

**WOODS CROSS CITY COUNCIL
SEPTEMBER 16, 2008**

The minutes of the Woods Cross City Council Meeting held September 16, 2008 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
David C. Hill

COUNCIL MEMBERS EXCUSED:

Jon Hadlow

STAFF PRESENT:

Alan Low, City Recorder
Gary Uresk, City Administrator

VISITORS:

Donna Wilson
Ashton R. Hunt
Josh Patel
Karl Leroy
Evan Green
Lindsay Anderson
Ryan Winkler
Holli Moore
Donna Winkler
Jeff Davis
Geoffrey Carter
Jerie Davis
Lorrina Allred
Kathy Bullock
Don Schrader
Cami Decker
Ben Davis
Emma Dugal

Matthew Redd
Etha Elgsren
Alan Macfarlane
Rose Leroy
Jin Rossetti
Nancy Lucero
Scott Olson
Adam Smith
Alicia Smith
Liz Wolfgramm
Pat Blackley
Melinda Williams
Chad Fernelius
Leslie Garton
Lois Schrader
R.H. Brown
Christian Krechtel

Alison H. Hunt
Ruth Patel
Chandie Macfarlane
Karen Green
Brenda Rossetti
Scott Halladay
Chad Nelson
Joshua Patel
Chris Smith
Fred Wolfgramm
LeGrande Blackley
Mark Allred
Ken Bullock
Travis Garton
Lance Decker
Al Debarros
Jeff Riggs

INVOCATION:

Fred Wolfgramm

PLEDGE OF ALLEGIANCE:

Tamra Dayley

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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 September 2, 2008. After the review, Council Member Earnshaw motioned the minutes be approved as written 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 August 31, 2008. The Council reviewed the City's cash position, sales and use 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 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 reviewed the Cash Disbursements listing for tonight's meeting with the City Council. After the Council's review, Council Member Evans 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.

PRESENTATION ON ANTELOPE ISLAND BALLOON STAMPEDE

The Mayor gave the floor to Ms. Donna Wilson from the Davis County Chamber of Commerce. She in turn invited the Mayor and the City Council to attend the annual Antelope Island Balloon Stampede and presented to the Mayor and the City Council a VIP Pass and parking privilege to attend the event to be held on Antelope Island on September 19th through the 21st.

She went on to explain the event will have approximately 20 hot air balloons that will launch, if the weather permits, plus entertainment and refreshments served.

She encouraged the Council and the citizens of Woods Cross to come and participate in the event.

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The Mayor thanked her for her attention to Woods Cross City citizens, the invitation and for her reminder of the event.

OPEN SESSION (BRIEF ITEMS)

The Mayor 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.

Gathered in the City Council chambers were 43 City residents from the Ivory Homes Development called Mountain View Estates. The Mayor turned the time to their spokesman, Mr. Mark Allred.

Mr. Allred thanked the City Council for the time to discuss the problems they are having in the Ivory Development concerning Mountain View Estates.

He then outlined for the City Council the following items of concern:

1. He encouraged the City Council not to allow anymore development in the area by Ivory Homes until they have addressed the concerns of the current home owners in the Mountain View Estates.
2. He explained to the City Council that none of the citizens that live in Mountain View Estates have been given representation on the Home Owners Association that has been set up for the Mountain View Estates Development; hence they are paying for the homeowner's fee with no representation.
3. He said Ivory Homes is not managing the property correctly and walkways are not completed nor is the swimming pool properly maintained so it can be used by the community residents.
4. He said Ivory Development has put in some of the improvements incorrectly and now are placing the burden on correcting the mistakes on the Home Owners Association.
5. He said Ivory Development had advertised certain amenities on their website for the Mountain View Estates but are not putting in the amenities as they have advertised them.
6. He said there is bad cement work that has been put into the driveways and sidewalks in the area and the cement is sloughing off of the surface.
7. One of the major problems he said was the drainage in the area, that many backyards and side yards are being flooded because of inadequate drainage. He said when the homeowners had tried to discuss this with Ivory Development they had blamed the homeowners' too frequent watering of their lawns as causing the problem.

He thanked the Council for listening to their concerns.

The Mayor then opened the meeting to others that would like to speak and the floor was given to Mr. Evan Green, a resident in Mountain View Estates who explained to the City Council that there is pooling of water in his backyard which is a concern to him.

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Next the floor was given to Ms. Donna Winkler, also a resident of Mountain View Estates, and she explained to the City Council the flooding problem that she is having in her backyard.

The floor was then given to Mr. Scott Halladay, also a Mountain View resident, who also explained to the City Council the flooding that is occurring in his backyard.

The floor was then given back to Mr. Mark Allred, the representative of the group, who presented to the City Council pictures of the numerous flooding problems in the residents' yards.

The floor was then given to Mr. Chris Smith, a resident also of Mountain View Estates, and he said his backyard was sloped quite a bit so in order to level his backyard out he had put a retaining wall around his backyard and then smoothed out the surface so his children would have a place to play after the grass was planted. He says now Ivory Homes Development is blaming him for causing the water problems to those that live next to him.

The floor was then given to Mr. Dave Elgsren. He explained the backfill around his home had settled causing the back porch to separate from the home and it caused a gap between the porch and the home. His complaint was the soil was not properly compacted around his home.

Next Mr. Ken Bullock spoke for his daughter who owns a home in Mountain View Estates and he presented pictures showing the drainage problem in the area of his daughter's home.

Mr. Adam Smith said they were promised street trees and none of those had been planted.

Mr. Jerry Davis said, to solve his drainage problem, he has dug a trench from his backyard to the front and will line it with approximately 5000 pounds of rock in order to drain his property.

Mr. Jeff Davis said the fencing along the A-1 drain, which has gateways in it so that one can access to the A-1 drain if you would like to walk, has settled and now the gates will not open.

Mr. Scott Olsen said the poor drainage in his yard is causing health problems because of the mosquitoes.

The floor was given to Mr. Josh Patel. He said what those present would like to have is to determine a course of action which might be taken by them and asked what advice the City would give to them as a recourse to get these problems solved.

The Mayor asked the City Staff to look into the problem of the sidewalks where poor cement work has caused problems and to see what can be done with the bonding from Ivory Homes to correct the sidewalks.

He said as far as the private property goes with the poor cement work, such as driveways, that this would be up to the residents to work with Ivory Homes to correct that problem.

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Council Member Hill was given the floor and he suggested the City Council and the Planning Commission not move forward with the additional plans Ivory Homes has in this area until these problems are solved with Mountain View Estates.

The Mayor suggested and the Council concurred, that a field trip be scheduled where the City Council, the Mayor, the City Administrator and the City Engineer, would go to Mountain View Estates and view the problems that have been caused firsthand.

The date of September 30th at 6:00 P.M. was scheduled for the field trip.

The Mayor asked Mr. Allred if he would provide the Mayor with a list of addresses of property owners that they would like the City Council to see the problems in their yards.

Mr. Allred thanked the City Council for their concern and for the help they are to the City residents.

There were no other items for the brief open session.

CONSIDERATION TO GRANT CONDITIONAL ACCEPTANCE FOR THE MAE MITCHELL SUBDIVISION LOCATED AT APPROXIMATELY 1800 SOUTH 1100 WEST

It was brought to the City Council's attention the Mae Mitchell Subdivision is not conforming with City ordinances as they prepare their subdivision for construction and they need to comply with those ordinances.

The floor was given to Council Member Dayley who motioned this item be tabled until the Mae Mitchell Subdivision come into conformance with the City ordinances as it pertains to the subdivision. Council Member Hill seconded the motion and all voted for the motion through a roll call vote.

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. Emma Dugal, who is the director of the Bountiful/Davis Arts Center. She expressed appreciation to the Mayor, the City Council and the residents of Woods Cross City for their support of the Bountiful/Davis Arts Center and the recently held Bountiful Summer Arts Festival. She said Woods Cross had supported the event with both manpower as well as money and she expressed appreciation on behalf of the Bountiful/Davis Arts Center for their support.

She presented a letter of thanks along with a certificate of appreciation to the Mayor.

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In turn the Mayor thanked Ms. Dugal for recognizing Woods Cross City for their support.

The floor was given to Council Member Evans who reported on the Legacy Parkway opening last Saturday and how well the event went and what a benefit the Legacy Parkway will be to the citizens of Woods Cross City.

There were no other items for the open session.

REPORT FROM THE WASATCH INTEGRATED WASTE DISTRICT

The Mayor gave the floor to Council Member Earnshaw, who represents the Woods Cross City Council on the Board of Directors on the Wasatch Integrated Waste District. He reported the following on the District's activities:

Council Member Earnshaw advised the Council the Wasatch Integrated Waste Board passed a resolution at its last meeting that will allow the citizens of Woods Cross City to take their "green waste" to the Bountiful landfill whereas before they had to take any "green waste" up to the landfill located in Layton. He said this will save considerable time and fuel for the citizens of Woods Cross City.

In return, Bountiful City will take over garbage collection services for 1100 homes they had been paying the Waste District to service because these homes had previously been in the Davis County area but had since been annexed into Bountiful. They will also give 5 acres of land to the Waste District to locate a transfer station near the Bountiful landfill.

This concluded his report.

REPORT FROM THE SOUTH DAVIS METRO FIRE AGENCY

The Mayor reported on the activities of the South Davis Metro Fire Agency where he represents the City on the Board of Directors. He reported the following:

1. He said at their last meeting they had reviewed the budget as it compares to actual revenues and expenditures and the expenditures are tracking to budget in a satisfactory way.
2. He said the agency had recently purchased through grants and donations, a mobile command vehicle and a HAZMAT vehicle and the Staff this past week had been in Florida determining the specifications for these two vehicles that will be delivered early in 2009.
3. He said the Board of Directors had discussed a change in personnel policy which would prohibit tattooing on hands, neck and face. He said after considerable discussion the matter was tabled for future discussion.

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He then asked the City Council how they felt on this matter. The Council felt perhaps the firemen need to be held to a little higher standard and it would not be good to have tattoos on the hands, neck or face.

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 represents the City of Woods Cross on the Board of Directors.

He reported on the following item:

1. The Board discussed the need for long range planning for the District because the focus over the last two years had simply been on the recreation center itself and they need to plan for the future for other recreation areas throughout the South Davis County. He said the Board and Staff will start to prepare long range planning for the future.

REPORT FROM THE MOSQUITO ABATEMENT DISTRICT

The floor was given to Council Member Evans who represents the City on the Board of Directors on the Mosquito Abatement District. She reported there had been several cases of positive testing for West Nile Virus in the mosquitoes in Davis County and spraying is done heavier in those areas where West Nile Virus is found.

She also reported the District is working closely with Ogden City to prepare its new storage facility for the District's chemicals in the Ogden Airport.

MAYOR'S REPORT

The Mayor thanked those members of the Council and Staff who had recently taken time to attend the Utah League of Cities and Towns conference that was held in Salt Lake City. He said the event was beneficial and there was training there that would be beneficial to the governing of the City.

REPORT FROM THE PLANNING COMMISSION

The floor was given to Council Member Hill who reported on the Planning Commission Meeting held September 9, 2008. 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:

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1. 900 South Parking Restrictions

“I have asked the Police Chief to take a look at this and we are still reviewing the situation over there before making a recommendation. I anticipate it will take a little more time before we will make a recommendation. This will be on the agenda on the October 7th Council meeting for Council action.”

2. Public Works Clothing Allowance

“Council Member Evans made a request we look at having a clothing allowance for the Public Works Department. I have asked the Public Works Director to survey other cities to see what they do. We are now compiling the results of the survey and I will be asking the Public Works Director to implement a clothing allowance that reflects what is done in other cities.”

ADJOURNMENT

At 8:25 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