

**WOODS CROSS CITY COUNCIL
JANUARY 15, 2008**

The minutes of the Woods Cross City Council Meeting held January 15, 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
Jill Evans

Rick Earnshaw
Jon Hadlow
David C. Hill

COUNCIL MEMBERS EXCUSED:

Tamra Dayley

STAFF PRESENT:

Alan Low, City Recorder
Gary Uresk, City Administrator

VISITORS:

Jamy Reudter
Jenefer Reudter
J.D. Muir
Dee Nelson
Al Jewell
Don Schrader
Joshua Jackson
Jerry Larrabee
Bob Peters

Gabby Reudter
Mallory Reudter
Angie Muir
Maureen Nelson
Russell Barton
Wayne Hinckley
Melinda Williams
LeGrande Blackley
Paula Hill

Morgan Reudter
Susan Muir
James Muir
Leendert Van Hulten
Summer Barton
Vicki Hinckley
Lois Larrabee
Pat Blackley
Doug Hattery

INVOCATION: Kent Parry

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 January 2, 2008. After the review, Council Member Hadlow motioned the minutes be approved as written with Council Member Hill seconding the motion and all voted for the motion.

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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 December 31, 2007. 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 an executive summary of the City's funds comparing revenues and expenditures to the budget.

After the Council's review, Council Member Earnshaw made a motion to approve the City's Financial Report as presented, with Council Member Evans seconding the motion and all voted for the motion.

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 Earnshaw made a motion to approve the Cash Disbursements as presented, with Council Member Hadlow seconding the motion and all voted for the motion through a roll call vote.

SOUTH DAVIS RECREATION REPORT

The Mayor gave the floor to Mr. Jerry Larrabee, the City's past representative on the Board of Directors of the South Davis Recreation District.

Mr. Larrabee was present at the meeting to report on the District's meeting held in December. It was noted as of January 1, Mayor Parry is now the representative on the Board of Directors of the Recreation District.

Mr. Larrabee passed out to the Mayor and City Council a report of the Recreation Center's passes that had been sold to the public for the period ending November 15, 2007. He advised the City Council that the District is pleased by the participation of the public who are using the Recreation Center and said the Board of Directors felt for the first seven months of operation the center has been very successful.

After Mr. Larrabee's report the Mayor opened the meeting to questions from the City Council. Council Member Earnshaw asked if the Recreation Center was paying the Davis School District to use the District's school gyms for the Junior Jazz put on by the Recreation District. Mr. Larrabee said he was not sure but he could check on it and report back to Council Member Earnshaw.

There were no other questions and this concluded the report.

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SWEARING IN OF RUSSELL BARTON AS A WOODS CROSS CITY POLICE OFFICER

The Mayor gave the floor to the City Recorder who in turn administered the Oath of Office to Officer Russell Barton as the newest Woods Cross City Police Officer.

After the swearing in, the Mayor and Council expressed their congratulations to Officer Barton and welcomed him to his employment with the city.

RECOGNITION OF OFFICER JASON MATTHEWS AS THE WOODS CROSS POLICE OFFICER OF THE YEAR

The floor was given to Police Chief Howard who noted that Police Officer Jason Matthews was unable to attend tonight's City Council meeting, therefore this recognition would be postponed to a future City Council Meeting.

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 Mr. J.D. Muir, a former City resident, whose mother and brother continue to live in the boundaries of Woods Cross City. Mr. Muir advised the Council that his brother, who is confined to a wheelchair, has been able to receive an assignment from the Church of Jesus Christ of Latter-Day Saints to do service at the Church headquarters in Salt Lake City. Mr. Muir said this requires his brother to take his wheelchair from Sorrento Drive to 1500 South to catch the bus to commute into Salt Lake City and to return in the evening. Mr. Muir reviewed with the Council some curbing problems that are causing problems for his brother to go up the sidewalk along 1500 South, as well as some snow removal problems along various points where he returns during the evening.

Notes were made as to areas that were causing the problems and the City Staff said they would look into these matters and have them corrected.

Mr. Muir thanked the Mayor and the Council for their attention to the matter and for their consideration.

There were no other items for the brief open session.

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REPORT FROM THE WOODS CROSS CITY COMMUNITY OF PROMISE

The floor was given to Mr. Leen Van Hulten who reported as chairman of the Woods Cross City Community of Promise Committee. He reported the activities of the committee as follows:

1. He reported they will be holding their Community of Promise monthly committee meeting on the last Thursday of each month.
2. He reported the Senior Citizens Lunch Bunch meeting was held last Thursday and was very successful with a record attendance for the month of January. He said they would be meeting again the second Thursday in February.
3. He then honored the volunteer of the month, Ms. Jennifer Reudter for her service to the Summer Recreation Program, Welcome Baby Program and sign language services for the Lunch Bunch. He expressed appreciation to her for her months of service to the community and presented her with a plaque. The Mayor and the Council in turn expressed their appreciation to her for her service to the community. She expressed appreciation for the award and said it was a privilege to serve the residents of Woods Cross City.

REPORT FROM THE YOUTH CITY COUNCIL

The Mayor gave the floor to the Youth City Council Mayor, Joshua Jackson, who reported the following to the City Council concerning the activities of the Youth City Council:

1. "We enjoyed the service activities in December which included helping Santa, making Family Fun Kits for the Angel Tree and making a treat for the Senior Lunch Bunch.
2. "We invite you to join us at the WXYCC Youth Conference on January 19th from 9:00 AM to 2:00 PM. Guest speakers will include Council Members Evans and Hill as well as Terrell Bird who will give a self-defense demonstration. The WX High Impact Team will perform and Council Member Earnshaw will serve as auctioneer for fun bid items.
3. "USU Youth Leadership Conference is scheduled for Thursday, March 13th, through Saturday, March 15th. We invite any of our elected officials to join us for a banquet dinner on Friday March, 14th.
4. "Easter is early this year so we have planned our Easter "Egg"-stravaganza for Saturday, March 22nd at the elementary school.
5. "The next meeting will be Monday, February 4, 2008 at 4:00 PM. We will be doing a Valentine's Day service activity."

After Mayor Jackson's report to the City Council, Council Member Earnshaw noted he would be unable to attend the Youth Conference next Saturday because his employment would take him out of town. The Mayor said he would be glad to substitute as auctioneer for the auction at the Youth City Council Conference.

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The Mayor and Council then expressed appreciation to the Youth City Council for their hours of service they render to the Community.

CONSIDERATION TO APPOINT A CITY RECORDER AND A CITY TREASURER

The Mayor then nominated to the City Council the name of Ms. Maureen Nelson to serve as Treasurer of Woods Cross City. The Council unanimously supported the choice and the Mayor gave the floor to the City Recorder who administered the Oath of Office to the City Treasurer.

The Mayor then nominated Mr. Alan T. Low as the City Recorder. The Council unanimously supported the choice and the Mayor administered the Oath of Office to Mr. Low as City Recorder.

CONSIDERATION TO REAPPOINT THE MUNICIPAL COURT JUDGE

The Mayor then nominated the current Justice of the Peace, Mr. Robert Peters, to be reappointed as the Municipal Court Justice. The Council unanimously approved the nomination. The Mayor administered the Oath of Office to Justice Peters.

The Mayor and the Council then extended their congratulations and appreciation to him for his service to the Community.

CONSIDERATION TO DECLARE ABANDONED POLICE EVIDENCE AS UNCLAIMED AND DECLARE IT AS APPROPRIATE FOR PUBLIC USE OR TO BE DONATED TO CHARITY

The Mayor and the Council reviewed the following from the Chief of Police, Paul Howard.

“Given to the Council is a list from Detective Craig Webb of the property that has been abandoned and/or evidence that is no longer needed. It is unclaimed and we are unable to locate the owner of the property.

“As required by State law we request the City Council declare the property appropriate for public interest use and/or donate it to a charity as provided in UCA 77-24-4.”

The City Administrator then advised the Council as follows:

“We are requesting the Council declare the property listed in the purged property report as abandoned property and be designated for public use or be donated to charity. The list indicates the disposition of the property as either going to Deseret Industries. or to be used by the City. I recommend the Council declare the property as abandoned and

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unclaimed and request it be disposed as indicated in the purged property report dated January 10, 2008.”

Following the review of the property list by the Council, the floor was given to Council Member Earnshaw who motioned that the Council declare the list of property as surplus and either donate it to charity or that it be used by the City. Council Member Evans seconded the motion and all voted for the motion.

CONSIDERATION TO APPROVE AN AMENDMENT TO THE ANIMAL CONTROL AGREEMENT WITH DAVIS COUNTY

The City Administrator continued with the floor and went over the following with the Council:

“The agreement approved last year was for a five year term from January 1, 2007 to December 31, 2011. This amendment changes the term of the agreement to state that it automatically renews from year to year unless either party gives a 30 day written notice not to renew the agreement. This amendment also changes the amount of our annual payment to the County, which is an increase of \$1,138.26. Last year the amount we paid was \$15,275.40 with the new amount being \$16,413.66. This increase is broken down into a 3% inflationary adjustment (\$458) and the remaining \$680 is a charge instituted for taking care of raccoons, skunks and other wildlife. Given to the Council is a letter from Davis County Sheriffs Office indicating the changes in the agreement as well as an outline of the wildlife policy. I recommend adopting the agreement as drafted.”

After the Council’s review of the document, the floor was given to Council Member Hill who motioned that the Council approve the agreement as amended with the Davis County Animal Control Department for their services in the City of Woods Cross. Council Member Evans seconded the motion and all voted for the motion except Council Member Hadlow who voted opposed. The motion carried by a vote of three to one.

CONSIDERATION TO ADOPT RESOLUTION 2008-440 AMENDING THE PERSONNEL MANUAL REGARDING MILEAGE REIMBURSEMENT

The City Administrator continued with the floor and reviewed the following with the Council:

“Given to the Council as Exhibit 1 is a resolution amending the City’s Employee Policy Manual increasing the amount per mile paid to the City for use of private vehicles from 40.5 ¢ to 50.5¢ per mile with proportional changes for employees who choose not to use City owned vehicles. We have not made a change in the mileage rate since 2005 and felt it appropriate to make a change now considering the increase in the price of gasoline. This change is in conformance with the newly released 2008 IRS guidelines.

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“I recommend adoption of the resolution as drafted.”

Following the review by the City Administrator, the floor was given to Council Member Evans who asked why the City would allow employees to use their personal vehicles when they have the use of a City vehicle to travel on City business.

The City Administrator reviewed the policy with Council Member Evans noting that there is considerable decrease in the reimbursement if an employee has access to a City vehicle and chooses to use their own vehicle. He noted that it does save the City wear and tear on City vehicles if an employee used their own vehicle, but the employee should be reimbursed something for the use of their vehicle to travel on City business.

Following the explanation by the City Administrator, the floor was given to Council Member Earnshaw who motioned the Council adopt Resolution 2008-440, a resolution amending section XV(3) D of the policies and procedures manual of Woods Cross City as it pertains to vehicle mileage reimbursement. Council Member Hill seconded the motion and all voted for the motion.

REPORT FROM THE MOSQUITO ABATEMENT DISTRICT

The floor was given to Council Member Evans who reported on the recently held Davis Mosquito Abatement District meeting. She represents Woods Cross City on their board of directors. She explained to the Council the District has put together some public relations videos to be used with the media, as well as at schools to educate the populous on how to control mosquitoes and how to protect themselves from mosquitoes.

She also advised the Council that the District continues to work on locating a storage facility for their pesticides and they are looking at some property located next to the Skypark Airport currently owned by Cowboy Oil.

Lastly, she advised the Council that Staff from the District visits the elementary schools, grades 4-6 and educates the children on how to prevent mosquito bites and to prevent mosquitoes from populating. She said Woods Cross Elementary School had not participated in this program and encouraged the Staff to contact the principal of the school and to invite the District to come and speak to the children.

This concluded her report.

PRESENTATION OF THE 2030 PLAN BY THE WASATCH REGIONAL COUNCIL

The City Administrator was given the floor and introduced the following:

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“Mr. Doug Hattery from the Wasatch Front Regional Council will be making a 20 minute presentation on the 2030 plan which has been developed by the Wasatch Front Regional Council. The 2030 Plan focuses largely on transportation planning for the Region.”

The floor was then given to Mr. Hattery who reviewed with the City Council the goals and objectives of the Wasatch Front Regional Council. He explained to the Council who makes up the Regional Council along the Wasatch Front, and discussed with the City Council the goals of the Wasatch Front Regional Council.

After his presentation the Mayor and the Council expressed their appreciation to him for his presentation.

CONSIDERATION TO ADOPT ORDINANCE #515 ESTABLISHING
TEMPORARY ZONING REGULATIONS IN THE NORTHWEST QUADRANT
OF THE CITY

The City Administrator went over the following with the Council:

“A month ago it was decided to do additional planning and ordinance revision in the area around the Legacy Interchange to prepare for the development in that area. In discussing this with the City Attorney, he felt it prudent for us to institute temporary zoning regulations (better known as a moratorium) on development in this area of the City to ensure while we are doing this work we do not get any undesired developments proposed for the area. Given to the Council is a copy of the proposed ordinance which we would set a moratorium on any zoning or subdivision approvals in this area for six months which is the maximum amount of time allowed under state law. We have tempered the moratorium somewhat to allow building permits on existing structures because we feel that is not a significant problem for us and we do not want to unduly burden property owners in the area.

“Also given to the Council is a map outlining the area affected by the regulations which is essentially the area of the City west of 110 West and north of the Argyle Acres Subdivision. We will work as quickly as we can on the Master Plan and Zoning Ordinance revisions to maximize the time the temporary regulations are in place.

“I recommend approval of the Temporary Zoning Regulations as drafted.”

After the discussion by the City Administrator, the floor was given to Council Member Earnshaw who motioned that the Council adopt Ordinance #515, an ordinance of the City of Woods Cross City establishing temporary zoning regulations pertaining to zoning development of real property and construction located within a portion of Woods Cross City, Utah, the portion of the City being the northwest quadrant. Council Member Hadlow seconded the motion all voted for the motion.

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**CONSIDERATION TO GRANT CONDITIONAL ACCEPTANCE FOR
VALENTINE ESTATES PHASE II LOCATED WEST OF REDWOOD ROAD AT
APPROXIMATELY 1600 SOUTH**

The City Council reviewed the following from the Public Works Superintendent:

“The Staff has reviewed Valentine Estates Phase II Single Family Home Development and has received all the necessary items for conditional acceptance.

“We recommend the City Council grant conditional acceptance to Valentine Phase II.”

The floor was given to Council Member Earnshaw who motioned the City Council grant conditional acceptance for Valentine Estates Phase II. Council Member Evans seconded the motion and all voted for the motion.

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 noted there had been a home reconstruction at 1031 West 1050 South and this work had not been completed for sometime and she wondered what the City was doing to see that it is completed.

The floor was given to the Code Enforcement Officer, Mr. Grant Blackley, who advised the Council that the construction site had been red tagged because of construction problems that they needed to fix and those doing the work will be appearing before the Board of Adjustments to request a variance.

Next, the floor was given to Council Member Earnshaw who advised the Council that Mr. Craig Callister, the owner of the Apple Food Store, had purchased the ground on which his store is located, as well as some of the surrounding property for investment reasons. He went on to say there are those negotiating with Mr. Callister to purchase the Apple Food Store from him and remodel it to make it nicer on the inside of the building.

The Council discussed this location and advised the Staff they would like to see the RDA involved for the betterment of the area because it occupied the center of Woods Cross City.

There were no other items for the open session.

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REPORT FROM THE SOUTH DAVIS METRO FIRE AGENCY

The Mayor, who represents the City of the Board of Directors of the South Davis Metro Fire Agency, reported to the Council concerning the agency.

1. He said at the board meeting, the Mayor of North Salt Lake had discussed an emergency preparedness plan where they use one of the firemen who lives within their city boundaries as a part time employee to develop the emergency preparedness plan. The Mayor of North Salt Lake handed out to the Metro Fire Agency Board information concerning the job description of this part time employee and the Mayor passed it on to the City Council; it showed the outline of what is to be accomplished by this part time position.

The Mayor suggested that the Council may want to consider following the same plan. It was determined they would wait and see how it worked out for North Salt Lake and then move ahead.

2. He advised the Council that agency had elected a new chairman which is the Mayor of West Bountiful, the Vice Chair is Woods Cross City's Mayor and the Secretary is the Davis County Commissioner Bret Milburn.
3. The construction of the new station #82 in North Salt Lake is moving ahead and footings for the building will be poured this week.

This concluded his report.

MAYOR'S REPORT

The Mayor reported to the Council the following:

1. Mr. Don Moore, former City Council Member, had been recognized by the Elks Club as the Woods Cross Citizen of the Year at a recent ceremony. At a future Council meeting, Mr. Moore would be asked to come to the City Council and be recognized there.
2. He advised the Council that the Mayor of North Salt Lake and the Mayor of West Bountiful along with himself, have joined together in requesting that Davis County reassess the oil refineries within the boundaries to ensure they are paying the proper value of property taxes. He noted a letter to the County will be composed and all three Mayors will sign it.

This concluded his report.

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PLANNING COMMISSION REPORT

The Mayor reported on the Planning Commission meeting held January 8, 2008. Please see the minutes of that meeting for the details of his report.

CITY ADMINISTRATOR'S REPORT

The City Administrator reported the following to the Council:

1. "Mike Mazuran, the City Attorney, provides a yearly update on ethics for all of the Council Members and will make himself available at the next Council Meeting on February 5th. If that date works for the Council he could come at 5:30 PM and make his presentation prior to the Council meeting."

The City Council discussed the date of February 5 at 5:30 PM to meet with the City Attorney and found all schedules could comply so the date was set.

CLOSED MEETING

At 8:25 PM Council Member Earnshaw motioned that the Council go into closed meeting to discuss the sale of real property. Council Member Hill seconded the motion and all voted for the motion.

ADJOURNMENT

There being no further business before the City Council, Council Member Hill motioned the Council adjourn the meeting at 8:45 PM with Council Member Earnshaw seconding the motion and all voted for the motion.

Kent Parry, Mayor

Alan T. Low, City Recorder