

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

The minutes of the Woods Cross City Council Meeting held March 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 PRESENT:

Kent Parry, Mayor	Jon Hadlow
Tamra Dayley	David C. Hill
Rick Earnshaw	Jill Evans

STAFF PRESENT:

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

VISITORS:

Antone Clark	Ron Paul	Lois Schrader
Don Schrader	AL Jewell	John Caywoog
Wade Hugoe	Melinda Williams	Pat Blackley
LeGrande Blackley	Nate Shipp	Paul Howard
Adam Osoro	Keolu Delos Santos	
Russ Barton	Summer Barton	

INVOCATION: Tamra Dayley

PLEDGE OF ALLEGIANCE: Kent Parry

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 March 3, 2009. 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 February 28, 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 Hill 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 Council Member Hill 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 would take less than two or three minutes.

There were no items for the brief open session.

A PUBLIC HEARING AND CONSIDERATION TO ADOPT ORDINANCE #525 TO ANNEX APPROXIMATELY 0.7891 ACRES INTO WOODS CROSS CITY LOCATED AT APPROXIMATELY 1400 SOUTH 1900 WEST BY IVORY DEVELOPMENT LLC

The Mayor gave the floor to the Community Development Director who reviewed the following information with the City Council concerning this annexation:

“The Council may recall that Ivory Homes Development's surveyor mistakenly left out a small strip of their property from the previously annexed area. As such, the Council has accepted a petition to annex this strip along the north boundary of the Ivory property. We have posted and mailed the required notice to affected entities and others of the proposed annexation. Davis County Boundary Commission has not received any protests or other comments regarding the proposed annexation during the protest period.

“As such, the Staff has scheduled a final public hearing for tonight's meeting to consider annexing the subject area. Given to the Council is a proposed ordinance annexing the described area. The ordinance also designates R-1-8 zoning north of the previously annexed residential area, in addition to designating agricultural zoning to the west portion as done in the previous annexation.”

The Mayor then opened the public hearing.

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

The floor was then given to Council Member Earnshaw, who motioned the City Council adopt Ordinance #525, an ordinance extending the corporate limits of Woods Cross City to include the annexation of a parcel of real property located off Redwood Road at approximately 1400 South and amending the Woods Cross zoning map to zone and designate the portions of this area as R-1-8 single family and A-1 agricultural upon its annexation to the City. Council Member Dayley seconded the motion and all voted for the motion through a roll call vote.

CONSIDERATION TO AMEND THE VALENTINE ESTATES DEVELOPMENT AGREEMENT

The Community Development Director continued with the floor and reviewed the following information with the City Council:

“Mr. Nate Shipp has been redesigning the proposed cottage homes for Valentine Estates located at 1900 West 2250 South. Given to the Council are several revised or new renderings of proposed homes. These homes have incorporated porches with robust columns and entry features, in addition to added roof variations and window pop-outs. There was also some concern voiced from neighbors during the work session that they hoped the homes would relate in terms of material and colors to existing housing within Valentine Estates. As such, no attempt will be made to use bright, contrasting colors such as those used in Day Break. In addition, stucco and rock features can be added to certain elevations or elements of some building elevations. Mr. Shipp has proposed still using the two story home with the forward or projecting garage; however he has proposed to use it only on corner lots facing the garage door opening on the side street and providing windows along the garage wall on the main building elevation or front of the home.

“Mr. Shipp is reworking the protective covenants to require a variation of home plans that can not be repeated on adjacent or even two adjacent lots within the subdivision. Since the work session, I have discussed with Mr. Shipp trying to include the following elements within home design:

1. “Multiple roof forms and changing roof planes
2. “Rotating the garage on corner lots to enhance the front home elevation and adding windows and/or articulation to the garage wall.
3. “Projecting roof forms or porches forward of the main entry of the home to emphasize the building entry.
4. “Utilizing properly apportioned and sized shutters or attic vents to add visual interest and variety to the home elevations.
5. “Adding more highly articulated or decorative porches or support columns to the front elevations.

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6. "Transitioning exterior materials at inside corners to give a more substantial appearance making the materials appear more integrated to the structure versus making material or color changes at outside corners or along flat planes of the building.
7. "Contrasting colored trim to enhance window openings."

Following the presentation by the Community Development Director, the floor was given to Mr. Shipp, who then reviewed with the Council the design changes which he has made to the homes that will be built in the area as well as giving information to the Council concerning the square footage of the homes and the range of pricing of the homes.

The City Council found the information to their liking and felt that it would be a good development for the City of Woods Cross. The Mayor then instructed the Staff to amend the Development Agreement and bring it back to the City Council for their review and approval.

Mr. Shipp thanked the Council for their timely help on solving this matter.

**CONSIDERATION TO APPROVE A PURCHASE OF A MOTORCYCLE BY
THE POLICE DEPARTMENT**

The floor was given to the City Administrator who reviewed the following information with the City Council concerning the purchase of a motorcycle for doing police patrol work within the boundaries of the City.

"Why purchase a motorcycle? An aggressive traffic enforcement program which essentially works to address lesser offenses, actively contributes to control all manner of potential criminal offenses or activities. A motorcycle offers a unique advantage to marked vehicles and we can utilize it in many ways such as:

- Utilized for both routine patrol and basic traffic enforcement
- Specialized enforcement in school zones, red-light enforcement, crosswalks, failure to yield on left turns
- Easier to park on busy streets, greater deterrent to violations than a marked vehicle
- More maneuverable than a patrol vehicle in heavy traffic, faster response time
- Speeding, especially in the neighborhoods and during heavy traffic congestion periods
- Aggressive traffic enforcement resulting in increased revenue
- DUI enforcement
- Response to emergencies in our parks or Legacy Parkway trails
- Public Relations
- Reduced miles on patrol vehicles, resulting in longer useful life span

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- Reduction in fuel costs, getting 45-50 miles MPG, while patrol vehicles average 13 MPG
- Improved officer morale
- Etc.

“Costs:

Harley Davidson Police Motorcycle with ABS brakes	\$14,895.00
Depreciation is \$1,200/yr based on UHP estimates	
Depreciation on a vehicle is estimated at \$6,000/yr/5yrs	
Emergency equipment including installation	\$3,325.00
Communications equipment	\$880.00
Uniform and Special Police Helmet	\$800.00
Handheld Lidar (optional)	\$3,000.00
Total	\$22,900.00

“Use: The motorcycle has the potential of being used 275 days per year and would primarily be used during daylight hours. When not used the assigned officer would drive a marked vehicle. This will require some adjustment to our duty schedule as we need to have to have a patrol car on duty at the same time the motorcycle is.

“Training: We have five officers who ride street motorcycles recreationally who have an interest in becoming certified as police motorcycle officers. The training class is 80 hours taught by the UHP. No officers would be allowed to operate the motorcycles on duty until they were certified. We would train one officer this spring.

“Training is only offered in the spring and therefore it is necessary to order the motorcycle this week in order to participate in this year’s training, otherwise it would be necessary to wait until next year to consider the purchase.

“Additionally, we do not want this purchase to affect the replacement of the two patrol vehicles approved in the FY2010 Budget’s Capital Improvements Fund. If that were to happen, we would withdraw our request for the purchase of the motorcycle.”

Following the review by the City Administrator he then made the following recommendation to the Council:

“I removed \$45,000 from this year’s police equipment budget which was to fund a third police car. The Police Chief is asking to restore half of that amount, (\$20,000) to purchase the motorcycle. This money can come out of the Capital Improvement Fund, if it is the Council’s desire to purchase the motorcycle.

“I believe this is a policy decision that needs to be made if we want to move in this direction. I can see some definite benefits from the use of a motorcycle. My one concern

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is if this is a passing fad that within 6 or 8 months we may have a motorcycle that is not being used that effectively.”

The floor was then turned over to the City Council who asked questions of the Chief of Police as well as Officer Russ Barton, who would be the first to be trained with the new motorcycle.

The first question by Council Member Earnshaw was why more than one officer could not be trained at this time. The answer was that the Utah Highway Patrol does the training on the motorcycles and the City would only have one motorcycle to train with and only one person can be done at a time and they only give one course per year.

The Chief responded also by saying the department could look into other training that might be provided and if so they would want to train a second officer and even a third.

A member of the Council asked if a car was not necessary if someone had to be arrested and taken into custody. The response was whenever an officer engages in that kind of a problem with the community they always call for backup officers to come and assist.

It was asked if there would be an increase in the City’s insurance costs and the answer was this would have to be looked into and there was a question on whether there would be an increase more than what it would be if an additional car was purchased.

It was noted that the patrolling in the neighborhoods and the City will allow the officers to patrol or set up screening for speeders in a less conspicuous manner by having the motorcycle.

It was asked where the funding would come from out of the City funds and the City Administrator responded that the purchase could be funded through the Capital Improvement Fund.

Following the questions and answers by the Council, the floor was given to Council Member Earnshaw who motioned the City Council approve the purchase of a motorcycle to be used for patrol by the Police Department within the City as outlined by the Police Department given in the information above. Council Member Hadlow seconded the motion and all voted for the motion except for Council Member Evans who voted opposed. She explained that her opposition to this was not that she did not support having the motorcycle but that she felt the funds that would be needed to purchase the motorcycle could be used in other areas within the City. The motion carried by a vote of 4 to 1.

**CONSIDERATION TO APPROVE AN INTERLOCAL AGREEMENT WITH
THE DAVIS SCHOOL DISTRICT TO PROVIDE A SCHOOL RESOURCE
POLICE OFFICER**

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

“Given to the Council is a copy of the Interlocal Agreement between the Davis School District and Woods Cross City for the provision of a School Resource Officer at Woods Cross High. This has been reviewed by the City Attorney and the Police Chief and we are comfortable with the agreement as drafted. The agreement provides they pay us \$27,800 for the Resource Officer. I recommend approval as drafted.”

After the City Administrator gave the information, the City Council asked what portion of the Resource Officer would the \$27,800 pay towards his salary and benefits. The City Administrator noted that it would pay about half the cost of the officer.

The floor was then given to Council Member Earnshaw who motioned the City Council adopt the Interlocal Agreement as presented with the Davis School District to provide a School Resource Officer with Council Member Hadlow seconding the motion and all voted for the motion through a roll call vote.

CONSIDERATION TO APPROVE AN INTERLOCAL AGREEMENT WITH DAVIS COUNTY FOR ANIMAL CONTROL SERVICES

The City Administrator continued with the floor and went over the following with the City Council concerning this Interlocal Agreement for Animal Control Services:

“Given to the Council is a copy of a proposed agreement with Davis County for Animal Control Services. It also includes a letter from the County as well as some statistical information concerning animal control.

“The payment amount on page 6 and 7 is actually less than last year. Last year we paid a little more than \$16,000. This year with the wild animal charge of \$669, our total fee will be \$13,823. I recommend approval of the agreement as drafted.”

Following the explanation by the City Administrator the floor was given to Council Member Earnshaw who motioned the City Council approve the Interlocal Agreement with Davis County for Animal Control Services as presented. Council Member Hill seconded the motion and all voted for the motion through a roll call vote.

DISCUSSION ON BENCHMARK HOSPITAL LOCATED AT 592 WEST 1350 SOUTH IN WOODS CROSS CITY

The Mayor gave the floor to Council Member Hadlow who yielded the floor to the Chief of Police and Officer Adam Osoro. They in turn explained to the City Council of two significant incidents that have occurred at the Benchmark Behavioral Hospital in the last two weeks.

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The first and most serious occurred a week ago last Monday when there was a riot by those who are in the hospital for drug addiction and sexual abuse and the police officer was called to the hospital to quell the riot. He could not gain entrance and finally one of the workers opened the door so he could come in and found the riot ensuing and called for officer backup. Eventually ten officers from surrounding communities were able to quell the riot and bring order to the hospital.

In the last week, two of the people who are in the hospital for treatment escaped from the locked facility where they were located at K-Mart where there was an altercation with one of the youth who inflicted a minor wound on one of the City's police officers.

The City Council asked the City Administrator and Police Chief to look into the hospital and whether they are performing their services in an adequate manner explaining they felt they were not controlling their environment properly and taking care of the situations they have up there to deal with concerning the people that are housed there.

The City Administrator said he would get with the State Department of Health as well as with the City Attorney and pursue getting with Benchmark and discussing these matters and he would report back to the City Council.

DISCUSSION OF RAP TAX

The floor was given to the City Administrator who discussed the following information with the City Council concerning the RAP Tax that will be collected over the next several years in Woods Cross City:

“Shown below is an estimate of the RAP Tax collections over the 8 years in which it is authorized. I estimate we should collect about 1.3 million dollars. This estimate takes into account the economic downturn and if things turn around quicker than I anticipate, that number may be a little bit higher.

“For projects, we have made the offer to contribute \$20,000 a year to North Salt Lake for their park north of Foxboro and we have committed to the construction of a soccer park north of the Ivory development under the power lines. We have discussed building a senior citizens center; however we are looking at an alternative of remodeling the current City building to take care of the seniors' needs.

“We are working to get some tentative numbers on the power line park and should have those within the next couple of weeks. I would like to discuss any other potential projects you would like to consider funding with the RAP Tax.

“The tax is authorized for construction of recreation facilities or the ongoing operating expenses of botanical, cultural, or zoological organizations within the City. After getting

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a list of projects, I can start calculating costs and develop a Capital Projects list tied to the revenue stream.”

RAP TAX COLLECTION ESTIMATES

FY2009	\$36,719
FY 2010	\$146,877
FY 2011	\$151,283
FY 2012	\$155,822
FY 2013	\$160,496
FY 2014	\$165,311
FY 2015	\$170,271
FY 2016	\$175,379
FY 2017	\$135,480
Total	\$1,297,639

Following the review by the City Administrator the Mayor and the City Council gave to him the projects they would like to see the RAP Tax used for.

- Improvement to baseball fields in the current City parks
- As the corridor around 500 South and Redwood Road and Legacy Parkway develops, there could be an open amphitheater area where the citizens could gather for concerts and family outings
- The new park that will be co-sponsored with North Salt Lake just off 2600 South
- An improved parking lot for Mills Park on the west side of the park
- The construction of the Ivory Homes power line park

The Council suggested these projects to the City Administrator and he said he would now develop cost figures for them and bring the information back to the City Council.

MEMORIAL DAY CELEBRATION UPDATE

The floor was given to Council Member Earnshaw who updated the Council on the preparatory plans for the City’s annual celebration on Memorial Day. He noted he is still having problems having someone lead the men’s choir but he would continue to contact those who might help out.

It was reported to him by Council Member Hill that Woods Cross High School will be providing some choral entertainment during the breakfast portion of the Memorial Day celebration.

In addition, Council Member Earnshaw said he would be contacting the Police Department to see if they would do the flag ceremony again this year.

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This concluded his update.

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 City resident, Mr. Don Schrader, who spoke in favor of the construction of the amphitheater as a gathering place for events in Woods Cross City. He said he had attended such events in West Bountiful, Ogden City and Bountiful City and he found them very enjoyable and encouraged the City Council to pursue this.

The floor was then given to Council Member Dayley who said she would like to see the follow-up on the Silver Eagle Refinery fire and to have them come before the Council and report on that event. In addition she would like to see if something can be done in conjunction with the South Davis Metro Fire Agency to provide an inspector who would go into these refineries and inspect them for possible danger areas.

The City Administrator said he would contact Silver Eagle and have them come to the next City Council meeting.

The floor was then given to Council Member Hill who reported on the Youth City Council outing up to Utah State University where they participated with other Youth City Councils in a three-day conference. He said our Youth City Council from Woods Cross took second place at the event for Youth City Council's that have over twenty participants.

The Council expressed congratulations to the Youth City Council for their excellent work.

There were no other items for the open session.

REPORT FROM THE SOUTH DAVIS METRO FIRE AGENCY

The Mayor reported to the City Council on the activities of the South Davis Metro Fire Agency where he serves as Chairman of the Board of Directors for the agency.

He noted the board meeting held yesterday was held at the newly completed Station 82, located in North Salt Lake. He explained to the City Council that it is an excellent facility for the firemen to respond from to any needs of the citizens that are part of the South Davis Metro Fire Agency area of service.

He said he had nothing further to report.

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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. He noted the Recreation District continues to have a positive cash flow for the first two months of their new fiscal period of 2009.

He noted they are looking forward to April when there will be a large number of renewals of annual passes to the recreation center and they are hoping to have an 80% retention rate. He said he would report back to the Council after the April numbers are gathered.

He said the City can arrange to have a Woods Cross City recreation day at the center and all citizens from Woods Cross City showing the identification that live in the City will be given free access and use of the recreation facilities.

It was suggested that perhaps the City pick Memorial Day or the Saturday before Memorial Day and tie it into the Memorial Day celebration.

The Mayor said he would look into the matter.

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 of the Davis Mosquito Abatement District. She reported to the Council that she will be attending a national conference on mosquito abatement to be held in New Orleans, Louisiana in the next two months representing the Davis Mosquito Abatement District.

She also reported the district has signed a lease for the storage at the Ogden Airport for their chemicals to be used for spraying from their contracted airplanes.

This concluded her report.

MAYOR'S REPORT

The Mayor noted he had nothing further to report to the City Council.

PLANNING COMMISSION REPORT

It was noted that no one from the City Council was able to attend the March 9, 2009 Planning Commission Meeting, so the City Council reviewed the information in the preliminary minutes of the meeting.

CITY ADMINISTRATOR'S REPORT

The Mayor gave the floor to the City Administrator who reported to the Council on the following:

1. "City Hall Remodel

" We are having JUB Engineers analyze the City Hall remodel and come up with some estimated costs and recommendations. One thing that will need to be discussed is the reconfiguration of the rostrum area. The building is constructed with the lighting and sound system designed specifically to accommodate the rostrum in its current location. Another option that is possible is to extend the building out into the parking lot area. Now that we have the parking lot area to the south, expanding to the east is an option.

2. "500 South Project

"UDOT is now moving ahead fairly rapidly with the 500 South project. We have received \$400,000 of the stimulus money to put into enhancements that will help pay for the trees in the median as well as the lighting and wall to screen the Holly Refinery yard. As we move further through that project, we will keep you updated on what is being planned.

3. "Community Development Area

"We should have the preliminary plan ready for the Council to review at the next meeting.

4. "Rocky Mountain Substation

"Rocky Mountain Power is in negotiation with Sinclair to purchase part of the property where they were going to locate the jet fuel storage tanks. Rocky Mountain Power does not need all of the property and anticipates subdividing it and selling the front parcels for light industrial uses."

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ADJOURNMENT

At 9:10 P.M. Council Member Hadlow motioned to adjourn the City Council Meeting. Council Member Evans seconded the motion and all voted for the motion through a roll call vote

Kent Parry, Mayor

Alan T. Low, City Recorder