

**WOODS CROSS CITY COUNCIL
MAY 20, 2008**

The minutes of the Woods Cross City Council Meeting held May 20, 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:

Mayor Kent Parry
Tamra Dayley
Jill Evans

Jon Hadlow
David C. Hill

COUNCIL MEMBERS EXCUSED:

Rick Earnshaw

STAFF PRESENT:

Alan Low, City Recorder
Gary Uresk, City Administrator
Tim Stephens, Community Development Director

VISITORS:

Rich Tuttle
Pat Blackley
LeGrande Blackley
A.H. Jewell
Lance Sweeten
Tyler Sweeten

INVOCATION: Kent Parry

PLEDGE OF ALLEGIANCE: Jon Hadlow

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 May 6, 2008. After the review, Council Member Hadlow 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.

The City Council then reviewed the minutes of the City Council Work Meetings held on April 15, 2008 and May 13, 2008. After the review, Council Member Hadlow motioned that the

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
MAY 20, 2008
PAGE 2**

minutes be approved as written with Council Member Evans seconding the motion and all voted for the motion through a roll call vote.

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 April 20, 2008. 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 the South Davis Metro Fire Agency and an executive summary of the City's funds comparing revenues and expenditures to the budget.

After the Council's review, Council Member Hadlow made a motion to approve the City's Financial Report as presented, with Council Member Dayley seconding the motion and all voted for the motion through a roll call vote.

APPROVAL OF CASH DISBURSEMENTS

The City Recorder reviewed the cash disbursements listing for tonight's meeting with the City Council. After the Council's review, Council Member Hill made a motion to approve the cash disbursements 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 Mayor gave the floor to City resident, Mr. Lance Sweeten who lives at approximately 1200 West and 1500 South. He explained to the City Council that there has been a problem with motorists speeding along 1200 West as they leave 1500 South to go south to the Mills Park parking lot. He said he is an engineer and he had developed a method whereby he could time cars from one point to another and determine their speed and he said some were going in excess of 60 miles per hour but the average speed was 45 miles per hour. He noted for the Council that the posted speed in the area is 25 miles per hour.

He then discussed with the Council, methods that could be used to slow down the motorists along this road. He said in the past the residents had tried to ask people to slow down and they had even parked their cars parallel to the curb along the street which acts as a calming device. He said when they did this, the next day he woke up and found their cars had been splattered with eggs as well as some of the homes in the area.

The Council discussed the possibility of portable speed bumps, taking down license plate numbers and reporting them to the police, placing the City's speed trailer on the street to show people what speed they are going.

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
MAY 20, 2008
PAGE 3**

Mr. Sweeten asked the Council if more aggressive enforcement could not be done in the area to issue tickets to those who were speeding along the road. In addition, he volunteered and said if the City would prepare a flyer asking people to slow down and to be more cautious, the residents of the area would be glad to hand out the flyer to those using the parking lot at Mills Park.

The Staff said they would discuss this with the Chief of Police and, as soon as possible, would place the speed trailer in the area so people could see how fast they are going and other procedures would be discussed.

There were no other items for the brief open session.

PRESENTATION BY THE BOUNTIFUL/DAVIS ART CENTER ON SUMMERFEST

The City Administrator introduced the subject to the City Council as follows:

“Mr. Rich Tuttle from the Bountiful/Davis Art Center is here to make a short presentation on the Summerfest celebration planned for this year. He is also requesting the City continuing its donation to the Summerfest which we have budgeted at \$1,500. One complication is the State Statute prohibition of funding 501c (3) organizations. Before we make a commitment on this I would like to discuss it with the City Attorney and get his opinion on whether this is acceptable or not.”

Following the introduction by the City Administrator, the floor was then given to Mr. Rich Tuttle from the Bountiful/Davis Art Center and he made a Power Point presentation to the Council concerning the activities of the Bountiful/Davis Art Center as well as their sponsoring of Summerfest which is for the residents of the South Davis area.

Following his presentation, he thanked the Council for their time and their consideration in making a donation to the Summerfest program.

**CONSIDERATION TO APPROVE VALENTINE ESTATES PHASE 3 FINAL PLAT
LOCATED AT APPROXIMATELY 2300 SOUTH 2200 WEST**

The Mayor gave the floor to the Community Development Director who outlined for the Council the following concerning Valentine Estates Phase 3 Final Plat:

“Last year the Planning Commission and City Council approved the Phase 3 Valentine Final Plat. However, since that time an additional lot has been added to the plat. As you may recall, the City owned a 20 foot strip of property in addition to a UDOT owned 20 foot wide strip of property between the South Bountiful Salvage yard and the proposed park in Phase 3. To resolve this issue the City has purchased the entire UDOT owned 20 foot strip from Redwood Road to Legacy Highway. This 20 foot strip has been sold and included in each of the adjacent properties east of the salvage yard. The City donated its 20 foot strip of property to the Valentine Estates Park. However, it was necessary for Mr. Shipp to purchase the UDOT 20 foot

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
MAY 20, 2008
PAGE 4**

strip of property from the City. Due to this fact, the City has agreed to allow Mr. Shipp an additional lot in Phase 3 as an adjustment.

“The City felt this was a reasonable compromise in that we have eliminated the 40 foot “no mans” land between the subdivision and the salvage yard. In addition, the 40 foot wide area will be landscaped by Mr. Shipp with additional trees to buffer the wall and salvage yard from both the park and Valentine Estates neighborhood.

“The Planning Commission has forwarded to the City Council a recommendation to approve the Valentine Estates Phase 3 Final Plat.”

Following the outline by the Community Development Director, the floor was given to Council Member Hadlow who motioned the City Council approve the Valentine Estate Phase 3 Final Plat located at approximately 2300 South and 2200 West. Council Member Evans seconded the motion and all voted for the motion through a roll call vote.

CONSIDERATION TO APPROVE A PARK REIMBURSEMENT FOR VALENTINE ESTATES SUBDIVISION

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

“Given to the Council is a draft of a proposed reimbursement agreement with Development Associates for the Valentine Estates Subdivision. Mr. Nate Shipp has requested we include the cost of the purchase of the property which adds \$185,000 to the reimbursement amount. I felt it was understood when we amended the General Plan in 2004, since we gave them increased density on the property, the purchase of the property would not be reimbursed through impact fees. Our impact fee study shows the property not being part of the fee calculation development process which reinforces this position. In the past when I requested the reimbursable costs for the park Mr. Shipp did not include in the land price, but has recently made the request because of the building slow down. The Development Agreement only states that the City will reimburse the Developer a portion of the park impact fees. I recommend we exclude the purchase of the property from the agreement.”

Following the review by the City Administrator, the City Council determined to table this matter and to discuss it with Mr. Shipp when he appears before the City Council to discuss higher density in his development west of Redwood Road.

The floor was given to Council Member Dayley who motioned the Council table consideration to approve the Park Reimbursement Agreement for Valentine Estates Subdivision. Council Member Evans seconded the motion and all voted for the motion through a roll call vote.

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
MAY 20, 2008
PAGE 5**

DISCUSSION ON VALENTINE COTTAGE HOME CONCEPT LOCATED AT APPROXIMATELY 2200 SOUTH 2040 WEST

The City Administrator recommended this item be tabled until it can be discussed with Mr. Shipp who could not be at the meeting tonight.

The floor was given to Council Member Dayley who motioned the Council table this agenda item on the Valentine Cottage Home Concept located at approximately 2200 South and 2040 West. Council Member Evans seconded the motion and all voted for the motion through a roll call vote.

CONSIDERATION TO GRANT CONDITIONAL ACCEPTANCE FOR VALENTINE ESTATES PHASE 3 LOCATED AT APPROXIMATELY 2300 SOUTH 2200 WEST

The City Council reviewed the following from the Public Works Director who recommended to the City Council that they give conditional acceptance to Valentine Estates Phase 3 and that he recommended that conditional acceptance of these improvements be authorized and the release of the bond down to 10% with the exception of:

1. The street trees be held 100%
2. Slurry seal be held 100%
3. Landscaping be withheld 100%
4. Valentine Estates make full payment of inspection fees and sign fees

The floor was then given to Council Member Hill who motioned the Council give conditional acceptance to Valentine Estates Phase 3 and follow the recommendations as outlined above by the Public Works Director. Council Member Evans seconded the motion and all voted for the motion through a roll call vote.

CONSIDERATION TO GRANT CONDITIONAL ACCEPTANCE FOR VALENTINE ESTATES MULTI-FAMILY DEVELOPMENT LOCATED AT APPROXIMATELY 2300 SOUTH 2200 WEST

The City Council reviewed from the Public Works Director his recommendation that the Council give conditional acceptance to Valentine Estates multiple family development and he recommends to the Council the release of the bond down to 10% with the exception of the AC slurry seal of \$4,892.25.

The floor was given to Council Member Dayley who motioned the City Council gives conditional acceptance of release of a bond down to 10% of Valentine Estates multi family development with the exception that the AC slurry seal amount of \$4,892.25 not be released. Council Member Hadlow seconded the motion and all voted for the motion through a roll call vote.

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
MAY 20, 2008
PAGE 6**

CONSIDERATION TO GRANT CONDITIONAL ACCEPTANCE FOR POULSEN PLACE SUBDIVISION LOCATED AT APPROXIMATELY 1500 SOUTH 1050 WEST

The City Council reviewed the following by the Public Works Director:

“The Staff has reviewed the Poulsen Place Subdivision of conditional acceptance. We find the improvements acceptable to begin the warranty period. We recognize the asphalt is showing settling and we have made note that this needs to be repaired and completely overlaid prior to a final acceptance.

“In addition the bond for the following will not be released until completion:

“Streetlight installed

“Street trees installed

“AC slurry seal

“Asphalt overlay”

After the review by the Public Works Director, the floor was given to Council Member Hill who motioned the City Council grant conditional acceptance to Poulsen Place subdivision located at approximately 1500 South 1050 West with the conditions as outlined above. Council Member Dayley seconded the motion and all voted for the motion except Council Member Hadlow who voted opposed. The motion carried by a roll call vote of 3 to 1.

CONSIDERATION TO ADOPT RESOLUTION 2008-452 A RESOLUTION PROCLAIMING MAY AS FOSTER CARE MONTH IN WOODS CROSS CITY

The Mayor reviewed with the City Council resolution 2008-452 a resolution proclaiming May as Foster Care Month in Woods Cross City. He recommended to the City Council they adopt the resolution.

The floor was given to Council Member Dayley who motioned the Council adopt Resolution 2008-452 a resolution proclaiming May as Foster Care month in Woods Cross City. Council Member Evans seconded the motion and all voted for the motion through a roll call vote.

REPORT FROM THE SOUTH DAVIS RECREATION DISTRICT

The Mayor reported to the City Council on the activities of the South Davis Recreation District as follows:

1. He noted they are renewing memberships at the same rate as they have in the past, they are pleased with this.
2. He noted their financial report shows revenues are exceeding expenditures.

This concluded his report.

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
MAY 20, 2008
PAGE 7**

REPORT FROM THE SOUTH DAVIS METRO FIRE AGENCY

The Mayor continued with the floor and reported on the activities of the South Davis Metro Fire Agency. He noted at their recent Board Meeting they had approved a memo of understanding with the other fire departments in Davis County and Weber County to pool their resources for fire investigating.

He also noted their revenues and expenditures continue to track to their budget.

This concluded his report.

OPEN SESSION

The Mayor then opened the meeting for 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 Dayley. She asked if there had been any work completed by the Staff for surveillance equipment to be installed at the park. The Staff said they would be presenting a recommendation to the Council in the near future.

The floor was then given to Council Member Hadlow who asked about Mr. Jerry Stephenson's development of the property at approximately 2300 South 1100 West into a light duty industrial park. The Staff reported they have received no proposals from Mr. Stephenson at this time.

There were no other items for the open session.

REPORT FROM THE DAVIS MOSQUITO ABATEMENT DISTRICT

The floor was given to Council Member Evans who is the City's representative on the Davis Mosquito Abatement District. She reported on the activities as follows:

1. She said they had a special guest meet with their board members to discuss the pertinent laws and operations of special districts that helped to educate the board members.
2. She also advised the Council the district had purchased a storage facility at the Ogden Airport to store their chemicals and they will share the cost of this storage area with the Salt Lake Mosquito Abatement District.
3. She concluded by advising the Council the district had visited 55 schools in the Davis County area educating the students on how to prevent the growth of mosquitoes in the area.

This concluded her report.

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
MAY 20, 2008
PAGE 8**

MAYOR'S REPORT

The Mayor asked one of the City Council Members to take the responsibility tomorrow night at the Woods Cross High School to represent the City in presenting 3 scholarship awards that will be funded by Woods Cross City. Council Member Dayley was chosen to fill in for the Mayor and make the presentations.

He then asked the Staff to arrange to meet with the West Bountiful City Staff and discuss the development on 500 South and Redwood Road so that both West Bountiful and Woods Cross can work together in developing the area.

He concluded his report by advising the Council that West Bountiful City is considering putting the RAP tax back up for another vote. He asked the Council if they would be interested in having another vote on the RAP tax for the citizens of Woods Cross City. This tax increases the sales tax by .1%.

It was noted by the City Administrator that the citizens of Woods Cross purchase most of their items in cities where the RAP tax is in place and it might be in the best interest to the citizens of Woods Cross to pass the RAP tax so they might enjoy the amenities that the tax provides for the citizens of Davis County.

In addition he discussed if the tax were to be voted on again they would want it to be designated for park development in Woods Cross City as well as perhaps a Senior Citizens Center in Woods Cross City and that only around 10% of the tax would go to the performing arts center that will be built in Centerville City.

It was noted that they would have to educate the citizens of the City as to what the tax would be used for.

The Staff took the assignment that they would determine how much would be collected in Woods Cross from the RAP tax and then provide suggestions on what projects this funding could be used for within the City and South Davis County.

This concluded the Mayor's report.

PLANNING COMMISSION REPORT

The floor was given to Council Member Hadlow who reported on the Planning Commission Meeting held May 13, 2008. 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 on the following to the Council:

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
MAY 20, 2008
PAGE 9**

1. Water Bond

“I am presently working on the analysis of water rates as we discussed in the work session. I hope to have them to the City Council for their review and discussion in the near future.”

ADJOURNMENT

There being no further business before the City Council, Council Member Dayley motioned the Council adjourn the meeting at 8:00 P.M. with Council Member Evans seconding the motion and all voted for the motion through a roll call vote.

Kent Parry, Mayor

Alan T. Low, Recorder