

**WOODS CROSS CITY COUNCIL MEETING
SEPTEMBER 1, 2009**

The minutes of the Woods Cross City Council Meeting held September 1, 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 PRESENT:

Kent Parry, Mayor
Tamra Dayley*
Rick Earnshaw

Jill Evans
Jon Hadlow
David C. Hill

*Entered the meeting as noted in these minutes

STAFF PRESENT:

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

VISITORS:

Terri Locher
Willie Barnett
Wayne Hinckley
Charles Payne
LeGrande Blackley
Scott Anderson

Pam Park
Patrick Riley
Melinda Williams
Brad Mackay
Pat Blackley

Barbara Barnett
Vicki Hinckley
Leendert Van Hulsten
Matthew Rasmussen
Mark Anderson

INVOCATION:

David Hill

PLEDGE OF ALLEGIANCE:

Jill Evans

The Mayor welcomed those in attendance and stated this is a regularly scheduled meeting that notice of time, place and agenda was sent to local newspapers and provided to each of the City Council Members prior to the meeting.

APPROVAL OF MINUTES

The Council reviewed the minutes of the City Council Meeting held August 18, 2009. After the review, Council Member Hill motioned the minutes be approved as corrected with Council Member Earnshaw seconding the motion and all voted for the motion through a roll call vote.

APPROVAL OF CASH DISBURSEMENTS

The floor was given to the City Recorder who reviewed the Cash Disbursements listing for tonight's meeting with the City Council. After the Council's review, Council Member Hadlow

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made a motion to approve the Cash Disbursements listing as presented with Council Member Evans 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 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.

REPORT FROM THE SOUTH DAVIS SEWER DISTRICT

The floor was given to Mr. Charles L. Payne, the City's representative on the Board of Directors of the South Davis Sewer District. Mr. Payne reported the following to the City Council concerning the activities of the Sewer District:

"Bids were opened 8-19-09 for lining sewer lines for the year's upcoming projects at a total cost of \$461,473.00. Westwood Mobile Park is one of those projects coming in at the cost of \$86,816.00.

"The District is celebrating 50 years of serving South Davis County.

"There will be more coming considering a change in the disinfecting process."

REPORT FROM THE WOODS CROSS COMMUNITY OF PROMISE COMMITTEE

The floor was given to Mr. Leendert Van Hulten who is the chairman of the Community of Promise Committee. He reported on the committee's activities as follows:

1. "The literacy program was a big success with an average of about 170 kids even with the first few weeks being small because of rain.
2. "September 10th will be the Seniors' Lunch Bunch at noon. There will be white elephants with everyone bringing a lunch. The Mayor will be giving a State of the City address.
3. "September 24th will be the next Community of Promise meeting at 7:00 P.M."

REPORT FROM THE WOODS CROSS YOUTH CITY COUNCIL

The floor was given to Ms. Vicki Hinckley, the advisor to the Woods Cross Youth City Council, and she reported on the Youth City Council's activities as follows:

1. "We had a successful 2008-2009 Youth Council year and ended with an awards dinner and saying goodbye to the graduating seniors.

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2. "We are getting ready for the 2009-2010 year beginning on Monday, September 14th at 4:00 P.M. We will be discussing general information and doing some get-to-know-you activities. We have approximately 20 new members and 20 returning members.
3. "Those who have applied for leadership positions will be interviewed soon and the Leadership Council will be organized, trained and ready for the first meeting in September.
4. "The next meeting will be October 5, 2009 at 4:00 P.M."

*Council Member Dayley entered the meeting at this point.

DAVIS SCHOOL DISTRICT BOND ELECTION PRESENTATION

The Mayor gave the floor to Ms. Pam Park, assistant Davis School District Superintendant who discussed with the City Council the upcoming bond election which will be held on November 3, 2009. She used a Power Point presentation to discuss the need to continue the property tax levy for the school bond. She discussed the promise of the Davis School District not to raise the debt service bond property tax rate. She discussed how it is the right time to continue school construction because of low bid prices and then finally she reviewed with the City Council the language on the ballot for the election and how it might confuse the voters.

The focus of her presentation was to explain that if the voters did not vote for the bond election then their property taxes would decrease over the next years as a prior bond is paid off, if they voted for the bond election their property taxes would remain constant and would not increase as the school district issued new bonds and use the current levy to pay for the new bonding.

She thanked the Council for their time and the opportunity to discuss the upcoming bond election.

APPROVAL OF MT. VIEW TOWNS PUD PHASE 2 FINAL PLAT

The Mayor gave the floor to the Community Development Director who outlined the following information for the City Council:

"The first phase of Mountain View townhomes is under construction and as such, Ivory Homes has submitted Phase 2 for the City Council's consideration. Mountain View Towns Phase 2 consists of 27 townhomes. These townhomes will be separated from the first phase townhomes located to the west of the A-1 drain linear parkway. The attached plat and landscape plan details the layout and development of this phase of Mountain View Estates. Many of the first phase townhomes are partially completed. In fact, the exteriors are now being finished on several of the buildings.

"The Planning Commission held a public hearing on this matter which was attended by several Mountain View homeowners. These homeowners expressed concern regarding Ivory's

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operation of the HOA, some subdivision improvements and concerns regarding the type of people that may reside in townhomes.

“The Planning Commission has recommended to the City Council that the Mountain View Towns PUD Phase 2 Final Plat be approved.”

Following the presentation the Council discussed the need for developing a plan for home owner associations (HOAs) since there seems to be a problem within the City and this would be discussed at a future City Council Meeting.

The floor was given to Council Member Hill who said he would vote for this approval but that he would like not see any additional townhomes built in this area and he hoped plans could be made for the building of single family homes.

With that, the floor was given to Council Member Earnshaw who motioned the City Council approve the final plat for the Mountain View Towns PUD Phase 2. Council Member Dayley seconded the motion and all voted for the motion through a roll call vote.

REAPPOINTMENT OF MR. CURTIS POOLE OF THE PLANNING COMMISSION

The Mayor recommended to the City Council they reappoint Mr. Curtis Poole to the Planning Commission for the term of four years. The floor was given to Council Member Earnshaw who motioned the City Council approve the appointment of Mr. Curtis Poole to the Woods Cross Planning Commission. Council Member Evans seconded the motion and all voted for the motion through a roll call vote.

CONSIDERATION TO INCREASE THE YOUTH CITY COUNCIL ADVISORS STIPEND

The Mayor gave the floor to the City Administrator who reviewed and recommended the following to the City Council:

“Increasing the Youth City Council advisors stipend was discussed in the May 5th Council meeting but no official action was taken. It is my understanding it was the desire of the Council to raise the advisor’s stipend to \$150 and the assistant advisor’s to \$100. The Council needs to make an official motion to increase the stipend and to make the increase retroactive to July 1, 2009.”

The City Council concurred with the information that was presented by the City Administrator and the floor was given to Council Member Earnshaw who motioned the City Council approve the increase of the stipend to the Youth City Council advisor to \$150 and to the assistant advisor to \$100 per month effective July 1, 2009. Council Member Hill seconded the motion and all voted for the motion through a roll call vote.

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DISCUSSION ON PROPOSED PROJECTS TO BE FUNDED BY THE RAP TAX

The City Administrator continued with the floor and advised the Council on the following:

“It was brought up in the last meeting there were concerns by the senior citizens regarding the promised use of the RAP Tax for the senior’s center. We have discussed the possibility of building a senior’s center with the RAP Tax; however we would have to combine it with some type of museum or cultural facility to meet the requirements of the law. We have also discussed the possibility of remodeling the Council chamber and the conference room to allow joint use of these facilities to provide more space.

“Although the remodeling of the City Hall would be quite expensive this would be considerably cheaper than building a separate building. If that would meet the needs of the seniors, this may be the most cost effective option. The remodel of the City Hall will not be able to be funded through the RAP Tax but we have sufficient funds in our Capital Improvement Fund to cover the remodel of the City Hall. The Council can discuss the options and if you want Staff to do further work on it we can move forward and start getting some hard numbers on whatever option you prefer to take.”

The Council concurred they would like to do something to provide a more spacious area for the senior citizens to meet for their monthly meeting as well as for other uses and felt the best option would be to remodel the City Hall so the Council room and the multi-purpose room could be expanded into one large room.

The floor was given to Council Member Hill who volunteered and said if the City Staff would provide him with building plans with both the multi-purpose room and the City Council room, he would be glad to provide a ballpark estimate of what the cost would be to replace the solid wall with an accordion type wall.

The Council expressed appreciation to Council Member Hill for his willingness to provide this information and they would look forward to it at a future meeting.

CONSIDERATION TO APPOINT A CITY PROSECUTOR

The Mayor said that prior to making a recommendation to the City Council there would be a need to have a closed session to discuss qualifications of personnel in that closed meeting. With that the floor was given to Council Member Earnshaw who motioned this item be tabled for a later time at tonight’s meeting. Council Member Evans seconded the motion and all voted for the motion through a roll call vote.

OPEN SESSION

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

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There were no items from the public present and the floor was given to Council Member Earnshaw. He advised the Council it was his understanding the Scout monument that is going to be placed in the City park was ready for its cement base work to be done and he was wondering what the location would be for the monument.

It was decided those who were providing the monument to the City should discuss the location with the City Council at an upcoming City Council meeting.

The floor was then given to Commissioner Hadlow who asked who was to maintain the planted area in front of the Frontrunner train station. The staff said it was UTA and they would contact them about how bad it looks.

There were no other items for the open session.

MAYOR'S REPORT

The Mayor reported to the Council on the following items:

1. He reported on the Silver Eagle Community Action Committee meeting that was held last week. He noted progress is being made by Silver Eagle that they have purchased a fire truck and are in the process of training eight of their workers in fire suppression and actually 20 of the workers will have this training. He noted they are retrofitting the tanks roofs with a foam injection system to help suppress fire should it break out. He also said Silver Eagle is setting up a flow chart for emergency plans to show just what needs to be done in emergencies. He noted it was an excellent committee meeting and he praised Silver Eagle for what they are doing.

He noted Silver Eagle will be holding an open house on November 12, with the location to yet be determined. At the open house they are inviting the citizens of Woods Cross to see what safety efforts are being made to make the refinery safer as well as to give an understanding of what the facility does in the processes it performs.

It was also noted by the Mayor that Silver Eagle is setting up a mutual aid agreement with the other refineries in the area to aid them in the time of an emergency.

In addition, the Mayor said the South Davis Metro Fire Agency, who attended the meeting, noted their personnel were pleased with the meeting as well and with the work that is being accomplished.

2. The Mayor was wondering if a crossing guard was needed for the new Foxboro Elementary school which had recently been opened noting there are children from

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Woods Cross that are walking to this elementary school. The City Administrator said he would meet with the City's Chief of Police to discuss the matter.

CITY ADMINISTRATOR'S REPORT

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

1. Summer Party

"The summer party is scheduled for September 11th at 6:00 P.M. Given to the Council is the flyer announcing the party."

2. Early Voting

"Early voting at City Hall (Council room) will be as follows:

4:00-8:00 P.M.—Tuesday September 1 through Friday September 4

4:00-8:00 P.M.—Tuesday September 8 through Thursday September 10

1:00-5:00 P.M.—Friday September 11"

3. Public/Private parks in subdivision

"The Community Development Director and I have not had time to put together the necessary information to have a discussion on this item. We will have it available for discussion at the September 15th Council meeting."

CLOSED SESSION

At 7:55 Council Member Earnshaw motioned the City Council go into closed session to discuss the sale of real property and personnel matters. Council Member Hill seconded the motion and all voted for the motion through a roll call vote.

CONSIDERATION TO APPOINT A CITY PROSECUTOR

The Mayor gave the floor to Council Member Dayley who motioned the City Council approve contracting with Ms. Lindsay Jarvis to be the new City Prosecutor. Council Member Evans seconded the motion and all voted for the motion through a roll call vote.

ADJOURNMENT

At 8:45 P.M. Council Member Earnshaw motioned the City Council adjourn the City Council Meeting. Council Member Hill seconded the motion and all voted for the motion through a roll call vote.

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Kent Parry, Mayor

Alan T. Low, City Recorder