

**WOODS CROSS CITY COUNCIL MEETING
MAY 15, 2007**

The minutes of the Woods Cross City Council meeting held May 15, 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	Jon Hadlow
Jennifer Decker	Donald D. Moore, Jr.
Tamra Dayley	

COUNCIL MEMBERS EXCUSED:

Rick Earnshaw

STAFF PRESENT:

Alan Low, City Recorder
Gary Uresk, City Administrator
Tim Stephens, Community Development Director
Scott Anderson, Public Works Director

VISITORS:

Brandon Bott	Matt Scanlon	Elizabeth Scanlon
Melinda Williams	Ed Goble	Gordon Snarr
Al Jewell	Bob Williams	David Hill
Nancy Young	Bob Young	Lee Cammack
LeGrande Blackley	Pat Blackley	Adam Murdock
Cathy McKitrick	Aaron Smith	Rachel Smith
Suzanne Bryson	Rachel Hixson	Charles Payne
Nate Shipp	Daniel T. Jones	Dean Steel
Jeff Thornell	Brett Anderson	Steve Meyer
Matthew Rasmussen	Paul Branch	Connie Goble
J.C. Wheelwright	Paul Ottoson	Jared Birth
Sally Wheelwright		

INVOCATION: Jon Hadlow

PLEDGE OF ALLEGIANCE: Tamra Dayley

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.

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APPROVAL OF MINUTES

The City Council reviewed the minutes of the City Council meeting held May 1, 2007. After the review, Council Member Hadlow motioned the minutes be approved as written with Council Member Decker seconding the motion and all voted for the motion.

The City Council then reviewed the minutes of the City Council work meeting held May 1, 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 FINANCIAL REPORT

The floor was given to the City Recorder who reviewed with the City Council the City's financial report for the period ending April 30, 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 Dayley made a motion to approve the City's financial report as presented, with Council Member Moore 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 Dayley made a motion to approve the cash disbursements as presented, with Council Member Moore 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.

The floor was given to Mr. Charles L. Payne, the City's representative on the South Davis Sewer District board of directors. He handed out to the Council the annual financial audit for the Sewer District and asked them to review the report and he would discuss it with them at his next meeting with the Council.

The floor was then given to Ms. Suzanne Bryson, a city resident at 1307 West 1300 South. She advised the Council that she and the Mayor had attended a May 9th meeting under the direction of the Utah Physicians for a Healthy Environment. This meeting was

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held at the West Bountiful City Hall and it was for all residents in the area of West Bountiful and Woods Cross. The purpose of the meeting was to discuss environmental health issues in those locations. She reviewed the following results of that meeting with the Council:

**TO CONTRIBUTE TO THE IMPROVEMENT OF THE
LOCAL ENVIRONMENTAL POLLUTION**

**AND FOR THE BENEFIT OF THE GENERAL HEALTH OF THE LOCAL
RESIDENTS:**

UTAH PHYSICIANS FOR A HEALTHY ENVIRONMENT

Recommends

**THE FOLLOWING TO ALL THE MUNICIPALITIES IN THE AREA
FROM NORTH SALT LAKE TO FARMINGTON:**

1. We recommend that any approval of expansion of oil refineries be postponed until the current health effects of the refinery or refineries on the local population can be appropriately assessed. (This general recommendation encompasses previous recommendations which are more scientifically detailed in their nature.)
2. We recommend that city councils reject any contracts to participate in coal—fired power projects over the next two years, and during that interim, pursue contracts with renewable energy sources already active in the Intermountain area.
3. We recommend that the municipalities request 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 to thereby reduce vehicular pollution.

The Mayor noted he thought there were seven recommendations, however the written information as presented above showed only three recommendations. He suggested they have representatives from Physicians for a Healthy Environment meet with the City Council and review with them their recommendations and at the same time answer why the seven recommendations were cut to three.

The Council requested this be put on the agenda for a future meeting.

Ms. Bryson thanked the Council for their time and their concern.

The Mayor then gave the floor to the City Administrator who read the following e-mail received from the South Davis Recreation District:

“A dedication for Lance Corporal Stephenson will be held May 24th, 2007 at 7:30 P.M. in the Lobby of the new Recreation Center. There will be a short program including a

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Marine Corporal Honor Guard. They will walk Mr. & Mrs. Stephenson down to the pool area. His commanding officer will be there. There will be a plaque they will unveil inside of the competition pool.

“Those interested are welcome to come. There is seating on the east side of the competition pool area.”

There were no other items for the brief open session.

CONSIDERATION TO ENTER INTO AN AGREEMENT WITH VALENTINE MERRILL, L.C. FOR THE PURCHASE OF 240 ACRE FEET OF WATER RIGHTS

The Mayor gave the City Administrator who outlined the following for the City Council:

“Given to the Council is a copy of the proposed agreement with Valentine Merrill, L.C. for the purchase of 240.12 acre feet of water. This has been reviewed by our attorneys and they feel comfortable with the agreement with one concern. Given to the Council is an e-mail I received from Ms. Wendy Crowther, an attorney with Clyde, Snow, Session and Swenson who are assisting the City Attorney in this matter, relaying her concern of the \$50,000 deposit. She and Mike Mazuran, the City Attorney, both believe this is a substantial sum that could be forfeited. One issue the City Attorney has is the agreement states if the water has not been transferred within two years the agreement becomes null and void and we forfeit our deposit. The City Attorney feels the \$50,000 is too much to put out with a two year time limit on a process that could possibly take more than two years to complete. One option we have is to increase the two years to three years that will help alleviate this concern. Another option we have is to indicate that after reading the final agreement, we have concerns about the \$50,000 deposit due to the fact it could be forfeited by inaction by the State Engineer over which we have no control.

“I recommend approval of the agreement after the deposit amount is resolved.”

The City Administrator then read the following from Ms. Wendy Bowen, the attorney for Clyde, Snow, Sessions and Sorenson, who is assisting with this matter:

“Once again I want to express my concern that the City is paying \$50,000 which will be totally non-refundable. If this agreement fails for any reason—if the process is not complete in 2 years, if the water right cannot be transferred, if the change application or non-use application is denied—the City will be out \$50,000 with absolutely no recourse. Both the City Attorney and I have expressed our concerns to you regarding this issue and I am going to ask you once again to confirm that the City Council understands this commitment and that it is the intention of the City to make a \$50,000 non-refundable payment on this water.”

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The City Administrator then discussed the following changes to the agreement with the City Council. On page two of the agreement, item C, it would change that the \$50,000 would not become due until the Utah State Engineer approves the non-use application. On page 3, the last part of item D, the number of years would be changed from 2 years to 3 years. And on page 7, item 4, sub-section A, paragraph 2, that if the seller terminates the agreement \$10,000 deposit shall be liquidated instead of \$50,000.

This concluded the changes recommended by the attorney and the City Administrator.

The Mayor then gave the floor to Mr. Nate Shipp representing Valentine Estates. He advised the Council that the changes that were recommended by the City Administrator and the attorney, are agreed to in principle, but they would like to discuss them in detail. For example, if the period is extended to 3 years then the \$50,000 would want to be increased.

It was determined that the City Staff and representatives from Valentine Estates would meet and iron out the details of the agreement.

The floor was given to Council Member Decker who motioned that the Council would agree to go to from \$50,000 to \$75,000 and that if the buyer defaults that the seller may terminate the agreement and receive \$10,000 of the deposit from the buyer as liquidation damages. Council Member Hadlow seconded the motion and all voted for the motion.

PUBLIC HEARING: CONSIDERATION TO HEAR AN APPEAL OF THE PLANNING COMMISSION'S DECISION TO APPROVE A SITE PLAN FOR A UTA COMMUTER RAIL STATION AT 700 SOUTH 800 WEST

The floor was given to the City Administrator who introduced the public hearing as follows:

“This public hearing has been scheduled to hear Mr. Goble, a city resident at 945 South 800 West, appeal of the Planning Commission’s decision to approve the UTA site plan for the Commuter Rail Station at 700 South 800 West. I have given to the Council a copy of the following:

1. Mr. Goble’s appeal.
2. Copies of the Planning Commission’s minutes of the meetings in which the site plan was reviewed.
3. A letter from Mr. Steve Meyer, Project Manager for UTA, dated March 19, 2007 where he addresses Mr. Goble’s concerns.
4. Mr. Lee Cammack’s, City Engineer, memo in response to Mr. Meyer’s letter.

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“I feel Mr. Goble’s concerns have been addressed as best as possible by UTA and I am not sure much more can be done. To make any further adjustments to the traffic circulation plan would be detrimental to the site.

“I am certain Mr. Goble will also bring up issues with security and safety as well, and this may give us an opportunity to discuss with UTA the security concerns with the station.

“After review of Mr. Goble’s comments and UTA’s response, the Council can ask whatever questions you feel are appropriate to Mr. Goble and Mr. Meyer and can either make a decision or if you feel more information is necessary you can table it to gather further information.”

The floor was then given to the Community Development Director who reviewed with the City Council the Planning Commission minutes concerning this matter as well as other memos and letters that had been written concerning it.

The floor was then given to Mr. Ed Goble, a city resident living at 945 South 800 West. Mr. Goble then presented to the City Council a document entitled “Woods Cross Commuter Rail Neighborhood Impact Statement.”

Mr. Goble’s Impact Statement then covered the following points:

Planning Commission Review

Purpose of Appeal

1. Single Point Access vs. Double Point Access
2. UTA’s “Missing” Exhibit 4 with 4 exhibits.
3. Other Neighborhood Concerns

Safety

- 4 exhibits were given.
- Personal Example
- Elementary School

Parking on Street

Air Quality—Do we have a current emissions air quality assessment? How will it be monitored? We are adding 200+ cars, buses, etc.

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Property Value

- 1 Exhibit

Noise

- 1 Exhibit

Quality of Life

- 1 Exhibit

Closing Statement

- Wait and see philosophy
- Preserving Neighborhood Integrity
- Pro-Active vs. Re-Active

The floor was then given to Mr. Steve Meyer, project manager for the Utah Transit Authority. He reviewed Mr. Goble's appeal as follows:

1. He noted that the EPA air quality standards will be met for the area where the commuter rail station is located.
2. He noted that two entrances to the commuter rail station will create less traffic in front of Mr. Goble's home than simply having one at the north end of the station.
3. He noted that Mr. Goble's recommendation to loop traffic through the parking area within the station would be hazardous to the parking area.
4. He noted that having one entrance would create a traffic jam at that point.

Mr. Meyer then yielded the floor to Mr. Matt Scanlon who is a traffic engineer for UTA. He said that it would increase the accident potential of the area to have only one entrance into the commuter rail station and he emphasized that having two entrances/exits would alleviate traffic in front of Mr. Goble's home.

Mr. Meyer then gave the floor to Mr. Brandon Bott who works for the UTA. He noted that security problems at the commuter rail station would be equal or comparable to a mall parking lot. He said that UTA takes security of their locations very serious and has even tried to warn those who park in their parking lots to keep their valuables out of sight in their cars and lock their cars.

He said there are no security cameras planned for the area at this time.

The Mayor then opened the public hearing for comments from those present.

The floor was given to city resident, Ms. Connie Goble, Mr. Ed Goble's wife. She expressed concerns for auto pollution and safety of the children of her neighborhood. She thanked the Council for their concern for looking into this matter.

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The floor was then given to Mr. Aaron Smith, a city resident at 875 South 800 South. He echoed all of the concerns that Mr. Goble had brought up in his Impact Statement and noted that the commuter rail station is and will be a great negative impact on their neighborhood.

The floor was given to Mr. Ed Goble who stated that the commuter rail station does not improve the quality of life within Woods Cross City.

Next the floor was given to Ms. Rachel Smith. She stated that she has three daughters who walk to Woods Cross Elementary School past the commuter rail station and she fears the children's safety due to possible predators. She also said that the noise and the pollution coming from the site is a great nuisance to their neighborhood.

There were no other comments from the public and the Mayor closed the public hearing.

The floor was given to Council Member Dayley who asked if all of the parking could be moved to the north parking lot thus allowing one entrance into the rail station and the looping of the ingress and egress out of the station.

The floor was given to the City Engineer who said this would not be possible because of ADA standards.

The City Engineer went on to speak in favor of having two entrance/exits to the rail station, one at the north end and one at the south end.

The Mayor then advised the Council they either need to approve the appeal and send the matter back to the Planning Commission or deny the appeal and allow the station to go forward with its construction.

The floor was then given to representatives to the Utah Transit Authority who handed out colored plot plans of the area showing the tree planting and the berms and the shrubs to help the site look better for the residents.

The floor was then given to Council Member Hadlow who noted that he did not feel that the single access would improve anything for the site and that there would not be an increase in the air pollution in the area. He said that the current dirt pollution would be going away after the construction.

The floor was then given to Council Member Daley who motioned that the appeal be approved and the matter be sent back to the Planning Commission with the recommendations that the north parking lot be the only parking for the site and that also parking be developed on the west side of the site with a walkover to allow the pedestrian traffic to the station and the only parking by the station would be to comply with the ADA laws. The motion died for the lack of a second.

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The floor was then given to Council Member Decker who said that she believes that the two accesses are best because one would cause traffic problems. She noted that this issues had been discussed at several occasions of the Planning Commission as well as the City Council and had looked at all of these problems and had worked them out to what they felt was the best for all of the citizens of Woods Cross.

The floor was then given to Council Member Moore who said that nothing could be done at this time because these decisions had been made many years ago. Changing the access, he felt, would not improve the situation.

The floor was then given to Council Member Hadlow who motioned that the City Council deny the appeal and that the project go forward as currently engineered. Council Member Decker seconded the motion and all voted the motion except for Council member Dayley who voted opposed. The motion carried by a vote of three to one.

The City Administrator then suggested to those who were present and the City Council that after the UTA station is open and operating that a period of time go by, perhaps six months, and then the City Council revisit these issues with the citizens of Woods Cross that are concerned and see if these problems have come to be.

Mr. Steve Meyer from UTA said that the UTA would be willing to make changes to the station area if problems prove to be true.

The floor was then given to a City resident, Mr. Jeff Thornell, who said that he appreciated the meeting this evening and the suggestion to review the matter six months to a year after the station opens and revisit these problems if they do exist.

The Mayor expressed appreciation to all those who had attended the meeting and all of those who had spoken up and said that this matter would now go forward as planned but in six months to a year after the completion of the station that the matter would be reviewed again to see if problems exist as have been discussed.

**PROPOSAL TO HAVE LIABILITY AND PROPERTY INSURANCE PROVIDED
BY THE UTAH RISK MANAGEMENT MUTUAL ASSOCIATION (URMMA)**

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

“I have asked Mr. Dean Steel the CEO of URMMA to put together a proposal to provide liability and property insurance for the City. Shown below is his proposal which shows last year we would have paid \$22,493 liability insurance for the General Fund and \$1,588 for the Redevelopment Agency. This is considerably less than what we paid the Utah Local Government Trust.

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“One reason URMMA’s premiums are less is their program is a partial self insurance program. As Mr. Steel advised me any losses we incur during the year are paid back to the pool over a 5 year period. That is why their rates are considerably lower than the Trust’s. Since Woods Cross has had a very good track record in minimizing our claims, I feel such a program would be advantageous for Woods Cross City.

“After reviewing the information given by Mr. Steel, if the Council would like more time to consider the proposal we can discuss it in more detail in our work session on the 29th prior to making any decision.”

**INSURANCE COMPARISON
FY 2007**

	ULGIT	URRMA	Difference
City Liability	\$47,110	\$22,493	\$24,617
City Property	\$5,286	Amount to be submitted	
RDA Liability	\$5,061	\$1,588	\$3,473

The Mayor then gave the floor to Mr. Dean Steel, the CEO for the Utah Risk Management Mutual Association. He then reviewed with the Council the benefits for the following areas:

- Coverage
- Organizational Benefits
- Service

After the review by Mr. Steel, the Council determined to discuss this matter in further detail in their work session on May 29th.

The Mayor thanked Mr. Steel for his presentation.

PRESENTATION ON THE PROPOSED WEBER BASIN WATER LINE RECONSTRUCTION PROJECT

The City Administrator then introduced the following to the City Council:

“Shown below is an outline from Mr. Matthew Rasmussen, project engineer for Weber Basin Water Conservancy District, who will explain to the Council the Weber Basin Water’s proposed project of upgrading their lines this summer. It will have some impact upon our streets particularly 1500 South and 1100 West.”

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PROJECT SUMMARY

This project will involve replacing approximately three (3) miles of low pressure irrigation pipeline with new piping that is suitable for operating pressures ranging from 60 to 200 psi, and also installing approximately two (2) miles of new transmission pipeline to deliver water from the existing system to the Foxboro Development in North Salt Lake City. The project is currently on track to begin in approximately July, '07 and is to be completed by April 1, 2008. The extent of the project is shown on the attached map.

MAJOR IMPACTS

- Traffic
- Walking routes to school
- Emergency Response
- Industry

BENEFITS

- Upgrade of aging infrastructure
- Increased pressure in secondary system
- Increased capacity

The floor was then given to Mr. Matthew Rasmussen who reviewed the details of the project with the City Council through the use of a Power Point presentation.

Following the presentation the Mayor thanked Mr. Rasmussen for the presentation and said the City will cooperate in every way possible to see that the work is accomplished in a timely manner.

CONSIDERATION TO AMEND THE INTERLOCAL COOPERATIVE AGREEMENT WITH NORTH SALT LAKE CITY ENETERED INTO ON FEBRUARY 7, 2007 CONCERNING THE REQUIREMENT TO INSTALL A 10' FOOT WALL ADJACENT TO THE PROPERTY ON 2425 SOUTH

The City Administrator continued with the floor and outlined the following:

“Given to the Council is a letter from Mr. Collin Wood, City Administrator for North Salt Lake City, requesting the requirement to install a 10’ wall between the park property and South Bountiful Auto and the J.C. Wheelwright property be removed from the agreement. North Salt Lake feels since there is an existing fence/wall in this area that placing a second wall would be unnecessary.

“As I mentioned to you, we have met with Mr. Frank Branch, property owner on 2425 South, bordering on the area in question, and North Salt Lake has met with J.C. Wheelwright concerning this request. In our conversations, both parties felt they needed

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to be compensated for their walls. I believe this sets a dangerous precedent since the first person who builds a fence is not typically compensated if another person develops property next to theirs. Furthermore, there is no written document indicating Woods Cross committed to J.C. Wheelwright and Frank Branch that the wall would be installed, as noted in the minutes of prior City Council and Planning Commission meetings on the matter.

“I feel if the requirement is removed, North Salt Lake should be required to provide maintenance on the side of the fence that abuts their property and also, in lieu of building the wall, that North Salt Lake provide additional security features for the Branch and Wheelwright properties such as motion activated lights or any other security features that would be amenable to Branch and Wheelwright.

“I believe the additional wall does not provide any additional security for Frank or J.C. and if North Salt Lake is willing to provide for maintenance of the fence, as well as, provide additional security features for them, I do not believe it would be detrimental to the City or to the adjacent property owners to not install the wall.”

After the City Administrator’s outline he noted that he felt like what needed to be done was to get all of the parties involved together and attempt to resolve the problems and issues pertaining to the wall.

The floor was then given to Mr. Paul Ottoson, the City Engineer for North Salt Lake. He reviewed with the Council the following:

1. He noted that since putting up a second sound wall would be redundant and it would put a 2 foot strip between the 2 walls that would somehow have to be maintained.
2. North Salt Lake will plant trees and shrubbery on its side of the existing wall.
3. He requested the Council amend the agreement to eliminate the need for a second wall to be constructed in this area

The floor was then given to Mr. J.C. Wheelwright who represented his own firm, Phoenix Construction, South Bountiful Auto Wrecking and Quality Plating. He discussed with the Council the following points:

- He said the main concern that these three businesses had in this area was the security of property and their businesses from the residential area that would be built to the south of them, as well as, the park development that would be inviting people into the park and the possibility of security problems developing for their property because of the park area.
- He reviewed how the businesses had located in the area to be away from the general population and now the homes and the development were encroaching on their locations which several years ago were in a remote location.

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- He said the owners of businesses that he represents would like to have the wall put up for a second security measure to protect their property
- He said they would be willing to sit down with Woods Cross City and North Salt Lake City representatives and discuss the issue to the best conclusion of all concerned.

The floor was then given to Mr. Ottoson again, who noted that as part of their efforts, they would graffiti proof their side of the wall that has been constructed by South Bountiful Auto Wrecking and Phoenix Construction.

It was decided the parties involved, the two cities and the businesses, would get together and discuss how to resolve the problem and then bring the solution back to the City Council for their approval.

With that, the floor was given to Council Member Decker who motioned that this item be tabled for a future City Council meeting. Council Member Dayley seconded the motion and all voted for the motion.

CONSIDERATION TO ACCEPT BID FOR A LAWN MOWER FOR THE PARKS DEPARTMENT

The floor was given to the Public Works Director who reviewed the following bids that have been received for a budgeted lawn mower purchase:

“The Parks Department has been able to demonstrate and use all of the mowers that were bid for our mower purchase.

“It is the recommendation that we purchase the Toro 4100 D Mower for a price of \$42,165 and declare our Toro 455D as surplus with a minimum price of \$8,000.

“The reasons for this decision are:

1. “Value of old mower is worth more than \$4,000
1. “The Toro out performed the other machines on the slopes which we maintain.
2. “The Toro has a much softer cut appearance on the slopes.
3. “The other machines bid had low ground clearance and would not load onto the trailer we have to transport this machine.

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The bids are as follows:

Greenline Equipment

No response

RMT Equipment (Jacobsen Model HR 5111 4WD)

Total Cost	\$42,400.00
Less Trade	\$8,000.00
Purchase Price	\$34,400.00

RMT Equipment (Jacobsen Model HR 6010 4WD)

Total Cost	\$40,600.00
Less Trade	\$8,000.00
Purchase Price	\$32,600.00

Turf Equipment (Toro Model 4100-D)

Total Cost	\$42,165.00
Less Trade	\$4,000.00
Purchase Price	\$38,165.00

“We have in the budget for this equipment \$45,000”.

The floor was given to Council Member Moore who motioned that the Council approve the high bidder of Turf Equipment and the purchase of the Toro Model 4100-D lawnmower for the Parks Department. The justification for the selection of this bidder was the four reasons outlined above by the Parks Superintendent. Council Member Hadlow seconded the motion and all voted for the motion through a roll call vote.

SAFE ROUTES FOR SCHOOL UPDATE

The floor was given to Council Member Decker who reviewed with the Council an upcoming seminar which is free of charge to those with neighborhood schools in their city. An outline of that seminar is shown below.

SAFE ROUTES TO SCHOOL NATIONAL COURSE

An Introduction to the National Program and Utah’s Student Neighborhood access Program (SNAP)

Date: Tuesday, June 12 and Wednesday, June 13, 2007
Time: 8:00am-5:00pm both days

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Location: West Valley City Centennial Park Police Sub-Station
5315 West 3100 South, West Valley City, Utah 84120
801-955-4100

What: The two-day course will introduce community leaders, school officials, law enforcement officers, and health and transportation professionals, to the federal Safe Routes to School program, as well as the available funding for Safe Routes to School projects. The course will also provide an introduction to Utah's unique Student Neighborhood Access Program (SNAP), an essential tool for every school in creating their routing maps and qualifying for national funding.

The course is offered **Free of Charge**, with lunch and snacks provided.

Following the review of this item, the City Administrator said that he would attend the free seminar and bring the information back to the city.

FLEX TIME DISCUSSION FOR CITY EMPLOYEES

The floor was given to Council Member Decker who said that in light of tonight's late hour this item should be put on a future agenda and discussed by the City Council, as well as, it could be discussed at the work session on May 29.

CURBSIDE RECYCLING DISCUSSION

Council Member Decker continued with the floor and asked the City Council if they would like the Waste Management of Utah, the firm that picks up the refuse for the citizens of Woods Cross City to come and talk to the Council concerning curbside recycling.

The Council felt that this matter deserved their attention and asked if they would come before the City Council.

Council Member Decker said that she would see this was placed on the agenda for a future meeting.

NOXIOUS WEED UPDATE

Council Member Decker asked the staff if anything had been done to increase the enforcement of noxious weeds within the city. The City Administrator said that he will be in discussion with the City Prosecutor concerning this matter.

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MEMORIAL DAY UPDATE

Because of the absence of Council Member Earnshaw, who is the chairman of the Memorial Day activities, there was no report given on this item.

The Mayor noted that the event is going forward and all plans are in place for the event.

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 and the floor was given to Council Member Decker.

She noted that there had been some graffiti placed on the playground equipment at Farm Meadows neighborhood park. The Staff said they would look into the matter and see that the graffiti was removed.

There were no other items for the open session.

MOSQUITO ABATEMENT UPDATE

The floor was given to Council Member Moore, the City's representative on the Mosquito Abatement District. He noted that from their last meeting they had been advised that there are infectious cases of West Nile Virus in the state of California. He noted that the Woods Cross Elementary school had still not had a school seminar on West Nile Virus and how to protect themselves from mosquitoes.

He was hoping the school could be contacted and a seminar presented to the children.

This concluded his report.

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 activities of the Fire Agency. He noted that station 85 construction is going forward and it should be completed in the latter part of June. He said that the construction for Station 82 which will be located in North Salt Lake is going forward and that the financing had been secured for the construction for the station.

He said the new fire truck, which was ordered about a year ago, will be delivered in the next 60 days and a new ambulance will be ordered for the use by the agency.

He then asked the City Council if they would like him to pursue the Fire Agency becoming a true taxing district in the South Davis area. The Council felt that this should go forward and asked the Mayor to pursue it.

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This concluded his report.

MAYOR'S REPORT

The Mayor reported to the Council on the following:

1. He said that there had been seven recommendations made at the West Bountiful meeting concerning the environmental health of Woods Cross and West Bountiful residents as it pertains to the oil refineries and that he would look into seeing why the seven recommendations were reduced to three.
2. He noted that the RAP Tax proposal for South Davis County is going forward and will probably be on the ballot this fall.
3. He suggested to the Council that there be a combined meeting between the Planning Commission and the City Council to discuss the perceived problems that come from having an oil refinery located in the boundaries of the city.

This concluded his report.

PLANNING COMMISSION REPORT

The Mayor continued with the floor and reported on his attendance at the May 8, 2007 Planning Commission meeting. 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. "Air Quality Issues

"The Mayor attended the meeting in West Bountiful on Wednesday sponsored by physicians concerned about health aspects of the air quality in the area. The Mayor reported they made a number of points concerning emissions from the refineries and the expansion of the refineries in the area. You will need to be prepared to address a number of concerns that will be raised and I believe that it is in our best interest of the City to do what we can do to limit any type of pollution or emissions within the area."

CLOSED SESSION FOR THE SALE OF REAL PROPERTY

At 10:10 P.M. Council Member Moore motioned that the Council go into closed session to discuss the sale of real property. Council Member Decker seconded the motion and all voted for the motion.

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ADJOURNMENT

There being no further business before the City Council, Council Member Decker motioned that the Council adjourn the meeting at 10:15 P.M. with Council Member Dayley seconding the motion.

Kent Parry, Mayor

Alan T. Low, City Recorder