy considerations.
4. **Policy Considerations.** This section of the memo describes policies to implement the new subdivision ordinance, and for the City to consider based on best practices.
5. **Next Steps.** This section describes the future activities of the project.

1.3 Common Terms and Acronyms

The following table contains common terms and acronyms used throughout this memo, along with the associated definitions and explanations.

Table 1.1: Common Terms, Abbreviations, and Acronyms

Common Terms, Abbreviations, and Acronyms	
Term	Definition
ALUA	Administrative Land Use Authority
City	Washington Terrace City
HB 406	Public Improvement Standards for residential roadways.

Common Terms, Abbreviations, and Acronyms	
Term	Definition
LUDMA	Land Use, Development, and Management Act. LUDMA authorizes and governs land use and zoning regulation by cities and counties, and establishes mandatory requirements that local governments must follow. LUDMA establishes the legal framework for each locality to make zoning decisions, enact ordinances, and implement plans.
OWHLF	Olene Walker Housing Loan Fund
Plat or Subdivision	Plats show subdivisions broken into blocks with streets and utility easements. Further refinement often splits blocks into individual lots, usually for the purpose of selling the described lots; this has become known as subdivision.
PC	City Planning Commission
SB 174	Effective May 4, 2023, Senate Bill 174 changed the process for subdivision of 1 or 2 family dwellings and households.
Shot Clock	State mandatory review times (15-Business days for a preliminary plat and 20-business days for the final plat)
State	State of Utah

2.0 Senate Bill 174 – Subdivision Ordinance

This section of the memo describes SB 174 legislative intent, intake, review, appeal, and non-compliance impacts.

2.1 Subdivision Ordinance

SB 174 changes the following three areas of the Land Use, Development, and Management Act:

- ❖ creates a new process that all municipalities must follow for subdividing residential lots;
- ❖ modifies the Internal Accessory Dwelling Units (IADU) provisions; and
- ❖ creates a penalty for cities who fail to comply.

Local governments are required to update their subdivision ordinances. Deadlines are based on municipal population which the City's deadline is established as February 1, 2024. Based on recent discussions with the State, as long as the jurisdiction is actively approving the subdivision ordinance an extension will automatically be granted. The State is providing technical assistance funding for cities to specifically update the subdivision ordinance revisions necessary to comply with SB 174. The City does not anticipate updating an IADU in their code, nor is it an element covered in this analysis.

The legislative intent is for the preliminary and final plats for only one- and two-family dwellings to be reviewed administratively due to the technical nature of the review. Any land use or zoning issues would be managed separately and may proceed in the duly prescribed land use application process. The plat review would include a review whether the underlining zoning allows for the residential density in the subdivision. The two-step process includes designation of an administrative land use authority and a review timeline or "shot clock" for both preliminary and final plats.

The first step is for the City to designate an ALUA to review subdivision applications. These authorities may not be members of a city council. They may be designated as a board, staff, contracted staff, or member(s) of the planning commission.

SB 174 enables the applicant to request an optional pre-application meeting with the City. The timeframe for the pre-application meeting to occur is within 15-business days of the applicants written request. The purpose of the pre-application meeting would be to review a concept plan and provide initial feedback to the applicant. At the pre-application meeting, the City is required to provide or have readily available on their website the following:

- Applicable land use regulations
- A complete list of standards required for the project.
- Tentative and final application requirement checklists

- Feedback on the concept plan

Feedback on the concept plan is not specifically prescribed in SB 174 but should be on the same technical review premise.

An acceptance of a complete subdivision application starts the shot clock of 15-business days to review, provide comments and approve the preliminary subdivision application. A complete preliminary subdivision land use application shall include the following:

- The application
- Owner's affidavit
- Electronic copy of all plans in PDF format
- Preliminary subdivision plat drawings
- Breakdown of fees due upon approval of the application

The above are the minimum requirements for a preliminary subdivision applicant. The City may wish to add additional requirements, but it would have to be published along with the above requirements.

The ALUA designee, planning commission, may receive public comment but a public hearing is not required. If the application complies with applicable local regulations, it shall be approved and proceed to the final subdivision step.

The subdivision review process has a maximum of four review cycles permitted for the review. In between the tentative plat approval and final approval only four revisions are permitted. The total four reviews are unclear in State law and will have to be clearly addressed in the next legislative session. The initial tentative plat review is to be completed within 15-business days of receiving complete application for that stage. Review of final plat is to be completed within 20-business days per review cycle of receiving complete application for final application. An applicant must respond to required changes they disagree with in writing.

A final subdivision application review must be completed within 20-business days. A review cycle is not considered complete until the applicant has adequately addressed all the redlines identified by the City. The City may only add new redlines after the first review cycle in response to changes made by the applicant or if a correction is necessary to protect public health or safety, or to enforce state or federal law. If an applicant makes a material change to a plan set, the City has the discretion to restart the review process at the first review of the final application, but only with respect to the portion of the plan set that the material changes substantively effects. If an applicant does not submit a revised plan within 20-business days after the City requires a modification or correction, the City shall have an additional 20-business days to respond to the plans.

SB 174 creates two distinct appeal processes after the four review cycles have been exhausted and 20-business days have passed. For disputes relating to public improvement or engineering standards, the City shall assemble a three-person panel meeting within 10-business days of receiving a request from the applicant. Those experts include:

- One licensed engineer designated by the City.
- One licensed engineer designated by the land use applicant.
- One licensed engineer agreed upon and designated by the two designated engineers.

Members appointed to the panel may not have an interest in the application in question. The applicant must pay 50% of the total cost of the panel and the City's published appeal fee. The City pays the other 50%. The panel's decision is final unless the City or applicant petition for district court review within 30 days after the final written decision is issued.

3.0 Subdivision Analysis

This section of the memo describes the similarities and differences between the City's Subdivision ordinance with SB 174, and calls out policy considerations.

3.1 Ordinance Analysis

This section has been developed to analyze the City's existing ordinance to SB 174. Table 3.1 compares the language adopted in SB 174 with the City's subdivision code. Of note, in discussions with the Utah League of Cities and Towns, they have communicated that additional changes and clarifications will be forthcoming in the next legislative session to address some of the jurisdiction concerns about implementation of SB 174. Until those changes occur, the City is compelled to adopt and implement the new ordinance.

Table 3.1: Subdivision Ordinance Title 16 Matrix

City Ordinance Chapter	Chapter Title(s)	SB 174	Action	Policy Consideration ¹
16.04.030	Definitions.	<p>Strongly Recommends clarifying definitions for applicants and staff. Examples are:</p> <ul style="list-style-type: none"> -Appeal process -Authorized Land-Use Authority -Completeness of application requirements -Review Cycles 		<p>Checklist for applicant completeness determination. Minimum requirements are:</p> <ul style="list-style-type: none"> -The application -Owner's affidavit -Electronic copy of all plans in PDF format -Preliminary subdivision plat drawings -Breakdown of fees due upon approval of the application

City Ordinance Chapter	Chapter Title(s)	SB 174	Action	Policy Consideration ¹
16.04.040	Preliminary Plan.	Does not require concept or preliminary plans to be submitted.		Consider removing chapter 16.04.040 entirely and references to preliminary plans from the City's code. Replace the preliminary plan submittal as an administrative optional item within the development application forms.
16.04.050 (A)	Tentative Final Plat.	Add one 15-business day timeline review and then schedule for planning commission		Consider adding the shot clock timeframe in the ordinance.
16.04.050 (B)	Final Plat Required.	Add three 20-business day timeline reviews prior to final approval.		Consider adding the shot clock timeframe in the ordinance.

City Ordinance Chapter	Chapter Title(s)	SB 174	Action	Policy Consideration ¹
16.04.050 (C) and (E)	Final Plat Required.	Planning Commission nor City Council are allowed to be the approvers of final plats.	Remove references to the planning commission and City Council.	Consider replacing with internal development review committee
16.04.060	Subdivision Standards.	Planning Commission nor City Council are allowed to be the approvers of final plats.	Remove references to the planning commission and City Council.	Consider replacing with internal development review committee
16.04.070	Required Improvements.	Acceptance of public improvements are outside of SB 174 purview and should stay with the City Council	No changes	

¹ Policy considerations are in Section 4.0

4.0 Policy Considerations

This section of the memo describes policies to implement the new subdivision ordinance, and for the city to consider based on best practices for development codes.

4.1 Considerations

This section of the memo outlines the policy consideration. The following table contains eight considerations and background information collected during our review.

Table 4.1: Policy Considerations

Policy Considerations				
No.	Item	Policy Considerations	Best Practice / Recommendations	City Response
1	Designated ALUA	The ALUA designation should be determined and clearly identified whether it is staff or a board/commission or other designee.	Over 60% of polled Utah jurisdiction are considering the planning commission as the designated ALUA to review and accept the preliminary subdivision.	
2	Completeness Determination	The determination of a completed application begins the 15-business day review and approval process. All City application requirements must be published online and contained as a requirement in the application.	A land use application checklist provided to the applicant is also used as a completeness review and determination checklist by staff. Application completeness is a check if the required documents have been submitted and not a qualitative review of the application.	
3	Review cycles (limited to a total of four)	The final plat typically has the infrastructure improvement plans associated with the application. More review cycles due to higher scrutiny of the plans is more focused with the final plat	The four total review cycles should be weighed in a way that gives more review cycles on the final plat with 20-business days (i.e. one review cycle for the tentative plat and three reviews for the final plat.) Other jurisdictions are using the 1 review cycle for tentative and 3 for final.	
4	Appeal Fee Update	The cost of the appeal of the final map determination is split (50/50) between the City and applicant.	The City should update their fee schedule to reflect the new appeal fee process.	
5	Tracking of Shot Clock	The applications should be tracked in a system to make sure deadlines are being met and for reporting out and measuring review times	Tracking application review times and deadlines is commonplace with City's using a spectrum of systems from spreadsheet tracking to application/permit	

Policy Considerations				
No.	Item	Policy Considerations	Best Practice / Recommendations	City Response
			tracking software systems.	
6	Standardize written response	SB 174 clearly references written responses in the state legislation. To maintain compliance, the City may consider creating standardized response templates including a database of standard subdivision responses to address accuracy and thoroughness in the review process.	Many jurisdictions use templates as both a quality assurance of product being disseminated to the applicant and as a training resource for newer staff.	
7	Final Plat Jurat or Signature Page	SB 174 final plat approval cannot be the planning commission or city council. Currently the Mayor and City Attorney's signature lines are on the final plat.	The State explicitly took the council off the final plat approval process, and we recommend that the Mayors signature is removed as a requirement. The City Attorneys signature can also be removed since there is no legal review except the jurat for legal form.	
8	Preliminary Plan requirements	The preliminary plan submittal as an administrative optional item within the development application forms	Consider removing chapter 16.04.040 entirely and references to sketch or concept plans from the City's code.	

5.0 Next Steps

This section describes the future activities of the project.

Planning Outpost will facilitate a work session, to review the content of the draft Memo with the City. Once additional City reviews are complete, Planning Outpost will revise the Memo and update its status to final. The next steps of the project are summarized in Table 5.1, below.

Table 5.1: Upcoming Tasks and Deliverables

Upcoming Tasks and Deliverables
<p>D2. Final Subdivision Ordinance</p> <p>Our team will draft a final subdivision ordinance based on input into this memo. We will use an addition/deletion format unless the City desires another format for us to use. This deliverable also includes drafting and finalizing a slide deck that will be used for presentations before the Planning Commission and City Council.</p>
<p>D3. City Adoption Process</p> <p>We will provide support to City staff through the adoption process with the Planning Commission and City Council. The target dates are February 29 and March 7, respectively.</p>

City of Washington Terrace

Minutes of a Regular City Council meeting Held on February 6, 2024 City Hall, 5249 South 400 East, Washington Terrace City, Utah

MAYOR, COUNCIL, AND STAFF MEMBERS PRESENT

Mayor Mark C. Allen
Council Member Jill Christiansen
Council Member Zunayid Z. Zishan
Council Member Cheryl Parkinson
Council Member Jeff West
Council Member Michael Thomas
City Manager Tom Hanson
City Recorder Amy Rodriguez
Finance Director Shari' Garrett
Recreation Director Carlos Grava

Others Present

Mike Lawrence

1. WORK SESSION

5:00 P.M.

Topics to include, but are not limited to:

- City Parks Terrace Capital Investment Plan (TCIP)

Hanson stated that the City has a 20 year Capital Investment Plan. He stated that the budget is planned for five years. He stated that once a project is within the five year plan, it becomes a "Capital Project" and the planning and funding begins to come into place.

Grava explained the five year plan for the twelve projects that are on the TCIP plan. Mayor Allen stated that when projects are being funding, it is important to remember that they have been in the planning stages and funding stages for years before. Projects are selected based on community priorities, condition assessment, funding opportunities, and prioritization completion of projects.

Parks Projects FY22-27

Grava stated that the projects consider the feedback from the Landmark Parks Master Plan Analysis.

1. Rohmer Park Pickleball Project Phase one.

Grava stated that the project was awarded a RAMP grant of \$500,000.

2. Rohmer Park Pickleball Project Phase two

Grava stated that the project was awarded a RAMP grant of \$647,790.

He stated that RAMP was interested in pickleball courts, so the city decided to apply again to continue the project. He stated that the phase should be completed by April of this year.

45 3. Drinking water fountains at the baseball field and pickleball plaza.
46 Grava stated that moving forward, projects under \$10,000 will not be on the TCIP plan. Grava stated that
47 we have received money donations from the Lion's club for the baseball fountains, as well as RAMP
48 grants.

49 4. Xeriscape transition to eliminate bark.
50 Grava stated that this project involves all the parks. He stated that we will save money moving forward as
51 we will not have to replace bark each year.

52 5. Rohmer Park south entrance sidewalk, crosswalk and xeriscape.
53 Grava stated that the city received a RAMP grant to fund 60% of the project.

54 6. Rohmer Park Baseball parking lot reconstruction.
55 The City has applied for CDBG funds for this project. Grava stated that the service life has expired and
56 the parking lot has to be completed from the subgrade upwards. Grava stated that we put funds aside each
57 year until we can fund the project.

58 7. Rohmer Park Pickleball Project phase 3
59 Grava stated that this phase will include playgrounds, shaded areas, and restrooms.

60 8. Rohmer Park Pickleball Project phase 4
61 Grava stated that this phase will include a dog park, and completion of the rest of the project. He stated
62 that we will need to take care and complete our investment in the project.

63 9. Rohmer Park Pickleball plaza and baseball parking lot sealing.
64 Grava stated that this will help save our investment on the new asphalt and roadway and will extend the
65 life of the road. Grava stated that other parking lots will also receive sealant, however, these are park of
66 the Public Works schedule of projects.

67 10. Rohmer Park North entrance, sidewalk, crosswalk, and xeriscape.
68 Grava stated that the project is to enhance safety measures for entrances to the park. He stated that a ramp
69 may be put in where the concrete stairs currently sit.

70 11. Little Rohmer Bowery Improvements
71 Grava stated that the current conditions of the bowery are not good.

72 12. Playground Replacements (Rohmer, Victory, Wright Park)
73 Grava stated that the project is a necessity in the long term due to the conditions of the playground
74 equipment.

75
76 Council Member Zishan stated that he has noticed that several of our parks do not have restrooms, and
77 we are spending several hundred thousands of dollars on other parks and asked if it would be wise to
78 consider restrooms in the other parks. Hanson stated that the challenge we have is maintaining the
79 restrooms, whether fiscally or staff capacity. He stated that we have a balance with level of service, and
80 restrooms are a very high level maintenance cost. He stated that they are ongoing costs for maintenance.
81 Hanson stated that we have a position open now for custodial and it has been hard to fill.
82 Hanson stated that we found that we have a better flexibility with a part time employee rather than a
83 contractor. Council Member Parkinson suggested temporary "honey buckets" be placed in the parks until
84 we can work on permanent restrooms. Hanson stated that restrooms are the highest level of vandalism.
85 Council Member Zishan agreed that "honey buckets" are a great idea while we work out plans.

86
87 Grava stated that the plan is for 20 years, and therefore, plans continue to shift as plans are accomplished.
88 Hanson stated that some of the projects in action are funded, with the remainder needing strategy
89 planning for funding.

90
91 Grava asked if Council anticipates any challenges in funding the remaining TCIP projects. Hanson stated
92 that if Council is supportive of these projects, staff will work with finance on funding and funding
93 options. Hanson stated that if projects are not funded, or grants do not come through, the project may be

94 pushed to a later date when funding is available. Hanson stated that Parks are generally the hardest area
95 to receive funding.

96
97 Garrett stated that you have to show a direct benefit on impact fees, meaning what you pay for is what
98 you get. This is different than taxes. She stated that as long as a study is done showing the direct impact
99 and benefit, it is possible to charge fees for parks. Council agreed that they do not want a fee for parks on
100 the utility bills.

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102 Grava stated that the total impact for the five year TCIP is \$5,390,000.
103 The item will be brought before Council at a later meeting.

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MAYOR, COUNCIL, AND STAFF MEMBERS PRESENT

Mayor Mark C. Allen
Council Member Jill Christiansen
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Council Member Cheryl Parkinson
Council Member Jeff West
Council Member Michael Thomas
City Manager Tom Hanson
City Recorder Amy Rodriguez
Lt. Colby Ryan
City Attorney Bill Morris
General Planner Tyler Seaman
City Treasurer Heidi Gerritsen

Others Present

Mike Lawrence, Amy Miller, Ulis Gardiner, Jacob Koskan, Mark Holstein, Parcher Mecham,

2. ROLL CALL 6:00 P.M.

3. PLEDGE OF ALLEGIANCE

4. WELCOME

5. CONSENT ITEMS

5.1 APPROVAL OF AGENDA

Item 7.2 has been postponed until a later meeting.

5.2 APPROVAL OF JANUARY 16, 2024, MEETING MINUTES

Items 5.1 and 5.2 were approved by general consent.

6. CITIZEN COMMENTS

Amy Miller, representing the United Methodist Church, updated Council on the February calendar. She stated that the pantry packs are almost completed. She stated that March 23rd is the date for the “Rise Against Hunger” event.

7. NEW BUSINESS

7.1 PRESENTATION: SHERIFF OFFICE QUARTERLY REPORT

Lt. Ryan presented the report to Council on the fourth quarter. He stated that the Trunk or Treat was a larger crowd than last year, noting there were around 2000 children coming through the line. He stated that they arrested the “Grinch” for a month, saving Christmas. Lt. Ryan stated that they participated in the “Shop with a Hero” event. He stated that Washington Terrace Church hosted that breakfast and then they completed a procession to Walmart and shop.

188 Lt. Ryan highlighted some of the bigger cases in the last quarter. He stated that there was an aggravated
189 assault on a PO. He stated that the suspect was booked into jail for aggravated assault, drunk driving, and
190 trespassing, among other things.
191 Lt. Ryan stated that there were a couple of suspicious incidents at Bonneville High School. He stated that
192 the school was put on lockdown until it could be determined things were safe. Both incidents involved
193 suspected handguns, however, it was determined that neither student had any weapons.
194 Lt. Ryan stated that there were two sex offender incidents at Rohmer Park.
195 Lt Ryan stated that the street crimes detectives had two significant cases in Washington Terrace.
196 He stated that calls for service fell in line with previous year's calls for service.
197 Lt. Ryan stated that the comstat program used to generate the report has been having issues.
198 Lt. Ryan stated that there has been a down trend in the fourth quarter for vehicle thefts and burglary. He
199 stated that there was a decrease this year, noting that a group of juveniles went on a vehicle burglary
200 spree in 2022 and those arrested are still in jail.

202 **7.2 PRESENTATION: FIRE DEPARTMENT QUARTERLY REPORT**

203 This item has been postponed to a later meeting.
204

205 **7.3 PRESENTATION: ANIMAL CONTROL QUARTERLY REPORT**

206 Hanson stated that we contract with South Ogden for animal control services. Officer Sarah Hayes from
207 South Ogden Police presented the report to Council. Hayes stated that they were able to relinquish ten
208 dogs from one of the homes where the tenants were arrested. She stated that they are all in rescue homes.
209 She stated that they have received a lot of support from the Sheriff's Office. She stated that it has been
210 very helpful because they receive a lot of threats. She stated that due to the weather there has not been
211 many stray dogs or cats taken to the shelters. She stated that they are pushing micro-chipping at the
212 shelter. She stated that they can make an appointment and come to the shelter.

213
214 Hayes stated that the Weber Shelter has been cleared out and there is now room. She stated that they held
215 an adoption clinic.
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217 **7.4 PRESENTATION/DISCUSSION: SUBDIVISION ORDINANCE REVISION- S.B.174** 218 **COMPLIANCE PROJECT**

219 Hanson stated that we have an obligation to be compliant with SB 174. He stated that we have been
220 working with Planet Outpost to bring our ordinance into compliance. He stated that the state is paying for
221 the revision as a "funded mandate".

222 Hanson stated that the planning process will be outlined by state law. There will be four reviews by staff
223 and then the subdivision will go before the Planning Commission for approval. He stated that the intent is
224 to leave Council out of the subdivision process to minimize the political implications of development.

225 Hanson stated that the Planning Commission will have the final say on the subdivisions.

226 Hanson stated that the deadline date has been extended for this ordinance.

227 Seaman stated that the intent of the legislation is to speed up the process. He stated that it speeds us up in
228 reviews, but doesn't impact our timeline at all. He stated that it makes staff deliver a better quality and
229 the documents are submitted in their entirety. He stated that the state will be able to see that it may be the
230 engineer's timeline that is holding up projects.

231
232
233 **7.5 DISCUSSION/ACTION: BUSINESS LICENSE FOR NON-CONFORMING**
234 **DUPLEXES**

235 Seaman stated that there are differences defined in building codes on types of units.

236
237 Single family : Permanent provisions for living, sleeping eating, cooking, and sanitation for single units
238 providing living facilities for one or more persons.

239
240 Townhouse family unit: Single family unit tied together with multiple units. It is it's own parcel. They
241 must have fire walls to prevent fires from spreading to other units. They do not share power, gas lines,
242 water, plumbing, etc. They are separate units, except for a shared wall with a fire wall in between. They
243 are easy to isolate into it's own unit.

244
245 Accessory Dwelling: Internal accessory dwellings is allowed in the City. It is a livable unit created within
246 the existing footprint of a primary owner-occupied single family dwelling. It must be owner occupied.
247 Should have its own sleeping area, exit, eating, sanitation, and cooking area. He stated that this is a single
248 family home, not a duplex or a town home. He stated that it must be an internal accessory unit within the
249 home. It should not change the appearance of the home. He stated that additional parking needs must be
250 met before they are issued a license. They also must meet egress codes.

251 Seaman stressed that we do not allow detached accessory dwelling units within the city. He stated that
252 they must be internal units. He stated that someone cannot build a detached garage in their backyard with
253 a full apartment on top. He stated that it would be rejected for non-compliance.

254 Seaman stated that we are following state law. He stated that it becomes a nuisance issue. Seaman stated
255 that there are privacy issues, parking issues, fire issues, and it is easy to become out of hand.

256
257 Legal non-conforming: Land use that was established when allowed by a zoning ordinance and has been
258 maintained continuously. Seaman stated that there are many houses that are duplexes in an R-1-6 zone.
259 He stated that they are legal because they were legal when they were built. It is "grandfathered" in. He
260 stated that there are a lot of houses in the city that are taking a single family home and making the
261 basement an apartment for someone else. He stated that they are not owner occupied, so it cannot be an
262 accessory dwelling. Seaman stated that you cannot have a family upstairs and a family downstairs that
263 are not related. He stated that we have a giant problem in the state and the city.
264 He stated that it is a growing problem within the city.

265
266 Seaman stated that he wants to make sure that this is handled throughout the city properly. His
267 recommendation is to do a complete audit of all of our rentals within the city. He stated that there are
268 around 260 rental licenses. He stated that an audit should be done to make sure that they are in
269 compliance with what their application states. He also recommends that if an application comes in that is
270 non-compliant, the application should be rejected. Morris stated that employees cannot break the law,
271 even if it was done in error. He stated that the license should be revoked regardless of who allowed the
272 error. Seaman stated that he recommends sending a letter out to the owners letting them know that the
273 city would like to do an audit on their property and give the owners 30 days to contact the city for the
274 audit. He stated that if they don't comply, they will have to go to court for operating without a license.

275
276 Gerritsen stated that she has around 30 licenses that she knows of that falls into the non-compliance
277 category. She stated that there are around 50-75 licenses that claim that they were "grandfathered" in. She
278 stated that there are many that have licenses for one rental, but it is being rented out as two units. There
279 are also some who have had licenses for two units, however, it is a single family home.

Council Member West stated that he supports the audit, and sees it as a learning opportunity as well. Gerritsen stated that a lot of real estate agents are marketing them as duplex. Council Member Christiansen stated that it has to be made very clear what is legal non-conforming and illegal non-conforming so that they know what they can do with the property. Seaman stated that we have checks and balances in place, noting that all building permits are permanent. Morris stated that we can put a certificate in their file that is recorded so that the knowledge is kept. Seaman stated that inspections are important for safety. He stated that the accessory dwelling code is important because it makes the city aware of the circumstances, as it can affect gas lines, sewer, and most importantly parking issues. He stated that having the accessory dwelling ordinance helps the city enforce parking and other issues. Hanson stated that there are areas that are over crowded with the extra families in their environments. He stated that we have to manage the impact to the residents that live here and make their home here. He stated that there are challenges of parking, over crowding, and code enforcement. He stated that many code enforcement issues are from absentee landlords. Hanson stated that not everyone is clear on their intentions on their applications. Morris stated that we can send a letter to meet with the owners and possibly enter a correction action plan over a period of time so that people on leases are not put out of their homes. He would like staff to have the flexibility to work with them. Hanson stated that no new licenses for illegal upstairs/downstairs rentals will be issued.

**Motion by Council Member Christiansen
Seconded by Council Member West
To approve the recommendation from staff
To begin an audit and reject non-legal business licensing
As recommended by staff
Approved unanimously (5-0)**

7.6 MOTION/ORDINANCE 24-02: AMENDING THE INFILL RESIDENTIAL DEVELOPMENT MAP

Seaman stated that infill zone map is an overlay of the current zone. He stated that we have an established infill map. He explained that parcels established as city infill lots allows the applicant to go through the subdivision process. He stated that the proposed ordinance will allow a parcel to be placed on the map to have the opportunity to be considered for infill properties.

Seaman stressed that adding the parcels to the overlay map is not approving any development on the parcels. It only allows the parcel to have the opportunity to bring discussions and designs forward through the subdivision process. He explained that the ground would be developed with a Development Agreement, which allows flexibility within the development process that is agreed upon between the city and the developer.

Seaman stated that density in an infill property is calculated by the density surrounding it. An infill designation may allow for a tighter setback. He stated that it is important to remember that infill does not mean higher density.

Seaman stated that the infill ordinance was established to help with properties that were over-grown with weeds and trash. Parcels designated as infill allow for more flexibility within their development as long as there is a Development Agreement in place.

Seaman stated that surrounded density is taken into consideration.

327 Seaman stated that there has been a request to add three parcels to the infill map. He stated that that the
328 person asking is asking to be on the map so that they can have a discussion to develop the property in a
329 way that doesn't fit into the R-1 zone designation that is currently in place. Allowing them on the map
330 only allows the discussions to begin. Council is not approving any developments or requests for these
331 parcels with the ordinance.
332 Seaman explained that the development must maintain the same density as to what is touching it, and
333 what is directly across the street from it. Seaman stated that infill is very delicate.
334 Council Member Zishan asked if it was a good idea to notify neighbors. Seaman stated that there was a
335 public hearing at Planning Commission. He stated that there would be another when a plan is brought
336 before the Planning Commission.
337 Seaman stated that the Development Review Committee met with the applicant today and the proposed
338 project is changing drastically.
339 Hanson stated that the ordinance is only allowing that the property can be described as an infill property
340 so that the process of discussions can begin. He stated that future conversations will be held to consider
341 density.
342 Seaman stated that the ordinance is allowing for the infill designation. Seaman stated that when he says
343 high density, that he is referring to higher density than the R-1-6 zone designation that the parcels are
344 currently zoned. He stated that it density for these parcels depends on what it is touching in regards to
345 what was allowed in the past. Seaman stated that the density needs to be calculated off of the lot size
346 and what residential properties are touching against the parcels.

347
348 **Motion by Council Member Thomas**
349 **Seconded by Council Member West**
350 **To Approve Ordinance 24-02 amending**
351 **The Infill Residential Development Map**
352 **Approved unanimously (5-0)**
353 **Roll Call Vote**
354

355 **7.7 DISCUSSION/MOTION: APPROVAL TO AWARD THE CONSTRUCTION**
356 **CONTRACT FOR THE 300 WEST WATERLINE PROJECT**

357 Hanson explained the 300 West Waterline Project.
358 Hanson stated that the lowest bid for the project was by Kapp Construction for \$349,837.50. He stated
359 that the total amount estimated for the project would be \$384,821.
360 Hanson stated that staff applied for a water grant, unfortunately, we did not receive the funding. He stated
361 that we have capacity in the water project fund without putting our capital at risk. Hanson stated that the
362 bids came in very reasonably.

363
364 **Motion by Council Member Parkinson**
365 **Seconded by Council Member**
366 **To award the construction contract**
367 **To Kapp Construction**
368 **For total project amount of \$384,821.25**
369 **Approved unanimously (5-0)**

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8. COUNCIL COMMUNICATION WITH STAFF

Council Member Christiansen thanked staff for their look into barriers for Lion’s Park in light of the events of the morning. She stated that she feels that we need to prioritize our park’s safety with more than a chain link fence protecting the park and residents.

Council Member Zishan stated that he has received several emails to reopen the backyard chicken issue. He stated that they have a solid case and they feel that the last time there was a discussion it was not a proper discussion and he would like to put in an official request to put it on the agenda for discussion. Three council members stated that they would like it on the agenda.

Council Member Zishan asked about the updates on live streaming the meetings. Hanson stated that we do not have enough in our budget at this time for the set up that we would need. He stated that he will begin research if it is a priority to Council and budget considerations. Council Member West suggested that Hanson get an estimate and see what it looks like economically and take it from there.

Council Member Parkinson passed along thanks from residents from a cul-de-sac to the Public Works crew for their work removing snow from their area. She stated that residents are concerned about how dark the development of the through street on 5700 South and Adams Ave is at night, and inquired on future lighting plans. Hanson will check and see if the light is on a work order and if it will be part of the lighting work to be done on 5700 South. Hanson stated that Rocky Mountain Power has been delayed in repairing the lights.

Council Member Thomas asked when the potholes will be refilled. He also mentioned if the trucks leaving Roosevelt elementary will be long term and who will pay for any damage to the roads. Hanson stated that the road is built for heavy equipment and the hopes is that it will hold up under the pressure. Hanson stated that potholes are on the Public Works list and will fill them when weather appropriate. Hanson stated that residents can report potholes or street issues directly to Jake Meibos. He believes that there may be a button on our website. Council Member West suggested that we continue our education efforts and put information in the newsletter and website on processes to report information to the city.

Mayor Allen stated that nothing will be changed within this calendar year regarding the Weber Human Services interlocal agreement.

Mayor Allen stated that he believes that there is a grant program for televising Council Meetings. He stated that he and Tom have been asking other cities about their live streaming. He stated that many they have spoken to have said the viewing is minimal.

Mayor Allen stated that he is offended that people think that the city didn’t do their due diligence a year and a half ago concerning backyard chickens. He stated that there were many meetings held and a lot of discussions with good research. He stated that it can go on the agenda if Council wants it. Council Member West stated that he will share some of the research that Council did last year concerning backyard chicken allowance. He stated that there neighboring cities that allow chickens, but with conditions. He stated that only 30 percent of homes in the city would be eligible for chickens if we follow what the neighboring cities are doing

Council Member Zishan stated that every issue has an answer and the discussion is how in depth does Council want to go.

9. ADMINISTRATION REPORTS

419 Hanson stated that he met with staff today concerning other options for fencing around the park. Hanson
420 stated that there is a challenge between stopping them and injuring them if they hit bollards or bricks. He
421 stated that we will research appropriate barriers for the playground.
422

423 **10. UPCOMING EVENTS**

424 **February 19th : City Offices closed for President's Day**
425 **February 20th: City Council Work Session (5:00 p.m.) Council Meeting (6:00 p.m.)**
426 **February 29th: Planning Commission Meeting 6:00 p.m. LEAP YEAR!!!!**
427

428 **11. ADJOURN THE MEETING: MAYOR ALLEN**

429
430 **Motion by Council Member Thomas**
431 **Seconded by Council Member West**
432 **To adjourn the meeting**
433 **Approved unanimously (5-0)**
434 **Time: 8:13 p.m.**
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Date approved	City Recorder

City Council Staff Report



Author: Carlos Grava

Subject: Parks Terrace Capital Investment Projects (TCIP) Approval

Date: 02/20/2024

Type of Item: Approval

Summary Recommendation: Approval of the Parks Terrace Capital Investment Projects (TCIP) by the city council.

Description: Staff would recommend the approval of the Terrace **Capital Investment Projects (TCIP)**, which will serve as our guiding document for the next five (5) years, which we will use to work with the finance department to create funding plans.

- A. **Topic:** Terrace Capital Investment Projects (TCIP) approval.
- B. **Background:** The Terrace Capital Investment Projects (TCIP) was first mentioned to the City Council last year and then presented in a work session to the Council members again this year. Hence, all members had a glimpse of what we are trying to accomplish with this Terrace Capital Investment Projects (TCIP) and how it would work as our guiding document, which we will use to work with the finance department to create funding plans for these projects.
- C. **Analysis:** Due to financial challenges and inflationary impacts, and following the council policy priorities, we want to be fiscally responsible, and we need to plan every financial decision accordingly. Most of these projects still need to be funded, and the approval of the Terrace Capital Investment Projects (TCIP) in this session is crucial to start working with the financial department on creating funding plans for all the park projects not funded on the TCIP.
- D. **Fiscal Impact:** The fiscal impact of the Terrace Capital Investment Projects (TCIP) is recognized on our TCIP list with updated engineer's cost estimates and ongoing operations & maintenance costs as mentioned below:
 - Rohmer Park Pickleball Plaza – O&M costs – \$10,000.00 yearly
 - Rohmer Park Parking Lots and Entrances – O&M costs – \$1,000.00 yearly
 - Playgrounds – O&M costs – \$ 5,000.00 yearly
- E. **Department Review:** City Manager, Parks & Recreation, Public Works, and Finance.

Alternatives:

- A. **Approve the Request:** Staff recommends the approval of the Terrace Capital Investment Projects (TCIP) to enable the department to continue working with the Finance department on creating funding plans for these projects.
- B. **Deny The Request:** Denying the request will stall any project on the Terrace Capital Investment Projects (TCIP), and the Finance department will be unable to create funding plans for the TCIP.
- C. **Continue the Item/Impact:** Delaying the approval of the Terrace Capital Investment Projects (TCIP) may affect the ability of the parks and finance departments to work on any planning toward the TCIP.

PARKS TCIP

Project #	Priority	Description	Estimate
PK#01-1	H	Rohmer Park Pickleball Plaza Project - Phase 1 (FY2022/2023) - In Process	\$ 993,521.00
PK#01-2	H	Rohmer Park Pickleball Plaza Project - Phase 2 (FY2023/2024) - In Process	\$ 1,017,348.00
PK#01-7	L	Drinking water fountains at the baseball field and Pickleball Plaza (FY2023)	\$ 8,580.00
PK#00-1	L	Xeriscape Transition to eliminate bark - All Parks (Starting FY2023)	TBD
PK#01-3	H	Rohmer Park South Entrance Sidewalk, Crosswalk, and Xeriscape (FY2024/2025)	\$ 106,120.00
PK#01-13	H	Rohmer Park Baseball Parking Lot Reconstruction (FY2025)	\$ 404,875.00
PK#01-4	H	Rohmer Park Pickleball Plaza Project - Phase 3 (FY2025/FY2026)	\$ 966,575.00
PK#01-5	H	Rohmer Park Pickleball Plaza Project - Phase 4 (FY2026/FY2027)	\$ 859,080.00
PK#01-14	H	Rohmer Park Pickleball Plaza and Baseball Parking Lots Sealing Treatment (FY2026)	\$ 80,000.00
PK#01-6	H	Rohmer Park North Entrance Sidewalk, Crosswalk, Concrete Stairs, and Xeriscape (FY2026)	\$ 104,130.00
PK#01-8	L	Little Rohmer Bowery Improvements (FY2027)	TBD
PK#00-2	L	Playgrounds replacement (Rohmer/Victory/Wright Park) (Starting FY2027)	\$ 850,000.00

PK = Parks Projects || #00 = All Parks Project || #01 = Rohmer Park Project || -0 = Number of the project || H = High || L = Low

City Council Staff Report



Author: Jake Meibos

Subject: Trenchless sewer line repair

Date: February 20th, 2024

Type of Item: Discussion / Approval

Summary Recommendation: Award the contract to the selected contractor for the Trenchless sewer line repair for the total bid of \$50,764.00

Description:

- A. **Topic:** City Council approval is requested to award the Trenchless sewer line repair located on 4525 south between 300 east and 250 east.
- B. **Background:** Twin D Inc. has been contracted to video inspect approx. a fourth of the sewer main pipe throughout the city each year. Video inspections verify flow capacity, pipe material, pipe conditions and detect deficiencies. The sewer pipe on 4525 S. is showing some significant cracking that can lead to pipe failure or exfiltration.
- C. **Analysis:** The video inspection has indicated a crack in the pipe that could potentially cause structural damage or exfiltration.
Staff has determined that a Trenchless pipe repair will be the best and cost-effective approach to proactively make the repair.
A Trenchless pipe repair is a liner coated in epoxy. The lining is inserted into the existing pipe and inflated. The epoxy is cured by steam or UV lighting. Within hours, the new seal lines the walls of the old pipe. The existing sewer laterals are cut out from the inside of the pipe by a robotic tool.
- D. **Fiscal Impact:**

Project funding source

SS-32	Construction	\$50,764
	Engineering and contingency	\$5,076

Total Project cost	\$55,840
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- E. **Department Review:** City Manager, Public Works Dir., Finance and Jones & Associates

Alternatives:

- A. **Approve the Request:** Staff is requesting Council to approve SS-32 Trenchless sewer pipe repair to C&L Water Solutions and approve the total funding amount of \$55,840.
- B. **Deny The Request:** Denying the request will delay the completion of the project and may jeopardize the integrity of the sewer pipe.

The responsibility for ensuring the well-being of senior citizens requires a strategic approach that recognizes the unique needs of this demographic. In the context of Utah, this argument supports the allocation of senior services responsibilities to the county level, specifically leveraging the Division of Aging Services (DAS) to link funding to county programs. This approach emphasizes the distinct role of counties, steering away from generic "local government" terminology, and aligns with principles of efficiency, uniformity, and the utilization of specialized resources to comprehensively address financial, training, and legislative aspects essential for senior care.

I. Funding Sources:

A. Division of Aging Services Allocation:

- Utah's Division of Aging Services plays a crucial role in distributing funding for senior services at the state level.
- The DAS can allocate funds directly to county programs based on demographic needs, ensuring that resources are distributed equitably to address specific challenges faced by seniors in different regions.

B. Utilizing Statewide Grants and Initiatives:

- The state government, through the DAS, can administer statewide grants and initiatives to support county-level senior programs.
- By linking funding to the DAS, county-level entities can tap into broader financial resources, enhancing their ability to implement comprehensive and sustainable senior care initiatives.

II. Training and Professional Development:

A. Collaborative Training Programs with DAS:

- County governments can collaborate with the DAS to establish standardized training programs for senior service providers.
- By integrating with the DAS, county programs can benefit from the expertise and resources provided at the state level, ensuring a consistent and high level of professional development.

B. DAS-Managed Certification Programs:

- The DAS can oversee certification programs for senior care professionals, promoting uniformity and adherence to state standards.
- County entities can align their training efforts with DAS-managed programs, fostering an efficiently trained workforce capable of addressing the diverse needs of seniors.

III. Legislative Support:

A. DAS-Guided Legislation:

- The DAS can actively contribute to the development and advocacy of senior care legislation, ensuring uniformity in standards and practices at the county level.

- County governments can benefit from the guidance provided by the DAS, helping them navigate legislative frameworks and implement effective senior care policies.

B. Tailored Programs Based on DAS Recommendations:

- The DAS, with its statewide perspective, can provide recommendations for tailored senior care programs at the county level based on demographic trends and evolving needs.
- County governments can then adapt these recommendations to create programs that address the specific challenges faced by seniors in their jurisdictions.

Conclusion:

In conclusion, aligning senior services responsibilities with the Division of Aging Services in Utah, specifically at the county level, offers a model that links funding, training, and legislative support to county programs. This approach emphasizes the unique role of counties, ensuring that resources are efficiently utilized, training programs are standardized, and legislation is consistent, ultimately providing comprehensive and sustainable support for the senior population across the state. By embracing this approach, Utah can serve as a model for effective senior care through well-defined county-level channels in accordance with senior support legislation.



Feb 08, 2024

The City of Washington Terrace
5249 South 400 East
Washington Terrace, UT 84405

Dear Mayor Mark Allen,

Recently Weber Human Services (WHS) sent a letter to inform you that as of June 30, 2024 the existing *Interlocal Cooperation Agreement* between Weber Human Services and your city would be terminated. This termination notice was delivered to all the Cities that have similar contracts. The purpose of doing this was to review and evaluate the general funding support by Weber Human Services of senior center activities within Weber County and to initiate new, revised contracts by July 1st, 2024. This letter is to notify you that we are rescinding that termination notice while we work together to determine contract needs and conditions for new contracts going forward.

With appreciation,

A handwritten signature in blue ink, appearing to read "Kevin Eastman", is positioned above the printed name.

Kevin Eastman
Executive Director of Weber Human Services

A handwritten signature in black ink, appearing to read "Nobu Iizuka", is positioned above the printed name.

Nobu Iizuka, MS, CMC
Director of Community Services and Area Agency on Aging