

**WOODS CROSS CITY COUNCIL MEETING
FEBRUARY 17, 2009**

The minutes of the Woods Cross City Council Meeting held February 17, 2009 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 PRESENTS:

Kent Parry, Mayor
Tamra Dayley
Rick Earnshaw

Jon Hadlow
David C. Hill
Jill Evans

STAFF PRESENT:

Alan Low, City Recorder
Gary Uresk, City Administrator
Scott Anderson, Public Works Director

VISITORS:

Antone Clark
Lance Sweeten
Marc Evans
Freddy Roth
Lloyd Pendleton
Clark McCullough

Lois Schrader
Tyler Sweeten
Duane Hale
Phil Roth
Chris Gamvroulas
Clark McCullough

Don Schrader
Wade Hugoe
Jeremy Roth
Nate Shipp
Louenda Downs
Gary Jones

INVOCATION:

DAVID HILL

PLEDGE OF ALLEGIANCE:

GARY URESK

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 Council reviewed the minutes of the City Council Meeting held February 3, 2009. After the review, Council Member Earnshaw 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.

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, 2009. The Council reviewed the City's cash position, sales and use tax report, the transient room tax report, report of the

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impact fees collected for the South Davis Metro Fire Agency and executive summary of the City's funds comparing revenues and expenditures to the budget.

After the Council's review, Council Member 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 through a roll call vote.

APPROVAL OF CASH DISBURSEMENTS

The City Recorder continued with the floor and reviewed with the City Council the Cash Disbursements listing for tonight's meeting. After the review, Council Member Earnshaw motioned approval of the Cash Disbursements with Councilmember Evans who seconded the motion and all voted for the motion through a roll call vote.

OPEN SESSION (BRIEF ITEMS)

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

The floor was given to Council Member Earnshaw who asked the Staff if there had been any chemical analysis done of the pollutants that had been expelled by Holly Refinery and had drifted over and had settled in Woods Cross City. The Staff said there had not been any chemical analysis. The Staff said they would look into the matter.

The floor was then given to Council Member Evans who asked the Staff if Silver Eagle Refinery was going to come in and have a discussion with the City Council concerning the recent fire at their location. The City Staff said they would arrange for the meeting at a future City Council meeting.

There were no other items for the brief open session.

MEMORIAL DAY CELEBRATION UPDATE

The floor was given to Council Member Earnshaw who updated the City Council on the plans being made for the Memorial Day Celebration for the City. He noted the tents and the grills for the cooking of breakfast had been rented. He also said he had received notification from the leader of the men's choir from last year and that he would be unable to take care of that opportunity this year. Council Member Earnshaw said he would contact Mr. Robert Ellis, who lead the choir in the past, and see if he could do it or see if he had any suggestions.

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He also noted that perhaps they could invite the Woods Cross High School Madrigals to sing at the event. He said he is looking for additional entertainment to be provided in the park during the breakfast.

The Mayor reported that he would ask State Senator Dan Liljenquist to see if he would attend.

This concluded his report.

REPORT FROM THE WASATCH INTEGRATED WASTE DISTRICT

The floor was given to Council Member Earnshaw, who represents the City on the Board of Directors of the Wasatch Integrated Waste District which processes solid waste for Woods Cross City. He reported on the success Woods Cross is having with their recycling program, noting that 90% of the refuse which is in the recycling containers is being able to be recycled with only 10% of it going to the landfill. He said the recycling effort is diverting a 12% of the City's waste going to the landfill.

He noted the District is going to do a test of recycling green waste and they have selected the City of Fruit Heights to test this process and that if it proves successful it will offer it to all the communities that use the Integrated Waste District.

Council Member Evans asked if there had been any rebate from the recycling waste for the Woods Cross Elementary School. Council Member Earnshaw reported because we had not met the goal of the total tonnage to be recycled there was no rebate.

This concluded his report.

CONSIDERATION TO AMEND THE VALENTINE ESTATES DEVELOPMENT AGREEMENT LOCATED AT APPROXIMATELY 2300 SOUTH 1950 WEST

The City Council reviewed the following from the Community Development Director:

“As you may recall late last summer, Mr. Nate Shipp, representing the developer of Valentine Estates, approached the City Council requesting an amendment to the Valentine Estates Development Agreement. Mr. Shipp had proposed to construct detached single family cottage homes on small lots on the west half of the future townhouse area. At that time the City Council reviewed a conceptual layout and conceptual home elevations for the project. The Council indicated they would be interested in amending the agreement to permit the cottage home development. However, they asked Mr. Shipp to revise the appearance and configuration of the proposed homes. Recently Mr. Shipp met with the Staff and proposed new home elevations which, for the most part, have eliminated the snout house/garage dominated building elevations. Several of the newly proposed elevations have the garage door set back equal with remaining house. Given to the Council are the most recent conceptual

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home styles. I did indicate to Mr. Shipp my dislike of the Mesa and the Balboa home style. This City has permitted this style of the home to be built in the larger R-1-8 subdivisions and if we permit him to construct homes on 4,000 square foot lots, a more interesting cottage type of architecture should be considered. I discussed with Mr. Shipp the possibility of the home styles being improved by adding additional architectural features such as cupolas, dormers, carriage house or craftsman style garage doors. Mr. Shipp indicated he would meet with Dakota Homes and revisit the exterior design of the homes. At the time of this staff report, I have not received revised building renderings from Mr. Shipp.

“I believe Mr. Shipp has, particularly on the Newport and Laguna housing styles, made an improvement over the previously submitted building elevations of the last summer. However, there are some additional features that can be added to these homes to improve their appearance and curb appeal. Also I am not a fan of the Mesa or Balboa home styles. I have indicated to Mr. Shipp that Dakota should introduce several more cottage home styles to avoid the monotone appearance of development that can be found in sections of Foxboro in North Salt Lake.”

Following the review by the Community Development Director, the floor was given to Mr. Shipp who asked the Council for their recommendation.

The floor was given to Council Member Hill, who expressed his concern about these smaller homes being built on smaller lots and the original concept for this area of the City was for larger upscale homes and he would prefer to see the town houses that were originally planned for this area built. He felt like the smaller sized homes would bring a negative demographic into this area of Woods Cross City.

Council Member Hadlow expressed his agreement with Council Member Hill that he felt like smaller homes on smaller lots are not what should be built in this area.

Council Member Evans expressed concerns that Dakota Homes was already marketing these homes. She went down to Dakota Homes two weeks prior to this meeting and was given a packet that included these homes and the subdivision lay-out and was told they would have basements. Council Member Evans is not against having Cottage Homes instead of Town Homes but did not want basements.

The floor was given to Council Member Earnshaw who said he would like to see a full layout of the area and how these smaller homes would fit into what has already been built in the Valentine Estates development.

The Mayor then polled the Council to see how they felt about the smaller homes and smaller lots and the Council felt like they would like to continue with the Development Agreement as it is with the town houses.

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The floor was then given to Council Member Hadlow who motioned the City Council not amend the Valentine Estates Development Agreement as proposed with Council Member Hill seconding the motion and all voting for the motion except Council Member Dayley, who abstained and Council Member Earnshaw who voted opposed. The motion passed by a vote of 3 to 1.

The Council then decided they would like to have a work meeting to be held on March 3rd at 5:30 P.M. to discuss the Valentine Estates development in more detail.

REVIEW OF IVORY HOMES MT. VIEW TOWN HOMES ARCHITECTURAL ELEVATIONS LOCATED AT APPROXIMATELY 1600 SOUTH 2000 WEST

The Council next reviewed the following information submitted by the Community Development Director:

“Recently the Planning Commission and City Council approved the first phase of the Ivory Mt.View Town Homes Development which included 12 town houses units and an LDS church site. Approval of this development also included a previously approved Development Agreement. The Development Agreement required a specific style of town house found in an Ivory catalogue. This style is the same as Ivory constructed in Centerville, south of Walmart.

“Mr. Chris Gamvroulas of Ivory has approached the Staff with a proposal to change the town house style proposed for Mt. View Town Homes. Given to the Council are renderings outlining the proposed craftsman style. We also have available for the Council’s review, color and material boards for the proposed change.

“Mr. Gamvroulas will ask the City Council to approve the new town houses. One end of the proposed elevations includes a single story empty nester unit. Also the proposed town houses include small covered porches rather than the courtyard entrances of the previously approved town houses. In fact Mr. Gamvroulas, working with Staff, has added additional architectural features to each end or side of the buildings to improve their appearance. Having reviewed the previously approved elevations versus the proposed craftsman style this appears to be an appropriate change.”

Following the review of the information by the Community Development Director the floor was given to Mr. Gamvroulas representing Ivory Homes and he presented the proposed artist conception’s of the town houses to the City Council along with samples of the colors that the town houses would have.

The City Council found the information to their liking and gave direction to the Staff to continue the changes that are proposed for the town houses to be built.

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**RECESS OF CITY COUNCIL MEETING IN FAVOR OF A REDEVELOPMENT
AGENCY MEETING**

At 7:45 P.M. Council Member Earnshaw made a motion to recess the City Council and go into a Redevelopment Agency Meeting. Council Member Hadlow seconded the motion and all voted for the motion.

RECONVENE CITY COUNCIL MEETING

At 9:00 P.M. the City Council reconvened the City Council Meeting.

**DISCUSSION ON ATHLETIC FIELD SCHEDULING FOR WOODS CROSS
CITY**

The floor was given to the City Administrator who introduced this topic to the City Council as follows:

“The Public Works Director and I have done some preliminary work on scheduling our fields as directed by the City Council. The Public Works Director has put together a listing of our current practices and some concerns he has. He has also called and gotten an inventory of the parks in the southern Davis area as well as their procedures and practices concerning athletic field scheduling. We would like to discuss this with the Council to get a little further direction before we finalize our field scheduling and reservation policy.”

The floor was then given to the Public Works Director, Scott Anderson who went over the following information with the City Council concerning the inventory of athletic fields within Woods Cross City as well as other communities surrounding Woods Cross City and the inventory of their athletic fields and their procedures.

Woods Cross City
Athletic Fields

Hogan Park

1 Ball Diamond/Soccer Field Combination

Mills Park

2 Ball Diamonds no outfield fences

1 Soccer Field

1 Ball Diamond/Soccer Field Combination

Various set up—ball field, tee ball machine pitcher

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Presently Woods Cross City

- No scheduling of fields or fees paid
- Associations work together to schedule
- Practicing is first come first serve. Organized scheduled games take precedence
- Woods Cross mows and waters
- Associations mark and maintain fields
- Association store equipment in City sheds
- Others who call to use facilities are told to work out through various associations to schedule the use

Concerns

- Problems from people if we close fields for damage or prevention of damage
- Problem with user not cleaning up garbage and trash
- Problem with areas of over use—Goals, set up field bases, practice areas in same spot
- Users think it is a right and not a privilege
- Contact information for associations/users and had no response

Other Communities
Athletic Field Use

North Salt Lake

Baseball preference with schedule through City, Lacrosse works with baseball on schedule for use. No costs

Bountiful

No fees required on associations
3 Fields Baseball/Meuller park
Saturday workday, field City provides some equipment no cost baseball association does all the maintenance of field, not mowing.
Softball run by Recreation Center
2 Soccer Fields—association schedule

West Bountiful

Baseball—No fees—No reservations
Soccer—School property ? Fees & Reservations on school property

Centerville

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Fourplex Complexes: Use agreement with football and soccer, no practice allowed at complex
Baseball run through their recreation program
Baseball Fields for organized play \$5.00 reserved
Soccer and Football—Coordinate their schedule then w/city
2 Small Soccer Fields—Association use

Farmington

Baseball Association runs program for City—No fee
Outside reservations \$25.00 for 2 hours and \$10.00 per hour after
No Soccer Fields—played at schools

Kaysville

Schedule through City—fees attached
Practicing depending on fields most fields closed to practice open ones first come first served

Cities talked with except Kaysville said the fee was to get more of a commitment, pay scheduling and not for the money since parents are paying taxes.

After reviewing this material, the Public Works Director recommended to the City Council that he and perhaps the City Administrator and those on the City Council who would like to, would meet with the current athletic associations that use the City's recreation athletic fields and perhaps have a work session where they discuss the use of the fields and perhaps use a Facilities Use Agreement similar to the one that is currently used by Centerville City to help schedule and control the use of these facilities.

The Council felt that this is a good plan and encouraged the Staff to go forward and set up a meeting with the associations.

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 Earnshaw. He requested the Council give consideration to the remodeling of the City Council room by taking down the wall that separates the multi-purpose room from the City Council room and replacing it with an accordion type wall that could be closed or open. This would allow for one large meeting room that could be used by the Woods Cross senior citizens group as well as used during election time or when there were large public meetings held by the City Council.

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The City Council felt this was an excellent idea and requested the Staff look into the cost of this remodel and report back to the City Council.

The floor was then given to Council Member Dayley who expressed her concern for a house bill currently before the State Legislature which would disallow the designation of Scenic Byway status for Legacy Parkway so that billboards could be placed along Legacy Parkway.

The City Administrator said he had been following this bill very closely and that he too was opposed to the bill and the bill was being supported by a very strong lobby of the outdoor billboard advertising industry. He said there was an alternate bill that was going to be proposed and he would be watching it closely.

There were no other items for the open session.

REPORT FROM THE SOUTH DAVIS METRO FIRE AGENCY

The Mayor, who represents the City on the Board of Directors on the South Davis Metro Fire Agency, reported on the agencies activities as follows:

1. He said the agency had reviewed the assessment to each of the participating cities in the fire agency area and had found some corrections to be made where more of the costs of the 2009 budget would be allocated to Davis County and a small amount less to each of the cities that participate.
2. He said for the year 2008 the fire agency had excess revenues of around \$200,000 and the Board had determined to place these funds in a capital improvement fund for future purchases of fire engines and ambulances.
3. He said that new station #82 in North Salt Lake was opened on February 14th.
4. He said there was a House Bill #273 which would take away from the fire agency the ability to provide ambulance service to the hospitals, clinics and nursing homes in the South Davis area and the Fire Chief was opposed to it because it would affect the fire agency by an amount of income of upwards of \$900,000. He said the bill would be watched closely.

This concluded his report.

REPORT FROM THE SOUTH DAVIS RECREATION DISTRICT

The Mayor continued with the floor and reported on the activities of the South Davis Recreation District where he serves on the board of directors representing Woods Cross City. He reported on the District's activities as follows:

1. He said for the month of January the Recreation District had had \$14,000 of income.

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2. He said the Recreation District would be watching closely the renewal of its annual membership, the bulk of which come due in the month of April, to see if the economy will have any affect on those renewing their membership with the District.

This concluded his report.

REPORT FROM THE DAVIS MOSQUITO ABATEMENT DISTRICT

The floor was given to Council Member Evans who serves on the Board of Directors for the Davis Mosquito Abatement District representing Woods Cross City. She reported on the District's activities as follows:

1. The Board Officer Selection Committee nominated Ricky Carlson from Sunset as President, Dave Hale from Farmington as Vice President and Jill Evans as Secretary.
2. Davis-Salt Lake Aerial Spraying Authority has been approved by the Lieutenant Governor. The new spray authority will be like its own entity. We appointed 4 members to be on the board, Mike Blackham-Kaysville, Jerry Chatterton-West Point, Rand Webb-NSL, and Ricky Carlson-Sunset. The Policy and Procedure Committee is Duane Gardener-Bountiful, Tine LePendou-Fruit Heights, and Richard Allen-Layton. They have read over the current policies and have made suggestions and notations.
3. Truck bids were sent to the state contract for Chevrolet, Ford and Dodge. Chevrolet was the highest bid with Young Chevrolet at \$27,109.05. The lowest bid was from Ken Garff Ford at \$26,769.45. The board approved the bid for Ford.
4. Year End Totals for West Nile Virus:
UTAH -27 positive human cases in Utah. Davis County had 2 of the 27 cases, 140 positive mosquito pools, Davis County had 6 positive ramp tests and 2 positive by the state lab. 2 positive dead birds (1 Kanab, 1 Salt Lake) 16 positive chickens. 7 positive horses.

CO-is reporting 18 counties with human activity. 578 human cases with 7 fatalities, 61 mosquito pools, 4 dead birds, and 1 horse.

With the budget cuts for 2009 there will be no chicken program.

Out of 57 public schools 54 have responded to the educational program. Gary will be calling the other 3 schools to see if he can get them signed up. We saw the program at board meeting it is very entertaining for the kids with a lot of information.

MAYOR'S REPORT

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The Mayor then reported to the Council on the following:

He said that he and the City Administrator had met with the Mayor, the Council and the City Administrator of North Salt Lake and discussed the joint venture of the two cities building a park which borders the two cities west of Redwood Road. He said the architectural work and the land had all been accomplished and Woods Cross City had agreed to help participate in the costs of the park. He said they are now waiting for North Salt Lake to move forward on the construction.

There were no other items to report to the City Council.

REPORT FROM THE PLANNING COMMISSION

The City Council reviewed the minutes of the Planning Commission meeting held February 10th 2009. Please see the minutes of that meeting for the details of that meeting.

CITY ADMINISTRATOR'S REPORT

The City Administrator reported on the following to the City Council:

1. Focus Group Update

“It was my plan to review the progress on items raised during the Focus Group discussions at this Council meeting. However, because my time has been taken up in House Bill 272 (Billboards) and I am putting together a grant for restrooms for Legacy Parkway, I haven't had time to prepare to do such. I plan on discussing this at the first Council meeting in March.”

2. Grant for Restrooms

“The Legacy Scenic Byway Committee is submitting a grant to the Federal Highway Administration through the Scenic Byway Program to put restrooms along the Legacy Parkway in North Salt Lake, Woods Cross, West Bountiful and Centerville. We will be submitting the application the first of March and will probably know sometime this summer if we have been successful in our application. The restrooms planned in Woods Cross will be at the 500 South Interchange.”

3. Creation of the Community Development Area

“Gary Jones is working on the land use portion of the development plan and I have talked with Jason Burningham concerning the financial and marketing plan for the area. I have also met with Kent Susler at Davis County Economic

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Development concerning our plans. Davis County has become members of EDCU and we will be holding meetings with them to coordinate business development in the County. This should be helpful in our efforts to develop the Legacy/500 South Interchange Area.”

ADJOURNMENT

At 9:50 P.M. Council Member Earnshaw motioned to adjourn the City Council Meeting. Council Member Dayley seconded the motion and all voted for the motion through a roll call vote.

Kent Parry, Mayor

Alan T. Low, City Recorder