

**WOODS CROSS CITY COUNCIL MEETING  
DECEMBER 2, 2008**

The minutes of the Woods Cross City Council Meeting held December 2, 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  
Tamra Dayley

Jill Evans  
David C. Hill  
Jon Hadlow

**MEMBERS EXCUSED:**

Rick Earnshaw

**STAFF PRESENT:**

Gary Uresk, City Administrator  
Alan Low, City Recorder  
Tim Stephens, Community Development Director  
Scott Anderson, Public Works Director

**VISITORS:**

Antone Clark  
LeGrande Blackley  
Melinda Williams  
Garry Preston  
Jenifer Palmer  
Taylor Bishop  
David Scott  
Leendert Van Hulten  
Alan Kearsley

Thomas Rodgers  
Don Schrader  
Vicki Hinckley  
Jann Preston  
Kyla Shepherd  
A.H. Jewell  
Jeff Davis  
Sherry Stevenson

Pat Blackley  
Lois Schrader  
D.L. Weeks  
Shyanne Preston  
Carol Larkin  
Charles Payne  
Roger Richins  
Boyd Uzelac

**INVOCATION:**

Tamra Dayley

**PLEDGE OF ALLEGIANCE:**

Kent Parry

**APPROVAL OF MINUTES**

The Council reviewed the minutes of the City Council Meeting and the Work Meeting held November 18, 2008. After the review Council Member Hill motioned the minutes for both be approved as written 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  
DECEMBER 2, 2008  
PAGE 2**

**APPROVAL OF CASH DISBURSEMENTS**

The floor was given to the City Recorder who reviewed the Cash Disbursements listing for tonight's meeting with the City Council. After the Council's review, Council Member Hadlow made a motion to approve the Cash Disbursements listing 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.

The floor was given to Mr. Thomas Rodgers who presented information to the City Council regarding the dangers of carbon monoxide poisoning in mobile homes as well as prefabricated homes. He noted that some of the prefabricated homes had been built by HUD, a governmental agency. He cautioned the City Council to be aware of this problem and do all they could to protect the citizens of Woods Cross City.

There were no other items for the brief open session.

**REPORT FROM THE WOODS CROSS CITY COMMUNITY OF PROMISE COMMITTEE**

The floor was given to Mr. Leendert Van Hulst who reported to the City Council on the activities of the Community of Promise Committee of which he is the chairman.

1. December 11<sup>th</sup> will be the Seniors Lunch Bunch at noon. The Woods Cross High School Madrigals will be performing and lunch will be provided. Seniors will also need to bring a white elephant gift.
2. December 18<sup>th</sup> will be the Book Club meeting. The book being discussed is "Grace". There will also be a book and cookie exchange.

There will not be a Community of Promise meeting held on December 25<sup>th</sup>.

Mr. Van Hulst then introduced to the City Council the Volunteer of the Month and presented a plaque in recognition to Ms. Jann Preston, who serves as assistant advisor to the City's Youth City Council. Ms. Preston came forward and accepted the award and congratulations from the City Council.

This concluded the report.

**REPORT FROM THE SOUTH DAVIS SEWER DISTRICT**

**OFFICIAL MINUTES  
WOODS CROSS CITY COUNCIL MEETING  
DECEMBER 2, 2008  
PAGE 3**

The floor was given to Mr. Charles L. Payne, the City's representative on the South Davis Sewer District Board of Directors. Mr. Payne reported the following to the City Council:

1. The budget hearing will be on 12-4-08 at 7:30 P.M. A budget of \$9,710,000 will be discussed and probably passed.
2. Last month the District approved participation with other plants such as South Valley Water, Central Valley Water, South Davis Sewer, Central Davis Sewer, and North Davis Sewer. The group will support and participate in water quality issues of the Jordan River and Great Salt Lake. This is brought on by environmental studies that could cause all of the districts to have to build new facilities at a cost of 150 million dollars.
3. A hearing on mil levies being passed by non-elected people from district boards was held in the last two weeks with the same results as before, nothing decided. Suggestions were passed on given by the Mayor. The mil levy has gone down 71.3% in the last 20 years.

This concluded his report.

The City Council expressed appreciation for his timely report.

**REPORT FROM THE WOODS CROSS YOUTH CITY COUNCIL**

The Mayor gave the floor to the Youth City Council Mayor, Mayor Palmer, and she reported to the City Council concerning the activities of the Youth City Council.

1. We had a very successful Thanksgiving Box scavenger hunt and collected money for turkeys and enough food to complete ten Thanksgiving dinner boxes. The boxes were taken to the Bountiful Food Pantry.
2. We enjoyed decorating two tables for the Woods Cross High homeless dinner.
3. The float is ready for the Clipper Christmas Light Parade on Friday at 6:00 P.M. Thanks to the City employees for their help.
4. We had a work meeting to plan the Senior Lunch Bunch Christmas gifts and Family Fun Kits for the Angel Tree families.
5. We are going shopping for fun gifts for the Family Fun Kits and will enjoy breakfast and a Christmas party.
6. We are meeting at Woods Cross Elementary on Saturday to decorate the gym for Santa's visit. Flyers have been given to the school to hand out.
7. The WXYCC Youth Conference will be on January 17<sup>th</sup> beginning at 9:00 A.M.

Following her report, the City Council expressed appreciation to Mayor Palmer and the Youth City Council as well as the advisors to the Youth City Council for the excellent service they give to the citizens of the City.

**OFFICIAL MINUTES  
WOODS CROSS CITY COUNCIL MEETING  
DECEMBER 2, 2008  
PAGE 4**

**PRESENTATION OF THE FISCAL YEAR 2008 AUDIT REPORT**

The Mayor gave the floor to the Certified Public Accountants, Mr. Roger Richins and Mr. Jeff Davis, who have recently completed the audit of the financial records for Woods Cross City for the Fiscal Year ending June 30, 2008.

Mr. Davis then reviewed with the City Council, the published audit report as well as the letters of recommendation to the City Council.

In turn, Mr. Richins presented part of the information.

Concluding their report to the City Council and finding all in order, the floor was given to Council Member Dayley who motioned the City Council accept the Fiscal Year 2008 audit report as presented by Pinnock, Robbins, Posey and Richins, Certified Public Accountants. Council Member Evans seconded the motion and all voted for the motion through a roll call vote.

**A PUBLIC HEARING TO CONSIDER THE ADOPTION OF ORDINANCE #524  
AN ORDINANCE ENACTING TITLE 9, CHAPTER 4, OF THE WOODS CROSS  
MUNICIPAL CODE REGARDING DRINKING WATER SOURCE  
PROTECTION REGULATIONS**

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

“Given to the Council is a copy of the proposed Source Protection Ordinance. This ordinance sets up a number of protection zones around each of the wells as shown on the map attached at the end of the ordinance. Restrictions are placed on the certain uses within each of those zones. The ordinance gives the Public Works Director the authority to review land use applications to determine compliance with the ordinance. The purpose of this ordinance is to put stronger restrictions and controls on uses around our wells to protect our water sources. The City Attorney has drafted this ordinance and the Public Works Director and I have spent considerable time with the City Attorney in reviewing the language and feel comfortable with what is drafted. I recommend the ordinance be adopted as drafted.”

Following the outline by the City Administrator, the floor was given to Council Member Hill. He asked the City Staff if there were businesses within the water zones outlined by the ordinance that were a concern to the City Staff.

The Staff said there were businesses that caused some concern for the water sources of the City. They said this ordinance as prepared, would protect the water system from future development in these areas as well as give the City the opportunity to work with

**OFFICIAL MINUTES  
WOODS CROSS CITY COUNCIL MEETING  
DECEMBER 2, 2008  
PAGE 5**

those businesses that are a concern to develop the best business practices to protect the City's water system.

The Mayor then asked the Staff about enforcement of the ordinance. The Staff responded by saying the best enforcement is the education of the businesses within the water zones and letting them know of their responsibilities and what good business practices they can adopt to protect the City's water system.

The floor was given to Council Member Evans who asked if there would be a time frame for the businesses to comply. The answer was no, but the City Staff, as time would allow, would work with these businesses to help develop good business practices.

The Mayor then opened the public hearing concerning the adoption of this ordinance.

The floor was given to Ms. Dixie Weeks, a City resident, who expressed appreciation to the City Council for considering the adoption of this ordinance and protecting the City's water supply. She then pointed out other governmental entities in Utah who have similar ordinances as to the one the City Council is considering tonight.

There were no other comments from the public and the Mayor closed the public hearing.

The Mayor then gave the floor to Council Member Dayley who motioned the City Council adopt Ordinance #524, an ordinance enacting Title 9, Chapter 4, of the Woods Cross Municipal Code regarding drinking water source protection regulations. Council Member Evans seconded the motion and all voted for the motion through a roll call vote.

**CONSIDERATION TO ADOPT AUTO GALLERY FINAL PLAT LOCATED AT APPROXIMATELY 1515 SOUTH 500 WEST**

The floor was given to the Community Development Director who reviewed the following with the City Council:

“Mr. Uzelac operates the Auto Gallery used car business on 500 West, adjacent to 7-11. He has leased this ground for many years from the Clark family. The property includes 7-11, Auto Gallery and the vacant property south of the Auto Gallery occupied by the cell tower.

“The Clark family has agreed to sell Mr. Uzelac the property occupied by the Auto Gallery. It will be necessary for them to subdivide the property for the sale. Attached you will find a plat dividing the property into 3 lots. Lot 1 includes the 7-11, Lot 2, the Auto Gallery and Lot 3 defines the vacant property and the cell tower south and adjacent to the Auto Gallery.

**OFFICIAL MINUTES  
WOODS CROSS CITY COUNCIL MEETING  
DECEMBER 2, 2008  
PAGE 6**

“The Planning Commission reviewed this application and held a public hearing at their last meeting on November 25, 2008. The Planning Commission recommends approval of the Auto Gallery final plat.”

Following the outline by the Community Development Director, the floor was given to Council Member Hadlow who motioned the City Council adopt the Auto Gallery final plat as presented by the City Staff. Council Member Evans seconded the motion and all voted for the motion through a roll call vote.

**CONSIDERATION TO ADOPT WOODS CROSS INDUSTRIAL PARK FINAL PLAT LOCATED AT APPROXIMATELY 1250 WEST 2200 SOUTH**

The Community Development Director continued with the floor and reviewed the following with the City Council:

“Given to the Council are several drawings outlining the final subdivision plat of the Woods Cross Industrial Park. This plat is very complicated due to a large number of easements encumbering the property. Mr. Stevenson and his engineers are in the process of getting many of these easements released or removed from the property. Some easements will remain. However, those easements that affect the buildable area of lots are required to be removed or relocated. In addition, Mr. Stevenson is attempting to meet a deadline required by the charter school for approval of the plat. As such, he has requested that the Planning Commission and Council approve the plat with the condition that the easements are resolved prior to the plat being recorded.

“Also given to the Council is a drawing highlighting the proposed landscape buffer along the north and west boundaries of the subdivision adjacent to the residential neighborhood. This buffer varies in width from 15 to 25 feet with a tree spaced every 15 feet along its entire length. Mr. Stevenson has also proposed the installation of a 6-foot vinyl fence along the length of the buffer. There will be provided a 20-foot pedestrian walkway along the south boundary from the A-1 Drain to the streets within the subdivision. A sidewalk will extend along the west side of the street from lot 1 to lot 6 for the convenience of any students attending the charter school from the adjacent neighborhood.

“The staff and City Attorney are still refining a development agreement for the City Council and Mr. Stevenson’s consideration. This should be completed for the City Council and Mr. Stevenson to review and approve.

“The Planning Commission reviewed this application and held a public hearing at their last meeting on November 25, 2008. The Planning Commission recommends approval of the Woods Cross Industrial Park final plat with the following conditions:

1. “Resolution of the easement issues with the staff and City Engineer prior to the recordation of the plat.

**OFFICIAL MINUTES  
WOODS CROSS CITY COUNCIL MEETING  
DECEMBER 2, 2008  
PAGE 7**

2. "The City and Developer enter into a development agreement for the subdivision and future development therein.
3. "The landscape buffer along lots 1 through 6 shall be completed at the beginning of the development with the other subdivision improvements. The landscaping on the north subdivision boundary along lots 5 and 6 shall require larger caliper trees on lot 6 transitioning to regular size trees throughout lot 5."

Following the review by the Community Development Director and finding all in order, the floor was given to Council Member Hill who motioned the City Council give approval to the Woods Cross Industrial Park Final Plat located at approximately 1250 West 2200 South with the conditions as outlined above by the Planning Commission and adding a fourth condition that the developer coordinate the replacement of the fencing along lot #6. Council Member Hadlow seconded the motion and all voted for the motion through a roll call vote.

**UPDATE ON THE WATER BOND PROJECTS**

The Mayor gave the floor to the Public Works Director who reviewed the following three projects with the City Council along with their progress:

1. The Redwood Road waterline from 1500 South to 500 South. He reported this waterline is completed and the waterline will be extended east up 500 South as 500 South is developed by UDOT.
2. Water Well #5 Drilling. He noted the water well drilling had started slowly with some problems but was going ahead full speed now and that the water well had been dug down to about 170 feet with anticipation of going to 380 feet.
3. New Water Storage Tank. He advised the Council the excavation of 32,000 cubic yards of earth had been completed at the new water tank site and approximately 2,000 truckloads of dirt had been hauled away. He said the sides of the water tank earthen area have now been shot-treated with concrete to hold them in place. He said the inlet had been completed in the floor of the tank and compaction tests have been completed as well.

This completed his report.

The City Council asked the City Staff to include this update in the monthly newsletter for the citizens of Woods Cross.

**CONSIDERATION TO ADOPT RESOLUTION 2008-462 A RESOLUTION  
ADOPTING THE GREAT SALT LAKE LEGACY PARKWAY SCENIC BYWAY  
CORRIDOR MANAGEMENT PLAN**

**OFFICIAL MINUTES  
WOODS CROSS CITY COUNCIL MEETING  
DECEMBER 2, 2008  
PAGE 8**

The Mayor gave the floor to the City Administrator who went over the following with the Council concerning the Great Salt Lake Legacy Parkway Scenic Byway Corridor Management Plan:

“Given to Council is a copy of the Great Salt Lake Legacy Parkway Corridor Management Plan and the resolution adopting it. The Scenic Byway Committee has been working on the Corridor Management Plan for some time in preparation for application for National Scenic Byway status for the Legacy Parkway. The plan creates a vision and plan for managing the interaction between the Parkway in a manner that protects and showcases the Great Salt Lake ecosystem. The plan includes a number of strategies and proposed projects to accomplish the goals set for the byway. However, the plan does not commit or bind the City to any financial commitments. I recommend adoption of the resolution as drafted.”

Following the information presented by the City Administrator the floor was given to Council Member Dayley who motioned the City Council adopt Resolution 2008-462, a resolution adopting the Great Salt Lake Legacy Parkway Scenic Byway Corridor Management Plan. Council Member Hill seconded the motion and all voted for the motion through a roll call vote.

**OPEN SESSION**

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

The floor was given to Mr. Don Schrader, a City resident, who asked if there was a City ordinance that required those that were walking their dogs to clean up after their dogs. The Mayor responded by saying the dogs must be on leashes but the ordinance does not require them to clean up at the present time.

The floor was then given to Council Member Dayley who asked if one or two garbage cans could be left in the City parks during the winter months so those who do use those parks during this time have a place to deposit their trash. The Staff said they would look into the matter.

There were no other items for the open session.

**MAYOR'S REPORT**

The Mayor reported to the City Council on the following:

1. He said he had attended a meeting where Senator Bennett had spoken and the Senator had indicated there is a possibility for funds for an overpass on 500 South at 800 West where the railroad tracks intersect.



**OFFICIAL MINUTES  
WOODS CROSS CITY COUNCIL MEETING  
DECEMBER 2, 2008  
PAGE 9**

2. He reported that Associated Foods Stores had been interested in locating a store along Redwood Road and were unable to find a location in North Salt Lake near Foxboro, but were interested in a location near the Legacy Parkway interchange on 500 South and Redwood Road. The Staff said they would look into the matter.

This concluded his report.

**REPORT FROM THE PLANNING COMMISSION**

The floor was given to Council Member Hill who reported on the Planning Commission Meeting held November 25, 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:

**1. Bag the Candy night**

“Just a reminder of the Bag the Candy night on Wednesday, December 3<sup>rd</sup> at 6:30 P.M.”

**2. 500 South Project**

“UDOT has put a temporary hold on the work on the 500 South project due to funding issues within UDOT. They do have sufficient federal funds tied to the project that they can move ahead with right of way acquisition, and work on the utilities. This will enable them to put in the water line on 500 South that was part of our bond project as well as, complete the storm water portion of the project. The balance of the project has been put on hold until funding has been released for the project.”

**ADJOURNMENT**

At 8:45 P.M. the City Council concluded the City Council Meeting with a motion by Council Member Dayley to adjourn. 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