

**WOODS CROSS CITY COUNCIL
MARCH 18, 2008**

The minutes of the Woods Cross City Council Meeting held March 18, 2008 at 6:30 P.M. in the Woods Cross City Hall located at 1555 South 800 West, Woods Cross, Utah.

CONDUCTING:

Mayor Kent Parry

COUNCIL MEMBERS PRESENT:

Mayor Kent Parry
Tamra Dayley
Jill Evans

Rick Earnshaw
Jon Hadlow
David C. Hill

STAFF PRESENT:

Alan Low, City Recorder
Gary Uresk, City Administrator
Marc Evans, Parks Supervisor

VISITORS:

Curt Huttzell
Danielle Davis
Dan Davis
Steffanie Holdstock
Paul Howard
Roger Atkin
Brayden Lott
Nicolas Bennett
Justin Strunk
Melinda Williams
Eric Ivom
Brett Kuepper

Patt Huttzell
Mady Davis
Abby Davis
Alexander Holdstock
Matt Lechtenberg
Cody Listen
Zachary Hunter
Austen Atkin
Lane Moyes
Pat Blackley
David Dewey

Athena Dayley
Trisha Davis
Josh Holdstock
Jason Bunting
Marc Evans
Jayden Knight
Eric Thueson
Eric Gridley
Kasey Boulton
LeGrande Blackley
Brian Kuepper

INVOCATION:

Rick Earnshaw

PLEDGE OF ALLEGIANCE:

Gary Uresk

The Mayor welcomed those in attendance and stated this is a regularly scheduled meeting that notice of time, place and agenda was sent to local newspapers and provided to each of the City Council members prior to the meeting.

APPROVAL OF MINUTES

The City Council reviewed the minutes of the City Council Meeting held March 4, 2008. After the review, Council Member Earnshaw motioned the minutes be approved as corrected with Council Member Evans seconding the motion and all voted for the motion through a roll call vote.

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
MARCH 18, 2008
PAGE 2**

APPROVAL OF FINANCIAL REPORT

The floor was given to the City Recorder who reviewed with the City Council the City's Financial Report for the period ending February 29, 2008. The Council reviewed the City's cash position, sales and use tax report, the transient room tax report, report of the impact fees collected for South Davis Metro Fire Agency and an executive summary of the City's funds comparing revenues and expenditures to the budget.

After the Council's review, Council Member Hadlow made a motion to approve the City's Financial Report as presented, with Council Member Earnshaw seconding the motion and all voted for the motion through a roll call vote.

APPROVAL OF CASH DISBURSEMENTS

The City Recorder reviewed the Cash Disbursements listing for tonight's meeting with the City Council. After the Council's review, Council Member Earnshaw made a motion to approve the Cash Disbursements as presented, with Council Member Hill seconding the motion and all voted for the motion through a roll call vote.

OPEN SESSION (BRIEF ITEMS)

The Mayor then opened the meeting to items from those present that were brief in nature. This would be items that would take less than two or three minutes.

There were no items for the brief open session.

OFFICER DAN DAVIS-RECOGNITION OF TWELVE YEARS OF SERVICE

The Mayor gave the floor to the City's Chief of Police who came forward and presented to the Council Officer Dan Davis, who had recently left the employment of Woods Cross City. The Police Chief reviewed the work of Officer Davis as he had spent the last twelve years with Woods Cross City and noted the excellent service he had given to the citizens of the City. He then presented a plaque of appreciation to Officer Davis for his years of service.

It turn, the Mayor and City Council expressed their appreciation to him.

CONSIDERATION TO ADOPT RESOLUTION 2008-446 A RESOLUTION APPROVING AN ALTERNATE MEMBER TO THE SOUTH DAVIS METRO FIRE AGENCY'S BOARD OF DIRECTORS

The Mayor gave the floor to the City Administrator, who outlined the following for the City Council:

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
MARCH 18, 2008
PAGE 3**

“The Interlocal Agreement establishing the South Davis Metro Fire Agency allows each of the member cities to designate an alternate member who can attend the meetings and vote in place of the permanent member if that member is absent. Given to the Council is a resolution the Mayor is recommending Council Member Dayley be appointed as the alternate member to that position.”

Following the recommendation by the Mayor that the Council appoint Council Member Dayley, the floor was given to Council Member Earnshaw who motioned the City Council adopt Resolution 2008-446, a resolution approving an alternate member to the South Davis Metro Fire Agency’s Board of Directors and that person should be Council Member Tamra Dayley. Council Member Evans seconded the motion and all voted for the motion through a roll call vote.

CONSIDERATION TO PURCHASE A UTILITY TRAILER FOR THE PUBLIC WORKS DEPARTMENT

The City Administrator continued with the floor and presented the following information from the Public Works Director concerning the purchase of a utility trailer:

“The City has received bids on a 16’ tilt deck utility trailer. They are as follows:

PJ Trailer	\$5,214.69
Byson Trailer	\$5,875.00
Walton Trailer	\$6,250.00

“The Staff recommends the purchase from PJ Trailer who is the low bidder. The Staff has looked at this trailer and feels it will meet the needs we have for this trailer and that is of quality construction.

“The funds will come from the street department equipment budget of \$5,200.00. This will put this item \$14.69 over budget.”

Following the review by the Council, the floor was given to Council Member Hadlow who motioned the City Council approve the purchase of a utility trailer from PJ Trailers in the amount of \$5,214.69. Council Member Evans seconded the motion and all voted for the motion through a roll call vote.

DISCUSSION ON CLOSING CITY PARKS FOR ORGANIZED YOUTH TEAM USAGE

The Mayor gave the floor to Council Member Evans, who placed this item on the agenda. She said she was recommending closing the parks to organized youth activities when the parks are too wet for such use. Following her introductory statement the floor was given to the City Administrator who reviewed the following with the City Council:

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
MARCH 18, 2008
PAGE 4**

“A couple of weeks ago the Parks Department closed some of the playing fields to organized team usage with a concern they would become damaged due to overuse. It was felt the fields needed some time to dry out before more intense use was allowed on them. I was contacted by the Mayor who was concerned about the closure of the parks and wanted to know the reason why. He indicated to me he would like to use one of the fields for his High School Lacrosse team practice, if possible. At that time I indicated there was concern of damage being done to the park. The Mayor at that time informed me in the evenings there was a girl’s soccer team utilizing the park and wondered how we were going to handle effective, fair enforcement of the policy. On Wednesday, March 5th, I went out and looked at the fields in question and made the determination the westernmost field was okay to play on. I discussed my thoughts with the Public Works Director, in which he concurred. The Public Works Director removed the signs restricting use from that field.

“The Public Works Director and I both feel very strongly that the parks should be open as much as possible for public usage.

“We feel the Public Works Director should have the authority to close a field when necessary to prevent significant damage to the field, but every effort should be made by the Parks Department to allow usage on the park by the public. The Public Works Director and I are open to further discussion as to what the Council feels is the appropriate actions to be taken concerning closure of playing fields to organized athletic uses.”

Following the outline by the City Administrator, the Mayor asked the Council, and those present, what would constitute organized youth groups. The answer was given it would be those who use the park weekly for more than one week for the practice of team sports. The Mayor said it would be difficult to recognize whether it was an organized group or a group that was just enjoying the use of the park.

The floor was then given to the City’s Parks Superintendant, Mr. Marc Evans who voiced his opinion that there could be liability to the City when the park becomes damaged and someone could trip and fall and hurt themselves.

The City Administrator also acknowledged the damage to the park can be costly.

The Mayor then asked how it is determined whether the park is too wet for use, for example, even May rains can cause it to be too wet or perhaps when the parks in the summertime have been watered. He said it is important the City apply its rules in a consistently non-arbitrary manner.

Council Member Earnshaw stated he felt that perhaps they could look into more adequate drainage in the park so that the grass area is not too wet from watering or rainstorms.

Council Member Dayley called to the Council’s attention those who are using the Mills Park are the organized recreation people who helped to put in some of the sod in the park, as well as,

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
MARCH 18, 2008
PAGE 5**

building the grandstand and a refreshment center at the park and they should be allowed access to the park because of their investment. She said it is important the Council not lose site of what the purpose of the parks is and that is for the use by the citizens and the people in the surrounding area.

The floor was then given to the Parks Superintendant who reviewed with the Council why the grass looks so bad early in the spring is because of the soil conditions in which the grass is planted. He said it is important to stay off of the grass to prevent damage when it is wet in the springtime.

Following the discussion, the Mayor and the Council asked the City Staff to review the matter in more detail and to come back to the City Council with their recommendations.

DISCUSSION ON PARK FEES

The floor was given to Council Member Evans, who placed this item on the agenda, she stated she felt those who were organized athletic groups should pay a fee to use the City parks so any damage that is caused can be funded from these fees to repair the parks.

The floor was given to the City Administrator who said in the past the City Council did not want to charge fees for use of the parks, they wanted the citizens to enjoy the parks and it was acknowledge that many of the residents of Woods Cross use parks that are located in other communities and do not pay a fee.

He then provided to the Council a listing of fees charged by some of the communities in the Salt Lake County area. He noted the cities in the South Davis area do not charge a fee for the use of their parks. He did note that Bountiful City does charge the Mueller Park Baseball Organization \$5,000 per season for use of the facilities and they in turn do a lot of the upkeep of the baseball diamond area.

The City Administrator recommended to the Council that perhaps they may want to consider the athletic groups placing a deposit with the City which would cover damage or any littering that was done and if they maintained the fields in good condition and pick up their litter, their deposit would be returned to them. He also recommended each organization provide the City with the Statement of Liability Insurance.

The floor was given to Council Member Hill, who said he would prefer not to see organizations charged for the use of the parks but that perhaps they could be encouraged to provide labor to help maintain the park which they use.

The floor was then given to the Parks Superintendant, who said he had noted other cities in outlying areas do charge outside organizations a fee to use their parks.

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
MARCH 18, 2008
PAGE 6**

Council Member Hill noted the problem that could come on how to enforce the fee structure and how do you tell whether it is an organized group or not to charge them a fee. He also said if Woods Cross were to begin to do this it would encourage other cities to charge non-resident fees to those who use their parks.

The floor was given to Council Member Earnshaw, who said he felt like the issue was a matter of education of those who are athletic groups who are using our parks, teaching them responsibility and the importance of cleaning up after themselves and to maintain the area where they use the park and keep it in good condition.

The Mayor then polled the Council on whether they would like to move forward with a fee structure for the use of the parks. All of the Council Members said no except Council Member Evans who said she felt like they needed to charge the non-residents to use the parks.

DISCUSSION OF UTOPIA

The Mayor gave the floor to Council Member Evans, who placed this item on the agenda. She advised the Council she had received an e-mail from City residents questioning whether QWEST was doing the infrastructure they had promised to bring internet service to all areas of the City. She wondered if UTOPIA was a better organization to handle this for the City.

The Mayor and the City Administrator reviewed with the Council the meetings they had with QWEST concerning them completing the infrastructure for internet service throughout Woods Cross City and noted they had promised during 2008 this would be completed.

There was a representative, Eric Isom, from QWEST in the audience and the Mayor called upon that representative to report. He said that QWEST is still on target to complete the infrastructure in Woods Cross City during the year 2008.

The Mayor said he would be glad to answer any emails that had been received and advised those who are questioning whether QWEST will complete the project.

The floor was given to the City Administrator who advised the Council he had discussions with those City Administrators who have UTOPIA in their Cities and that UTOPIA is focusing on completing their commitment to the Cities who had signed up in the early stages of their organization and are not taking on any new areas at this time.

The floor was then given to the QWEST representative who also said he would be glad to meet with any concerned resident and explain to them the time table for completion of the QWEST infrastructure.

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
MARCH 18, 2008
PAGE 7**

REPORT ON THE NATIONAL LEAGUE OF CITIES CONFERENCE HELD IN WASHINGTON D.C. ALSO DISCUSSION ON HDTV CHANGE OVER

The floor was given to Council Member Earnshaw who reported to the City Council on his recent attendance to the National League of Cities Conference held in Washington D.C. He advised that one of the sessions was that on February 17, 2009 analog TV signal will no longer be available to citizens in the United States and they must have televisions or a television box that would accept an HDTV signal. He went on to say that there are ways that citizens can receive funding from the government to purchase the conversion box and he pointed out brochures and requests for this are available here at the City Hall.

Another session he attended was concerning the sub-prime mortgage rate problem in the United States and how it is affecting the economy.

Next he reported on a session dealing with Block Grants for cities that become energy efficient. He said the City of Woods Cross should give consideration to how they can be more energy efficient and apply for these grants.

Other sessions he attended were on immigration, COPS grants and Safety in Our Communities. He said the conference was well worth the time to attend and there was networking done between himself and other Council Members from other cities across the United States.

This concluded his report.

MEMORIAL DAY CELEBRATION UPDATE

Council Member Earnshaw continued with the floor and advised the Council he is continuing to work on securing a keynote speaker for the Memorial Day Celebration to be held in the City. It was reported to Council Member Earnshaw by the City Administrator that the police department will be glad to do the flag ceremony again this year.

REPORT ON THE NATIONAL LEAGUE OF CITIES CONFERENCE

The floor was given to Council Member Hadlow who also attended the National League of Cities Conference in Washington D.C. He said some of the sessions he attended were transportation issues and that in the years ahead, transportation will be a major problem within the United States, within Utah and within our community as population grows and roads deteriorate. He also said those who attended from Woods Cross City were able to meet with the States Congressional delegation and enjoy discussing pertinent problems with them as they pertained to the City and State.

This concluded his report.

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
MARCH 18, 2008
PAGE 8**

OPEN SESSION

The Mayor then opened the meeting to items from those present that they would like to bring before the Council.

The floor was given to City resident Mr. David Dewy. He asked the Council if there were any plans to build a skateboard park in the City of Woods Cross. The Mayor said there were no plans to do so but the Council would be glad to look into it for those in the City who would like a skateboard park.

Mr. Dewey asked the Council if he would look into it. He noted his young son enjoys this sport and would like to have a facility located within the City.

The Mayor said they would give it consideration.

The floor was then given to a young scout who was present, Mr. Casey Boulton. He suggested that perhaps the land west of the Apple Store could be used for a location for a skateboard park and that he and his friends do enjoy the sport and would like to see a skateboard park built in Woods Cross.

The Mayor advised Scouter Boulton that the property west of the Apple Store was not owned by the City and the owner planned to develop it for something else. He said the Mayor and Council and Staff will look into the matter.

There were no other items for the open session.

REPORT FROM THE MOSQUITO ABATEMENT DISTRICT

The floor was given to Council Member Evans who represents the City on the Davis Mosquito Abatement District. She reported the following:

1. She said the grants the district has received in the past have been cut in half and so there will have to be service cutbacks by the district as they provide the control of the mosquito population in Davis County.
2. She reported that the district was going to secure property and a building at the Ogden Airport for the storage of their chemicals.
3. She said this week the district has started to go into the elementary schools and provide an education process for the students on what they can do to help prevent mosquitoes.

This concluded her report.

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
MARCH 18, 2008
PAGE 9**

REPORT FROM THE SOUTH DAVIS RECREATION DISTRICT

The Mayor reported the following as it pertains to the activities of the South Davis Recreation District where he serves as a board member representing Woods Cross City:

1. He advised the Council that they have completed the UV system installation for the swimming pool to prevent the spread of disease as the pools are used by the public.
2. He advised the Council that the final payment on the construction of the building has been made this month.
3. He said the membership renewal process is underway at the present time and they are hoping to have a high rate of those who initially signed up a year ago when the facility opened, renew their annual memberships.
4. He advised the Council that so far the recreation districts' revenues have exceeded its expenses.
5. He said there had been some complaints by those who use the facility that sometimes it is closed to family use in order that organized groups can use the facility. He said the management of the facility are doing all that they can to make sure these organizations do not interfere with the families that want to use the facility.
6. He reported that the Woods Cross City Free Night for citizens of the City will be held this Saturday from 7:00 P.M. to midnight.

This concluded his report.

REPORT FROM THE SOUTH DAVIS METRO FIRE AGENCY

The Mayor advised the City Council he was unable to attend the monthly board meeting for the South Davis Metro Fire Agency and had asked the City Administrator to attend. The City Administrator reported on the meeting as follows:

1. He said that Station 82 which is being constructed is moving ahead rapidly.
2. He said the Board reviewed a Capital Replacement Plan for all of the agencies rolling stock vehicles and equipment and as the plan is laid out that in 2012 there will be a need for a heavy expenditure to replace old and aging equipment.

This concluded his report.

MAYOR'S REPORT

The Mayor reported to the City Council on the following:

1. He said the Front Runner railroad system along the Wasatch Front will be opening in late April and there will be activities held on the opening day at each of the stations along the railway line. Woods Cross has a station and there will be an opening ceremony at the station.

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
MARCH 18, 2008
PAGE 10**

2. He asked if each City Council Member had completed their disclosure statements and filed them with the City Administrator. The disclosure statements were reviewed and those who had not turned them in said they would turn them in the near future.
3. He announced to the City Council he has placed his name in nomination for a State Legislature Senate seat for the South Davis County area and that he will be campaigning for this position over the next month. He noted Senator Dan Eastman had decided not to run for re-election.
4. He asked if one of the City Council Members could take his place at next weeks Planning Commission Meeting. It was decided Council Member Evans would be glad to attend the meeting and report back to the City Council.

This concluded his report.

CITY ADMINISTRATOR'S REPORT

The City Administrator discussed the following with the Council:

1. City Shops Update

“The Public Works Director and I are presently working on the shop relocation and are putting together a package for the acquisition of the property owned by Sem Materials. We should have all of our information together and would like to discuss this with the Council at the April 1st Council meeting.”

2. Front Runner Opening

“Front Runner is scheduled to begin operation in the middle of April. UTA would like to coordinate with us concerning opening day festivities at our station.”

3. Quiet Zone

“I have received a number of calls from residents concerning the Quiet Zone. Front Runner should be up and running about the middle of April and the Quiet Zone should be implemented about that same time.”

4. Meeting with Jim Rampton, Chief of the South Davis Metro Fire Agency

“Chief Rampton was unable to meet on the 18th but would be available to meet on April 1st.”

The Council determined they would meet with Chief Rampton at the Fire Station and they would carpool together from the City Hall at around 4:45 P.M. on April 1st.

CLOSED SESSION-PERSONNEL MATTERS

AT 8:20 P.M. Council Member Evans motioned that the City Council go into closed session to discuss personnel matters. Council Dayley seconded the motion and all voted for the motion.

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
MARCH 18, 2008
PAGE 11**

ADJOURNMENT

There being no further business before the City Council, Council Member Dayley motioned the Council adjourn the meeting at 9:25 P.M. with Council Member Evans seconding the motion and all voted for the motion through a roll call vote.

Kent Parry, Mayor

Alan T. Low, City Recorder