

**WOODS CROSS CITY COUNCIL MEETING
FEBRUARY 20, 2007**

The minutes of the Woods Cross City Council meeting held February 20, 2007 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
Jennifer Decker

Rick Earnshaw
Jon Hadlow
Donald D. Moore, Jr.

STAFF PRESENT:

Alan Low, City Recorder
Gary Uresk, City Administrator
Maureen Nelson, City Treasurer

VISITOR:

Pat Blackley
Al Jewell
Carolyn Bugden
Bud Neilson
Kyle Kitchen

LeGrande Blackley
Lois Schrader
Gary Kitchen
Alex Reeder

D.L. Weeks
Don Schrader
Ryan Smith
Richard Buys

INVOCATION:

Rich Earnshaw

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 January 16, 2007. After the review, Council Member Earnshaw motioned the minutes be approved as written with Council Member Hadlow seconding the motion and all voted for the motion.

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 January 31, 2007. The Council reviewed the City's cash position, sales and use tax report, the transient room tax report, report of the impact

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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 Moore 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 Earnshaw made a motion to approve the cash disbursements 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 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.

There were no items for the brief open session.

CONSIDERATION TO ADOPT AN ORDINANCE #504 TO REZONE 4.5 ACRES LOCATED AT 1842 WEST 2425 SOUTH FROM I-1 LIGHT INDUSTRIAL TO C-2 GENERAL COMMERCIAL

The City Council reviewed the following that had previously been given to them by the Community Development Director:

"As you know, Woods Cross City owns property on the corner of Redwood Road and 2425 South which may be sold to Mr. Duerden for commercial development. The City desires to rezone the property from I-1 Light Industrial to C-2 General Commercial to satisfy Mr. Duerden's purchase requirement.

"The Planning Commission has recommended to the City Council that the subject property be rezoned from I-1 Light Industrial to C-2 General Commercial."

The floor was then given to the City Administrator who made the following statement:

"As the Council is aware, Mr. Duerden has made this a condition of the rezone largely because the City Council requested he put some type of commercial development on this property. I recommend the property be rezoned to C-2 as recommended by the Planning Commission."

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After the presentation by the Community Development Director and City Administrator, the floor was given to Council Member Moore who motioned the Council adopt ordinance #504, an ordinance which rezones 4.5 acres located at 1842 West 2425 South from I-1 Light Industrial to C-2 General Commercial. Council Member Dayley seconded the motion and all voted for the motion.

CONSIDERATION TO AWARD BID FOR PURCHASE OF TRUCK REPLACEMENT FOR THE WATER DEPARTMENT

The floor was given to the City Administrator who asked the Council to table this item at tonight's meeting because the bids had not been received on the truck.

The floor was given to Council Member Earnshaw who motioned the Council table the consideration to award the bid for the purchase of a truck replacement for the water department until a future City Council meeting. Council Member Moore seconded the motion and all voted for the motion.

CONSIDERATION TO ENTER INTO WATER LINE OVERSIZE REIMBURSEMENT AGREEMENT WITH VALENTINE ESTATES LLC FOR VALENTINE ESTATES SUBDIVISION PHASES I AND II

The City Administrator was given the floor and outlined for the City Council the following:

“Given to the Council are two Water Impact Fee reimbursement agreements with Valentine Estates LLC for Valentine Estates Phase I and Valentine Estates Phase II. We requested that they upsize their water lines in a portion of these phases from an 8” to a 12” as shown in our Water Master Plan. The additional cost for the upgrade was \$24,600 for Phase I and \$31, 060 for Phase II. The costs have been reviewed by the City Engineer and he has verified that they are acceptable costs.

“I recommend the Council authorize the Mayor to sign both the agreements for Phase I and Phase II.”

Following the outline by the City Administrator the floor was given to Council Member Earnshaw who motioned the Council approve the waterline upsizing for Phase I of Valentine Estates at a cost of \$24,600. Council Member Moore seconded the motion and all voted for the motion.

The floor was then given to Council Member Moore who motioned the Council approve the upsizing of the waterline for Phase II for Valentine Estates at the cost of \$31,060. Council Member Earnshaw seconded the motion and all voted for the motion.

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MEMORIAL DAY DISCUSSION

The floor was given to Council Member Earnshaw, the Chairman of the Memorial Day Celebration for Woods Cross for the year 2007. He reviewed with the Council the plans that are going forward for the celebration. In addition, he received reports from the Council concerning their assignments.

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 Ms. Carolyn Bugden who is on the Westwood Mobile Home Management Committee, a mobile home park located on 500 South approximately 1400 West in Woods Cross. She presented to the City Council a letter of request that the City plan on an emergency exit from the Westwood Mobile Home Park in connection with the redesign of 500 South Street as Legacy Parkway is constructed and 500 South Street becomes a major thoroughfare. She noted it is possible that 500 South will have an island in the middle separating the east and west bound lanes which will make it difficult for the Westwood Mobile Home Park residents to evacuate in case of an emergency.

The City Administrator responded by saying that the 500 South upgrade will not take place until 2009 and the Westwood Mobile Home Park representatives should attend the UDOT meetings as open discussions are held for the 500 South upgrade. In addition, this gives the City time to study the area. He noted there will probably be development around the Westwood Mobile Home Park which would allow for additional roadways to be built to provide them exits to either west to Redwood Road, or east to 1100 West.

He said the timing of the development and the development of 500 South would have to coincide. He noted they will keep the request of Westwood Mobile Home Park on file and work with their request as the area develops.

The floor was then given to Ms. Dixie Weeks of the Westwood Mobile Home Park who also presented to the Council a letter requesting the City look for an emergency exit out of the mobile home park for its residents.

There were no other items for the open session.

REPORT FROM THE SOUTH DAVIS METRO FIRE AGENCY

The Mayor then reported the activities of the South Davis Metro Fire Agency to the City Council as the representative on the board of directors on the South Davis Metro Fire

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Agency. He reported the agency received its year end budget report for the year ending December 31, 2006 and noted the general fund of the fire agency had ended with a small enterprise fund profit.

He noted Chief Sumner had tenured his resignation effective in May of this year and the board of directors of the agency were accepting applications for the Fire Chief position. These applications are being accepted from full time employee internal candidates only.

Finally, he advised the Council that sometime in the next two weeks, the fire agency would be interviewing and selecting a construction manager for the construction of fire station #82 which will be built on Eaglewood Drive in North Salt Lake.

This concluded his report

REPORT FROM THE WASATCH ENERGY DISTRICT

The floor was given to Council Member Earnshaw, the City's representative on the Wasatch Energy District. He reported the following on the activities of the district:

1. He noted at the last board of director's meeting that a closed session was held to discuss the sale and acquisition of property.
2. He also reported and provided the Council with a report on the costs of what each City is charging its City residents for the first garbage can and the second garbage can.
3. He noted for the Council that the State Auditor had sent a letter of acceptance of the audit recently completed by the Energy District.

This concluded his report.

A PUBLIC HEARING TO CONSIDER AMENDING THE FISCAL YEAR 2007 BUDGET FOR ALL FUNDS OF THE CITY

The Mayor gave the floor to the City's Budget Officer, which is the City Administrator who outlined the following changes to the Fiscal Year 2007 Budget for the City Council:

“Given to the Council is a copy of the budget adjustments sheets for all the City funds are adjusted. The General Fund budget is increased by \$151,400.00, a majority of which is due to inspection costs necessitated by the increase in building permits. A recap of the major changes are as follows:

“There are a number of adjustments in wages and benefits. These adjustments may be the result of the way the pay periods fall in the year and more than 50% may have been expended through December. I will review with the City Recorder.

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“There is a \$3,000 increase in professional technical in the Administration Department due to the environment study that needed to be done on the 2425 south property prior to the property being sold.

“In the non-department budget there is an increase in street lights, due to energy costs; increase in the engineer costs due to increased development projects and reviews; and an overall increase in the liability insurance costs.

“There is an increase in the attorney’s budget due to increased use of his time for the sale of property and subdivision reviews.

“There is an increase in the City Hall equipment budget of \$10,000 to cover the purchase of the new copier.

“The Community Development Department had an increase of \$1,000 in professional services to cover the 500 South Corridor Enhancement Study that was done.

“In the Police Department there is an increase in equipment operation and maintenance due to the increase cost of gasoline as well as repairs of the vehicles.

“In the Building Inspection budget, there is a significant increase of \$80,000 due to the increased number of building permits issued. This is offset by the revenue generated through the building permit and plan check fees.

“In the Volunteers budget funding for supplies has been shifted to training since we have attended emergency management training as part of the emergency management grant we have received.

“There is an increase in equipment and supplies line item in the Streets Department, a function of the increased costs of gasoline.

“In the Recreation Department the Summer Program has been reallocated into wages and benefits to cover the Director’s salary for the Recreation Program.

“Adjustments have also been made to General Fund revenues. Court fine revenues have been decreased which I believe is attributable to the changes in personnel that have occurred over the past year. Hopefully revenues will increase as the new officers settle in. This decrease has been offset by increases in other revenue sources.

“In the Class C Fund there was an overage of \$18,000 in our street project this past summer. This has been offset by an increase in revenues that will cover the increase in the cost of the summer project.

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“In the Park Impact fund the professional/technical line item has been increased by \$12,000 to cover the cost of the impact fee study. This will be covered amply by the increase in Park Impact fees due to the growth in building permits.

“In the Youth City Council Fund the amount for conferences has been increased by \$1,500 due to the failure of Utah State University to invoice us in FY 2006 for their conference. This belated expenditure will need to come out of the Fund Balance held over from last year.

“In the Capital Improvement Fund the sale of fixed assets is increased by \$1.5 million dollars to account for the sale of property on 2425 south.

“In the Water Fund there is an increase of \$3,000 in office supplies to cover the cost of the new water billings. This is offset by the decrease in the newsletter costs. Depreciation was under budgeted by \$14,000 and has been increased. These increases are all offset by the increase in revenues due to the increase in the water rates for an overall increase in the Water Fund of \$42,800.

“In the Garbage Fund the garbage collection fees line item is decreased by \$27,000 due to the rate decrease approved in December. This is offset by a \$25,000 decrease in tipping fees that became effective in January.

“In the Storm Drain Enterprise Fund the amount of the Storm Drain fees was over budgeted at the first of the year. This needs to be decreased by \$87,000 and the corresponding improvements decreased by this amount.

“I recommend the budget adjustments as listed above by the City Council.”

Following the outline by the City’s Budget Officer, the Mayor then opened the public hearing for public comment. There were no public comments and the Mayor closed the public hearing.

The floor was then given to Council Member Earnshaw who motioned that the Council adopts resolution 2007-420 a resolution amending the Fiscal Year 2007 budget as presented by the City’s Budget Officer. Council Member Moore seconded the motion and all voted for the motion.

MAYOR’S REPORT

The Mayor reported the following to the City Council:

Concerning the South Davis Recreation District, he noted that the Mayors had recommended to the district personnel that each City who participates in the recreation

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district be given some time for their citizens at the recreation free of charge to see the facility and use the facility's amenities.

The floor was given to the City Administrator who said he had received a call today from the recreation district and the date of March 24 from 9:00 P.M. until midnight had been set aside for the citizens of Woods Cross to come and use the recreation facility free and to view the facilities many functions.

Also he noted on March 2 would be a VIP tour for the Mayor and the City Council to see the new recreation districts facility located in Bountiful.

The Mayor continued with his report by advising the Council on February 28 from noon to 1:00 the Mayor would hold lunch for 9 of the students from Woods Cross Elementary School. This event is entitled "Lunch with the Mayor." He said the City Administrator and Chief of Police would also be in attendance at the lunch and they hoped to hold a similar event each month from now until the end of the school year.

This concluded his report.

PLANNING COMMISSION REPORT

The floor was given to the City Administrator who reported on the Planning Commission Meeting held February 13, 2007. Please see the minutes of that meeting for the details of his report.

CITY ADMINISTRATOR'S REPORT

The City Administrator continued with the floor and reported the following to the City Council:

"1. Letter from State Auditor

"Given to the Council is a copy from the State Auditor reminding us that we are in violation of state law by having a fund balance in the General Fund above that allowed by state law. If you recall, the overage was largely created by our budgeting for the sick leave reimbursement that we extend to retired employees. We have been budgeting a certain amount each year for an accrual, but the auditor indicated that we could only budget that which we had to pay those that have actually retired. I would suspect with the movement of the Dodge dealership to West Bountiful, we will have a correction action plan in place to take care of any over abundance of revenue.

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“2. Sale of Duerden Property

“Since the property that we are selling to Keith Duerden is greater than one acre and more than \$150,000.00 under our ordinance, which is in compliance with state law, we need to hold a public hearing to notify the public we are selling a significant piece of property. I have scheduled that hearing for the Council meeting on March 6th and after that meeting we should close on the property with Mr. Duerden.

“3. UTA Development Agreement

“We have submitted a Development Agreement for the Commuter Rail Station to UTA for their review. Enclosed as Exhibit 2 is a copy of that agreement. We have not formally heard back from UTA on any of these concerns. However, at the last Planning Commission meeting, Steve Meyer indicated that he did have a problem with a paragraph G on page 3 dealing with the overpass and the additional parking on the west side. These are items that we will need to negotiate through with UTA prior to finalization of the agreement.

“The Council should be aware that Ed Gobel and a number of his neighbors on 800 West raised some concerns with the Planning Commission on Tuesday night and requested that UTA look at realigning the north entrance to the Commuter Station. From an engineering aspect, this will be difficult to do, but we will be reviewing this with UTA and will make a report back to the Planning Commission.

“4. Woodland Gardens Property Acquisition Update

“Rather than have to have an RDA meeting, I will give you a brief update here on the Woodland Gardens land acquisition. We are proceeding forward with the acquisition as planned. We still have two property owners that as of this date have not given us any firm numbers on what they would ask on their properties. I am hoping that by Tuesday night that we have made some progress with this property. We are still planning on closing on the two properties of Taylor Davis around the end of February.

“5. Budget Adoption Schedule

“Outlined below is the budget adoption schedule for the FY 2008 Budget. Let me know if you would like to make any changes to it.”

February 20	Approve Capital Improvement Plan
March 5	Budget Sheets to Department Heads
March 19	Budget Sheets back to City Administrator

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April 17 **Tentative Budget to City Council**

May 1 **Approve Tentative Budget**

May 29 **Additional Meeting (if necessary)**

June 5 **Hearing on Final Budget**

June 19 **Adoption of Final Budget**

ADJOURNMENT

At 8:00 P.M. the Council concluded the City Council Meeting with a motion by Council Member Earnshaw to adjourn the meeting. Council Member Moore seconded the motion and all voted for the motion.

Kent Parry, Mayor

Alan T. Low, Recorder