



Washington City Council
Regular Meeting Minutes
February 23, 2022

Present: Mayor Kress Staheli, Council Members Kimberly Casperson, Craig Coats, Bret Henderson, Kurt Ivie, Ben Martinsen, City Manager Jeremy Redd, City Recorder Tara Pentz, City Attorney Thad Seegmiller, Deputy Recorder Lexi Ruesch, Community Development Director Drew Ellerman, City Planner Eldon Gibb, IS Director Steven Whittikiend, Finance Director Brian Brown, City Treasurer Kerry Wheelwright, Assistant Public Works Director Lester Dalton, Police Chief Jason Williams, Fire Chief Matt Evans, Power Director Rick Hansen, Economic Development Director Rusty Hughes, Media & Systems Administrator David Woodcock, Audience: Dick Saunders, Laurie Saunders, Ed Tracey, Sherrie Tate, Kyle Little, Karen Hofheins, Krislain Wilson

Meeting commenced at 4:00 P.M.

Invocation: Secretary of the Interfaith Council, Tim Martin

Pledge of Allegiance: Officer Roberto Piedra

1. APPROVAL OF AGENDA

Council Member Ivie made a motion to approve the agenda. Council Member Martinsen seconded the motion; which passed unanimously.

2. ANNOUNCEMENTS

Mayor Kress Staheli reviewed the following announcements:

- Friday Feb 25th Streets Clean up
Employees meet at Grapevine at 7:30 to 9:30am I-15 Exit 10 to Exit 13 (UDOT)
Residents meet at Southern Parkway Exit 7 3:00 to 5:00 pm-Love Where You Live
- Saturday Feb 26 Lincoln Day Dinner
- County Fair Parade and Kickoff April 19th
- Cotton Days is April 25 through May 1st

3. REPORT OF OFFICERS FROM ASSIGNED COMMITTEES

Council Members reported on their assigned committees.

4. CITY MANAGER REPORT

City Manager Jeremy Redd updated Council on current Washington City Projects.

5. DECLARATION OF ABSTENTIONS & CONFLICTS

Council Member Craig Coats declared a conflict item 6bi and will abstain from voting on that item.

6. CONSENT AGENDA

a. **APPROVAL OF MINUTES:** Consideration to approve the minutes from the City Council Meeting of 01/26/22, 02/07/22, 02/09/22 and 02/16/22.

b. **FINAL PLAT AMENDMENT**

i. **Consideration to approve an amendment to the Final Plat for Canyon Greens Commercial Center located approximately 2303 North Coral Canyon Blvd. Applicant: Aaron Langston, SITLA**

City Planner Eldon Gibb reviewed:

The applicant is requesting approval of an Amended Final plat for the Canyon Greens Commercial Center, located at 2303 North Coral Canyon Boulevard. The reason for this amendment is to platt each individual office suite. This will allow each office space to be individually owned.

Staff has reviewed the proposed amended final plat and finds it conforms to the original PCD zoning of this development. The subdivision also remains in compliance with the Subdivision Ordinance of the City.

The Planning Commission reviewed this request on February 16, 2021 and unanimously recommended approval of the Amended Final Plat for the Canyon Greens Commercial Center, based on the following original findings and subject to the following original conditions:

Findings

1. The amended final plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the amended final plat conforms to the Washington City Zoning Ordinance and Subdivision Ordinance as outlined.

Conditions

1. All improvements shall be completed or bonded prior to recording the final plat.
2. A current title report policy shall be submitted prior to recording the final plat.
3. Any referenced control monuments related to this subdivision shall be in place prior to recordation of the final plat. A stamped and signed letter from a professional land surveyor licensed in the state of Utah that verifies that the referenced control monuments are in place shall be submitted to the Community Development Department for filing prior to plat recordation.
4. Where applicable, in the General Notes where the terms "HomeOwners Association", or "Property Owners", shall be changed to read as "Property Owners and/or HomeOwners Association".
5. That a post maintenance agreement be recorded prior to the recording of the final plat.

c. SPECIAL EVENT

- i. Consideration to approve a special event for the Washington County Fair Parade and Kick Off. Susi Lafaele and Marcia Whitney**
- ii. Consideration to approve a special event for the Wilson Electronics Company Picnic. Applicant: Mary Curtis**
- iii. Consideration to approve a special event for Cotton Days. Applicant: Washington City**

Council Member Henderson made a motion to approve the consent agenda. Council Member Martinsen seconded the motion; which passed unanimously with Council Member Coats abstaining from Item 6bi.

7. SWEARING IN CEREMONY

- a. Introduction and Swearing in of recently hired Washington City Police Officer and Animal Control Officer. Police Chief Jason Williams**

Police Chief Jason Williams introduced Kyle Little, Police Officer and Alex Piedra, Animal Control Officer. He then performed the Oath of Office.

8. YOUTH COUNCIL

- a. Presentation of Annual Report. Washington City Youth Council**

Mayor Krislain Wilson reviewed the Annual Report for the Washington City Youth Council.

9. ECONOMIC DEVELOPMENT

- a. Department introduction. Economic Development Director Rusty Hughes**

Economic Development Director Rusty Hughes gave a department introduction, and powerpoint presentation.

10. FINANCE

- a. Washington City Investment Quarterly Report. City Treasurer Kerry Wheelwright**

City Treasurer Kerry Wheelwright reviewed a report on the outside investing of Washington City discretionary funds and the revenue created by the investment of those.

- b. Washington City Financial Quarterly Report. Finance Director Brian**

Brown

Finance Director Brian Brown reviewed:

The quarterly report includes combined summaries of all the revenues and expenditures for the fiscal year 2021-2022 (FY2022) through the end of the second quarter, which is 50% of the way through the fiscal year. Below are some of the highlights from this quarter's financial activity.

Information contained in this report is unaudited. Further adjusting journal entries may be made as part of the city's year-end close and audit processes. Many of the transfers and depreciation expenses are posted at the end of the fiscal year.

The sales tax revenue collected last fiscal year was \$7.3 million. Sales tax revenue received through December 2021 is approximately 11 percent above sales tax collections from the last fiscal year during the same period. For the last ten years, the average increase per year for sales tax is around 10 percent.

We budgeted \$3.4 million for property taxes in the fiscal year 2022. We have received \$3.1 million in property tax revenues as of 12-31-21. In January 2022, we received another \$464,290 in property tax revenues. The property tax total revenue equals \$3,575,024 for the year when January's property tax collections are included.

11. MEETING SCHEDULE

a. Consideration to approve an amended annual meeting schedule for Washington City. Mayor Kress Staheli

Mayor Kress Staheli reviewed the amended annual meeting schedule with Council. It was his recommendation to hold workshop meetings from 4:00 P.M. to 5:30 P.M. on the 2nd and 4th Wednesday of each month, and regular meetings at 6:00 P.M.

Council Member Coats made a motion to approve the amended annual meeting schedule. Council Member Martinsen seconded the motion; which passed unanimously.

12. PUBLIC HEARINGS

a. Public hearing and consideration to approve a Height Waiver request HW-22-02, for a Church building, located at approximately 4251 S Medallion Drive. Applicant: Dennis Pattern

Community Development Director Drew Ellerman reviewed:

The applicant is requesting a waiver from the maximum height of buildings allowed for a structure in a Residentially zoned property. The location is located at approximately 4350 South Medallion Drive (just west of Crimson Middle and High Schools). The maximum allowable height as/per the Zoning Regulations is thirty-five feet (35'). The

applicant is seeking approval to extend the height of their proposed new church with associated steeple (steeple only will extend beyond the limit) to seventy-one feet (71') at its highest point.

Anthony Meadows stated the building will be a brick facade, and will look very similar to the display. They will be drastically scaling back the non-functional turf in order to address the water situation.

Mayor Kress Staheli opened the public hearing.

Mayor Staheli closed the public hearing.

Council Member Ivie made a motion to approve a Height Waiver request HW-22-02, for a Church building, located at approximately 4251 S Medallion Drive. Council Member Henderson seconded the motion; which passed with the following role call vote:

<i>Council Member Casperson</i>	<i>Aye</i>
<i>Council Member Coats</i>	<i>Aye</i>
<i>Council Member Henderson</i>	<i>Aye</i>
<i>Council Member Ivie</i>	<i>Aye</i>
<i>Council Member Martinsen</i>	<i>Aye</i>

13. PROPOSED ORDINANCES

a. Review of proposed Landscape Conservation Ordinance. City Attorney Thad Seegmiller

City Attorney Thad Seegmiller reviewed:

County-wide discussion on this ordinance has ensued for months. Recently the county work-group completed a draft ordinance. Washington City staff-level reviewed then produced this Washington City draft for consideration. A portion has already been reviewed. He is reviewing the portion on landscape standards today. These standards pertain to all categories of non-residential development.

Council Member Ivie clarified that the applicants would need to submit a landscape plan that designates where grass for an active recreation area would be located.

City Attorney Thad Seegmiller continued to review the ordinance.

Council Member Coats asked if we would require secondary irrigation in Commercial zones.

Lester Dalton mentioned that entire Commercial subdivisions are required to have irrigation, but not necessarily single units.

City Attorney Thad Seegmiller reviewed everything that is required to be submitted with the landscaping plan. Landscape plans will be required for Commercial as well as Residential.

Council Member Henderson asked for clarification on the residential landscape plan.

City Manager Redd confirmed that Residential would have to comply with many of the same terms that the Commercial zones would. However, they are not required to hire a licensed landscape professional.

City Attorney Thad Seegmiller stated that the applicant will have to submit something to staff in order for them to approve it.

Council Member Coats said that he feels strongly that Residential applicants should not be required to hire professional landscaped officials. People like to do their own landscaping, and they shouldn't have to hire a professional. They can provide hand-drawn plans.

City Attorney Thad Seegmiller clarified that Residential can submit an owner created plan.

Council Member Ivie asked if the City will require specific species of plants and trees, or just require the trees and shrubs to be drought tolerant.

City Attorney Thad Seegmiller stated that they just have to be from the list of approved species list. Grass size will be a little more specific.

Council Member Coats questioned whether this plan will allow for the planting of fruit trees.

City Attorney Thad Seegmiller stated that this ordinance doesn't specifically discuss fruit trees. That might need to be something that is addressed. Fruit and nut trees require more water, but also do well here.

City Manager Redd mentioned that the ordinance requires a minimum number of drought resistant trees, but does not limit having more trees. There is a limit on how much grass can be planted.

City Attorney Thad Seegmiller said that they can update the tree selection section to include fruit and nut trees.

Council Member Coats stated that he is in favor of letting citizens plant fruit and nut trees when they want them. The fruit and nut trees should be in addition to the 2 required shade trees.

Council Member Henderson stated that he feels that the fruit trees should be able to be planted in the place of the 2 fruit trees. He doesn't feel that the City should dictate so closely what individuals can do with their yards.

City Attorney Thad Seegmiller stated that they could word it that fruit trees can be planted in addition to or in place of the shade trees.

The City Attorney and Council discussed the tree versus pot sizes.

Council Member Ivie stated that he feels that this ordinance should not be overly cost prohibitive. Large trees are expensive, and all families should be able to afford to comply with the ordinance.

The Council concluded that trees in 1 gallon pots should be sufficient.

City Attorney Thad Seegmiller reviewed the general conservation standards. The City will need to create a list of invasive species of plants that will not be allowed in landscape plans. There will also be standards for pressure regulation control. There are also legal ramifications if citizens are unwilling to comply with these standards. The City will always strive to receive voluntary compliance.

Council Member Coats asked what the best method would be to promote water conservation in our community.

City Attorney Thad Seegmiller suggested increased information and education on water conservation in our community.

Mayor Staheli mentioned that the Water Conservancy District has been trying to disseminate all information to the individual Cities. This helps to disperse accurate local information.

Council Member Ivie said that he feels that education of citizens is his top choice. He feels that education is superior to fines.

City Attorney Thad Seegmiller stated that the motivation behind this is water conservation. The purpose is not to track or fine citizens, but rather conserve otherwise wasted water and use it responsibly.

The Council discussed the percentage of removal and replacement of a residential lot that would require an individual to submit a landscape plan. They conclude that individuals must submit a landscape plan if they are renovating over 75% of their total landscaping.

City Attorney Thad Seegmiller discussed the use of hot water recirculation pumps. The gallons per metric and square footage requirements can be changed or updated by the Council.

Council Member Henderson suggested that 1000 square feet might be too compact to require a recirculation pump.

Council Member Casperson questioned whether the electricity costs associated with these pumps play a part in the equation.

Council Member Ivie described an experience he has had with the recirculation pump in his home.

The Council and City Attorney discussed the best way to require recirculation pumps for the highest using populations.

Council Member Henderson stated that he would be more comfortable requiring recirculation pumps for homes over 1400 square feet.

Council Member Coats asked for examples of different amounts of grass on different properties in our community.

City Attorney Thad Seegmiller discussed the car wash standards for water conservation.

Mayor Staheli stated that the newer car washes only use 7 gallons of new water per car wash.

City Attorney Thad Seegmiller said that the self-serve car washes typically use less water. However, the ordinance does differ between self wash and auto wash. Both are required to use less than 20 gallons of new water per car.

Council Member Coats asked if there are provisions if the car wash machines go down.

City Attorney Thad Seegmiller stated that this ordinance would be the provision that would require them to either shut down or figure out how to stay under the requirement if their machinery has issues. There is currently not a City employee that checks car washes, but that could be an option in the future.

Council Member Ivie suggested that owners could also submit consumption reports.

Council Member Henderson stated that we should have a positive outlook on car washes if they are conserving water.

Council Member Coats asked to discuss the requirements for putting in a pool.

City Attorney Thad Seegmiller and the Council discussed the definitions and processes of putting in and maintaining water features and pools.

Council Member Coats stated that he feels that the City should not have such strict requirements for water consumption and pool installation.

Mayor Staheli said that pools are typically luxury items, and many people use artificial turf around their pools. Smaller pools get the same effect.

City Attorney Thad Seegmiller stated that he will bring this back to the Council with the edits to review this before he brings it forward for approval. This ordinance would take effect immediately after being approved by the Council.

Council Member Henderson said that he is interested in how this would impact our building inspection process. He doesn't want this to be a burden on owners, builders, or

City employees.

Community Development Director stated that they haven't really had a chance to plan for these new inspections. People often don't complete all of their landscaping at once. The City needs to come up with an employee that would be over just landscape inspections.

City Manager Redd stated that it could end up in Public Works with Storm Water. It will be an extra cost, but the Water Conservancy District may help out with that cost.

Council Member Henderson asked if we could just do a signed and notarized form rather than do formal inspections. This would save us money and burden. This would just work on the honor system. We don't need to make this system overly complicated. We can keep it simple.

Council Member Ivie felt that the City doesn't need to be heavy handed in this matter. He likes the idea of having a notarized form rather than formal inspections. Education and inducements tend to work better than corrective action.

Community Development Director stated that the City can do whatever is needed to get this ordinance taken care of.

Council Member Casperson stated that she has received input for this consumption to be based on water rates. She read some of the input that she has received.

City Attorney Thad Seegmiller reminded the Council that this ordinance focuses mainly on new development. The legislature should wrap up before this comes back up before the Council, so we should know if there will be any additional State requirements.

b. Review of proposed Shade Tree Ordinance. City Attorney Thad Seegmiller

City Attorney Thad Seegmiller reviewed:

The Parks Department and the City Shade Tree Board have discussed and developed this ordinance for years. Recently the Parks Department and Shade Tree Board have completed this draft replacement ordinance and recommend it for City Council consideration.

c. Review of proposed Construction Noise Ordinance. City Attorney Thad Seegmiller

City Attorney Thad Seegmiller reviewed:

Regulation of construction noise has been discussed by the City for years. Recent citizen complaints and Police Department responses commenced a renewed discussion among staff. This proposal adopts a standard and definitions that can allow the City to address and enforce noise issues that become a public concern.

Council Member Henderson stated he likes this ordinance. It is very thoughtful, especially the concrete portion.

Council Member Coats asked if it would be more appropriate to ask the Public Works Department as opposed to the City Manager.

City Manager Jeremy Redd commented they can have the Public Works Director as a designee to make these decisions as well.

City Attorney Seegmiller explained the exception needs to be in writing, so we have documentation for our Code Compliance Department.

14. CLOSED SESSION

- a. Purchase, exchange, or lease of property;**
- b. Pending or potential litigation;**
- c. Character or professional competence of an individual.**

Council Member Martinsen made a motion to move into closed session to discuss pending or potential litigation. Council Member Coats seconded the motion; which passed unanimously.

Council motion to move into closed session at 7:18 P.M.

Closed session commenced at 7:23 P.M.

15. ADJOURNMENT

Council Member Martinsen made a motion to adjourn the meeting. Council Member Coats seconded the motion; which passed unanimously.

Meeting adjourned at 7:55 P.M.

Passed and approved on the 9th day of March, 2022.

Attest by:


Tara Pentz, City Recorder



Washington City


Jeremy Staheli, Mayor