

**WOODS CROSS CITY COUNCIL MEETING  
JUNE 19, 2007**

The minutes of the Woods Cross City Council meeting held June 19, 2007 at 6:30 P.M. in the Woods Cross City Hall located at 1555 South 800 West, Woods Cross, Utah

**CONDUCTING:**

Mayor Pro tem Jennifer Decker

**COUNCIL MEMBERS PRESENT:**

Jennifer Decker  
Tamra Dayley

Jon Hadlow  
Donald D. Moore, Jr.

**COUNCIL MEMBERS EXCUSED:**

Mayor Kent Parry  
Rick Earnshaw

**STAFF PRESENT:**

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

**VISITORS:**

Gerald H. Ross, M.D.  
Karen Painter  
Melinda Williams  
Maxine Poole  
Brian Moench, M.D.  
Karen Ray  
Alex Soria

Cris G. Cowley, M.D.  
Travis Garton  
Jody Dahlke  
Carol Larkin  
Pat Blackley  
John Ray  
Brett Anderson

Suzanne Bryson  
Al Jewell  
Jared Dahlke  
Stephanie Colquitt  
Jay L. Bishop  
Thomas Rodgers

**INVOCATION:**

Tamra Dayley

**PLEDGE OF ALLEGIANCE:**

Gary Uresk

The Mayor Pro Tem 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 June 5, 2007. After the review, Council Member Hadlow motioned the minutes be approved as written with Council Member Moore seconding the motion and all voted for the motion.

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The City Council then reviewed the minutes of the work meeting held May 29, 2007. After the review, Council Member Dayley motioned the minutes be approved as written with Council Member Moore seconding the motion and all voted for the motion.

**APPROVAL OF THE 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 May 31, 2007. The Council reviewed the City's cash position, sales and use and 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 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.

**APPROVAL OF CASH DISBURSEMENTS**

The City Recorder continued with the floor and reviewed the cash disbursements listing for tonight's meeting with the City Council. After the Council's review, Council member Moore 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.

**OPEN SESSION (BRIEF ITEMS)**

The Mayor Pro Tem then opened the meeting to those items from those present that they would like to bring before the City Council that were brief in nature. This would be items that would take less than two or three minutes.

The floor was given to Ms. Jody Dahlke a City resident residing at 1527 South 1470 West. She explained to the City Council that there is a right-of-way behind her property as well as several of her neighbors' properties, that is owned by Mr. Terry Price and that a fence was erected that will not allow the home owners to get on the right-of-way to keep it cleaned up even though the property belongs to the homeowners that front on the right-of-way. She requested the City Council or Staff help her resolve this problem so that they might maintain their property.

The City Administrator explained that this is a utility easement to a water well that is no longer used and that to resolve the problem he would meet with the City residents that are involved and look into the problem and then he would arrange a meeting with the City residents and Mr. Price to resolve the issue.

Ms. Dahlke thanked the Staff and the City Council for their help.

There were no other items for the open session.

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**PRESENTATION BY THE UTAH PHYSICIANS FOR A HEALTHY ENVIRONMENT**

The Mayor Pro Tem gave the floor to Dr. Gerald H. Ross and Dr. Cris G. Cowley, who made a Power Point presentation to the City Council concerning the air pollution and health problems attributed to the air pollution in the area of South Davis County.

Dr. Ross and Dr. Cowley reviewed the following information with the City Council:

**Utah Air Quality**

There is good scientific evidence to conclude that Utah's air quality will likely deteriorate in the future, (significantly affecting public health), unless pro-active intervention is taken in a timely manner.

**Utah Air Quality Problems**

- UDOT projects vehicle traffic to double by 2020
- Historically on a national scale, "vehicle miles driven" increase three times faster than population growth.
- Utah already has some of the fastest population growth in the nation.

**Air Pollution Facts**

- 4-8% of all deaths are directly from air pollution.
- (1000 premature deaths in Utah each year).
- Shortens everyone's life span.
- Effects all organ systems
- Local air pollution exposure is equal to 25% of the adverse effect of a "1 pack-a-day" smoking habit, and is especially dangerous for children.

**A Significant Rise in Particulate Air Pollution (PM 2.5) produces:**

- Increased risk of : stroke
- Increased risk of: cardiac death
- Increased risk of: heart attacks
- Increased risk of: high blood pressure

**Wasatch Front Study: 12,000 patients followed for 8 years**

Exposure to air pollution with elevated PM-2.5 raised the heart attack (M.I.) risk. For every 10mcg/m<sup>3</sup> rise in PM-2.5, there was a 4.5% increase in the risk of unstable angina of M.I. In patients with pre-existing coronary disease, the risk was even more dramatic.

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**Air Pollution Increases Women’s Cardiovascular Risk**

65,000 women studied from 1994-1998 (PM-2.5 varied from 3.4 to 28.3 mcg/m<sup>3</sup> in 2000)  
For each rise of 10 mcg/m<sup>3</sup> in PM-2.5:

- 24% increase risk of cardiovascular events
- 76% increase in risk of death from cardiovascular disease.
- 35% increase in the risk of stroke.
- 83% increase in the risk of death from stroke.

**What Are We Breathing?**

- The EPA is required to regulate and inventory 188 hazardous air pollutants (HAP).
- This list of 188 HAP is not all inclusive. What is included on this list, (and more importantly, what is not included) was driven more by political, rather than scientific processes.
- Oil refineries are one of the **largest** sources of air pollution in the United States.
- Oil refineries are the single largest stationary source of VOCs, (the primary precursor to urban smog).
- Oil refineries are the fourth largest industrial source of toxic emissions and the single **largest** source of benzene.
- The total amount of HAP emissions from oil refineries is significantly **under-estimated**, due to poor reporting of fugitive emissions....by up to 400%.

**So, What Do We Know?**

- The magnitude of HAP released from Wasatch Front refineries.
- The health effects of HAP from the refining process
- Local effects
- Wasatch Front effects

**Salt Lake Area Point Source Emissions---2005 (tons/year)**

Facility	SOx	NOx	VOC	CO
Chevron	2201	784	257.7	368
Flying J	361	374	384.7	172
Holly	574	325	198.4	327
Silver Eagle	1.3	85.2	178	39.6
Tesoro	880	447	268.2	181
<b>Totals</b>	<b>4017</b>	<b>2015</b>	<b>1287</b>	<b>1087</b>

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Facility	PM 10	PM 2.5
Chevron	72.3	53.2
Flying J	41.7	41.7
Holly	69.3	47.8
Silver Eagle	3.1	2.9
Tesoro	130.2	87.7
<b>Totals</b>	<b>316.6</b>	<b>233.3</b>

**Refinery Air Emissions of Carcinogens as reported by the U.S. EPA Toxic Release Inventory**

Facility	OSHA Carcinogen Fugitive Emissions (lbs/yr)	OSHA Carcinogen Point Source (Stack) (lbs/yr)	Total OSHA Carcinogen Emissions (lbs/yr)	Refining Capacity (Barrels/day)
Flying J	5276	2	5278	29400
Chevron	1002	14052	15054	45000
Holly Oil	6976	1615	8591	10250
<b>Totals</b>	<b>18747</b>	<b>20005</b>	<b>38752</b>	<b>152900</b>

**Wasatch Front Effects**

- VOC's released from the refining process contribute directly to poor air quality along the Wasatch Front.
- VOC's + NOx + Sunlight= OZONE
- 46 cities are in non-attainment (or near non-attainment) for the EPA ozone standard.
- These cities contain, or are near, most of the oil refineries in the United States.
- Salt Lake City is one of these cities.
- Oil refineries contribute significantly to the PM-10 and PM-2.5 particulate air pollution along the Wasatch Front.

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**Utah Physicians for a Healthy Environment**

Summary:

- There is ample scientific evidence of the negative health impact of HAP released by oil refineries.
- Our air is toxic now and will become worse, if we do not act to improve air quality.
- Bluntly put: Our air is making us sick, and is killing some of us.

**Common Carcinogens Emitted From Refineries:**

Dioxin  
Styrene  
Benzene  
Naphthalene  
Ethylbenzene  
Formaldehyde  
1,3-Butadiene  
Tetrachloroethylene  
Benzo(G,H,I) perylene  
Polycyclic Aromatic Compounds (“PACs”) or  
Polycyclic Aromatic Hydrocarbons (“PAHs”)

**Common Human Effects of Industrial Emissions**

**Benzene:** Known to cause human cancer, specifically leukemia. Long term exposure to benzene has harmful effects on the bone marrow and affects the immune system. Benzene is produced largely at facilities that refine petroleum into fuel. Benzene is also released during the combustion of petroleum derived fuels.

**Polycyclic aromatic hydrocarbons (PAHs):** A family of chemicals with multiple benzene rings, the basic building blocks of many organic compounds. Formed when organic matter or petroleum products are burned. They also form during certain chemical production processes. Some PAHs are linked to cancer in animals and humans.

**Common Human Effects of Industrial Emissions**

**1, 3-butadiene** is an important chemical used to make polymers, including synthetic rubber. The IARC considers butadiene to be “probably carcinogenic” to humans. This chemical is also thought to cause birth defects, kidney and liver diseases.

**Formaldehyde:** Very irritating; causes human cancer. Also produces irritation of the eyes, nose throat and skin.

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“Oil refinery pollution causes severe human health effects. Health surveys provide ample evidence that residents of refinery communities are suffering from health problems associated with exposure to refinery pollutions.”

**Neurotoxic effects from residential exposure to chemicals from an oil reprocessing facility and superfund site.**

Neuro-behavioral performance of residents near an oil re-processing plant (n=131) was compared to age, sex and ethnicity-matched controls (n=66), who lived 35 Km away. Inter-troup variables were appropriately adjusted.

Subjects exposed for up to 17 years to chemicals emitted from an oil re-processing plant showed impairment of cognitive, neuro-physiological and neuro-psychological function.

**Residential exposure to petrochemicals and the risk of leukemia: using geographic information system tools to estimate individual-level residential exposure.**

A case-control study in Taiwan investigated the association between residential petrochemical exposure and leukemia, comparing 171 cases and 410 age and sex matched controls.

Geographic system tools, including length of stay prevailing wind direction and other factors were developed to assign chemical exposure estimates.

**Residential exposure to petrochemicals and the risk of leukemia: using geographic information system tools to estimate individual-level residential exposure.**

Residential petrochemical exposure was found to be a significant risk factor for adult leukemia.

For one unit of increase in the exposure score, the adjusted odds ratio for leukemia was 1.54. (meaning 1.54 times higher than the controls) ) 95% confidence interval 1.14, 2.09)

**Ambient Air Pollution and Risk of Birth Defects in Southern California**

This study looked at the effect of air pollution on the occurrence of birth defects in 3549 infants born in Southern California between 1987 and 1993. (Controls: n=10,649).

Measurements of carbon monoxide (Co), ozone, nitrogen dioxide, and particulate matter of < 10 microns were assessed, and average monthly exposure estimates were made for each pregnancy.

Odds ratios for VSD (heart) defects increased in a dose-response manner with second-month carbon monoxide exposure (OR=1.62; 95% CI: 1.05-2.48).

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Risks for aortic artery and valve defects, pulmonary artery and valve anomalies and other heart defects increased with second month ozone exposure.

The authors state that this was the first known study to link ambient air pollution during a vulnerable window of fetal development, to human malformations.

**Chromosomal Aberrations in Cord Blood are Associated with Prenatal Exposure to Carcinogenic Aromatic Polycyclic Hydrocarbons**

Sixty pregnant women in New York who were exposed to varying levels of Polycyclic Aromatic Hydrocarbons (PAHs) were assessed by questionnaire, personal air monitoring during the 3<sup>rd</sup> trimester, and “DNA-PAH adducts” (chromosomal defects) in the umbilical cord blood of their newborn infants.

Increased exposure to airborne PAHs was significantly associated with a higher rate of permanent chromosomal damage in cells found in the cord blood. ( $p < .006$ )

This study shows that prenatal exposures to PAHs have the potential to cause genetic damage, of the type that has been related to increased risk of cancer in other populations.

**International Studies of Prenatal Exposure to Polycyclic Aromatic Hydrocarbons and Fetal Growth**

Polycyclic Aromatic Hydrocarbons are widespread in the environment, with common sources being from industrial sites and oil refineries.

In this study, healthy, non-smoking pregnant women (in New York City and in Krakow, Poland) and their newborns were evaluated, including by means of personal air monitoring devices.

Prenatal exposure to Polycyclic Aromatic Hydrocarbons was associated with significantly reduced birth weight in both New York African Americans ( $p < .01$ ) and in Polish Caucasians. ( $p < .01$ ).

These results confirm the adverse reproductive effect of relatively low PAH concentrations in two populations.

Low birth weight and fetal growth impairment have been linked to delayed and abnormal child development and poor health.

The authors state that substantial benefits would result from reduction of exposure to PAH emissions.



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**Utah Environmental Public Health Tracking Project**

Pilot Project: An Exploratory Study of the Spatial Association Between Childhood Leukemia and Exposure to Benzene Air Pollution from Vehicles in Utah.

This study was conducted to determine the relationship between childhood leukemia and exposure to benzene air pollution.

The project analyzed all childhood leukemia cases from the Utah Cancer Registry from 1973 to 2001.

The project staff then looked at freeways, highways, or other multi-lane road networks. The leukemia and traffic data were compared.

The results indicate that children living in close proximity to high benzene air pollution have a greater risk of developing leukemia than children living at a greater distance.

Children living in close proximity to high benzene air pollution of less than 150 meters (about 1/10 mile) from a major roadway: Have up to a 1.8 times greater risk of developing leukemia, than children living at a distance greater than 300 meters (about 1/5 mile).

“Additional study of measures of childhood exposure to ambient air levels of benzene through...air monitoring and bio-monitoring is needed.” (**“Bio-monitoring” usually refers to the testing of human blood and/or urine.**)

**Recommendations for the municipalities in the Bountiful Area**

1. Approval for refinery expansions should wait until:  
A mobile air quality lab is acquired and it monitors multiple local sites for common pollutants.
2. Request that the state Dept. of Health perform a detailed epidemiological study of the health of residents near the refineries, to include blood and urine testing.
3. Refineries should submit a plan (with input from citizens committee) on how “flaring” can be minimized and that logs be kept by refineries on flaring episodes and be made available to the public.
4. All refineries in the area should join the EPA National Petroleum Refinery Initiative.
5. Any refinery applying for expansion must be performing better than 50% of other national refineries in their ratio of toxic emissions to crude oil processing (i.e., they are less polluting).
6. Over the next two years, city managers should postpone signing long term contracts to participate in coal-fired power projects. During that interim, consider contracts with renewable energy sources already active in the Intermountain area.

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Two thirds of the local particulate pollution is emitted from gasoline and diesel-powered vehicle traffic.

- Municipalities consider requesting that the Utah Transit Authority (UTA) provide free ridership on all mass transit in the area, to encourage the use and expansion of mass transit and thereby reduce vehicular pollution.

Following the presentation the Council thanked them for the information.

The floor was then opened to some questions and answers from residents that were present.

Following the question and answer period, Dr. Ross and Dr. Cowley left the meeting.

**PUBLIC HEARING FOR CONSIDERATION TO AMEND THE FISCAL YEAR 2007  
BUDGET FOR ALL CITY FUNDS**

The Mayor Pro Tem gave the floor to the City Administrator who is the City's Budget Officer. He reviewed the following information concerning amendments to the Fiscal Year 2007 budget with the City Council.

"Given to the Council are the budget adjustment sheets adjusting the final budget for FY 2007. I will list the major changes below. If you have questions concerning any of the changes not listed below I will discuss them with you.

**General Fund**

"Administration-Professional & Technical increased \$5,600 for the Legacy Parkway Study. In the Non-department budget the Street Lights item was increased \$5,500 due to an increase in the number of street lights in the City as well as, increase in power costs.

"The City Engineer line item was increased \$32,000 because of the increase of development as well as the surveying we had done on 575 West Street.

"Legal-Our general legal costs have increased by \$10,000. We have needed to utilize Mazuran's office more this year than we have in the past partially due to the increase in development as well as other legal matters that we have had to deal with.

"The City Hall equipment line item increased by \$1,200 to cover the purchase of the voting equipment.

"The professional/technical line item in the Police Department is increased by \$5,400 for DNA testing associated with the homicide case, the majority of which has been reimbursed through a grant. Also an increase in equipment of \$5,000 for the car videos which the Council approved as well as a small overage in the cost of the police cars.

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“The Improvement line item in the Park Budget was increased by \$74,100 amount. This does not include the \$800 that I am recommending be transferred from the General Fund to the Capital Improvement Fund to keep our fund balance in the General Fund below the statutory ceiling.

“In the other funds, the Youth City Council conference budget was increased by \$2,400, since the cost of the conference they attended in 2006 was not invoiced to them until 2007. This is covered by the carryover in the 2006 budget due to the conference not being billed in that year.

“The Capital Improvement Fund has been amended to show a loan to the RDA in the amount of \$1,000,000, the purchase of the 20 foot strip of land from UDOT for \$51,000, and a transfer in from the General Fund of \$800,000.

“The Water Fund shows a \$5,500 increase in office expenses which is due to the increase in billing when we went to the new billing process. This increase is offset by a decrease in the newsletter cost.

“In the Water Impact Fee there was an increase in the improvements due to the Redwood Road piping project of \$110,000. There was also some additional work done on the water tank property for \$28,000.

“In the Storm Water Enterprise Fund I did not budget the \$63,000 depreciation cost, this has been added in.

“In the Storm Water Impact Fund we did not budget the loan repayment. This has been included as well as, the A-1 Drain piping project at \$65,000. The Storm Sewer Impact Fee Fund will be at a deficit position at the end of the Fiscal Year but I anticipate that this will come into a positive position within a few months in FY 08 due to the increase of the building within the City.

“I recommend the budget changes be approved as presented by adoption of the resolution 2007-428.”

After the Budget Officer’s review, the Mayor Pro Tem then opened the meeting for input from the public on this matter.

There was no public input and the Mayor Pro Tem closed the public hearing.

The floor was then given to Council Member Dayley who motioned that the City Council adopt resolution 2007-428, a resolution amending the Fiscal Year 2007 budget for all City funds. Council Member Moore seconded the motion and all voted for the motion through a roll call vote.

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**A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A PROPOSED IMPACT FEE ORDINANCE, CAPITAL FACILITIES PLAN, AND IMPACT FEE ANALYSIS FOR PARKS, CULINARY WATER AND STROM DRAINAGE**

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

“Given to the Council are the Capital Facilities Plan and Impact Fee Analysis for the Parks, Culinary Water and Storm Water Facilities. Alex Soria is here from Lewis, Young, & Burningham to make a short presentation on the impact fee analysis and the calculation of the impact fee. The impact fees will increase as shown below. After review of these changes, I feel comfortable with what Lewis, Young & Burningham are recommending and recommend you adopt the resolution under Item 9 on the agenda, adopting the Capital Facilities Plan and Storm Water Analysis as well as, adopting the Ordinance under item 10 on the agenda that adopts the Impact Fees for Parks, Water, and Storm Drainage Facilities.”

**Impact Fee Comparison Current vs. Proposed**

<b><u>Facility</u></b>	<b><u>Current</u></b>	<b><u>Proposed</u></b>	<b><u>Difference</u></b>
<b>Park</b>			
Single Family Dwelling	\$1,357	\$2,550	\$1,193
Multi Family Dwelling Unit	\$933	\$2,078	\$1,145
<b>Water</b>			
¾” meter	\$1,794	\$2,123	\$329
1” meter	\$4,485	\$5,309	\$824
1 ½” meter	\$8,970	\$10,615	\$1,645
2” meter	\$14,352	\$16,984	\$2,632
3” meter	\$26,910	\$31,845	\$4,935
4” meter	\$44,850	\$53,087	\$8,237
<b>Storm Sewer</b>			
Single Family Dwelling	\$884	\$1,087	\$203
Multi Family Dwelling	\$401	\$621	\$220
Other (per acre)	\$6,285	\$9,938	\$3,653

The floor was then given to Mr. Alex Soria representing Lewis, Young, and Burningham, the consultants who prepare the impact fee analysis. He reviewed with the Council the highlights of the analysis.

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After the presentation by Mr. Soria, the Mayor Pro Tem opened the meeting for public input. There was no public input and the Mayor Pro Tem closed the public hearing.

**CONSIDERATION TO ADOPT A RESOLUTION ADOPTING A CAPITAL FACILITIES PLAN FOR PARKS, CULINARY WATER AND STORM DRAINAGE FACILITIES IN WOODS CROSS CITY**

The Mayor Pro Tem gave the floor to Council Member Dayley who motioned that the Council adopt resolution 2007-429, a resolution adopting a capital facilities plan and a written analysis of Parks, Recreation and Trails, Culinary Water and Storm Water Impact Fees. Council Member Hadlow seconded the motion and all voted for the motion.

**CONSIDERATION TO ADOPT AN ORDINANCE ADOPTING IMPACT FEES FOR PARKS, WATER AND STORM DRAIN FACILITIES**

The floor was given to Council Member Dayley who motioned that the Council adopt Ordinance 510, an ordinance amending and enacting Parks, Recreation and Trails, Culinary Water, and Storm Drainage Impact Fees. Council Member Hadlow seconded the motion and all voted for the motion.

**A PUBLIC HEARING TO CONSIDER THE APPROVAL OF LOTS #3 AND #4 OF THE WESTSIDE INDUSTRIAL PARK SUBDIVISION AMENDED FINAL PLAT LOCATED AT 2054 WEST 2425 SOUTH**

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

“Given to the Council is the amended plat for lots 3 & 4 of the Westside Industrial Park located just east and adjacent to the South Bountiful wrecking yard on 2425 South Street. The Planning Commission has approved a site plan for a large office/warehouse building which will straddle lots 3 & 4. As such, the applicant’s desire is to amend the plat to combine both lots into a larger lot to accommodate the proposed project. The Planning Commission has held a public hearing regarding this matter and has recommended the City Council that the Westside Industrial Park Lots 3 & 4 Amended Plat be approved.”

Following the information presented by the Community Development Director, the Mayor Pro Tem then opened the public hearing on this matter. There were no public comments and the Mayor Pro Tem closed the public hearing.

The floor was given to Council Member Moore who motioned that the City Council approve lot 3 & 4 of the Westside Industrial park subdivision amended final plat located at 2054 West 2425 South. Council Member Hadlow seconded the motion and all voted for the motion.

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**CONSIDERATION TO APPROVE A LOAN FOR \$1,000,000 FROM THE CAPITAL IMPROVEMENT FUND TO THE REDEVELOPMENT AGENCY OF WOODS CROSS CITY**

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

“Because of the purchase of the four-plexes in 440 west it has become necessary for the Redevelopment Agency to borrow \$1,000,000 from the Capital Improvement Fund to make the necessary purchases prior to getting the funding from the bonding that will be discussed in the Redevelopment Agency meeting. This will be a short term loan for five years at 6% interest. However, it is my intent to have this loan paid off within the next five or six months. Given to the council is a copy of the repayment schedule.”

The floor was then given to Council Member Moore who motioned that the City Council approve the loan of \$1,000,000 from the City’s Capital Improvement Fund to the Redevelopment Agency Fund of Woods Cross City at a 6% interest rate for the term of five years. Council Member Dayley seconded the motion and all voted for the motion.

**CONSIDERATION TO ADOPT A FLOOD DAMAGE PREVENTION ORDINANCE**

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

“Given to the Council is a copy of a proposed ordinance regarding flood damage prevention. FEMA has updated the National Flood Insurance regulations and Woods Cross City’s floor insurance rate map and we have drafted an ordinance incorporating these changes. This ordinance will be included as Chapter 13 of Title 9. The Community Development Director, as well as Stephanie Bell from the City Attorney’s office, have reviewed the ordinance and they both feel it meets our needs. I recommend approval as drafted.”

After the review by the City Administrator the Mayor Pro Tem gave the floor to Council Member Moore who motioned that the Council adopt Ordinance #511, an Ordinance enacting Chapters 9-13 of the Woods Cross City Ordinances regarding flood damage prevention. Council Member Dayley seconded the motion and all voted for the motion.

**DISCUSSION ON LIABILITY INSURANCE COVERAGE FOR THE CITY**

The Mayor Pro Tem allowed the City Administrator to continue with the floor and discuss with the Council the question of whether to continue having the City’s liability insurance with the Utah Local Government Trust or to switch to URMA.

The Administrator provided the following information to the Council:

“A couple of things that we need to consider with going with URMA is it is a “claims made” policy, meaning that any time in the future if we wish to move from them back to the Trust, we

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would have to get additional coverage to cover any claims that may come in after we leave URMA because once we terminate coverage with them they would not cover any claims made during their period of coverage. Also URMA has a \$7,500 deductible for each claim which our current insurance has no deductible.”

In addition the City Administrator advised the Council that Utah Local Government Trust had provided an estimated quote for the liability insurance for Fiscal Year 2008 of \$35,000 with a \$100,000 deductible. This cost is approximately the cost that URMA would charge where the City must pay its own claims.

The City Administrator then recommended to the City Council that this matter required further review and he suggested for the coming Fiscal Year 2008 that the City remain with Utah Local Government Trust for its liability insurance and the matter be studied and discussed with the Council at a future meeting.

The floor was then given to Council Member Moore who motioned that the Council continue with the Utah Local Government Trust for fiscal year 2008 as recommended by the City Administrator. Council Member Dayley seconded the motion and all voted for the motion.

**UPDATE ON FLEXTIME FOR CITY EMPLOYEES**

The City Administrator advised the City Council that he has discussed with the City Staff having flexible work hours. He said the Staff is reviewing the matter and will make recommendations to him that he will bring back to the Council at a future meeting.

**OPEN SESSION**

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

The floor was given to Mr. David England, a City resident on 1500 South and 1100 West. He asked if the City had condemnation powers or power to tear down old buildings which are not safe to be inhabited.

The City Administrator explained that the City does have condemnation power but it does not deal with the destruction of uninhabitable buildings. He said that this falls under the abatement of dangerous buildings and the City also has the power to do this.

Mr. England thanked the Council and the City Administrator for the information. Mr. England noted for the Council that there are one or two buildings in his area which should require someone to look at because he feels that they are dangerous to be occupied.

There were no other items for the open session.

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**REPORT FROM THE DAVIS COUNTY MOSQUITO ABATEMENT DISTRICT**

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

- He noted that at the last meeting the District approved its Fiscal Year 2008 budget and that there was no public present to discuss the budget with the board of directors.
- He noted that the budget for the Fiscal Year 2008 is somewhat lower for Fiscal Year 2007.
- He then reported that there had been reported cases of West Nile Virus in animals in the Magna area and the Salt Lake City area.

This concluded his report.

**REPORT FROM THE SOUTH DAVIS METRO FIRE AGENCY**

There was no report because Mayor Parry, who serves of the board of directors for the South Davis Metro Fire Agency, was excused from tonight's meeting.

**MAYOR'S REPORT**

There was no Mayor's report because the Mayor was excused from tonight's meeting.

**PLANNING COMMISSION REPORT**

The floor was then given to the Community Development Director who reported on the Planning Commission meeting held June 12, 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 to the Council:

"I was contacted by Jody Dahlke Thursday, who was concerned about the fenced easement along the back of her property. She lives at 1527 South 1470 West. The easement is the area of weeds that was discussed in a past council meeting. She is concerned about the area being fenced off and would like the ability to have access to her property. The easement is required for access to a well which currently, to my understanding, is not being used.

"I recommend we sit down with Terry Price the owner of the well and see if there is any way we can remove the easement and let the owners have access to the property and clean it up."



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**ADJOURNMENT**

There being no further business before the City Council, Council Member Dayley motioned that the Council adjourn the meeting at 9:05 P.M. with Council Member Moore seconding the motion.

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Jennifer Decker, Mayor Pro Tem

Alan T. Low, City Recorder