

**WOODS CROSS CITY COUNCIL MEETING  
JULY 21, 2009**

The minutes of the Woods Cross City Council Meeting held July 21, 2009 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  
Tamra Dayley  
Rick Earnshaw

Jill Evans  
Jon Hadlow  
David C. Hill

**STAFF PRESENT:**

Alan Low, City Recorder  
Gary Uresk, City Administrator  
Tim Stephens, Community Development Director

**VISITORS:**

Pat Blackley  
LeGrande Blackley  
Paula Hill  
Barry Woodward  
Terri Locher  
Dwayne "Taylor" Roland

**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 July 7, 2009. After the review, Council Member Earnshaw motioned the minutes be approved as written with Council Member Hill seconding the motion and all voted for the motion through a roll call vote.

The City Council next reviewed the minutes of the City Council Work Meeting held May 28, 2009. After the review, Council Member Earnshaw motioned the minutes be approved as corrected by Council Member Evans with Council Member Hill seconding the motion and all voted for the motion through a roll call vote.

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The City Council then reviewed the City Council Work Meeting minutes held June, 2 2009. After the review, Council Member Earnshaw motioned the minutes be approved as written with Council Member Hill seconding the motion and all voting for the motion through a roll call vote.

**APPROVAL OF CASH DISBURSEMENTS**

The City Recorder reviewed with the City Council the Cash Disbursements listing for tonight's meeting. After the review, Council Member Hadlow motioned for approval with Council Member Earnshaw 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 would take less than two or three minutes.

There were no items from the public present and the floor was given to Council Member Hadlow. He indicated he and Council Member Earnshaw would be absent at the August 4<sup>th</sup>, City Council Meeting. Also the City Administrator would be out of town for that meeting. He suggested perhaps the City Council may want to cancel the City Council Meeting for that night.

The City Council discussed the matter and since there was going to be a quorum present they decided they would go ahead and hold a brief City Council Meeting on the night of August 4, 2009.

There were no other items for the brief open session.

**PUBLIC HEARING ON A PROPOSAL TO AMEND SECTION 12-21-112 OF THE ZONING ORDINANCE PERTAINING TO TEMPORARY USE REGULATIONS FOR CONSTRUCTION STORAGE YARDS**

The Mayor called on the Community Development Director who reviewed the following with the City Council:

“The Planning Commission has recommended an amendment to Section 112 of Chapter 21 of the Zoning Ordinance regulating temporary uses within Woods Cross. This section permits certain temporary uses within the City but is limited to such uses as sno-cone shacks, Christmas tree lots and produce stands to name a few. A few years ago we amended this chapter to prohibit used car sales or food street vendors which had caused problems for adjacent businesses and property owners. Recently, the City has dealt with several temporary construction staging yards within the City. The best known of these was the UTA staging yard at what eventually became the FrontRunner Rail Station. Presently, there has appeared another construction staging yard on 2425 South Street which is being utilized by a contractor for Rocky Mountain Power. Rocky Mountain Power is in the process of upgrading the large transmission lines that not only run

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through Woods Cross but north into southern Idaho. It is anticipated, much like the UTA staging yard, that the 2425 South site may be used for a year or more as Rocky Mountain Power's project is completed.

“As such, Staff and the Planning Commission have considered regulation of these uses, most of which may only last a few months but in the case of FrontRunner, Rocky Mountain Power and past petroleum pipeline installations, may last a year or more. The attached ordinance outlines modifications to the temporary use section of the ordinance adding construction storage yards to our list of temporary uses. The amended ordinance would limit them to 6 months; however, any temporary use, including construction staging yards, in excess of 6 months would require a conditional use application approval by the Planning Commission. In addition, Section (G) (7) lists specific standards that shall be applied to construction staging areas.

“The Planning Commission has held a Public Hearing regarding this matter and has recommended to the City Council the attached ordinance be adopted.”

After the review by the Community Development Director, the floor was given to Council Member Dayley who expressed concern that vegetable stands could be located at every corner and become a nuisance in the City.

The Mayor noted competition would eliminate too many stands located throughout the City.

The Mayor then opened the Public Hearing on this matter to amend the zoning ordinance as outlined above. There were no public comments and the Mayor closed the Public Hearing.

The Mayor then gave the floor to Council Member Dayley who motioned the City Council adopt Ordinance #530, an ordinance amending Section 12-21-112 of the Woods Cross Municipal Code regulating temporary uses within Woods Cross City. Council Member Hadlow seconded the motion and all voted for the motion through a roll call vote.

**CONSIDERATION TO ADOPT RESOLUTION 2009-479 A RESOLUTION DECLARING THE OFFICIAL INTENT OF THE CITY COUNCIL OF WOODS CROSS CITY, UTAH (“THE ISSUER”) TO REIMBURSE ITSELF FOR THE PROCEEDS OF BONDS FOR CERTAIN CAPTIAL EXPENDITURES ADVANCED BY THE ISSUER FOR THE CONSTRUCTION OF A NEW PUBLIC WORKS BUILDING AND CITY FACILITIES AND RELATED IMPROVEMENTS**

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

“Given to the City Council is a resolution that allows the City Council to reimburse itself for the purchase of the shop property if the decision is made to bond for the shop improvements. In the future as we discuss the financing of the shop property, I would like the City to have the ability

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to reimburse itself for purchase of the property. Adoption of this resolution does not mean that we have to reimburse the City through bond proceeds for the property, the reason for doing this is to free up funds if we want to use them for other purposes. I feel this is important to keep our funds flexible so we can use them for other things if necessary.

“I recommend adoption of the resolution as drafted.”

Following the outline by the City Administrator, the Mayor gave the floor to Council Member Earnshaw who motioned the City Council adopt Resolution 2009-479, a resolution of declaration of official intent of the City Council for Woods Cross City, Utah (“the issuer”) to reimburse itself from the proceeds of the bonds for certain capital expenditures advanced by the issuer for the construction of a new public works building and City facilities and related improvements. Council Member Evans seconded the motion and all voted for the motion through a roll call vote.

**CONSIDERATION TO ADOPT A RESOLUTION IN SUPPORT OF ECODRIVINGUSA**

The floor was given to the City Administrator who stated Council Member Dayley had submitted the following resolution for consideration by the City Council to adopt.

A Resolution in Support of EcoDrivingUSA

**WHEREAS**, The U.S. is facing an unprecedented energy crisis; and

**WHEREAS**, the financial cost of powering our homes and automobiles are rising with no end in sight; and

**WHEREAS**, the automobile industry has launched a program called EcoDriving USA, a nationwide effort to save consumers money at the gas pump, reduce fuel use and cut carbon dioxide (CO<sub>2</sub>) emissions; and

**WHEREAS**, By following EcoDriving’s subtle and easy-to-use practices for driving and vehicle maintenance, a typical driver can improve fuel economy by about 15 percent; and

**WHEREAS**, If everyone in Utah practice EcoDriving, we could reduce CO<sub>2</sub> emissions by 1.4 million tons annually, equivalent to the average annual emissions of 139,000 household; and

**WHEREAS**, Utah Governor Jon Huntsman became one of the first governors in the United States to endorse EcoDrivingUSA on behalf of the State of Utah;

**THEREFOR, BE IT RESOLVED**, By the City Council of Woods Cross City, State of Utah as follow:

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**THAT WOODS CROSS CITY OFFICIALLY SUPPORTS ECODRIVING USA AND CALLS ON OUR CITY RESIDENTS TO BECOME “ECODRIVERS”.**

After the City Council reviewed the resolution and its attachments, the floor was given to Council Member Hill. Council Member Hill said he would encourage all individuals to follow the precepts of this resolution but that he was opposed to the passing of it by Woods Cross City because of too much governmental interference in the lives of its citizens. He said if Woods Cross City as a City was going to adopt this resolution it should support it by seeing all of the City vehicles comply with the resolution as presented.

He went on to say he felt like individuals needed to be responsible to see after the care of planet earth and the ecosystem and it should not be dictated or mandated by regulation.

The floor was then given to Council Member Earnshaw who said he had understood the Utah State Legislature was giving consideration to giving 80 mile per hour speed limits on some of the interstate systems through the state of Utah.

The floor was given to Council Member Dayley who said it was not meant to be a mandate but is suggestions for encouraging the citizens to follow good practices to help maintain the environment. She went on to say it is also meant to assist in public awareness.

By supporting EcoDriving, we can assist the coalition of governors to raise awareness of how subtle and easy to-use driving and vehicle maintenance best practices can improve mileage by about 15 percent. Some of the ways to do this include:

- 1) Believe You Can Reduce Fuel Use and Emissions
- 2) Avoid Rapid Starts and Stops
- 3) Maintaining a constant speed in our commute increases fuel economy, because it takes much more energy to move a stopped vehicle than to keep a vehicle moving.
- 4) A steady speed often can help drivers avoid red lights, therefore keeping the car moving more efficiently.
- 5) Use Air Conditioning at Higher Speeds
- 6) Maintain an Optimum Highway Speed for Good Mileage
- 7) Use Cruise Control
- 8) Navigate to Reduce Carbon Dioxide
- 9) Avoid Idling
- 10) Buy an Automated Pass for Toll Roads (*This won't apply to any road we have in Woods Cross*).
- 11) Use the Highest Gear Possible
- 12) Drive Your Vehicle to Warm It Up
- 13) Keep Your Cool: Always roll down the windows when getting into a hot car to blow out the hot air. Try to park in the shade. And consider investing in a heat reflector or window shades to shield
- 14) Obey your Check Engine Light

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She went on to say the resolution is meant for the city to assist in public awareness not to change city ordinances and laws.

The Mayor suggested perhaps the information in the resolution could be published in the monthly newsletter plus posted on the City's website and this would act as encouragement to the citizens to be environmentally friendly with their automobiles.

Council Member Dayley was asked to get with the City Staff to see that the information was placed on the website and in the newsletter.

The floor was then given to Council Member Hadlow who then motioned this resolution be tabled with Council Member Earnshaw seconding the motion and all voted for the motion, except Council Member Dayley who abstained. The motion carried by a vote of 4-0.

**DISCUSSION ABOUT JULY 8 TOUR OF EDCU UTAH AND DAVIS COUNTY  
ECONOMIC DEVELOPMENT AND TOUR OF EXISTING TECH PARKS IN SALT  
LAKE COUNTY**

The floor was given to Council Member Dayley who reviewed with the City Council two tours she had represented the City in taking concerning economic development. One was for the Economic Development tour for Davis County and a second one in Salt Lake County. The first tour was to familiar the EDCU staff with possible development sites in Davis County. The second tour was to show the Davis County municipal legislatures and City staff of various types of successful developments. She said both tours were very worthwhile and it allowed those from the city and county officials that participated to make contacts with one another as well as developers and those who help to develop property. One of the developments spanned two cities and the developer discussed the challenges of working with Sandy and Midvale on the development. The working with two cities and two sets of ordinances is a real possibility with the Legacy interchange developments.

She reviewed the areas that were toured and how extensive they were and she brought back written information for the review by the City Council for future planning around the Legacy Interchange on 500 South.

She concluded her report by saying she was able to make good connections with land brokers as well as state legislators by participating in the two tours.

**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 item from the public present and the floor was given to Council Member Dayley. She said she felt there was a definite need for signage and crosswalks across Redwood Road at the 1500 South intersection sighting many mothers with children needing to cross the roadway now there has been housing developments on the west side of Redwood Road and access to the Legacy bike path. She recommended, as has also been recommended by the Council in the past, that a stop light be placed at the intersection of Redwood Road and 1500 South.

The City Staff advised the Council this is on the list of items to be done by UDOT but has a low priority. The Staff said they would do whatever they could to see that it is moved up by UDOT on their project list.

In addition, it was discussed perhaps the City could apply for a “safe sidewalk” grant to help develop sidewalks in this newly developed area of the City.

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

The Mayor who represents the City on the Board of Directors of the South Davis Metro Fire Agency reported on the agency’s activities.

He noted the financial report continues to meet its budget with a slight variance in the ambulance and paramedic fees being a little lower than has been anticipated so far this year.

He noted at the last meeting the board had discussed with the Fire Chief the hiring of six new full time employees by the use of federal grants which would help fund most of the cost the first year, but would diminish over the next three years and then down to zero and then after that the agency would have to pick up the cost. It was determined by the Board of Directors that because of the economic situation of the various cities’ that participate in the agency it would not be a good idea to enter into this grant at this time.

The Mayor also said he is going to try to hold a meeting with the Mayors and City Administrators from all of the participating cities and discuss the long term goals for the agency moving it towards a taxing district instead of an Interlocal Agreement.

**REPORT FROM THE SOUTH DAVIS RECREATION DISTRICT**

The Mayor continued with the floor as the representative on the Board of Directors of the South Davis Recreation District and reported on the district’s activities.

He said the district’s finances continue to do well and they have seen increased use at the facility during this year of 2009.

**REPORT FROM THE DAVIS MOSQUITO ABATEMENT DISTRICT**

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The floor was given to Council Member Evans who sits on the Board of Directors and represents the City on the Davis Mosquito Abatement District. She reported the following information to the City Council:

“ Regarding West Nile Virus: “California-25 Counties are reporting virus activity no human cases. Colorado-2 Counties no human cases. Arizona—1 human case. Utah—4 Counties reporting virus activity no human cases. 1 positive horse in San Pete. No positive pools in Davis County.

“The bike crew has already covered the county once this year. They average 27.8 miles per day and have treated 15, 000 catch basins.

“Mosquito Collection and Spray Report and Aerial Spray Contract—We sprayed heavily for a few weeks in June. 1800 acres were sprayed for larvae.

“Davis—Salt Lake Aerial Spray Authority: Plans are moving forward with the hangar and storage unit. The hold-up right now is Ogden City’s lack of utility information. They cannot find the sewer line. The latest information for utilities that has been provided is 1949. Davis-Salt Lake Authority is working with Ogden City to get it resolved.

“2009 Certified Tax Rate is .000093 it went up from .000091 because property values went down.”

**MAYOR’S REPORT**

The Mayor reported to the Council he received another call from Mr. Ed Goble, a City resident living on 800 West across from the FrontRunner train station complaining to the Mayor about the roadway in front of his home that has a slight dip and causes disturbing sound to the residents of the area. He is asking the City to level the road out so it is more tapered and does not create such noise, especially when trucks cross over it.

The City Staff said they would look into the matter.

The Mayor went on to report he had received an email from a City resident who lives in the mobile home park located on 500 South at about 1500 West complaining about speeding along 500 South. The resident who sent the email was asking if the City could somehow get the speed limit lowered along 500 South.

The Staff said they would look into the matter but that on 500 South there is a planned reconstruction to make it a 4-lane highway and other safety measures should help with the speeding problem.

The Mayor said this completed his report.



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**REPORT FROM THE PLANNING COMMISSION**

The floor was given to Council Member Hadlow who reported on the Planning Commission meeting held July 14, 2009. Please see the minutes of that meeting for the details of his report.

**REPORT FROM THE CITY ADMINISTRATOR**

The City Administrator reported the following to the Council:

**1. Meet the Candidate Night**

“Because we have 6 candidates running for the 2 open Council seats, it will be necessary to have a primary election. In the past we have held a “meet the candidate” prior to the general election, and have not held one prior to the primary election. I would like some input from the Council as to whether or not you would like to have a “meet the candidate” night prior to the primary election.”

The Council discussed “meet the candidate” night and directed the Staff to hold two “meet the candidate” meetings. One to be held on or around September 10<sup>th</sup>, as part of the primary election and one to be held on or around October 22<sup>nd</sup> prior to the general election.

The City Administrator then reported to the City Council the search for a City Prosecutor is continuing and they had decided to extend the search for a little longer period.

This concluded his report.

**CLOSED SESSION TO DISCUSS THE SALE OF REAL PROPERTY**

At 7:25 P.M. Council Member Earnshaw made a motion the City Council go into closed session for the purpose of discussing the sale of real property. Council Member Evans seconded the motion and all voted for the motion through a roll call vote.

**ADJOURNMENT**

At 7:40 P.M. Council Member Dayley 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, Recorder