

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

The minutes of the Woods Cross City Council Meeting held September 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
Rick Earnshaw

Jill Evans
David C. Hill
Jon Hadlow

STAFF PRESENT:

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

VISITORS:

Leendert Van Hulten
Mindy Mangelson
Jayden Garner
Don Schrader
Lamoyne Anderson
Pat Blackley
Justin Strunk

Ruth Payne
Ron Smith
Vicki Hinckley
Melinda Williams
Johnathan Ward
Eric Gridley

Charles Payne
Tom Smith
Lois Schrader
Cleo Anderson
LeGrande Blackley
Don Moore, Jr.

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 Council reviewed the minutes of the City Council Meeting held August 19, 2008. After the review, Council Member Hill motioned the minutes be approved as corrected with Council Member Earnshaw seconding the motion and all voted for the motion through a roll call vote.

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

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

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

OPEN SESSION (BRIEF ITEMS)

The Mayor then opened the meeting to items from those present that were brief in nature. This would be items that would take less than two or three minutes.

The floor was given to Ms. Mindy Mangelson, who runs the animal hospital on the corner of 500 West and 900 South. She requested the City Council give consideration to placing no parking signs along 900 South from 500 West to past her place of business. She said there has been considerable problems with people parking parallel to the curb and those turning onto 900 South having to crowd east bound traffic on 900 South to get by her location and into her parking lot.

The City Council discussed the matter and asked the City Staff to look into the problem and the possibility of posting the no parking signs.

The floor was given to Charles Payne, a city resident. He said he had received a call from a resident in Valentine Estates who said the weeds in the vacant area of the development are over four feet high and are making it difficult to see as well as a fire hazard. He advised the resident that he would inform the City Council of this problem.

The City Council then asked the Code Enforcement Officer if he would look into the matter. He said Valentine Estates is in foreclosure and it is difficult to get anyone to respond to his requests but he would continue to do what he could.

There were no other items for the brief open session.

REPORT FROM THE COMMUNITY OF PROMISE

The floor was given to Mr. Leendert Van Hulst, the Chairman of the Woods Cross City Community of Promise Committee. He reported the following concerning the activities of the Community of Promise:

1. September 3rd will be the Garden Lecture at 7:00 P.M. The speaker will be Barbara Knight on the subject of fall planting and preparing for winter.
2. September 11th the seniors will be going on Front Runner. They will meet at noon at the City Hall and will bring a snack to eat on the train.
3. September 17th will be Emergency Preparedness at 7:15 P.M. The speaker will be Eric Holmes, the principal at Woods Cross Elementary. The topic will be "Relocation and Evacuation from an Emergency."
4. September 25th will be a Community of Promise Meeting held at 7:00 P.M.

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

Following Mr. Van Hulten's report he then presented a plaque to the volunteer of the month to Ms. Geri Titensor who had headed up the Beautification Program for this year for the City of Woods Cross. Ms. Titensor was unable to attend tonight's meeting so the award was accepted for her by Ms. Ruth Payne.

REPORT FROM THE SOUTH DAVIS SEWER DISTRICT

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

1. He thanked the Mayor for taking time to look at the responsibilities the district handles for wastewater management for five cities.
2. The Utah Department of Transportation has asked the district if they are interested in purchasing their building in Centerville. With some improvements, it would meet the needs of the district for some time.
3. The district has received training on the use of extraction equipment to remove and clean floors and carpets after sewer main line backup. We feel we can respond to backups at a more reasonable cost for customers than some other sources.
4. With encroaching subdivisions, roadways, schools and industrial facilities, it would be beneficial to screen the treatment plants with landscaping to improve the professional appearance as well as enhance the security of the district facilities.

The Council thanked Mr. Payne for his report.

REPORT FROM THE WOODS CROSS YOUTH CITY COUNCIL

The floor was given to Ms. Vicki Hinckley who is the advisor to the Woods Cross Youth City Council. She reported on the activities of the Youth City Council as follows:

1. We had a successful year in 2007-2008. Certificates were awarded to Youth City Council Members. We said good bye to 12 graduating seniors and thanked them for their service.
2. The first WXYCC meeting will be on Monday, September 8th at 4:00 pm. There are 15 new Youth Council Member applications and about 20 or so applications from current members. Leadership Council interviews will begin after the Youth Council Meeting for those who have applied for those positions.
3. The next meeting will be held Monday, October 6th, 2008 at 4:00pm.

Following Ms. Hinckley's report, the City Council expressed appreciation to her for her work with the youth of the City and seeing that the City has this program going forward for the year 2008-2009.

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

UPDATE ON THE PROGRESS OF THE PROPOSED BOY SCOUT MONUMENT

The Mayor gave the floor to Eagle Scout candidate Tom Smith, who is collecting money for the erection of a Scout Monument to be located on City property. He reported to the City Council that fliers had gone out to all City residents in Woods Cross soliciting donations to the monument. He said he had collected \$8,300 and had received a loan that would not be repayable until other funds had been collected for another \$7,000.

He said they had received 14 contributions of over \$500 and 42 other contributions. He said because the money has been collected, the statue can now begin to be designed and he presented to the City Council an artists rendering, as well as, a picture of he and the artist who is preparing the statue and the work that has been done so far.

He asked the City Council where they would like to place the monument on City property and the Mayor said the Staff is working on this matter and they would advise him in the future.

The Mayor thanked the scouter for his update on the project.

CONSIDERATION TO ADOPT RESOLUTION 2008-461 A RESOLUTION OF THE CITY OF WOODS CROSS AUTHORIZING THE ISSUANCE AND CONFIRMING THE SALE OF WATER REVENUE BONDS, SERIES 2008 IN THE PRINCIPLE AMOUNT OF \$5,600,000 AND RELATED MATTERS

The Mayor gave the floor to the City Administrator who reviewed the following with the City Council concerning this matter:

“Exhibit 1 given to the Council is the proposed resolution which sets the Bond at \$5.6 million dollars which we had to increase above the estimated \$5 million because of the increased costs of construction of the water storage tank. Mr. Johnathan Ward of Zions Bank has run the numbers for me and the rate structure put into effect at the last meeting will adequately cover the bond payments on the increased bond amount. Exhibit 2 is given to the Council is a spreadsheet showing the payments in relation to our revenues. In all 20 years we stay above the required 125% ratio of net revenue to bond payment. I recommend adoption of the resolution as drafted.”

The floor was then given to Mr. Johnathan Ward of Zions Bank who advised the City Council they are saving over \$1 million in interest costs because of the favorable interest rates they are receiving through the State of Utah as compared to rates in the commercial market place.

He said all the documents are prepared and have not been changed from what has been given to the City Council.

The floor was then given to Council Member Earnshaw who motioned the City Council adopt Resolution 2008-461, a resolution of the City Council of Woods Cross City, Utah, authorizing the issuance and confirming the sale of issuer's water revenue bonds, series 2008 in the principle

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

amount of \$5,600,000. Council Member Evans seconded the motion and all voted for the motion through a roll call vote.

CONSIDERATION TO AWARD THE PROJECT BID FOR WELL #5 DRILLING PROJECT

The Mayor gave the floor to the Public Works Director who advised the Council the City had sent a request for proposal for the drilling of a new water well to be called well #5, within the City, to provide water to City residents of Woods Cross.

He said they had only received one bid from Peterson Brothers Drilling Company in the amount of \$222,725. He advised the Council the City Engineer had estimated the project to cost \$245,000. He recommended to the City Council they award the bid to Peterson Brothers Drilling Company.

The floor was given to Council Member Evans who asked why there was only one bidder.

The Public Works Director said that several prospective bidders had picked up the documents relating to the project but that only one had seen fit to provide the written bid.

The floor was then given to Council Member Earnshaw who motioned the City Council authorized the awarding of the bid to drill well #5 in the amount of \$222,725 to Peterson Brothers Drilling Company. Council Member Hill seconded the motion and all voted for the motion through a roll call vote.

CONSIDERATION TO AWARD THE PROJECT BID FOR THE 3.1 MILLION GALLON RECTANGULAR WATER STORAGE TANK

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

“Given to the Council is a copy of a memorandum from the City Engineer in which he recommends we award the bid for the Water Storage Tank to COP Construction for the total amount of \$3,581,642.79. The Engineer’s estimate of this project was \$3,300,000. The main cause of the increased cost was the price of cement and steel had increased more than the Engineer had estimated. I recommend we award the bid to COP Construction for the amount of \$3,581,642.79.”

The floor was then given to the Public Works Director who advised the Council they had received nine bids on the project ranging from a low of \$3,581,642.79 to a high of \$4,942,158.58 and he also concurred with the City Engineer that the bid should be awarded to the low bidder COP Construction.

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

The floor was given to Council Member Hill who requested the City Staff provide him with background information on COP Construction such as a list of projects they have done in the area and other information that may be pertinent. The Staff said they would do this.

The floor was then given to Council Member Earnshaw who motioned the City Council award the bid for the construction of a 3.1 million gallon rectangular water storage tank to COP Construction, the low bidder, in the amount of \$3,581,642,79. Council Member Dayley seconded the motion and all voted for the motion through a roll call vote.

CONSIDERATION TO AWARD THE PROJECT BID FOR THE REDWOOD ROAD/500 SOUTH WATER LINE

The City Administrator advised the Council of the following:

“Given to the Council is a memorandum from the City Engineer in which he recommends we award the 500 South/Redwood Road Waterline Project to Terry Larsen Excavating for the total amount of \$417,500. The Engineer’s estimate for this project was \$455,000. I recommend we award the bid to Terry Larsen Excavating for the amount of \$417,500.”

Following the City Administrator, the floor was given to the Public Works Director who advised the Council they had received 11 bids on this project ranging from a low of \$417,500 to a high of \$772,412 at that he concurred with the City Engineer that the bid should be awarded to the low bidder, Terry Larsen Excavating, in the amount of \$417,500.

The floor was then given to Council Member Earnshaw who motioned the City Council award the bid for the Redwood Road/500 South Waterline Project to the low bidder, Terry Larsen Construction in the amount of \$417,500. 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 #519 AN ORDINANCE AMENDING THE CITY ZONING ORDINANCE TO CREATE A LEGACY GATEWAY ZONE

The Mayor gave the floor to the Community Development Director who reviewed the following with the City Council:

“Given to the Council is the Planning Commission’s recommended Legacy Gateway zone chapter. In addition, you will find an adoption Ordinance #519 for the same.

“The City recently adopted a General Plan update establishing a vision for the development of the Legacy Interchange, 500 South and the north end of Redwood Road. As such, the Planning Commission and staff have formulated the attached Legacy Gateway Zone regulations. These regulations will help implement the goals, policies and vision of the 2008 General Plan update. The ordinance also incorporates a specific section on design guidelines governing the appearance

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

and quality of architecture, landscaping and other elements to ensure higher quality development which relates to the Legacy Parkway and shore land environment.

“The Planning Commission has recommended to the City Council that Chapter 31, entitled the Legacy Gateway Zone, be adopted and made part of the Woods Cross Zoning Ordinance.”

Following the review by the Community Development Director, the floor was given to Council Member Earnshaw who said he liked the Legacy Gateway Zone but would like to see the City Staff hire a consultant who could help develop the area to the liking of the City.

The Staff said they would look into the matter. Also they felt as the Legacy Highway opens and the zone is in place, developers will come forward and approach the City about development in the area.

The Council also asked the Staff to stay in touch with the property owners in the area and help coordinate the development to the benefit of the City.

The Council asked when the rezoning takes place of the property, will the property owners be notified and the Staff said they would be notified in writing.

The Mayor then opened the public hearing on this matter to consider the amending of the City's zoning ordinance to create a Legacy Gateway Zone.

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

The floor was then given to Council Member Hill who motioned the City Council adopt Ordinance #519, an ordinance enacting title 12, chapter 31, of the Woods Cross Zoning Ordinance, establishing the Legacy Gateway Zone. Council Member Evans seconded the motion and all voted for the motion through a roll call vote.

OPEN SESSION

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

There were no items from the public present and the floor was given to Council Member Evans. She said she had received from the Gertsche family an e-mail asking the City to give consideration to their water well and what affect the City will have on their water well in drilling the new City water well #5.

The Staff was asked to stay in touch with the Gertsche family and work closely with them as the water well is dug and starts to flow to see what affect it will have. Council Member Evans recommended the City Council give every consideration to helping the Gertsche family with the affect it might have on their well.

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

The floor was then given to Council Member Hadlow who complimented the Public Works Department on their repairing of a water leak in his area. He noted they had put in long hours to see that the leak was repaired promptly and service was not interrupted.

The floor was given to Council Member Dayley who asked the Staff if they could put a map or a picture of where the new water well will be located in Mills Park on the City's website. The staff said they would see to it.

There were no other items for the open session.

MAYOR'S REPORT

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

1. He said on September 8th there would be a meeting held at Holly Refinery conference room at 1:00 P.M. to discuss with UDOT and other invited property owners along 500 South, concerning the plan to put islands in the middle of 500 South when it is converted to a four lane highway.
2. He said he attended the South Davis Transit Meeting and discussion of the study for the transportation in South Davis County. The light rail shows it is too expensive and too low of ridership to warrant installation. He said UTA would look at alternatives, such as, rapid transit system in place of the rail system.

This concluded his report.

PLANNING COMMISSION REPORT

The Mayor reported on the Planning Commission Meeting held August 26th 2008. Please see the minutes of that meeting for the details of his report.

CITYADMINISTRATOR'S REPORT

The City Administrator reported the following to the City Council:

1. City Summer Picnic

“Just a reminder of the City's Summer Picnic scheduled for Friday, September 5th at 6:00 p.m.”

2. Focus Group

“Given to the Council is a status sheet for the Public Works Department. I have spent some time and gone through and created a status sheet for the items listed with the Public Works Department. I plan on doing the same for the Police and the Administration. I can discuss any of the items you may have questions on.”

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

3. 500 South

“We have had a number of residents and businesses along 500 south voice their concerns about the proposed raised median on 500 south. URS and UDOT have been meeting with those concerned and are drafting a revised plan for 500 south. I will keep you updated on the changes UDOT makes to the plans.”

ADJOURNMENT

At 8:20 P.M. the Council concluded the City Council Meeting with a motion by Council Member Earnshaw to adjourn. Council Member Evans seconded the motion and all voted for the motion through a roll call vote.

Kent Parry, Mayor

Alan T. Low, Recorder