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City of Washington Terrace

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Minutes of a Regular City Council meeting Held on December 3, 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 - excused
27 Council Member Zunayid Z. Zishan - excused
28 Council Member Cheryl Parkinson
29 Council Member Jeff West - excused
30 Council Member Michael Thomas
31 Finance Director Shari' Garrett
32 City Treasurer Heidi Gerritsen
33 City Recorder Amy Rodriguez
34 City Manager Tom Hanson

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OTHERS PRESENT :

40 Nathaniel Corey

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1. WORK SESSION :

5:00 P.M.

Topics to include; but are not limited to:

- **ANNUNAL FINANCIAL & INDEPENDENT AUDITOR'S REPORT**

Nathaniel Corey, from the independent audit firm Christensen and Keddington, presented the City's annual comprehensive financial and independent auditor's report for fiscal year ended June 30, 2024.

Corey stated that the Council hires the auditor's to audit and report the findings of the city financial information to the Council. He stated that the findings are supplements to the Council responsibilities and duties. He stated that the findings are not absolute assurance, as that would require and audit of every financial transaction throughout the year. He stated that they offer reasonable assurance.

Corey explained the tests that were conducted for the financial report. He stated that there was one overstated financial (a duplicate health insurance payment), and it was corrected.

He stated that they test the city's internal controls. They report if they find any deficiencies or weaknesses. He stated that they did not find any during this audit.

Corey stated that controls help reduce chances of fraud. He stated that if the opportunity to commit fraud is taken away, someone would not be able to commit fraud. He stated that they did not notice any weaknesses or opportunities for fraudulent activities. He stated that most instances of fraud are detected through tips, not through the actual audit.

Corey stated that the city financial director (Shari' Garrett) is very good, as she seeks out information and

46 is great to work with.

47

48 Corey stated that they complete state compliance components based on the state auditor's
49 recommendations and regulations. He stated that governmental fees that are passed are check to make
50 sure that they are reasonable and are being charged to actual analysis information, so that residents do not
51 get overcharged in fees.

52

53 Corey stated that the Justice Court audit focuses on internal controls and fees. He stated that the court has
54 a separated audit conducted through the court oversight.

55 Corey stated that Open Meetings Act is audited to make sure that notices are posted correctly for the
56 meetings and can be extensive. Corey noted no deficiencies in the posting requirements.

57

58 Garrett stated that from year to year, there may be findings, mostly due to an oversight, but should not be
59 cause for alarm.

60

61 Corey stated that the most common finding is going over budgets. Hanson stated that we intentionally go
62 through the budget throughout the year to make sure departments are on track. Council Member
63 Parkinson stated that Garrett updates Council throughout the year, and will bring budget adjustments to
64 Council.

65 Corey stated that he and Garrett noticed that there some issues with performance bond releases, mainly
66 due to the timely request of the bonds release.

67

68 Garrett stated that she wanted to address the financials with Council. She stated that she is not prepared
69 for it tonight, and asked Council if they would like a work session in January, or they would be able to
70 come into her office in small groups. She stated that she would like to make it as timely as possible for
71 Council to understand our financial performance by year's end. She asked what format they would like
72 for her to approach. Discussion was held on a date for a work session.

73 Garrett stated that the annual report looks back and the budget looks forward.

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75 Garrett stated that the requirement for the presentation of the financial report has been met.

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MAYOR, COUNCIL, AND STAFF MEMBERS PRESENT

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

Others Present

Ulis Gardiner, Nathaniel Corey

6:00 P.M.

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. WELCOME

5. CONSENT ITEMS

5.1 APPROVAL OF AGENDA AND NOVEMBER 19, 2024, COUNCIL MEETING MINUTES AND NOVEMBER 22-23 COUNCIL RETREAT MINUTES

Item 5.1 was approved by general consent.

6. CITIZEN COMMENTS

There were no citizen comments.

7. NEW BUSINESS

7.1 PRESENTATION/DISCUSSION: INDEPENDENT AUDITOR’S REPORT

Nathaniel Corey, with the independent auditor firm of Keddington and Christiansen, reported on the annual financial audit findings to Council. A work session was held earlier in the meeting to discuss the finance report.

Corey reported a general overview of the work session. He stated that that the findings have an unmodified opinion, which is the cleanest finding to have. He stated that they tested multiple compliance components and found that the city complies. Corey stated that they did not find any weaknesses or deficiencies in the finance

7.2 MOTION: APPROVAL OF THE CITY COUNCIL ANNUAL MEETING SCHEDULE FOR 2025

Rodriguez stated that by state law the Council must adopt a meeting schedule for the upcoming year. She stated that Council meetings will be held the first and third Tuesdays of each month. There has been a

138 suggestion from staff to add a second meeting on December 16th for any issues that may come up by the
139 end of the year. Council decided not to add the second meeting at this time. Rodriguez stated that another
140 date of note is the National Freedom Day date in June. She stated that the city follows state law and
141 observes Juneteenth on the third Monday, in June, however, this past year there was confusion on the
142 observance date, as other cities and businesses observed on the actual June 19th date. Rodriguez stated that
143 if the law changes, the city will observe on the 19th.

144
145 **Motion by Council Member Parkinson**
146 **Seconded by Council Member Christiansen**
147 **To approve the City Council Annual Meeting Schedule for 2025**
148 **Approved unanimously (4-0)**
149

150
151 **7.2 MOTION: APPROVAL TO AMEND DECEMBER 2024 MEETING SCHEDULE**

152 Hanson stated that the Council will meet with newly elected legislators in our area during a work session
153 on December 17, 2024. There will be a work session beginning at 5:00 p.m.

154
155 **Motion by Council Member Christiansen**
156 **Seconded by Council Member Thomas**
157 **To amend the December meeting schedule as**
158 **discussed**
159 **Approved unanimously (4-0)**
160

161 **8. RECURRING BUSINESS**

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163 **8.1 MOTION/ORDINANCE 24-07: URBAN CHICKENS**
164

165 Mayor Allen stated that he would like the language to include anyone not coming into compliance within
166 30 days after notification to be subject to a fee. Council Member Parkinson stated that there is a section
167 that addresses non-compliance without adding a timeline.

168 Mayor Allen asked if the fee schedule would include the penalty fee up to \$750.00. Hanson stated that the
169 judge would determine the infraction fee amount, not to exceed \$750.00.

170 Council Member Parkinson stated that non-compliance fees will be taken out of our hands. Mayor Allen
171 agreed, stating that we will go through our process and violators will be sent to court and brought into
172 compliance through the court process. Hanson stated that this is consistent with what we are doing with
173 other code violations.

174 Council Member Parkinson asked if the fee schedule will state “chicken licensing”. Hanson stated that it
175 would be its own line item. Hanson stated that Council will be presented with the analysis of the fee study
176 for the actual cost of running the program. Hanson stated that Council has the discretion to charge a lower
177 amount but cannot charge a higher amount of the study findings.

178
179 Council Member Parkinson stated that she feels that 17.86.40 (6) c. is redundant, as the issue is covered in
180 6.a.ii. Hanson stated that there is redundancy in the manner that the feed is kept. Hanson stated that he sees
181 no reason to take out the redundant 6c. line.

182 Council Member Parkinson stated that Council has not addressed the issue of raising of chickens for meat.
183 She asked if it needed to be discussed. She stated that the life of chicken is around 3-7 years. Council

184 Member West stated that any chicken that dies must be removed immediately from the coop. He stated
185 that it may need to be addressed. Council Member Christiansen stated that she feels that it is addressed in
186 the section for food production. She stated that she feels that people that raise hens should have the option
187 to have the hens for this reason. Council Member West stated that there should be a reference in the
188 Family food production section stating that chickens cannot be sold to be eaten. Council Member
189 Christiansen stated that the language should reflect that owners could use the hen for personal use, but not
190 for sale. Hanson stated that it could be dangerous or unhealthy to give chicken meat away. Council
191 Member Christiansen stated that 178640 (2) can be changed to “no egg or meat sales”.

192
193 Council Member Christiansen suggested changing 17.86.40 (6).d to allow compost for personal use only
194 and not to be sold as compost . Council Member West suggested the language “For offsite disposal or
195 personal home use. No Sales Permitted”.

196
197 Council Member West stated that he feels that there is still an issue about how to fit a coop in a lot size
198 that may not accommodate the coop. His concern is that residents will read the square footage requirement
199 and believe they are in compliance, however, they may not meet all the other requirements. He questioned
200 if the square footage should be listed at all. Council Member Christiansen stated that the code enforcement
201 and application process will help those who do not read all of the ordinance. She stated that there is
202 enough of a check in the way that the ordinance is written. Council Member West stated that he feels that
203 we are taking it down to a level to which we are creating an enforcement and compliance burden
204 unnecessarily. Council Member Christiansen stated that the fee schedule can address the enforcement
205 issues. Hanson stated that if someone is brought into court for compliance it resets the reinspection fee
206 each time. Council Member Parkinson asked if the reinspection fee would be used before anyone would
207 even go through the court process. Hanson that there is a natural sequence into citing someone and getting
208 them into court to be heard, noting that cases that go through the court process are cases in which the
209 resident does not want to comply with the regulations.
210 He stated that it is the responsibility of the city to do its due diligence.

211
212 Council Member Parkinson stated that she is leery approving the ordinance without knowing what the fee
213 schedule will look like. Hanson stated that the analysis is to shed light on what the real cost is to run the
214 project. Hanson stated that the Council has complete control over what the fee would be, as long as they
215 don't go over the actual cost of providing the service. Mayor Allen stated that our code enforcement
216 officer works 20 hours a week. He stated that there may be more problems with chickens than expected,
217 and asked who residents would call. Hanson stated that he will be in talks with Animal Control to see how
218 they could be helpful in supporting the program. Hanson stated that he doesn't have any indication that
219 they may raise their rates at this time. The rate for animal control will be built into the fee analysis.
220 Hanson stated that the goal is to have the fee analysis completed by the first meeting in January.

221
222 The three changes to the ordinance discussed:
223 17.86.40 (6) d. Adding For offsite disposal or personal home use. No sales permitted.
224 17.86.40 (2) To include “No egg or meat sales”
225 17.86. 40 (6) Will take out item c.

226
227 Council Member West stated that the fees are separate from the fee schedule.
228 He questioned if the dynamic of what Council is trying to accomplish will be changed if the fee analysis
229 suggests a high fee is necessary. Council Member Christiansen stated that she feels that the vote should be

230 tabled until all of the Council can be present.
231 Council Member Christiansen stated that she still does not agree with the setback requirement of 10 feet
232 from the property line. She stated that she also thinks that the 15 feet from a residential dwelling should be
233 changed if someone does not have a heating element. She stated that she feels that the setbacks should be a
234 little softer, noting that two feet will not change the noise or smell, but will change the dynamic of the
235 property owner's yard.
236 Council Member Thomas stated that the 15- foot requirement is a fire code requirement. He stated that the
237 ordinance will cover the setback requirement if someone changes their mind and adds a heating element
238 later.
239 Council Member Christiansen stated that it will enhance the property owner's ability to have chickens if
240 the setback requirement is changed from 10 feet to 8 feet from the property line.
241 Council Member West stated that there are very vocal citizens who do not want chickens at all and if we
242 allow a neighbor to have chickens too close to their property line, then we are doing them a disservice in
243 the service of trying to help someone else on a smaller lot. He stated that he is more comfortable with the
244 10-foot setback, which he noted has been negotiated down from 20 feet. He stated that there is a reason
245 why there are setbacks, and they are in consideration of a neighbor, noting that we live in a community and
246 must meet the needs of all citizens while allowing those who want chickens to have them if they fit within
247 the ordinance of the city. He stated that 10 feet is a spot he could live with. Council Member Thomas
248 stated that negotiating down to 10 was pushing it and wants to stick with the 10-foot setback. Council
249 Member Parkinson stated that her preference is for the setback to remain as 10 feet.
250 Mayor Allen stated that we can keep the ordinance at 10 feet setback and when it comes back to Council it
251 can be discussed and voted on at that time. He stated that residents have told him that they would like
252 residents to be able to have chickens, however, they don't want it next to them.
253 Council Member Christiansen stated that there are a lot of citizens who don't mind having chickens next to
254 them, as they are the same nuisance as dogs or cats.
255

256 **Motion by Council Member Christiansen**
257 **Seconded by Council Member Thomas**
258 **To table Ordinance 24-07**
259 **Regulating Urban Chickens until**
260 **January**
261 **Approved unanimously (4-0)**
262

263 Council Member West stated that he still believes that stating the lot sizes causes problems. Mayor Allen
264 stated that the lot size will come into play once they draw the site plan to make sure that it will work on
265 their lot. Council Member West stated that the site plan needs to be reasonable and not too complex and
266 questioned if we making it complex by adding the lot size conditions. Hanson stated that he will reach out
267 to Bill to see if there is a way to draw citizen's eyes down to the setback requirement if they stop reading
268 after the section concerning lot sizes.
269 Hanson noted that the intent of the application is to have it reflect what is in the ordinance word for word,
270 noting that people will sign the application with the language of the ordinance. He stated that "I understand
271 and have read the ordinance" can be added to the application.
272 Council Member West stated that he would prefer preventing the problem than having it resolved in court
273 and having them charged \$750.00 through the court process. Council Member Christiansen stated that any
274 issues should be solved with the language on the application and review of the site plan.
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9. COUNCIL COMMUNICATION WITH STAFF

Council Member Christiansen stated that she spoke with Recreation Director Grava concerning a possible foam party at Terrace Days. She stated that a foam party has a machine that throws out bubbles. She stated that she has attended such an event and the company that ran it has strict rules. Hanson stated that Grava will check with our insurance company to see what the liability would be.

Council Member Parkinson stated that she received a call from a resident concerning a missed garbage pickup on one of the side streets. She stated that the resident called Republic Services and they responded right away. She stated that she was appreciative of the quick response from the company. Hanson noted that there may be times when they do not have a truck in the area to respond so quickly, however, they are very responsive when able.

Mayor Allen stated that Golden West Credit Union has invited the Mayor and Council to a Christmas Party next Monday. He stated that the Council must RSVP if interested. Hanson stated that the candy cane run next week will be able to be tracked via our website and facebook. Mayor Allen stated that Christmas dinner will be served at the Senior Center at 11:30 a.m. if Council would like to volunteer, as he and Council Member Parkinson did on Thanksgiving.

10. ADMINISTRATION REPORTS

Hanson thanked the Council for attending and participating at the Council retreat. Hanson stated that he met with the Housing Affordability Committee in the County. He stated that the Committee would like us to list all government owned property to see if they are available for affordable housing. Hanson stated that the State is analyzing all their property for availability. Hanson stated that we are working with GIS on mapping to identify properties, as well as assessing our ratio of affordable housing properties within the city. Hanson stated that we are doing the review and inspection of the new fire engine so that we will be able to submit a draw for the reimbursement of the grant.

11. UPCOMING EVENTS

- Dec 14th Candy Cane Run!
- Dec 17th : Council Work Session. CHANGED TO 5:00 P.M.(FINANCE) 6:00 P.M. (LEGISLATORS)
- Dec.25th Christmas Holiday- City Offices Closed
- Dec 26th: Planning Commission (tentative) 6:00 p.m.

12. ADJOURN THE MEETING- MAYOR ALLEN

**Motion by Council Member Thomas
Seconded by Council Member West
To adjourn the meeting
Approved unanimously (4-0)
Time: 7:29 p.m.**

Date Approved

City Recorder