



Regular City Council Meeting

Tuesday, January 5, 2016

City Hall Council Chambers

5249 South 400 East, Washington Terrace City

801-393-8681

www.washingtonterracecity.com

1. **OATH OF OFFICE: THE OATH OF OFFICE WILL BE ADMINISTERED TO NEWLEY ELECTED RE-ELECTED OFFICIALS 5:30 P.M.**

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 DECEMBER 1, 2015 MEETING MINUTES

6. **SPECIAL ORDER**

Special orders will proceed as follows: Chair introduction of item, staff/applicant presentation, questions by Council, Chair opens public hearing, citizen input; Chair closes public hearing, then Council final discussion.

6.1 PUBLIC HEARING: A PUBLIC HEARING TO HEAR COMMENT ON THE ADOPTION OF A WATER CONSERVATION PLAN

7. **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.

8. **COUNCIL/STAFF RESPONSE AND CONSIDERATION TO CITIZEN COMMENTS**

Council and staff will consider and address concerns and take appropriate measures to follow up on any comments

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 in three public places within the City of Washington Terrace City limits and sent to the *Standard Examiner* at least 24 hours prior to the meeting. Amy Rodriguez, City Recorder.

made in the citizen comments item on the agenda.

9. NEW BUSINESS

9.1 PRESENTATION/ACTION: WASHINGTON TERRACE/RIVERDALE WEBER RIVER PARKWAY TRAIL

A presentation given by the National Parks on a proposal to link Washington Terrace City with the Riverdale Trail system. Council may give direction on the proposal.

9.2 MOTION/RESOLUTION 16-01: ADOPTION OF THE WATER CONSERVATION PLAN

A Resolution adopting a city Water Conservation Plan.

9.3 MOTION/ORDINANCE 16-01: MOTION TO APPROVE ORDINANCE 16-01 AMENDING THE ZONING MAP FOR A CERTAIN PARCEL WHERE A ZONING MAP AMENDMENT APPLICATION WAS FILED.

An ordinance amending the zoning map at approximately 600 East and 5700 South from A-1 (agriculture) to R-1-6 (Residential).

9.4 MOTION: NOMINATION AND ELECTION OF MAYOR PRO TEMPE

Council may nominate and elect a mayor pro tempore to preside over meetings if the Mayor is absent, unable, or refuses to act in the capacity of mayor.

10. COUNCIL COMMUNICATION WITH STAFF

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

11. ADMINISTRATION REPORTS

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

12. UPCOMING EVENTS

January 18th : City offices closed for the Martin Luther King Jr. Holiday

January 19th: City Council meeting 6:00 p.m.

January 28th: Planning Commission Meeting 6:00 p.m.

13. MOTION: ADJOURN INTO CLOSED SESSION

- To discuss the character, professional competence, or physical or mental health of an individual.
- Strategy session to discuss pending or reasonably imminent litigation
- Discussion regarding deployment of security personnel, devices, or systems
- Strategy sessions to discuss the purchase, exchange, or lease of real property when public discussion of the transaction would disclose the appraisal or estimate value of the property under consideration or prevent the public body from completing the transaction on the best possible terms.

14. ADJOURN THE MEETING: MAYOR ALLEN

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City of Washington Terrace

Minutes of a Regular City Council meeting

Held on December 1, 2015

City Hall, 5249 South 400 East, Washington Terrace City,
County of Weber, State of

MAYOR, COUNCIL, AND STAFF MEMBERS PRESENT

Mayor Mark C. Allen

Council Member Mary Johnston

Council Member Blair Brown

Council Member Robert Jensen

Council Member Scott Monsen

Council Member Shupe

Public Works Director Steve Harris

City Treasurer Laura Gamon

City Manager Tom Hanson

City Recorder Amy Rodriguez

Lt. Jason Talbot, Weber County Sheriff Office

Others Present

Charles and Reba Allen, Scott Barker

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

2. **PLEDGE OF ALLEGIANCE**

3. **WELCOME**

4. **CONSENT ITEMS**

4.1 APPROVAL OF AGENDA

4.2 APPROVAL OF NOVEMBER 17, 2015 MEETING MINUTES AND NOVEMBER
21, 2015 COUNCIL RETREAT MINUTES

Items 4.1 and 4.2 approved by general consent.

5. **SPECIAL ORDER**

**5.1 PUBLIC HEARING: A PUBLIC HEARING TO CONSIDER POTENTIAL
PROJECTS FOR WHICH FUNDING MAY BE APPLIED UNDER THE CDBG SMALL
CITIES PROGRAM FOR PROGRAM YEAR 2016**

The Community Development Block Grant Public Hearing was opened at 6:03 p.m.

Mayor Allen opened the public hearing for the CDBG program and stated that this hearing is being called to consider potential projects for which funding may be applied under the 2016 Community Development Block Grant Program. It was explained that the grant money must be spent on projects benefiting primarily low and moderate-income persons. The Wasatch Front Regional Council, in which Washington Terrace City is a member, is expecting to receive

49 approximately \$1,000,000 in this new program year. All eligible activities that can be
50 accomplished under this program are identified in the CDBG Application Policies and Procedures
51 Manual and interested persons can review it at any time. Mayor Allen read several of the eligible
52 activities listed including examples, such as Construction of public works facilities, ie: water and
53 sewer lines, fire stations, acquisition of real property, provision of public services such as food
54 banks or homeless shelters. Also eligible are loan programs for private businesses which would
55 then hire low income persons and the program can also pay for housing rehabilitation or down
56 payment assistance for low income homeowners. Mayor Allen indicated that in the past,
57 Washington Terrace City has received 4 grants that were used for engineering, design, surveying,
58 and construction management for the 4800 South Road Reconstruction Project, construction of
59 the new fire station, the seismic upgrades to the water tank, and the Bowery and Restroom project
60 at Victory Park. The City has handed out its capital investment plan as part of the regional
61 “Consolidated Plan”. This list shows which project the city has identified as being needed in the
62 community. It was asked that anyone with questions, comments or suggestions during the hearing
63 please identify themselves by name, before they speak. The City Recorder will include your
64 names in the minutes and we would like to specifically respond to your questions and suggestions
65 during the hearing.

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67 There were no citizen comments.

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69 Hanson stated that the land acquisition for a new public works facility is of high priority for the
70 City.

71 Mayor Allen then asked if there were any other suggestions. There were no comments from
72 Council.

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74 **The hearing was adjourned at 6:07 p.m.**

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76 **6. CITIZEN COMMENTS**

77 There were no citizen comments.

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79 **7. COUNCIL/STAFF RESPONSE AND CONSIDERATION TO CITIZEN**
80 **COMMENTS**

81 Due to lack of citizen comments in item 6, item 7 is unnecessary.

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83 **8. NEW BUSINESS**

84 **8.1 PRESENTATION: RECOGNITION OF COUNCIL MEMBER MARY JOHNSTON**
85 **FOR HER SERVICE AS COUNCIL MEMBER**

86 Mayor Allen congratulated Council Member Johnston on her 12 years of service. Mayor Allen
87 presented her with a clock in recognition of her work ethic, professionalism, and contribution
88 to the City.

89 Mayor Allen stated that Council Member Johnston will be missed.

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91 **8.2 DISCUSSION/MOTION: APPROVAL OF THE CONSOLIDATED PLAN –**
92 **CAPITAL INVESTMENT PLAN PROJECT PRIORITIZATION**

93 Hanson stated that the updated 5 year plan lists the Capital Investment priorities of the City, noting that
94 the number one item is the land acquisition for the Public Works Facility.

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96 **Motion by Council Member Johnston**
97 **Seconded by Council Member Mosen**

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**To approve the consolidated plan-
Capital Investment Plan project prioritization
Approved unanimously (5-0)**

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8.3 MOTION: APPROVAL OF THE 2016 ANNUAL MEETING SCHEDULE

Rodriguez stated that the annual meeting schedule must be approved in accordance with state law. She stated that the meetings will be held every first and third Tuesday of the month, with the exception of November and December, where there will be only one meeting.

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**Motion by Council Member Shupe
Seconded by Council Member Johnston
To approve the 2016 Annual meeting schedule
Approved unanimously (5-0)**

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**8.4 DISCUSSION/DIRECTION: DISPOSITION AND POLICY OF CITY COUNCIL
ELECTRONIC DEVICES**

Hanson stated that he would like to set policy on how to cycle out electronic devices used by Council for meetings (ie. Ipad) once they leave office or need replacements. He stated that the devices need to stay current in keeping with current technology. He stated that staff suggests that new Council Members could receive new Ipad as opposed to using older devices from previous members. Council Member Johnston stated that digital devices need upgrading around every four years. Mayor Allen agreed with Hanson to upgrade devices if they are slow or not working every four years, however, he stated that if the device is working satisfactorily there would be no need to replace.

Council Member Monson agreed that there is a life span to electronics. Mayor Allen stated that the Ipad method has saved the City in time, paper, and convenience. Council Member Monsen asked about digital storage on records. Hanson stated that more training will need to be done as to electronic communication storage.

Hanson will bring back a written policy for Council approval.

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9. COUNCIL COMMUNICATION WITH STAFF

- Mayor Allen thanked Harris and the Public Works Crew who worked on Thanksgiving maintaining the roads during the icy weather.

- Council Member Johnston stated that she will miss the daily reports from the Sheriff's office

10. ADMINISTRATION REPORTS

-Hanson stated that work has begun on the Seismic upgrades to the Water Tank as well as the Victory Park Bowery.

-Hanson stated that snow removal has begun and noted that the Sheriff's Office keeps the Public Works crew informed on icy areas.

-Hanson stated that the winter parking ordinance takes effect today. Hanson stated that the officers will be writing citations starting today.

-Hanson stated that the budget season has begun and will be working with Council on budget issues.

-Hanson read a letter that was addressed to the Mayor from Milo Christensen. The letter stated that he would like an autographed photo of the Mayor.

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11. ADJOURN INTO RDA MEETING

Council Adjourned into RDA Meeting at 6:38 p.m.

12. UPCOMING EVENTS

December 7th : Washington Terrace Community Christmas Choir (to be held at the Library) 7:00 p.m. .

December 17th: Planning Commission Meeting 6:00 p.m.

December 25th: City offices closed in observance of Christmas

January 1st : City offices closed for New Year's Day

January 5th: Oath of Office for newly elected and re-elected officials 5:30 p.m.

January 5th : City Council Meeting 6:00 p.m.

13. MOTION: ADJOURN INTO CLOSED SESSION

Council adjourned into closed session to discuss:

- To discuss the character, professional competence, or physical or mental health of an individual.
- Strategy session to discuss pending or reasonably imminent litigation

Motion by Council Member Johnston

Seconded by Council Member Brown

To adjourn into closed session

Approved unanimously (5-0)

Roll Call Vote was taken

Time: 7:24 p.m.

14. ADJOURN THE MEETING: MAYOR ALLEN

Mayor Allen adjourned the closed session and regular meeting at 8:01 p.m.

Date Approved

City Recorder

**CITY OF WASHINGTON TERRACE
RESOLUTION 16-01**

UTAH SEWER MANAGEMENT PROGRAM

**A RESOLUTION OF THE CITY OF WASHINGTON TERRACE, UTAH,
ADOPTING THE 2016 SEWER SYSTEM MANAGEMENT PLAN IN
COMPLIANCE WITH RULE 317-801; AND PROVIDING AN EFFECTIVE
DATE.**

WHEREAS, the City of Washington Terrace (hereafter "City") is a municipal corporation duly organized and existing under the laws of the State of Utah;

WHEREAS, the City Council is the legislative body of the City;

WHEREAS, the Utah Department of Environmental Quality (DEQ) adopted Rule 317-801 in 2012 which requires the City to implement the Utah Sewer Management Program in accordance with state law;

WHEREAS, the Utah Department of Environmental Quality (DEQ) enforces the Utah Pollutant Discharge Elimination System (UPDES) and provides the City a permit for the same;

WHEREAS, the City Council held a public meeting on the attached Sewer System Management Plan (SSMP) prior to the adoption of the Plan;

WHEREAS, the City desires to conform to the requirements of state law and inform the Utah Water Quality Board that the City has reviewed and adopt the attached SSMP;

NOW, THEREFORE, BE IT RESOLVED by the City Council as follows:

Section 1. Review and Adoption.

The City Council hereby adopts the City of Washington Terrace Sewer System Management Plan dated _____, 2016 and incorporated herein by this reference.

Section 2. UPDES Compliance.

That to the best knowledge of the City Council, the City has taken all appropriate actions necessary to comply with Utah DEQ Rule 317-801 and comply with the UPDES Permit, as applicable to the City.

Section 3. Effective Date

This Resolution is effective immediately upon passage and approval.

PASSED AND APPROVED by the Washington Terrace City Council this ____ day of _____, 2016.

MARK C. ALLEN, Mayor

ATTEST:

AMY RODRIGUEZ, City Recorder

ROLL CALL VOTE
Council Member Johnston
Council Member Brown
Council Member Jensen
Council Member Monsen
Council Member Shupe



City Council Staff Report

Building & Planning

Author: BUILDING & PLANNING
Subject: Request for a rezone and concept site plan approval for property located at approx. 5700 South 600 East adjacent to the Stonehenge facility and South Ogden Jr. high, Developer Brad Larson.
Date: January 5, 2016

Summary Recommendation:

Consider the proposed rezone request and concept development design and approve ordinance Rezoning the designated area to R-1-6.

Description:

A. Background:

The property is located at approximately 5700 South 600 East off Adams Ave. Parkway. Mr. Larson, the developer, desires to subdivide the property for Single Family homes and is requesting the rezone and approval for the concept design.

The Development Review Team met and reviewed the request and had no major concerns, however, the original concept identified several lots that would be built adjacent to 5700 South allowing driveways to exit directly onto 5700 South. The DRT asked if the developer could redesign with no driveways to exit onto 5700 South. Attached to the ordinance is the current Concept Plan which shows no driveways exiting onto 5700 South. The developer lost one lot and will still have 27 lots available within the Subdivision.

- Zoning amendment will be to rezone from the 'A' (Agricultural) to the R-1-6 Single Family with lots of 6000 Square Feet.
- The Concept plan reflects the 27 lot subdivision being proposed showing egress and access on to 5700 South.
- The City's Engineer has reviewed the Concept Plan for compliance.
- The Fire department has reviewed the Concept Plan for compliance with the Fire code.
- The Development Review Team has reviewed Concept Plan request and has given a favorable recommendation and has allowed the developer to proceed before the Planning Commission.
- The developer has submitted his application and has paid for the application.
- This item has been advertized by public notice for a public hearing, which was held on December 17, 2015. There were no citizen comments.
- The Planning Commission recommended to approve the ordinance.

B. Department comments:

The developer will need to bring the approved subdivision plat back for the Planning Commission approval and recommendation at a later time.

Alternatives:

A. Approve the Request:

Council may approve the zoning amendment and concept plan.

B. Deny the Request:

Deny the applicants request.

C. Continue the Item:

Table the item to a later meeting, for action at that time.

**CITY OF WASHINGTON TERRACE
ORDINANCE 16-01**

ZONING MAP AMENDMENT

**AN ORDINANCE OF THE CITY OF WASHINGTON TERRACE, UTAH,
AMENDING THE ZONING MAP FOR A CERTAIN PARCEL WHERE AN
ZONING AMENDMENT APPLICATION WAS FILED; ADOPTING THE
CONCEPT PLAN; SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City of Washington Terrace (hereafter “City”) is a municipal corporation, duly organized and existing under the laws of the State of Utah;

WHEREAS, *Utah Code Annotated* §§ 10-8-84 and 10-8-60 allow municipalities in the State of Utah to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the City;

WHEREAS, Title 10, Chapter 9a, of the *Utah Code Annotated*, 1953, as amended, enables municipalities to regulate land use and development;

WHEREAS, the City finds it necessary to update its land use ordinances in order to meet the challenges presented by development and to protect public health, safety, and welfare; and,

WHEREAS, the City received an Application to amend the Zoning Map from Brad Hansen, and the proposed amendment is consistent with the General Plan;

WHEREAS, after publication of the required notice the Planning Commission held its public hearing on December 17, 2015, to take public comment on the proposed ordinance, after which the Planning Commission gave its recommendation to _____ this Ordinance;

WHEREAS, the City Council received the recommendation from the Planning Commission and held its public meeting on December 17, 2015;

NOW, THEREFORE, be it ordained by the City Council of the City of Washington Terrace as follows:

Section 1: **Repealer.** Any ordinance or portion of the municipal code inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.

Section 2: **Zoning Map Amendment.** The Official Zoning Map of the City of Washington Terrace is hereby amended for Parcel 070800116 from A-1 (Agriculture) to R-1-6 (Residential) located at approximately 600 East 5700 South. Applicant is required to bring the site into compliance with the municipal code for commercial properties and pay the associated fees for the same as part of the site plan approval.

Section 3: **Concept Plan and Reversion.** The Concept Plan for the development upon which this zoning is based is attached hereto at Exhibit “A” incorporated herein by this reference and the development shall substantially comply with the Concept Plan. In the event that

the development does not comply with the Concept Plan, or in the event that construction has not commenced on the development within eighteen (18) months, then the zoning is automatically reverted to the original zoning of A-1 (Agriculture).

Section 4: Severability. If a court of competent jurisdiction determines that any part of this ordinance is unconstitutional or invalid, then such portion of the ordinance, or specific application of the ordinance, shall be severed from the remainder, which shall continue in full force and effect.

Section 5: Effective date. This Ordinance take effect immediately upon mayoral approval and posting.

PASSED AND ADOPTED by the City Council on this ____ day of _____, 2016.

MARK C. ALLEN,
Mayor

ATTEST:

AMY RODRIGUEZ, City Recorder

RECORDED this ___ day of _____, 2016.
PUBLISHED OR POSTED this ___ day of _____, 2016.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provision of U.C.A. §10-3-713, 1953 as amended, I, the City Recorder of Washington Terrace City, hereby certify that foregoing Ordinance was duly passed and published or posted at:

1) _____ 2) _____ and 3) _____ on the above referenced dates.

AMY RODRIGUEZ, City Recorder

DATE: _____

City Council Staff Report

Author: Amy Rodriguez
Subject: Nomination and election of Mayor
Pro Tempore
Date: January 5, 2016
Type of Item: Discussion and Motion



Summary Recommendations: Council may nominate and elect a mayor pro tempore to preside over meetings if the Mayor is absent, unable, or refuses to act in the capacity of mayor.

Description:

- A. **Topic:** The Mayor is chair and presides at all meetings of the Council. If the Mayor is absent, unable, or refuses to act in the capacity of mayor, the governing body may elect a member of the governing body to preside over the meeting as Mayor Pro Tempore.

- B. **Background:** The Mayor Pro Tempore has all of the powers and duties of the Mayor during the Mayor's absence or disability. The election of the Mayor Pro Tempore must be made in an open meeting and entered into the minutes. The Council Member acting as the Mayor Pro Tempore may still vote as a Council Member, however, they cannot cast two votes if there is a tie vote.
Currently, Council Member Shupe is serving as Mayor Pro Tempore

C. **Department Review:** City Recorder

Alternatives:

- A. **Approve the Request:** Council may nominate and elect a Mayor Pro Tempore at the meeting to serve during any absence of the Mayor.

- B. **Continue the Item:** Council may choose not to elect a Mayor Pro Tempore at this time and table the item to a future meeting.