

**WOODS CROSS CITY COUNCIL MEETING
JUNE 5, 2007**

The minutes of the Woods Cross City Council Meeting held June 5, 2007 at 6:30 P.M. in the Woods Cross City Hall located at 1555 South 800 West, Woods Cross, Utah.

CONDUCTING:

Mayor Pro-tem Rick Earnshaw and
Mayor Kent Parry*

COUNCIL MEMBERS PRESENT:

Kent Parry, Mayor

Rick Earnshaw

*Tamra Dayley

Jon Hadlow

Jennifer Decker

Donald D. Moore, Jr.

*Entered the meeting as noted in the minutes

STAFF PRESENT:

Gary Uresk, City Administrator

Alan Low, City Recorder

Tim Stephens, Community Development Director

Maureen Nelson, City Treasurer

VISITORS:

Erin Dugal

Pat Blackley

LeGrande Blackley

Maureen Nelson

Melinda Williams

Leendert Van Hulsten

Charles Payne

Dal Wayment

Greg Walkenhorst

Brad Kloos

Lance Allen

Gordon Snarr

Andrew Wilde

Myrna Wilde

Rowena Palmer

Kevin Palmer

Steve Gregersen

Byron C. Munsee

Melvin Richardson

Sheri Richardson

Karen Painter

Jennifer Palmer

Andrew Hill

Tiffany Oswald

Joshua Jackson

Dave Hill

Paula Hill

Heather Knighton

Jeanene Jackson

Vicki Hinckley

Jann Preston

Garry Preston

Shyanne Preston

Jake Preston

Lisa Schloemer

Doug Oswald

Angela Oswald

Jennifer Child

Jim Allred

David Nilsson

Nathan Rich

INVOCATION:

Don Moore

PLEDGE OF ALLEGIANCE:

Jon Hadlow

APPROVAL OF MINUTES

The Council reviewed the minutes of the City Council Meeting held May 1, 2007. After the review, Council Member Decker motioned the minutes be approved as corrected with Council Member Moore seconding the motion and all voted for the motion.

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
JUNE 5
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 Moore 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 Council. This would be items that would take less than two or three minutes.

The floor was give to Ms. Lisa Schloemer, a former City Council member who was visiting in the City from her home in Mobile Alabama. She expressed how much she misses her friends here in Woods Cross and again thanked the City Council for her opportunity to serve with them in the past.

There were no other items for the brief open session.

REPORT FROM THE COMMUNITY OF PROMISE COMMITTEE

The floor was given to Mr. Leen Van Hulten, the newly appointed Community of Promise Committee Chairman. He reported on the activities of the Community of Promise as follows:

1. He said the summer recreation program would begin on June 11th and the literacy program for the children would begin on June 13th.
2. The Senior Citizens "Lunch Bunch" would meet on June 14th and the activity would be sponsored by the Youth City Council.
3. The Emergency Preparedness Committee would hold their regularly scheduled meeting for the citizens of Woods Cross City on June 20th and the topic would be earthquake preparedness.
4. The City's book club will meet on June 21st. He noted this activity is open to all citizens of Woods Cross City and encouraged attendance to it.
5. He noted there would be a volunteers picnic sponsored by the City for all of those who volunteer on the various committees and organizations sponsored by the City and it would be held on June 15th at 6:30 P.M. at Hogan Park.
6. He advised the Council the Woods Cross Elementary School would be sponsoring a community party on June 7th from 5:00 P.M. to 8:00 P.M. at Hogan Park.
7. He also said the City's beautification committee is functioning and has 15 volunteers who are working on the beautification activities for the summer within the City.

This concluded his report.

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
JUNE 5
PAGE 3**

REPORT FROM THE SOUTH DAVIS SEWER DISTRICT

The floor was given to Mr. Charles L. Payne the City's representative on the South Davis Sewer District Board of Directors. He reminded the Council that he had provided them at the last City Council meeting a financial report for the Sewer District. He then read a letter from the Davis County Commission commending the Sewer District on its excellent presentation of its financial data.

Mr. Payne then introduced to the City Council Mr. Dal Wayment who is the manager of the South Davis Sewer District. Mr. Wayment then reviewed with the Council various activities and undertakings of the District.

This concluded their report.

REPORT FROM THE YOUTH CITY COUNCIL AND THE PRESENTIAL VOLUNTEER SERVICE AWARD

The Mayor Pro-tem gave the floor to the Youth City Council Mayor, Andrew Hill, who reviewed the activities of the Youth City Council as follows:

1. "Memorial Day Celebration was once again a success. Our Fish Pond fund raiser made \$175. We also had many people donate to support our "Relay for Life" team.
2. "We have been asked to help with the Woods Cross Elementary Family Carnival on June 7th. The YCC will be helping with the carnival games.
3. "We are excited to be hosting the Senior Lunch Bunch on June 14th.
4. "Our Youth Council team will be participating in the American Cancer Society "Relay for Life" at Woods Cross High football field on June 22nd and 23rd. We invite you to join with us as we walk the track all night long.
5. "Sometime this month we will be decorating our float for the West Bountiful City's and Handcart Days' Parades. The West Bountiful parade will be on Saturday, June 30th at 9:00 am. Please join us on the float.
6. "Applications for the 2007-2008 WXYCC will be available tomorrow at the City Offices and are due by August 17th. We ask for your help in encouraging the youth to join the Youth Council."

The floor was then given to Ms. Vicki Hinckley and Ms. Jann Preston who are the advisors of the Youth City Council. They presented two members of the Youth Council with Presidential Volunteer Service Awards based on the number of hours of service that the individual youth had given to the City.

There were eight other Volunteer Service Awards given out to the Youth City Council members. It was also noted the Youth City Council Mayor was honored as the Woods Cross City Youth City Council Member of the Year at a dinner sponsored by the Elks Lodge.

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
JUNE 5
PAGE 4**

The Mayor Pro-tem and the City Council expressed appreciation and congratulations to the Youth on their service to the community and thanked the advisors for their assistance in making the organization a success.

PRESENTATION FROM THE BOUNTIFUL/DAVIS ARTS CENTER CONCERNING SUMMERFEST IN THE BOUNTIFUL AREA

The floor was given to Ms. Emma Dugal who gave a Power Point presentation reviewing with the City Council the activities that are sponsored by the Bountiful/Davis Arts Center, including the annual event of Summerfest.

She noted that Summerfest invites groups of dancers from all over the world to come to Bountiful to present their dances for those who attend the annual week long Summerfest.

She thanked the City Council for their past support of the Bountiful/Davis Arts Center with their annual contribution and requested that they again support the arts center in the coming fiscal year budget.

The Council thanked Ms. Dugal for her presentation and update of the activities of the Bountiful/Davis Arts Center.

At this point Council Member Dayley entered the meeting.

DISCUSSION OF CURBSIDE RECYCLING FOR THE CITIZENS OF WOODS CROSS CITY

The Mayor Pro-tem noted that in attendance at tonight's meeting was Mr. Nathan Rich, the manager of the Wasatch Integrated Waste Systems where the refuse from Woods Cross City is taken to either be burned or deposited in the land fill. Also in attendance was Mr. Greg Walkenhorst representing the Waste Management Company of Utah, the company which picks up the refuse on a weekly basis in the City.

Both were given time to discuss with the City Council the program of curbside recycling that is being considered by the City Council for the citizens.

The floor was first given to Mr. Rich who noted he would like the citizens of Woods Cross to know they currently recycle about 50% of their refuse by having it taken to the Wasatch Integrated Waste Systems where the refuse is burned and generates steam that is then sold to Hill Air Force Base. He said curbside recycling is an excellent program which can also compliment the current recycling that the citizens of Woods Cross are doing.

He said in other communities that have curbside recycling, they have found the only way that it could be successful is if it is a mandatory program for all of the citizens of the City.

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
JUNE 5
PAGE 5**

In addition, he noted this is the only way the cost of recycling can be covered by the city which has to pay those who pick up the refuse for their recycling.

He was asked by the City Council if the curbside recycling would extend the life of the landfill. He stated that it would if all cities in the District participated in the program.

A member of the Council then asked if the Wasatch Integrated Waste District was considering providing the curbside recycling program. He said it is being discussed by the board of directors and it would require all cities participate in the program in order to make it cost effective.

He concluded by saying if the Council decides to have the program in Woods Cross they need to do public education to encourage the citizens to participate in the program.

The floor was then given to Mr. Greg Walkenhorst from Waste Management Systems of Utah. He noted other cities where they pick up the refuse have participated in the curbside recycling but his organization was hesitant to discuss it with the communities of Davis County because they already take their refuse to the Wasatch Integrated plant where it is burned and recycled into steam. He said they have an excellent curbside program and they are more than happy to institute it in the City of Woods Cross.

He noted he had given the Council at a previous meeting a proposal of the costs to have the program within the City.

At this point Mayor Parry entered the meeting and the Mayor Pro-tem turned the conducting to the Mayor.

After the presentations by Mr. Rich and Mr. Walkenhorst the Council decided they would continue to discuss the matter and would advise Waste Management Systems of Utah if they desired to have the program in the City.

The Council thanked them for the discussion at tonight's meeting.

PUBLIC HEARING TO CONSIDER VACATION OF LOT 39 OF THE SKYPARK INDUSTRIAL PARK

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

“Melvin and Shari Richardson have received site plan and conditional use approval from the Planning Commission for an aircraft hangar facility on lot 39 of the Skypark Industrial Park. The hangar structure will be divided into 3 separate aircraft hangar units the Richardson's intend to have separated into condominium ownership. As such, they have requested Lot 39 of the Skypark Industrial Park be vacated to permit the recordation of an aircraft hangar condominium

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
JUNE 5
PAGE 6**

plat. The Planning Commission has reviewed this matter, held a public hearing and has recommended to the City Council that Lot 39 of the Skypark Industrial Park be vacated.”

Following the review by the Community Development Director the Mayor then opened the meeting for public comment. There was no public comment and the Mayor closed the public hearing.

The floor was then given to Council Member Moore who motioned the Council adopt Ordinance #508 and Vacation Order #508 which vacates lot 39 of Skypark Industrial Park. Council Member Earnshaw seconded the motion and all voted for the motion.

PUBLIC HEARING FOR THE CONSIDERATION TO APPROVE RICHARDSON HANGAR CONDOMINIUM FINAL PLAT LOCATED AT 1640 WEST 2350 SOUTH

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

“As noted before, the Richardson’s have proposed construction of an aircraft hangar building within the Skypark Industrial Park. They desire to have the building split into 3 separate aircraft hangar condominiums. This request is similar to many previously approved aircraft hangar condominium projects within the industrial park.

“The Planning Commission has reviewed this matter, held a public hearing, and has recommended to the City Council the Richardson Aircraft Condominium Final Plat be approved.”

Following the outline by the Community Development Director the Mayor then opened the public hearing on this matter. There were no public comments and the Mayor closed the public hearing.

The floor was given to Council Member Moore who motioned the Council approve the final plat for the Richardson Hangar Condominium located at 1640 West 2350 South. Council Member Earnshaw seconded the motion and all voted for the motion.

PUBLIC HEARING FOR THE CONSIDERATION TO APPROVE SUMMERSIDE SENIOR CONDOMINIUM FINAL PLAT LOCATED AT 2375 SOUTH 800 WEST

The Community Development went over the following with the City Council:

“As you are aware, the Planning Commission has previously approved a site plan and conditional use permit for a senior housing facility on 800 West just north and adjacent to the Hampton Inn. The applicants now wish to record a condominium plat allowing them to sell a certain percentage of the units within the development. Some units will remain for rent or lease. The applicants can review with the Council, in more detail, their reason for pursuing

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
JUNE 5
PAGE 7**

condominium ownership within the project. Given to the Council is the plat and associated sheets.

“The Planning Commission has reviewed this issue, held a public hearing, and has recommended to the City Council the Summerside Senior Condominium Final Plat be approved.”

After the presentation by the Community Development Director the floor was given to Mr. Jim Allred who is owner and architect of the Summerside Senior Condominiums. He advised the Council the only change to their facilities is they would like to have some the units be condominiums which would allow them to sell ownership to those who wish to buy them. He noted the one bedroom units would be in the price range of about \$139,000 to \$159,000 and the two bedroom units would be in a range from \$278,000 to \$288,000.

He said the amenities and structure of the facility would be maintained by the homeowner's association and will be governed under the CC&R's of the homeowner's association.

The Mayor then opened the public hearing on this matter.

The floor was given to City resident Mr. Leen Van Hulten. He asked if those who owned the two bedroom unit would be allowed to have their grandchildren stay at the units overnight and the answer was yes.

Mr. Allred noted the units have a ruling that only those who are 55 years old and older can live in the units on a permanent basis.

The floor was given to Council Member Dayley who expressed concern for the development as time expires in ten to fifteen years what would happen in the units because the City does not have ordinances that help enforce homeowner association rules. She also expressed concern that there was no land area where those who own the units can sit and enjoy the outside amenities of the facility and there was no City park within walking distance of the facility for the use of the elderly.

The floor was given to Mr. Allred who expressed his opinion that the ownership of the units is much better than renting the units and there are state laws that enforce homeowner's association rules.

Following the discussion by the City Council the floor was given to Council Member Moore who motioned the City Council approves the condominium final plat for Summerside Senior Condominiums. Council Member Decker seconded the motion and all voted for the motion except Council Member Dayley who abstained. The motion carried by a majority vote.

PUBLIC HEARING TO CONSIDER THE ADOPTION OF THE BUDGET FOR THE FISCAL YEAR 2008 FOR ALL CITY FUNDS

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
JUNE 5
PAGE 8**

The floor was given to the City Budget Officer who outlined for the City Council the following information which reflects changes from the tentative budget which was adopted by the City Council in their last City Council meeting:

“As part of the final budget hearing I will present a Power Point presentation similar to that which I presented during the presentation of the tentative budget. There are a few changes in the final budget compared to the tentative budget, the only changes being in the salaries and wages portion of the General Fund. The changes I have made do not affect the General Fund balance. I increased some accounts but these were balanced by the health insurance and retirement being less than I projected. The changes that I made are as follows:

1. I included wages for our part time office help which was not included in the tentative budget. This covers Bonnie Craig’s time doing the minutes as well as for Lucille filling in for Maureen. This increased the Administration and Community Development Budget.
2. “I reallocated Pam Ashauer’s time from 100% to the Police Department to 80% to the Police Department and 20% to the Court. She spends one day a week working with the court since we have brought her on full time.
3. “I moved one part time employee from the Streets Department to the Parks Department. We utilize three of the part time employees in the parks and only one in the streets.
4. “I made an adjustment for Health Insurance and Retirement costs being less than I projected.
5. “I made the adjustments to the salaries that we discussed in the work session.

“Given to the Council is an exhibit showing the changes in each of the affected departments. Also given to the Council are the budget sheets showing the changes.

“I recommend if the Council feels inclined to approve the budget after the public hearing, particularly if there are no comments or concerns that need to be looked at further, the Council can adopt the budget after the hearing or if you choose you can table it and adopt it at the meeting on the 19th.”

Following the Power Point presentation by the City’s Budget Officer the Mayor then opened the public hearing for comments. There were no public comments and the Mayor closed the public hearing.

The floor was then given to Council Member Moore who motioned the Council adopt Resolution 2007-427, a resolution adopting the Fiscal Year 2008 budget for all City funds of Woods Cross City. Council Member Earnshaw seconded the motion and all voted for the motion through a roll call vote.

CONSIDERATION TO ADOPT AN ORDINANCE ADOPTING THE 2006 INTERNATIONAL FIRE CODE

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
JUNE 5
PAGE 9**

The floor was given to the City Administrator who outlined the following for the Council:

“Given to the Council is a letter from Mr. Craig Hall, the attorney for the South Davis Metro Fire Agency, requesting the City adopt the 2006 International Fire Code. Also given to the Council is a copy of the ordinance to be adopted. The City Attorney has reviewed the ordinance and approved it as to form. I recommend adoption of the ordinance as drafted.”

Following the outline by the City Administrator the floor was given to Council Member Earnshaw who motioned that the Council adopt Ordinance #509, an ordinance adopting the 2006 International Fire Code for enforcement within the City of Woods Cross. Council Member Dayley seconded the motion and all voted for the motion.

CONSIDERATION TO DECLARE 2002 CHEVROLET IMPALA AS SURPLUS PROPERTY

The City Council reviewed the following from the City’s Chief of Police:

“I request that a 2002 Impala with 77,300 miles which was assigned to our LETS officer and has been replaced by a new Crown Vic be declared surplus.

“Our 2000 Impala sold quickly for \$2,750 when we advertised it for \$2,500 and I recommend that we do the same with this one considering the wheel bearings would need to be replaced at a cost of \$400-500.”

Following the review by the Council the floor was given to Council Member Hadlow who motioned the Council declare the 2002 Chevrolet Impala as surplus equipment and set an advertised minimum bid of \$2,500. Council Member Moore seconded the motion and all voted for the motion.

RECAP OF THE MEMORIAL DAY CELEBRATION

The floor was given to Council Member Earnshaw who is the chairman of the Memorial Day celebration. He thanked all those on the Council and Staff and citizens who helped make the Memorial Day celebration recently held in Woods Cross, a success this year. He noted those attending the breakfast were in excess of 2,800 people which was an increase over last year of about 2,600 people.

The floor was given to Mr. Charles L. Payne who was the chairperson that oversaw the 5K race and he discussed with the Council the possibility of the sign up being expedited since they were unable to register all runners before the race began.

The Council and Mayor then thanked Council Member Earnshaw for his excellent leadership in making the event such a success.

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
JUNE 5
PAGE 10**

DISCUSSION ON EMPLOYEE FLEX TIME

The floor was given to Council Member Decker who recommended to the Council that consideration be given by the Council and the City Administrator to allow office hours to be flexible for the office employees. She suggested that perhaps the day could begin at 7:30 A.M. and end at 5:30 P.M. thus giving more time for the citizens of Woods Cross to gain access to the City Administration and the employees work perhaps four nine hour days and one four hour day and that they rotate in order to cover the four hour days for one another.

She noted there could be other plans that could be thought of and presented but she recommended the Council and the City Administrator give consideration to flex time for the City employees.

The City Administrator said he felt that this was an idea worth consideration and he would give it some thought and discuss it with the City Staff.

OPEN SESSION

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

There were no items from the public present and the floor was given to Council Member Hadlow. He asked the question of the Staff of why a home at approximately 1300 South and 800 West was allowed occupancy when they had no driveway into the home. The Community Development Director said he would look into the matter and report back to the Council.

Council Member Hadlow also asked when the north end of 800 West which has had various trenches dug in it for the construction of the new railway station, would be patched and the ruts taken out of the road. The City Administrator said it was to be done on Thursday of this week.

The floor was then given to Council Member Dayley who said she had received complaints from citizens in the area of 2250 South 1500 West concerning a residence which has three dogs at that location. She wondered if this was permissible to have three dogs. It was noted the citizens need to call the animal enforcement officer for Davis County and if they are unable to reach them then they can call the City Staff who will look into the matter.

There were no other items for the open session.

REPORT FROM THE WASATCH INTEGRATED WASTE SYSTEM

The floor was given to Council Member Earnshaw who said their board meeting would be held tomorrow night and they would review and approve their budget for the Fiscal Year 2008. He noted for the Council the waste to energy plant had purchased a giant magnet which helps them to separate metals from the burned waste and recycle it..

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
JUNE 5
PAGE 11**

This concluded his report.

MAYOR'S REPORT

The Mayor reviewed the following with the City Council:

1. He noted he had received a draft ordinance from the Davis County Health Department which would prohibit smoking in public parks. He asked the Staff to review the matter and bring it before the City Council.
2. He reported that Chief Jim Rampton, the new fire chief for the South Davis Metro Fire Agency, was sworn into office on Monday evening June 4th, along with seven others who had received promotions at the Fire Agency's organization. These firemen were also sworn into their new office. He said there were appointed two new deputy chiefs, two captains, and others who had moved up the ranks.
3. He noted he had received from the City of Centerville a request that Woods Cross City consider putting on the ballot and adopting within their city the RAP tax which would be an increase of 1/10 of 1% of sales tax that would go for arts and recreation. The Mayor of Centerville noted in his letter that Centerville City plans to put the item on their ballot for this fall to have the citizens of Centerville approve it and they plan to go ahead with the community theatre construction within their community even if the other cities within South Davis County do not approve the RAP tax.
4. He advised the Council that on June 15th at 6:30 P.M. at Hogan Park would be the volunteer appreciation picnic for all of the volunteers who serve on the various committees of Woods Cross City.

This concluded his report.

PLANNING COMMISSION REPORT

The floor was given to Council Member Dayley who reported on the Planning Commission meeting held May 22, 2007. Please see the minutes of this meeting for the details of her report.

CITY ADMINISTRATOR'S REPORT

The City Administrator reported to the Council on the following items:

1. "Consultant for Oil Industry Request

"The Planning Commission in reviewing the Sinclair Oil rezone application suggested the possibility of having a consultant on board to help us work through the issues concerning that rezoning. We have been working on getting a consultant in place to help use these oil industry applications, in fact I have had Kerri Rubbleman from Kleinfelder put together some information for me. She has also been in contact with some of her

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
JUNE 5
PAGE 12**

colleagues in California who have had more experience on these types of issues. I will be meeting with Kerri this week to discuss an action plan.

2. “Shop Property

“The Public Works Director and I have met with Gene Chrisenberry, the plant manager of SEM materials, concerning the possibility of purchasing the southern part of their property for the new shop facility. Gene has forwarded our request to his corporate officials and they indicated a desire to lease us the property. They indicated they would not be interested in selling the property. I have discussed the possibility of leasing the property with Mike Mazuran and he felt that as long as we could get a 40 year plus lease on the property and amortize out the property for the cost of the building that would work for us. I will be meeting with SEM materials officials in the next couple of weeks and work out the basic parameters of the agreement. I will discuss these in detail with the Council before proceeding any further.”

ADJOURNMENT

At 9:25 P.M. the Council concluded the City Council meeting with a motion by Council Member Earnshaw to adjourn. Council Member Moore seconded the motion and all voted for the motion.

Kent Parry, Mayor

Alan T. Low, Recorder