

**WOODS CROSS CITY COUNCIL MEETING
SEPTEMBER 15, 2009**

The minutes of the Woods Cross City Council Meeting held September 15, 2009 at 6:30 P.M. in the Woods Cross City Hall located at 1555 South 1220 West, Woods Cross.

CONDUCTING: Mayor Kent Parry

COUNCIL MEMBERS PRESENT:

Kent Parry Mayor
Tamra Dayley

Jon Hadlow
David C. Hill
Jill Evans

COUNCIL MEMBERS EXCUSED:

Rick Earnshaw

STAFF PRESENT:

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

VISITORS:

Lois Schrader
Don Schrader
Al Jewell
Ken Shelton
Julie Shelton
Barry Woodward

INVOCATION: Jon Hadlow

PLEDGE OF ALLEGIANCE: Jill Evans

The Mayor welcomed those in attendance and stated this is a regularly scheduled meeting that notice of time, place and agenda was sent to local newspapers and provided to each of the City Council members prior to the meeting.

APPROVAL OF MINUTES

The City Council reviewed the minutes of the City Council meeting held September 1, 2009. After the review, Council Member Hill motioned the minutes be approved as corrected with Council Member Evans seconding the motion and all voted for the motion through a roll call vote.

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APPROVAL OF FINANCIAL REPORT

The floor was given to the City Recorder who reviewed with the City Council the City's Financial Report for the period ending August 31, 2009. The Council reviewed the City's cash position, sales and use tax report, the transient room tax report, report of the impact fees collected for South Davis Metro Fire Agency and executive summary of the City's funds comparing revenues and expenditures to the budget.

After the Council's review, Council Member Dayley made a motion to approve the City's Financial Report as presented with Council Member Hadlow 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 Hadlow 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.

OPEN SESSION (BRIEF ITEMS)

The Mayor then opened the meeting to items from those present that would take less than two or three minutes.

There were no items from the public present and the floor was given to Council Member Hill who reviewed with the City Council a cost estimate on expanding the City Hall by combining the multi-purpose room and the City Council room into one large room or by expanding the multipurpose room to the east of City Hall to provide more space for general purpose meetings that are held at the City Hall.

He noted it would be extremely expensive; nearly two to three times more money, to take out the current wall separating the multi-purpose room and the City Council room and combining them into one large room. He said by far it would be less expensive to expand the current multi-purpose room to the east with the opening to the multi-purpose room being from the south side of the room. By doing so, this would eliminate parking on the east side of the City Hall but would continue to provide two lane traffic to the east of the City Hall to get to the parking on the south as well as the mail drops and utility drops on the south side of the building.

He gave to the City Council a cost estimate and the work that would need to be done and the approximate costs excluding any architectural fees which the estimate was about \$196,000.

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The Council then discussed how much extra meeting space this would provide to the room especially in conjunction with the monthly senior citizens meeting that are held there. It was noted by Staff they would meet and make a calculation as to how many additional people would be able to come into the room for that meeting as well as other meetings and report back to the City Council.

There were no other items for the brief open session.

A PUBLIC HEARING TO CONSIDER APPROVAL OF PROPOSED AMENDMENTS TO THE ZONING ORDINANCE TO CLARIFY THAT CONDOMINIUMS IN THE C-1, C-2, I-1 AND AP ZONES ARE LIMITED TO NON-RESIDENTIAL AND REMOVE HOTEL/MOTEL AS A USE WITHIN THE I-1 ZONE

The Mayor gave the floor to the Community Development Director who reviewed the following with the City Council concerning the proposed ordinance before them:

“As a result of the tank fire at Silver Eagle, both the City Council and Silver Eagle have held several meetings regarding the accident and the emergency response. Silver Eagle has formed a community advisory committee to improve conditions at the refinery and communication between the City, citizens, and Silver Eagle.

“One issue that has been discussed between the City and the refinery was a request to amend our Zoning Ordinance to limit or mitigate conflicts between the refinery and future development proposals adjacent to Silver Eagle’s operation. Silver Eagle is concerned with the potential within the nonresidential zones adjacent to the refinery for condominiums or hotels/motels to be developed. It was explained to Silver Eagle representatives that condominiums within the nonresidential zones were limited to nonresidential use; however, the ordinance is not clear on this matter. As such, the Planning Commission has recommended that the Zoning Ordinance be amended to clarify that condominiums as a conditional use in the C-1, C-2, I-1, and AP zones are limited to nonresidential use.

“Furthermore, the Planning Commission has recommended removing hotels and motels as a conditional use within the I-1 Light Industrial/Business Park zone. Hotels and motels are presently listed as a conditional use to accommodate potential development on 500 South and Redwood Road. However, much of this area has been rezoned to the Legacy Gateway which lists hotels and motels as a conditional use within the I-1 zone for the remaining light industrial zoned areas.

“Given to the Council is a proposed adoption ordinance listing condominiums as limited to nonresidential use in the zones specified above. In addition, hotels and motels have been removed from the I-1 zone. The Planning Commission has held a hearing on this matter and has recommended to the City Council that the attached ordinance be adopted.”

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Following the review by the Community Development Director the Mayor then opened the public hearing to receive public input on the change to the proposed zoning ordinance.

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

The Mayor then gave the floor to Council Member Hadlow who motioned the City Council adopt Ordinance #531, an ordinance amending sections 12-11-103, 12-12-103, 12-14-103 and 12-15A-103 of the Woods Cross Zoning Ordinance relating to conditional uses. Council Member Hill seconded the motion and all voted for the motion through a roll call vote.

CONSIDERATION TO GRANT CONDITIONAL ACCEPTANCE TO MOUNTAIN VIEW TOWNHOMES PHASE 1

The City Council reviewed the following from the Public Works Director giving his recommendation to the conditional acceptance as follows:

“We have reviewed the following development for conditional acceptance:

Mountain View Townhomes Phase 1

“We would recommend conditional acceptance of these improvements authorizing the release of the bond down to 10% with the exception of:

Street Trees, Landscaping, Fencing	100% held
Slurry Seal	100% held”

After reviewing the information from the Public Works Director, the floor was given to Council Member Evans who motioned the City Council follow the recommendation of Staff and give conditional acceptance to Mountain View Townhomes Phase 1 as recommended above. Council Member Dayley seconded the motion and all voted for the motion through a roll call vote.

REQUEST FOR THE CITY TO MAKE A DONATION TO THE CHARLIE SKINNER MEMORIAL SCHOLARSHIP FUND AT THE WOODS CROSS HIGH SCHOOL

The Mayor gave the floor to the City’s Chief of Police who in turn introduced the Woods Cross High School Resource Officer for the City, Officer James Sheldon, who reviewed with the Council a request for a donation from the City for a soon to be established scholarship fund at the school. The following is Officer Sheldon’s request:

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“I, as the School Resource Officer, and widow of Officer Skinner are submitting this letter to ask for your support in establishing a scholarship to be awarded to the students of Woods Cross High School. The scholarship will be in honor of Charles Skinner, the North Salt Lake police officer who was killed in a traffic accident while on duty in November 2008. This request is submitted with the backing of Officer Skinner’s family.

“Our goal is to provide Woods Cross High School students with the opportunity to pursue additional education and training upon their graduation and to continue to show support to the youth of our community.

“The scholarship focus will be academics, citizenship, and traffic safety. Applicants will be required to submit an essay outlining their future goals and addressing the theme,

“”How does law enforcement provide service within my community and what can I do to support it (or law enforcement officers) as a citizen?””

“Scholarship recipients will be selected based on their essay. Semi-finalists will be interviewed by a selection panel to determine scholarship winners.

“Our hope is for this scholarship to be awarded annually. Our goal is to present at least two scholarships per year. The amount of the scholarships awarded will be determined by the amount of money contributed on a yearly basis. As of today, North Salt Lake and the Utah Fast Pass Executive Committee have expressed an interest in supporting this scholarship.

“We are aware that in today’s economy there are many challenges facing city budgets; however we also feel strongly that we must provide for our youth and their future opportunities. Your support of and contribution towards this scholarship would be greatly appreciated.

“Thank you for your consideration of this request.”

Following the information provided by Officer Sheldon, the City Council then asked how much of a donation they would like and the response was that the donation would be \$500 a year during the life of the scholarship.

It was noted by Council Member Hill that the Woods Cross High School Community Council is supportive of this annual scholarship that would be supported by the City as well as other organizations.

It was noted they hoped to be able to provide two annual scholarships of \$1,500 each and the payment would go to the college of the student who was awarded the scholarship.

The Mayor expressed his support to the scholarship fund.

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The floor was given to Council Member Hill who said he was in support of the scholarship fund as well but the City Council should be given access to the administrative rules and policies governing the control of the money and how the scholarships were awarded for the Council's review prior to making any kind of donation.

It was noted by Officer Sheldon that all donations would go towards the scholarship fund and there would be no administrative fees.

The floor was then given to Council Member Hill who motioned the City Council approve a \$500 annual donation to the Charlie Skinner Memorial Scholarship Fund at Woods Cross High School but that prior to the donation the City Council will be able to review the written rules on how the funds will be administered and handled. Council Member Dayley seconded the motion and all voted for the motion through a roll call vote.

DISCUSSION REGARDING PRIVATE AND PUBLIC PARKS IN NEW DEVELOPMENTS

The Mayor gave the floor to the City Administrator who outlined the following information for the City Council concerning public versus private parks within the City's subdivisions:

“The park and open space areas in the Valentine and Ivory developments are shown on the map given to the Council.

“In the Valentine subdivision, there are two roundabout areas, the buffer area along Redwood Road and the park adjacent to South Bountiful Auto, which we required as a buffer area. These were all defined in the Development Agreement with Development Associates.

“In Mountain View Estates there is the buffer along Redwood Road, the small park near the clubhouse and a small pocket park in the southwest corner of the subdivision. These are all defined in the Development Agreement with Ivory.

“After reviewing the concerns about Home Owner Associations maintaining park areas, I suggest in the future we eliminate the mini parks within developments. I have given to the Council a copy of the section of the General Plan that defines the various types of parks and the development aspects of these various parks.

“Mini parks, as defined in the General Plan, should only be developed in apartment complexes and townhouse developments and they would be considered project improvements paid for and maintained exclusively by the project developers.

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“When developing subdivisions, I recommend we plan on developing neighborhood, community or regional parks that would be funded through impact fees and would be publicly owned. This would eliminate the issues brought up concerning the homeowners association maintaining parks.

“I recommend small landscaped areas such as roundabouts, required landscape buffering and small areas next to clubhouses still are privately maintained as part of the development.

“As we move forward in the future in approving developments, we can take a closer look at the proposed open spaces during the approval process to make sure we meet the concerns that have been voiced about the development and ownership of parks and open space.”

After the City Administrator’s review, it was also noted many smaller parks throughout the subdivisions in the City make it extremely difficult for City Staff to maintain them but that larger parks in central locations are more efficient and easier to maintain and provide a greater variety of activities to be held there.

The floor was given to Council Member Evans who also expressed larger parks allow better use for the public as well as a variety of uses for those that use them.

The City Council concurred with the direction recommended by the City Administrator and asked it be put into the subdivision ordinance that larger parks are better for the City than mini parks within the subdivisions and to bring the ordinance back to the City Council for approval.

OPEN SESSION

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

The floor was given to the City’s Chief of Police, Chief Paul Howard. He expressed appreciation to Officer James Sheldon for his presentation tonight as well as his work as the Resource Officer at Woods Cross High School. He said Officer Sheldon has shown great interest in working closely with the students and the faculty of Woods Cross High School and this is shown by his sponsorship and leadership in developing the scholarship fund that was discussed earlier in the meeting.

The floor was then given to Council Member Evans who asked the City Staff if they would also put on a future City Council agenda the RAP Tax so the City Council could set specific goals as to how this money will be used throughout the City.

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The floor was then given to Council Member Dayley who expressed to the Council the excellent convention of the Utah League of Cities and Towns. She expressed support for the Utah League and encouraged the City Council to support the Utah League because they do so much especially in the area of legislation with the State legislature. She said there are many legislative issues the League is working on for the benefit of the cities. She said she found the conference to be beneficial.

The floor was then given to Council Member Hill who also said the convention was beneficial and he noted how judicious the City Council was in the expenses that were spent to attend the convention. He noted that many of the extras which were not part of the actual conference itself were not attended to save money for the City.

There were no other items for the open session.

REPORT FROM THE SOUTH DAVIS METRO FIRE AGENCY

The Mayor, who represents the City on the South Davis Metro Fire Agency Board of Directors noted the fire agency has not held their monthly meeting yet and it would be held next Monday and he would report at a future City Council meeting.

REPORT FROM THE SOUTH DAVIS RECREATION DISTRICT

The Mayor continued with the floor as the representative on the Board of Directors for the South Davis Recreation District for the City. He said the recreation district continues to maintain the strong membership as well as usage of the facility continues to grow. He noted expenses have increased and as the district's facility starts to age, it requires more maintenance. He noted the recreation district had contacted three baseball organizations in southern Davis County about combining the recreation district with the baseball leagues that are held during the summer. He noted two of the three baseball organizations were amenable to joining the recreation district the other one felt it needed to be given some additional thought because they thought perhaps being bigger would not necessarily be better. He said there will be meetings held with all three in the future to work out the details.

This concluded his report.

REPORT FROM THE DAVIS MOSQUITO ABATEMENT DISTRICT

The floor was given to Council Member Evans who represents the City Council on the Board of Directors of the Davis Mosquito Abatement District and she reported on the district's activities as follows:

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“West Nile Update: Utah—No human cases at this time. One horse tested positive in Sanpete County. Ten positive mosquito pools (using ramp test) from St. George, Salt Lake City, South Salt Lake, Magna, Box Elder and Utah Counties. Seven positive mosquito pools have been confirmed by the State Lab from St. George, Magna and Uintah

“Davis-Salt Lake Aerial Spray Authority: Bid was awarded to R & O Construction for the construction of a new hangar for \$1,389,536. They will be tearing down the existing hangar next week and the new one should be completed within 150 days. Bids ranged from low \$1,389,536 to \$1,793,600.

“The website has been getting a lot of hits. Residents can go online and request spray requests.”

MAYOR’S REPORT

The Mayor suggested to the City Council perhaps there might not be a need for a second “meet the candidate” night. The floor was given to Council Member Hill who spoke in favor of holding the second meeting prior to the general election which gives the candidates an opportunity to meet more of the citizens of the City.

The Council concurred and set the date of October 15, 2009 at the Woods Cross Elementary School for the second “meet the candidate” night.

The Mayor then advised the Council and asked the Staff to look into a homeowner at approximately 1174 West 1700 South who has turned their front yard into a vegetable garden. He noted when the garden is idle during the winter months there would be no landscaping in front of the house.

Staff said they would look into the matter.

The final item the Mayor brought before the Council was it was reported to him there was an organization who wanted to use the snack shack located in Mills Park next to the baseball diamond for an activity there and sell refreshments from the snack shack. They were told by the South Davis Baseball organization they could not use the facility.

It was noted the building belongs to Woods Cross City and perhaps it would be important to label the building as the property of the City and say on the sign to contact the City Staff about the use of the building.

This concluded his report.

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PLANNING COMMISSION REPORT

The floor was given to Council Member Hill who reported on the Planning Commission Meeting held September 8, 2009. Please see the minutes of that meeting for the details of his report.

REPORT FROM THE CITY ADMINISTRATOR

The City reported on the following to the City Council:

1. Canvass of the Election

“We are required by law to canvass the upcoming primary election within 14 days of the election. This would require the Council to do the canvass at the latest by the 29th of September. The next scheduled Council meeting will be on October 6th so you will need to do the canvass on either the 22nd or the 29th.”

The Council set the evening of September 29th to canvass the primary election.

2. Meet the Candidate Night

“Because of the early voting, The City Recorder has recommended we move the “Meet the Candidate Night” from October 22nd to October 15th. If there is no objection to this, he will proceed and change the “Meet the Candidate Night” to that date. The Council concurred with the change.”

ADJOURNMENT

At 7:55 P.M. Council Member Hills motioned to adjourn the City Council Meeting. Council Member Evans seconded the motion and all voted for the motion through a roll call vote.

Kent Parry, Mayor

Alan T. Low, City Recorder