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City of Washington Terrace

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Minutes of a Regular City Council meeting Held on October 15, 2024 City Hall, 5249 South 400 East, Washington Terrace City, Utah

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MAYOR, COUNCIL, AND STAFF MEMBERS PRESENT

25 Mayor Mark C. Allen
26 Council Member Jill Christiansen
27 Council Member Zunayid Z. Zishan
28 Council Member Cheryl Parkinson – excused
29 Council Member Jeff West
30 Council Member Michael Thomas
31 General Planner Tyler Seaman
32 Code Enforcement Officer Martin Nish
33 City Recorder Amy Rodriguez
34 City Manager Tom Hanson

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Others Present

1. WORK SESSION 5:00 P.M.
Topics to include, but are not limited to:
• Urban Chicken Ordinance review

Council Member Zishan stated that he would like to review the permit fees.
Hanson stated that the ordinance version is a recommendation from the Planning Commission, and the Council can make any changes that they see fit. It does not have to go before Planning Commission again.

Mayor Allen stated that the ordinance should state that renters cannot have chickens on the rental property (17.86.030). Council Member Christiansen agreed that we want to be polite but make that clear in the ordinance.

Council discussed the license fee. Mayor Allen stated that he likes the one-time license fee of \$100.00 instead of charging a fee every year. He stated that if there are issues, applicants are subject to \$50.00 re-inspection fee. Council Member Zishan stated that he feels that there should be a few free inspections while people are getting things set up so that they can make corrections. Council Member Christiansen stated that she believes that the re-inspection fee is for inspections because there are complaints or issues. Mayor Allen stated that re-inspection isn't considered the set up inspections and review. Council Member Christiansen stated that section 17.86.050 should clarify that re-inspection should be for primarily code violations. She stated that the set up of the coop should be included in the initial application fee until it is

45 set up correctly and in compliance.
46 Hanson stated that a fee analysis will be completed before the fee is enacted.
47 Mayor Allen stated that the initial application will include periodic visits to the home to check compliance
48 with the code. Council Member West stated that periodic is subjective, stating that it should be clarified.
49 Hanson stated that periodic would be during the course of business. Council Member West stated that
50 three visits should be sufficient to have everything in compliance. Council Member Zishan stated that
51 language under application should include three free inspections and after the fourth time, that is
52 considered re-inspection. Hanson stated that there should be a fee for inspections or actions that take
53 departments out of their normal activities that they would do for all residents for one resident who would
54 like a specific thing (fire inspection, chicken inspection etc.). Council Member Zishan stated that \$100.00
55 is too much for a chicken license, stating that we only charge \$30.00 for dogs. He stated that \$100.00 to
56 apply for chickens is ridiculous. He stated that \$100.00 is way to much to track chicken licenses. Council
57 Member Christiansen stated that her concern is that there will be so many steps to the process and so many
58 costs associated, that people will say that \$100.00 is ridiculous because they have been keeping chickens
59 all this time and they will not go through the process. She is concerned that the specifics and cost of the
60 process will encourage code violations. She stated that she would like it to be a \$50.00 application fee and
61 a \$50.00 re-inspection fee. Council Member Zishan agreed, stating that there are already costs involved in
62 setting up for chickens, and the \$100.00 feels like a punishment. Council Member West stated that it can't
63 seem like a punishment, noting that there are costs involved and \$50.00 seems right to him. He stated that
64 they should only be entitled to one additional inspection instead of three. He stated that the language
65 should stipulate that the application fee includes initial inspection and a final inspection, up to three. Then
66 anything after will be considered a re-inspection.

67
68 Council Member Zishan stated that the site plan needs to be simplified. He suggested crossing out all of
69 Section H. Council Member Christiansen stated that she feels section D. is also not necessary. She
70 suggests combining D and E to show all existing sidewalks.

71
72 Council Member Zishan questioned if we need the dimensions of existing structures such as sheds and
73 other structures. Council Member Thomas stated that it helps the Code Enforcement officer know where
74 he will be looking when he comes to inspect the yard.

75 Council Member Zishan asked for clarifying language concerning what is to be shown in the site plan
76 (coop and run).

77
78 Council discussed lot sizes. Council Member Christiansen suggested a "window" of 4000-7,999 sq. feet lot
79 sizes can have three hens. Council Member West stated that we have done a lot of research on the number
80 of hens that should be allowed. He stated that there has been a lot of time (multiple times) researching the
81 appropriate number of hens allowed. He stated that the research showed that the minimum square foot
82 should be 10,000 sq feet lots. He stated that Council agreed that we could probably go to 8,000 sq. feet. He
83 stated that the Agricultural School at Utah University stated that the 10,000 sq. ft lot size is what is
84 required. Council Member West stated that Riverdale requires 20,000 lot sizes. He does not understand
85 where we are getting low numbers for lot sizes and why we think we know better than the other cities and
86 experts. He stated that some other cities have new ordinances and may not know what they are dealing
87 with as of yet. Council Member West suggested looking at city ordinances that have allowed chickens for
88 many years under certain circumstances and have remained in place and seem to be working.
89 Council Member Christiansen stated that we have very small lot sizes here and would love to allow for
90 ~~4,000, but we should allow for people in 6,000 sq ft. lots to have chickens. She stated that it may take up a~~

91 lot of the backyard space, but we should allow it.
92 Council Member Zishan stated that as long as someone is following all of the code and following the lot
93 line guidelines, he doesn't care how big the yard is. Council Member West stated that there is value in
94 listening to all of the citizens, as there are many who do not want them in the city or next to them. He
95 stated that residents were at Council meeting two weeks ago and were told by many that they do not want
96 chickens or the things that they bring with them in the city. He asked when does their voice be heard.
97 Council Member Christiansen stated that she feels very confident that the code allows for their voice to be
98 heard. She stated that neighbors are being taken into consideration, even more than property owners.
99 Council Member West stated that if we are going to pass an ordinance, we need to be able to enforce it. He
100 stated that if we allow something crazy and someone angles the coop a certain way to make it fit, that is a
101 code violation waiting to happen.
102 Mayor Allen stated that the limit for the number of hens allowed in the past has always been 2 and that
103 didn't pass. Council Member Zishan asked if we should limit the number of chickens to two. Council
104 Member West stated that it comes down to the space needed to humanely raise the chickens.
105 Mayor Allen stated that the maximum chicken coop and run enclosure allowed is 150 sq. feet. He stated
106 that since the chicken space is the same for everyone, we should only allow 2 chickens for everyone,
107 regardless of the lot size. Council Member Christiansen stated that the more chickens you have, the bigger
108 coop you will need. She stated that every chicken should have 3 feet of space inside the coop for it to be
109 humane. She stated that for every chicken there needs to be 5 square feet of outdoor space. Mayor Allen
110 stated that if the maximum is 150 sq. feet for the coop, then it is the same amount of chicken area, and
111 questioned why some could have more chickens than others since the space is the same.
112 Council Member Zishan stated that we do not need to include the chicken run in the requirements. He
113 stated that we shouldn't include the run because chickens can run within five feet of the border. Mayor
114 Allen stated that he thinks that it should be 2 chickens for the entire city because the entire city could have
115 a 150 ft coop and run if they are able to fit it in their yard. Council Member Thomas stated that the Mayor
116 is saying that if you can allow 6 chickens in a 150 ft coop, then why can't you have 6 chickens if you can
117 fit in the 150 ft coop and run in your yard. Council Member Zishan stated that it was decided that if you
118 have a larger yard that you can have more chickens, because smaller lots are closer to the border.
119 Council Member Christiansen stated that the two do not necessarily have to go together, noting that we can
120 have the 150 feet coop if you can fit it in, but someone can choose to have a smaller coop to humanely fit
121 in less chickens.
122 Council Member Christiansen stated that we do not need to take the 150 sq. feet coop into consideration
123 for the number of chickens allowed, this should be determined by the lot size. She stated that there are no
124 minimum number of chickens. Mayor Allen asked why are we saying that a 10,000 foot lot can have 6 and
125 a 6,000 foot lot can only have 2, noting that everyone should only be allowed 2 chickens if they fit within
126 the 150 sq. ft coop, noting it's not fair that some people can have more chickens just because their lot is
127 bigger if they can fit the 150 sq. ft coop and run into their yard. Council Member Christiansen suggested
128 taking into consideration not just size, but output, noting that we wouldn't have the same amount of output
129 from two chickens that we would from 6 chickens. She stated 6 chickens would not affect the neighbors as
130 much on a larger lot because they are farther away, noting that 6 would affect the neighbors much more on
131 a smaller lot like hers in greater likelihood.
132 Council agreed that there should be a change from 3 chickens allowed to 2 chickens in 6,000 sq. ft lot.
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135 Suggested changes:

136 ~~17.86.030: Language stating that rental units cannot have chickens.~~

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17.86.030 (1.) Fee includes up to three free inspections and after the fourth time, it is considered re-inspection.

\$100.00 fee changed to \$50.00. Language should include initial inspection and final inspection, no more than three visits to the home for inspection. After three visits, it will be considered a re-inspection and will be treated accordingly.

17.86.050: Clarifying language that “re-inspection” should be for code violations or complaints. Not for the setup of coop. Clarify that re-inspection is after the initial (up tp) 3 inspections.

17.86.030 (5.) Simplify site plan requirements by taking out all of section H. Simplify site plan requirements by taking out all of section D and combining it with E. to just show all existing public streets and sidewalks.

Clarify that the location of the coop and run are to be shown in the site plan.

Change to the amount of chickens allowed on the 6,000 sq ft from 3 to 2 chickens.

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MAYOR, COUNCIL, AND STAFF MEMBERS PRESENT

Mayor Mark C. Allen
Council Member Jill Christiansen
Council Member Zunayid Z. Zishan
Council Member Cheryl Parkinson – arrived 6:45 p.m.
Council Member Jeff West
Council Member Michael Thomas
Finance Director Shari’ Garrett
Fire Chief Clay Peterson
Storm Water Manager/GIS Tanon Mathews
City Recorder Amy Rodriguez
City Manager Tom Hanson
Weber County Sheriff Lt. Garth Cowley

2. ROLL CALL 6:00 P.M.

3. PLEDGE OF ALLEGIANCE

4. WELCOME

5. CONSENT ITEMS

5.1 APPROVAL OF AGENDA AND OCTOBER 1, 2024, COUNCIL MEETING MINUTES

Item 5.1 was approved by general consent.

6. SPECIAL ORDER

6.1 PUBLIC HEARING: AMENDMENT TO FISCAL YEAR 2024-2025 BUDGET

Garrett stated that the first budget adjustment of the year includes rolling over of unexpended funds from the previous year. It generally applies to capital projects and not property. She stated that capital is appropriated based on the capital investment and projects because they may expand over several years. She stated that property costs are encumbered based on the fiscal year operating cost. Garrett stated that the rolling over effect can happen with projects that are happening now and span over several fiscal years. Garrett stated that another reason for the rolling over effect is that we may be accumulating funds for a future capital project. She stated that the proposal for the amendment is to note the rolling over of funds for capital projects. Garrett stated that the worksheet attached shows the unexpended amounts from last fiscal year and how it has been incorporated into this year’s budget.

Mayor Allen opened the public hearing at 6:05 p.m.

There were no citizen comments.

228 Mayor Allen closed the public hearing at 6:06 p.m.

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230 7. **CITIZEN COMMENTS**

231 There were no citizen comments.

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233 8. **NEW BUSINESS**

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235 **8.1 MOTION/RESOLUTION 24-15: APPROVAL OF RESOLUTION AMENDING THE**

236 **FISCAL 2024-2025 BUDGET**

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**8.2 MOTION/ORDINANCE 24-09: APPROVAL OF ORDINANCE TO AMEND
WASHINGTON TERRACE CITY MUNICIPAL CODE SECTION 19.01.130 TO
COMPLY WITH STATE LAW RELATING TO STORM WATER REGULATIONS**

Mathews stated that the ordinance is necessary to comply with House Bill 507. Mathews stated that it sets statewide legislation on how municipalities across the board interact with construction site storm water. He stated that the change makes the enforcement of storm water on construction sites uniform throughout the state. Mathews stated that the revision is tied to the state code change. He stated that it is anticipated that there will be additions to the state code in the next session and we will be tied to the legislation without having to amend our municipal code again in the future.

**Motion by Council Member West
Seconded by Council Member Thomas
To approve Ordinance 24-09
To amend Storm Water Ordinance for
State Code Compliance
Approved unanimously (4-0)
Roll Call Vote**

8.3 PRESENTATION: FIRE DEPARTMENT QUARTERLY REPORT

Chief Peterson presented the report to Council, stating that the Rohmer Park fire issue has been cleared up and taken care of. He stated that Weber County has been working on a Pre-Disaster Mitigation Plan, in which the city has played a big part. He stated that we have submitted our report to the County for approval. Chief Peterson stated that we have been getting staff up to date ICS training as part of our Emergency Preparedness training.

Chief Peterson stated that he is anticipating a 5 percent increase in the number of calls for this year if we stay on trending.

Chief Peterson stated that the new fire truck is in state and stickered. He stated that they are making a few adjustments to the vehicle, and it should be in city by Friday.

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8.4 PRESENTATION: ANIMAL CONTROL QUARTLERY REPORT

The South Ogden Animal Control Officer reported that it has been a fairly quiet quarter. She stated that dog licenses are \$12 for a fixed dog, and \$25 for those that are not. Mayor Allen would like to know the total percentage of dogs that are licensed within the city. Council Member Christiansen stated that a resident contacted her that there is a wooden fence along the sidewalk that is bulging because dogs are pushing against it and asked what the process is to report this case. She was told that until the dog breaks through the fence, it is not against the law and there is not much she can do. The Officer recommends that people carry mace or a walking stick if they believe there is a threat.

8.5 PRESENTATION: SHERIFF OFFICE QUARTERLY REPORT

Weber County Lt. Crowley presented to Council, stating that school started in August. He stated that they are promoting the “phones down, eyes up” crosswalk safety. Lt. Crowley stated that calls for service are within the normal range. Lt. Crowley highlighted a few recent cases for Council. He stated that the port-a- john case was a group effort, noting that the video was significant in solving the case.

8.6 DISCUSSION/MOTION: ADOPTION OF STATEMENT OF CIVILITY

Mayor Allen stated that in light of recent election decorum events, he approached Hanson to put together a reminder that we are all trying to work through things together and elect officials that will work together to make it a better city and country. Hanson stated that the ULCT started work with the dignity index. Hanson stated that it is great information and has made a difference on how legislatures communicate with each other on the Hill. He stated that he put together a statement to encourage communication that isn’t aggressive or mean. He stated that we have to be firm but fair. Hanson read the statement “Washington Terrace City is committed to civility. We strive to act and speak with dignity, courtesy, and respect at all times. All are asked to join us, and act and speak accordingly.” Hanson stated that there is a component in the statement that some people may use as a verbal weapon. He stated that some people may use it as a way to antagonize staff. Hanson stated that for those circumstances, it can just be a reminder to staff. Hanson stated that there needs to be respect and dignity in our speech at all times. Hanson stated that we expect staff to be professional. Hanson stated that the phrase will appear on the citizen comments section on the agenda. Mayor Allen stated that we are very fortunate that we have great people in our community. He stated that he is grateful that our citizens can act civil. Mayor Allen stated that we should be able to think about this if we are confronted. He noted that the thick glass up front is there for a reason, as there have been issues in the past. He stated that he loves the idea of the statement.

**Motion by Council Member West
Seconded by Council Member Thomas
To adopt the Civility Statement and all points listed
Approved unanimously (5-0)**

9. COUNCIL COMMUNICATION WITH STAFF

320 Council Member Christiansen stated that a resident reached out to her about the “My Hometown Ogden”
321 program and asked if we were able to do anything like that here. She stated that the program helps clean up
322 the city and educates residents. She asked if this was a program that we would be able to support. Council
323 Member West stated that he has spoken with the regional director of the program and was told that they
324 were not ready to expand the program beyond the communities in which they are already involved. He
325 stated that he likes the idea, but is not sure if they would be able to be considered an extension of the
326 Ogden group.

327
328 Council Member Zishan asked for an update on the billing on utilities which was discussed last meeting.
329 Hanson stated that water is billed (after the minimum of 4,000 gallons) per gallon. He stated that the
330 different rate structure will be billed per gallon for the amount over the 4,000 base.

331
332 Council Member Parkinson asked how the Everbridge will be sent out so that the community could be
333 signed up as well. She also stated that she would like to be involved in a city Youth Council if one is
334 created. Hanson stated that Everbridge program was posted on facebook this week. He stated that the link
335 to Everbridge will be on our website. Hanson stated that the benefits of the program will be in an article in
336 the newsletter, along with the QR code. Hanson stated that he would like to link Everbridge with Amy at
337 the United Methodist Church, as well as the stakes within the city to get the word out about the program
338 and it’s importance. He stated that they will be helpful in communicating with the community. Hanson
339 explained that Everbridge will give emergency information through the county to the people who have
340 signed up for notifications. He stated that life safety events will be dispatched to everyone within an area
341 who has a cell phone whether they are signed up for notifications or not. Hanson stated that the
342 Washington Terrace Everbridge has four options on information that will be sent out to residents.
343 Residents may choose what type of events that they would like information to be received.

344
345 Council Member West asked on an update on the cost on the free wi-fi in city parks. Hanson did not have
346 the numbers available.

347
348 Council Member Thomas stated that he has been asked by residents if there was any way the city could
349 help with trash bags or donuts for those who come to help clean up the streets before the heavy rain and
350 snow, part of a clean up before the sweepers come. Hanson stated that he doesn’t see a problem with
351 helping out at all.

352
353 Council Member Thomas stated that he met with the Youth County Coalition and they feel that there is a
354 county wide problem with vapes, cigarettes, and alcohol are becoming common amongst their peers and
355 would like help on finding ways to fix that on a county level and city level. He stated that he has begun
356 talking with the Communities that Care Program on ways to help.

357
358 Mayor Allen stated that everyone can sign up for the Everbridge notification program. Hanson stated that
359 he received training on the program and will encourage people to sign up. Mayor Allen stated that the
360 parking lot at Rohmer has the fence and asphalt completed. Hanson stated that the slurry should be later
361 this week. Mayor Allen reminded Hanson that there will be a tournament this weekend.
362 Mayor Allen stated that Grava has ordered six new benches for Rohmer Park South. He stated that the
363 Lion’s Club has already paid for the benches and they should be installed when delivered. He stated that
364 Public Works will place the concrete pads. Hanson stated that the Lion’s Club donated \$6,000 for the
365 benches. Hanson stated that the Club has done many things for the citizens of the city through their

366 donations.

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368 **10. ADMINISTRATION REPORTS**

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370 Hanson stated that we will be working with the Blue Company on the rustic playground and sunshades
371 for phase three of the Rohmer Parks Plan. Hanson stated that we will need to get the vision and
372 construction documents for phase 3 and 4. Hanson stated that the documents will come before Council
373 at the next meeting. Hanson stated that the Blue Company have done a lot of work with the type of rustic
374 park that we are looking to install. They will also work on the Dog Park scheduled for phase 4.
375 Mayor Allen stated that the RAMP grant tax will be on the ballot and asked people to consider how they
376 may vote on the topic.

377

378 Hanson stated that he has been working with the county on sheltering fees, noting that they are a no kill
379 Facility. Hanson stated that it takes a higher level of staffing and noted that the facility is getting old.
380 Hanson stated that they are still determining their needs and will be looking for help on animal sheltering.

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382 Mayor Allen stated that he received word that we will be able to keep our Senior Center with the services
383 of the Weber County Human Services and our program will remain the same.

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386 **11. UPCOMING EVENTS**

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Nov 5th: ELECTION DAY

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

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

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Nov 22-23: City Council Retreat

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Nov 28-29: City Offices closed for Thanksgiving Holiday

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393 **12. ADJOURN THE MEETING- MAYOR ALLEN**

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**Motion by Council Member Thomas
Seconded by Council Member Parkinson
To adjourn the meeting
Approved unanimously (5-0)
Time: 7:22 p.m.**

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Date Approved

City Recorder