

**WOODS CROSS CITY COUNCIL MEETING  
NOVEMBER 18, 2008**

The minutes of the Woods Cross City Council Meeting held November 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:**

Kent Parry, Mayor	Jon Hadlow
Tamra Dayley	David C. Hill
Rick Earnshaw	Jill Evans

**STAFF PRESENT:**

Alan Low, City Recorder  
Gary Uresk, City Administrator

**VISITORS:**

Antone Clark	Al Jewell	Don Schrader
Lois Schrader	Duane Larson	Pat Blackley
LeGrande Blackley	Vicki Hinckley	

**INVOCATION:** Jon Hadlow

**PLEDGE OF ALLEGIANCE:** Rick Earnshaw

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 November 4, 2008. After the review, Council Member Earnshaw motioned the minutes be approved as written with Council Member Evans seconding the motion and all voted for motion through a roll call vote.

**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 October 31, 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.

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After the Council's review, Council Member Dayley made a motion to approve the City's Financial Report as presented, with Council Member Evans 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 Dayley made a motion to approve the Cash Disbursements as presented with Council Member Evans 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 they would like to bring before the City Council. This would be items that would take less than two or three minutes.

There was nothing from the public present and the floor was given to Council Member Dayley who expressed appreciation to the City for setting up the ability to pay her utility bill online. She said she and other citizens in the City find this convenient for paying their utility bills.

The floor was then given to Council Member Hadlow who said that Officer Chamberlain Neff, a City resident, had been recognized as Utah Highway Patrol Trooper of the Year for the state of Utah and he felt like this recognition should be published in the City's monthly newsletter and the Council agreed.

Council Member Earnshaw said some of the residents in his area had asked if it were possible to get a second recycling can. The Staff said that it can be done and whoever would like another can, should call the City offices and they would be glad to deliver a second can to their home. The cost for the second can would be the same as the first recycle can.

Council Member Hill asked if the City newsletter could have an article in it each month that would highlight businesses within the community of Woods Cross. The City Administrator noted that this had been done in the past and he would suggest it to the Staff for future newsletters.

There were no other items for the brief open session.

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**CONSIDERATION TO APPOINT MR. CHARLES PAYNE AS WOODS CROSS CITY'S REPRESENTATIVE ON THE SOUTH DAVIS SEWER DISTRICT BOARD OF DIRECTORS**

The Mayor advised the Council he had been notified by the management of the South Davis Sewer District that it was time to appoint Woods Cross City's representative to the South Davis Sewer District's Board of Directors. It was noted that Mr. Charles Payne had served in this capacity for a number of years. The Mayor said he had met with Mr. Payne and he is interested in continuing his service with the district if the City Council sees fit to appoint him.

The Mayor then recommended to the City Council they reappoint Mr. Charles Payne as the City's representative on the Board of Trustees on the South Davis Sewer District.

The floor was then given to Council Member Hadlow who motioned the City Council adopt Resolution 2008-461, a resolution appointing the Woods Cross City representative to the Board of Trustees on the South Davis Sewer Improvement District and that person should be Mr. Charles Payne. Council Member Earnshaw seconded the motion and all voted for the motion through a roll call vote.

**THE CITY COUNCIL'S CANVASSING OF THE RECENTLY HELD ELECTION CONCERNING THE SALES TAX INCREASE FOR THE RECREATIONAL AND CULTURAL FACILITIES AND ORGANIZATION (RAP TAX)**

The floor was given to the City Recorder who presented a report to the City Council concerning the recently held RAP Tax election held in Woods Cross City, showing the results of the election, district by district within the City. He noted the RAP Tax had passed by a margin of 47 votes.

The Council reviewed the report as presented by the City Recorder and found all to be in order.

The floor was then given to Council Member Evans who motioned the City Council accept the results of the recently held election for the RAP Tax as presented by the City Recorder with Council Member Earnshaw seconding the motion and all voted for the motion through a roll call vote.

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**CONSIDERATION TO ADOPT ORDINANCE #523 AN ORDINANCE IMPOSING A .10% LOCAL SALES AND USE TAX ON QUALIFYING TAXABLE TRANSACTIONS WITHIN WOODS CROSS CITY TO FUND RECREATIONAL AND CULTURAL FACILITIES AND ORGANIZATIONS (“RAP TAX”) AND ADOPTING TITLE 5, CHAPTER 22, OF THE WOODS CROSS MUNICIPAL CODE PROVIDING FOR THE IMPOSITION, COLLECTION AND DISTRIBUTION OF THE RAP TAX**

The floor was given to the City Administrator who reviewed the following with the Council:

“Given to the Council is Ordinance 523 which has been drafted by the City Attorney which implements the RAP Tax. With the voters in the recent election approving the RAP Tax, the Council is authorized to impose the tax through the ordinance, if it is the desire of the Council to do so.”

Following the review by the City Administrator, the floor was given to Council Member Hill who asked the City Council Members if they still supported the philosophy that the RAP Tax would be used for facilities and programs and recreation and arts within the boundaries of Woods Cross City and that none of the funds would be used for any facilities outside the boundaries of the City.

The Council felt that the money should stay within the City limits.

It was noted the City Council will hold a work session in the future to go over the uses of the RAP Tax for items within the City.

It was also the desire of the City Council that all funds received and all funds expended for the RAP Tax be accounted for in the City’s accounting records in a separate fund for accountability purposes.

The floor was then given to Council Member Earnshaw who motioned the City Council adopt Ordinance #523, an ordinance imposing a one tenth of one percent (0.10%) local sales and use tax on qualifying taxable transactions within Woods Cross City to fund recreational and cultural facilities and organizations (“RAP Tax”) and adopting Title 5, Chapter 22, of the Woods Cross Municipal Code providing for the imposition, collection and distribution of the RAP Tax. Council Member Hadlow seconded the motion and all voted for the motion through a roll call vote.

**OPEN SESSION**

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

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There were no items from the public present and the floor was given to Council Member Earnshaw. He asked the City Staff if there were opportunities for Boy Scout Eagle Projects along Legacy Parkway trail area. The City Administrator noted that there would be many opportunities for Eagle Projects along the Legacy Parkway trail system and he suggested any Scout that would like to have a project in that area should contact the City Staff and make arrangements.

There were no other items for the open session.

**REPORT FROM THE WASATCH INTEGRATED WASTE DISTRICT**

The floor was given to Council Member Earnshaw, who serves on the Board of Directors of the Wasatch Integrated Waste District. He reported that recently there had been a resolution passed where the citizens of Woods Cross City can now take their green waste to the Bay Area Refuse Disposal which is operated by Bountiful City at a cost of \$3.00 per load. He noted before the passing of this resolution citizens of Woods Cross City were not allowed to take any waste to the Bay Area Refuse Disposal.

He had nothing else to report at this time.

**REPORT FROM THE SOUTH DAVIS METRO FIRE AGENCY**

The Mayor, who serves on the Board of Directors of the South Davis Metro Fire Agency, reported on the agency's activities as follows:

1. At their last board meeting, the board of directors amended the formula on how to allocate the budget among the six representing governments who use the South Davis Metro Fire Agency's services. He noted the allocation will still be based on assessed evaluation but the year end assessed evaluation plus the mid-year assessed evaluation divided by two, or an average of the two numbers, would be used as the basis for determining on how much each city and the county would pay towards the budget.
2. It was noted by the Board of Directors that the assessed value for Davis County has consistently gone down and the Board of Directors did not understand why this would happen, as well as, there was some confusion as to whether Chevron Refinery was included in the counties assessment number. Commissioner Milburn who serves on the Board of Directors of the Fire Agency was asked to look into the matter and report back to the board.
3. The bond payment funding which is an annual payment by the agency for two new fire stations in the amount of \$269,000 a year, the revenue source has been lagging which is the impact fees that are collected in the cities. There will have to be a determination in the future as to how the agency will make up the deficiency.
4. He reported the new station, #82, will be opening the first part of 2009.

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5. He noted the Board of Directors had approved the agency's tentative budget for 2009 at their last meeting.

This concluded his report.

**REPORT FROM THE SOUTH DAVIS RECREATION DISTRICT**

The Mayor continued with the floor and reported on the activities of the South Davis Recreation Districts Board of Directors where he represents the City of Woods Cross.

1. He reported the tentative budget for the district for the year 2009 was discussed and it was noted because of the economic downturn in the United States that it may affect the Recreation Districts budget.
2. The Mayor was asked by Council Member Earnshaw if there had been any discussion about other facilities being built in the South Davis Recreation District's area by the Recreation District. The Mayor reported there had been no discussion.

This concluded his report.

**REPORT FROM THE DAVIS COUNTY MOSQUITO ABATEMENT DISTRICT**

The floor was given to Council Member Evans who represents the City on the Board of Directors of the Mosquito Abatement District. She reported on the last board meeting of the district as follows:

She noted at the last meeting, the Board of Directors had approved their tentative 2009 budget and that allocated in the budget was additional monies for spraying as well as, gasoline for the use in the district's vehicles.

This concluded her report.

**MAYOR'S REPORT**

The Mayor noted he had nothing to report to the City Council this evening.

**PLANNING COMMISSION REPORT**

The Mayor reported on the Planning Commission meeting held November 10<sup>th</sup>, 2008. Please see the minutes of that meeting for the details of his report.

**CITY ADMINISTRATOR'S REPORT**

The City Administrator reported the following to the City Council:

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**1. Drinking Water Source Protection Ordinance**

“After review of the requirements for implementing the ordinance we have determined we are required to hold a public hearing. I have postponed adoption of that ordinance until the December 2<sup>nd</sup> Council Meeting in order to provide ample notice for the public hearing.”

**2. Santa Around the Town & Bag the Candy**

“Just a reminder that December 6<sup>th</sup> has been designated as the date for Santa Around Town and Bag the Candy night will be Wednesday, December 3<sup>rd</sup> at 6:30 P.M.”

**3. Weber Basin Project**

“I have met with the contractor to discuss the condition of the roads associated with the Weber Basin Water Project. They have created a considerable mess in the City and the Public Works Director and I are going to require they adequately take care of it. The contractor will be cleaning up the gravel off of the roadways using a street sweeper in the next two days. In addition, the Public Works Director and I will be meeting with the contractor on a weekly basis to see that they stay on top of things.”

**ADJOURNMENT**

At 7:45 P.M. Council Member Earnshaw motioned to adjourn the City Council Meeting. Council Member Evans seconded the motion and all voted for the motion through a roll call vote.

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Kent Parry, Mayor

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Alan T. Low, City Recorder