

**WOODS CROSS CITY COUNCIL MEETING  
MAY 1, 2007**

The minutes of the Woods Cross City Council Meeting held May 1, 2007 at 6:30 P.M. in the Woods Cross City Hall located 1555 South 800 West, Woods Cross, Utah.

**CONDUCTING:**

Mayor Kent Parry

**COUNCIL MEMBERS PRESENT:**

Kent Parry, Mayor  
Tamra Dayley  
Jennifer Decker

Rick Earnshaw  
Jon Hadlow  
Donald D. Moore, Jr.

**STAFF PRESENT:**

Gary Uresk, City Administrator  
Alan Low, City Recorder  
Tim Stephens, Community Development Director  
Scott Anderson, Public Works Director  
Paul Howard, Chief of Police

**VISITORS:**

Melinda Williams  
Leendert Van Hulten  
Jaiden Johnson  
Kyle Larson  
Vicki Hinckley  
LeGrande Blackley  
Erika Marshall

Don Schrader  
Al Jewell  
Dillon Despain  
Mitchell Hawley  
Mark Evans  
Jason Smith

Lois Schrader  
Andrew Hill  
Rick Hawley  
Todd Cummings  
Pat Blackley  
Rachel Bodell

**INVOCATION:**

Tamra Dayley

**PLEDGE OF ALLEGIANCE:**

Gary Uresk

**APPROVAL OF MINUTES**

The Council reviewed the minutes of the City Council meeting held April 17, 2007. After the review, Council Member Earnshaw motioned the minutes be approved as corrected with Council Member Moore seconding the motion and all voted for the motion.

**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 Earnshaw made a motion to approve the cash disbursements listing as presented with Council Member Dayley seconding the motion and all voted for the motion through a roll call vote.

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**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 Mayor gave the floor to Ms. Erika Marshall, a city resident at 1668 South 1450 West and Ms. Rachel Bodell, a city resident at 1653 South 1450 West. They noted that their homes are part of what is called the Hidden Park Subdivision. They came before the City Council first to ask if more street lighting could be placed in their subdivision.

The City Staff was directed by the Council to look into the matter.

They then noted that in their subdivision there is one particular location at approximately 1636 South 1470 West where there are noxious weeds growing in the back lot of the property to the height of five or six feet and that these weeds have caused some illness to one of the children living with Ms. Marshall. She asked if the City Council could do something to have the weeds removed.

The City Staff was asked to look into the problem and to issue appropriate letters of request or ticketing if necessary.

The Council went on to discuss the problem throughout the City of Woods Cross and asked the City Staff to look into the objective of increasing the processing of such complaints with vigor so this problem can be done away within the City of Woods Cross.

There were no other items for the open session.

**REPORT FROM THE COMMUNITY OF PROMISE**

Excused from tonight's meeting was Ms. Ruth Payne, the chairperson of the Community of Promise who is out of town.

The Mayor reported the following from their monthly meeting:

1. They discussed the budget for the fiscal year 2008.
2. They noted that the senior citizens will be meeting at their monthly luncheon on May 10<sup>th</sup>. June 14<sup>th</sup> the Youth City Council will be providing lunch for the senior citizens.
3. May 21<sup>st</sup> and June 20<sup>th</sup> would be emergency preparation meetings held for the citizens of Woods Cross.
4. On May 23<sup>rd</sup> would be the next meeting for the Community of Promise committee.
5. On May 8<sup>th</sup> the gardening club will be holding their monthly meeting.

This concluded his report.

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**REPORT FROM THE SOUTH DAVIS SEWER DISTRICT**

There was no report on the South Davis Sewer District because Mr. Charles L. Payne, the City's representative on the board, was out of town.

**REPORT FROM THE YOUTH CITY COUNCIL**

The floor was given to the Youth City Council Mayor, Andrew Hill, who reported on the following to the City Council:

1. "The Easter "Egg"-stravaganza on Saturday, April 7<sup>th</sup> was a success. We collected \$71 and 249 pounds of canned food for the Bountiful Food Pantry.
2. "The next meeting will be Monday, May 7<sup>th</sup>. We will be making assignments for the Memorial Day Breakfast and making plans for the children's fish pond.
3. "The Elks will host their annual youth night on Tuesday, May 8<sup>th</sup> at 7:00 where scholarship winners and each Youth Citizen of the Year will be recognized.
4. "Woods Cross High Scholarship Night is scheduled for Wednesday, May 23<sup>rd</sup>. Two YCC members have submitted applications for the Woods Cross Youth City Council Service/ Leadership Scholarship.
5. "The service activities for June include hosting the Senior Lunch Bunch on June 14<sup>th</sup>, decorating the float and team participation in the American Cancer Society "Relay for Life" at Woods Cross High football field on June 22<sup>nd</sup> and 23<sup>rd</sup>."

Following his report, the Council expressed appreciation to the Youth City Council for the excellent service they render to the citizens of Woods Cross.

**CONSIDERATION TO ADOPT A RESOLUTION DECLARING THE WEEK OF MAY 13<sup>TH</sup>-19<sup>TH</sup> AS LAW ENFORCEMENT WEEK IN WOODS CROSS CITY**

The floor was given to the City's Police Chief who requested the Council adopt Resolution 2007-426, a resolution declaring the week of May 13<sup>th</sup>-19<sup>th</sup> as Law Enforcement Week in Woods Cross City.

The floor was then given to Council Member Earnshaw who motioned that the City Council adopt Resolution 2007-426, a resolution declaring the week of May 13<sup>th</sup>-19<sup>th</sup> 2007, as Law Enforcement Week in the City of Woods Cross. Council Member Moore seconded the motion and all voted for the motion.

**CONSIDERATION TO AWARD A BID FOR THE 2007 SLURRY SEAL PROJECTS**

The floor was given to the Public Works Director who reviewed the following bids that had been received by the City for the 2007 Slurry Seal Projects:

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“We have received bids for the 2007 slurry seal projects. This project was advertised for 2 weeks in the newspaper and we received the following bids.

- Intermountain Slurry Seal      \$40,471.20
- Morgan Pavement                \$46,213.00

“I would recommend the project be awarded to Intermountain Slurry Seal for the bid amount of \$40,471.20.

We have worked with this company before. I have been very pleased with their work.”

The floor was given to Council Member Moore who motioned that the City award the bid for the 2007 slurry seal projects to Intermountain Slurry Seal in the amount of \$40,471.20. Council Member Earnshaw seconded the motion and all voted for the motion.

**CONSIDERATION TO ENTER INTO AN AGREEMENT WITH UTA REGARDING  
THE ESTABLISHMENT OF A QUIET ZONE**

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

“Given to the Council is a proposed agreement with UTA which also includes as an attachment, an agreement with 12 other cities that will be establishing Quiet Zones. As you are aware Woods Cross City has agreed to be the lead applicant for the Quiet Zones and the City Attorney and myself have met with UTA a number of times to get this agreement where we feel it meets our needs. The purpose of the agreement with UTA is to define our role as the lead applicant. The agreement with the other cities defines our relationship with them and requires them to give us the necessary information that we need to make the application, as well as pay us for our costs in acting as the lead applicant. We have sent out copies of the agreement to each of the cities and will be holding a meeting with them in the next week to get their input on the agreement.

“UTA would like to put out the Notice of Intent in the near future and would like to have an agreement with us prior to sending out that notice.

“The main role of Woods Cross as the lead city will be in receiving and compiling any comments received from the Notice of Intent and the subsequent Notice of Establishment. We will then, with the assistance of UTA, need to prepare responses to these comments. Our role will be to coordinate the gathering and dissemination of information between UTA and the other cities.

“I recommend approval of the agreement as drafted.”

The floor was then given to Council Member Earnshaw who motioned that the Council adopt the agreement as presented by the City Administrator with Council Member Hadlow seconding the motion and all voted for the motion.

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**CONSIDERATION TO ENTER INTO AN AGREEMENT WITH VALENTINE-MERRILL, L.C. FOR THE PURCHASE OF 240 ACRE FEET OF WATER RIGHTS**

The City Administrator requested the City Council table this matter to a future City Council meeting because of continuing discussion on the matter by the Staff.

The floor was given to Council Member Moore who motioned that this matter be tabled for a future City Council meeting with Council Member Decker seconding the motion and all voted for the motion.

**A PUBLIC HEARING ON VACATION OF LOTS 81, 82, 83 OF THE SKYPARK INDUSTRIAL SUBDIVISION LOCATED AT 2561 SOUTH 1560 WEST**

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

“Mr. Jason Smith of Apex Management, Inc. has requested that lots 81, 82 & 83 of the Skypark Industrial Park at approximately 2600 South and 1560 West, be vacated to permit the recordation of a new subdivision plat combining the 3 lots into 2 larger lots. Presently, lots 81 and 83 have office/warehouse buildings upon them. The middle lot is paved and has been used as a parking area between the 2 buildings. As such, the owner would like to divide the middle, paved lot between the 2 adjacent lots on either side creating 2 larger lots.

“The Planning Commission has held a public hearing regarding this matter and has forwarded to the City Council its recommendation to vacate lots 81, 82 & 83 of the Skypark Industrial Park to permit the recordation of a new plat combining the 3 lots into 2 larger lots.”

Following the review 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.

He then gave the floor to Council Member Moore who motioned that the Council adopt Ordinance #507, an ordinance authorizing the Mayor to enter an order vacating lots 81, 82 and 83 of Skypark Industrial Park Subdivision and directing that the same be recorded with the Davis County Recorder’s Office. Council Member Earnshaw seconded the motion and all voted for the motion.

**A PUBLIC HEARING TO CONSIDER THE APPROVAL OF SKYPARK INDUSTRIAL PARK SUBDIVISION PHASE 3 LOCATED AT 2561 SOUTH 1560 WEST**

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

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“As mentioned previously, the owner of the property located at approximately 2600 South and 1560 West desires that the existing 3 lots be consolidated into 2 larger lots. The staff has reviewed the proposed plat and has found it to be in order.

“The Planning Commission has held a hearing and recommends that the City Council approve the Skypark Industrial Park Phase 3 Final Plat.”

The Mayor then opened the public hearing.

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

The floor was given to Council Member Earnshaw who motioned that the Council approve Skypark Industrial Park Subdivision Phase 3 located at 2561 South 1560 West. Council Member Moore seconded the motion and all voted for the motion.

**CONSIDERATION TO ADOPT THE FISCAL YEAR 2007-2008 TENTATIVE BUDGET FOR ALL CITY FUNDS**

The floor was given to the City’s Budget Officer who is the City Administrator. He in turn yielded the floor to his Staff who presented their tentative budgets to the City Council in the following order:

1. Chief of Police
2. Public Works Director
3. Justice of the Peace
4. Community Development Director

Following the presentations by the Staff, the City’s Budget Officer then presented an overall view of the tentative Fiscal Year 2007-2008 through a Power Point presentation to the Council covering the following points:

“The General Fund is budgeted at \$3,912,500 this year which is \$200,000 above the amount budgeted last year.

**Revenues**

“There is a major increase over last year in building permit revenues due to the construction in the Valentine Estates and Mt. View Estates subdivisions. The other revenues are about the same as last year with no major increases or decreases. There is a decrease in the sales tax over last year due to the anticipated move of Menlove Dodge Toyota for eight months while they construct a new facility on their site. It appears this will take place later in the year than anticipated and may actually occur over two fiscal years which may possibly have less impact on us this year than anticipated. I have shown a \$500,000 decrease in sales tax revenues anticipating the reduction all in FY 2008. This is made up by utilizing a \$200,000 transfer from

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the Capital Improvement Fund to cover Capital expenditures as well as budgeting \$200,000 of the General Fund surplus. We currently have a Fund balance of \$750,000 in the General Fund so using the \$200,000 of the fund balance will not have an adverse impact on the Fund.

“Since this is a one time use of the fund balance to correct a one time revenue drop, using the Capital Improvement Fund and the General Fund balance to take care of this revenue decrease should not create any problem in the future.

**General Fund Expenditures**

“Personnel-I budgeted a 6% salary increase comprised of a 3% COLA and 3% merit increase. The last number of years we have only budgeted a 2% COLA whereas a lot of other cities have budgeted a 3% COLA increase. The 3% COLA increase this year will help make up some of that difference.

‘I budgeted a 10% increase for health insurance premiums, however, the Trust passed along only a 6.5% increase in costs. This is a respite from the 15-20% increases we have faced over the last number of years.

“For retirement, I had budgeted a 5% increase; however, the actual amount was less than a 1 % increase. With these reductions in health insurance and retirement costs there will be about a \$15,000 reduction in what I budgeted. There may be individual salary adjustments after I complete the comprehensive salary review and I will discuss these in more detail with you in the work sessions.

“Capital Projects—The major City Hall improvements and paving the Mills Park parking lot have been deferred because of the Menlove move. I anticipate putting these back in the budget for FY 2009. The other capital projects that were planned in the Capital Improvement Plan are included within the budget.

“The construction of the shops facility is not included in the budget. I plan on discussing this in detail in a work session and setting it up in a Capital Project Fund. I anticipate it will cost around 1.5 million dollars with the funding coming out of the Capital Improvement Fund. I anticipate we will pay for this out of existing cash funds and there will not be a need to bond or use other City funds for this project.

**Special Funds**

“There are no major changes from last year. The Class C Fund has a small increase in revenue due to the change in the legislation. I anticipate the increase to be around \$12,000.

“The Park Impact Fee Fund shows a substantial increase due to the increase in construction, however, a large portion of this will be refunded back to the developers as part of the

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reimbursement agreement for the parks that they are putting in both Valentine Estates and Mt. View Estates.

**Enterprise Fund**

“Water Fund—There is a need for major improvements in the water fund, namely well #5, the storage tank that we just acquired the property for last year, and installation of a water pipeline on 500 South. We estimate the cost of these projects will be close to 5 million dollars and we are presently looking at getting financing from the State due to their low interest rate. A major discussion we will need to have during our work sessions is how much we are willing to bond for and how we plan to pay the bonds off. We are currently updating our impact fees seriously look at raising our water rates because they are very low and the State, to get their funding, will most likely require us to increase them. We will also need the revenue from the additional increased water rates to help pay off the bond. We will also need to discuss your intentions concerning chlorination of the water. If you decide to chlorinate the water you will need to provide the funding to implement and operate a chlorination system.

**Garbage Fund**

“This fund is doing fine, and there may be room for another small rate decrease. However, since we need to purchase additional cans for the new homes coming in, there may be a negative impact on the cash flow due to this expenditure. I recommend we leave the rate as it is and review it in more detail after the first of the year.

**Storm Water Fund**

“There is only \$90,000 budgeted for capital projects in the Storm Water Funds. We have a much greater need for improvements than the budgeted amount of \$90,000. In the work sessions I would like to discuss with you the proposed projects and how crucial they are to be completed. We can then determine how we are going to fund the projects we feel the need to be completed.

“I have scheduled the department heads to make a short presentation to you concerning their budgets and make themselves available for any questions that you may have concerning the budget.

“I recommend approval of the tentative budget and that you set June 5, 2007 at 7:00 P.M. for the hearing on the final budget. I also recommend that you find some time to hold one or two work sessions to discuss the issues that I have raised”.

After the presentation of the tentative budget by the City’s Budget Officer, the Council decided they would like to hold a work session to discuss the tentative budget in greater detail. The date of May 29<sup>th</sup> at 5:30 P.M. at the City Hall was set for the meeting.

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The floor was then given to Council Member Earnshaw who motioned that the Council adopt the Fiscal Year 2008 tentative budget as presented to the City Council. Council Member Moore seconded the motion and all voted for the motion.

**HOGAN PARK PLAYGROUND RENOVATION DISCUSSION**

The floor was given to the Public Works Director who advised the Council that he had called together 11 City residents as a park advisory committee for a meeting this evening. He noted that out of the 11 that were invited that only one attended.

The topic of the meeting was to discuss the refurbishment and the placement of new equipment for the playground area in Hogan Park.

He noted that the one resident that attended had been asked to review a brochure on playground equipment and make a recommendation to him as to what kind of equipment that person would like to see located in the park.

He said the plans are to have the playground equipment divided into small sub-areas with grass plantings around those sub-areas as well as benches for those who would like to sit near the playground equipment.

The Council felt good about the upgrading of the Hogan Park playground area and thanked the Public Works Director for his time.

**PROPOSED GRAFFITI ORDINANCE DISCUSSION**

The floor was given to Council Member Dayley who said that she would like to see stricter enforcement of the Graffiti Ordinances, as well as the Weed Control Ordinances within the City of Woods Cross.

The Council directed Staff to get with the City Prosecutor, as well as the Ordinance Enforcement Officer for the City and ask them to put a more vigorous effort into the prosecution of those who are violating the Graffiti and Weed Ordinances in the City.

The Council also discussed the City removing the weeds from a property after proper notification to the owner, and then billing that cost to the owner. However, it was noted that sometimes the collection of these costs can be difficult.

The City Staff said they would review the current ordinances to see if they are adequate and then report back to the City Council.

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**MEMORIAL DAY UPDATE**

The floor was given to Council Member Earnshaw who chairs the Memorial Day Celebration for the City of Woods Cross. He reviewed the plans with the City Council and what has been completed so far for the celebration this year.

He noted that he is waiting to hear from an invited guest who would serve as the keynote speaker and he would report back to the Council when he has received an answer.

He also advised the Council that the food that will be served will be ordered this week.

It was noted that the South Davis Metro Fire Agency will be a participant with displays at the park.

Council Member Decker recommended to the Council that the City combine the Memorial Day Celebration with the Veteran's Day update of the memorial to veterans plaque located at the City Hall.

The Council felt that this was a good suggestion and asked Council Member Earnshaw to look into adding this to the Memorial Day activities, and that those new names that would be added to the memorial would be noted as part of the days activities.

**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 for the open session.

**WASATCH INTEGRATED WASTE DISTRICT REPORT**

The floor was given to Council Member Earnshaw who noted that there had not been a board meeting since his last report for the Wasatch Integrated Waste District so there was nothing to report.

**MAYOR'S REPORT**

The Mayor reported the following to the Council:

1. He reported that the volunteers' dinner had been set for June 15<sup>th</sup> at Hogan Park for all of those who volunteer within the City various committees.
2. He reported on the Arbor Day Celebration that was held today at the City Hall with the Woods Cross Elementary School 4<sup>th</sup> grade students attending the tree planting. Also

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buried in the City Hall grounds was a time capsule that will be opened in ten years by the 4<sup>th</sup> graders at that time from the elementary school.

3. He reported that the Mother of the Year nomination had been forwarded to the Clipper Office for the Mother of the Year from Woods Cross City.

This concluded his report.

**PLANNING COMMISSION REPORT**

The floor was given to Council Member Moore who reported on the Planning Commission meeting held April 24, 2007. Please see the minutes of that meeting for the details of his report.

**CITY ADMINISTRATOR'S REPORT**

The floor was given to the City Administrator who reported the following items to the Council:

**1. "Summer Party**

"Just a reminder that our Summer Party is scheduled for September 7<sup>th</sup> at 6:00 P.M. Mark your calendars for that evening.

**2. "North Salt Lake Wall Issue**

"I mentioned in my last City Manager's report we would discuss this issue at the May 1<sup>st</sup> meeting, however, I will have it on the May 15<sup>th</sup> agenda.

**3. "Ed Goble Appeal**

"Ed Goble's appeal of the Planning Commission's decision on the UTA station site plan is scheduled to be heard at the May 15<sup>th</sup> Council meeting. Information regarding the appeal will be included in the Council packet for that meeting."

**RECESS CITY COUNCIL MEETING**

At 9:30 P.M. Council Member Moore motioned that the City Council recess the City Council Meeting in favor of an RDA meeting with Council Member Earnshaw seconding the motion and all voted for the motion.

**RECONVENE CITY COUNCIL MEETING AND GO INTO CLOSED CITY COUNCIL MEETING**

At 10:05 P.M. the City Council reconvened the City Council meeting and the floor was given to Council Member Earnshaw who motioned that the Council go into closed City Council meeting for the purpose of pending litigation. Council Member Dayley seconded the motion and all voted for the motion.

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**ADJOURNMENT**

At 10:15 P.M. the Council concluded the City Council meeting with a motion by Council Member Moore to adjourn. Council Member Dayley seconded the motion and all voted for the motion.

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Kent Parry, Mayor

Alan T. Low, Recorder