

**WOODS CROSS CITY COUNCIL MEETING
OCTOBER 6, 2009**

The minutes of the Woods Cross City Council Meeting held October 6, 2009 at 6:30 P.M. in the Woods Cross City Hall located at 1555 South 800 West, Woods Cross, Utah.

CONDUCTING:

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

**Left the meeting as noted in these minutes

STAFF PRESENT:

Gary Uresk, City Administrator
Alan Low, City Recorder
Paul Howard, Chief of Police
Jim Linton, Police Officer
Maureen Nelson, City Treasurer
Wade Hugoe, Public Works

VISITORS:

Terri Burnett
Al Jewell
Holly Stewart
Jeremy Roth
Kasey Boulton
Michelle Bruso
Andrew Hansen
Richard Paul
Chase Gregersen
Adam Wilkins
Michael Hill
Audra Messick
Matt Palmer
Brent Page
Hannah Atkin
Terri Christensen
John Bubert
Jamille Allmendinger
Lisa Atkin
Brianna McConkie
Maddie Workman

Patrick Burnett
JoAnn Ellis
Aubrianna Bishop
Phil Roth
Don Schrader
Lex Bruso
Jann Preston
Jennifer Gregersen
Bailie Vasquez
Keyara Hill
Annakiah Messick
Maggie Messick
Zach Page
Aubrey Page
Erron Bown
Joel McConkie
Haley Allmendinger
John Hansen
Angie Oswald
Ruth Page
Lee Workman

Leendert Van Hulten
Morgan Stewart
Eryka Roth
Tyler Christensen
Lois Schrader
Darrell Pratt
Kayleigh Paul
Courtney Gregersen
Leann Terrill
Paula Hill
Robert J. Messick
Bruce Messick
Jackie Page
Fredrick Roth
Cameron Frandsen
Samantha Vanfleet
James Allmendinger
Sharon Anderson
Trina McConkie
Betty Surace
Michelle Workman

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Friedrich Fisher
Edward J. Klint
Robert Bricker
Kevin Palmer
Charles Payne
Genny Mikkelsen
Tom Smith

Richard Wheeloch
Geri Stephenson
Vonda Bricker
Pat Blackley
Maureen Nelson
Charlee Mikkelsen
Ron Smith

Joseph P.C. Sarace
Jim Stephenson
Rowena Palmer
LeGrande Blackley
Vicki Hinckley
Terri Locher
Carolyn Low

INVOCATION:

Jon Hadlow

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 Meetings held September 15th, and 29th, 2009. After the review, Council Member Earnshaw motioned the minutes be approved as corrected with Council Member Evans seconding the motion and all voted for the motion through a roll call vote.

APPROVAL OF 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 Earnshaw made a motion to approve the Cash Disbursements listing as presented 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 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 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:

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1. "Oct. 8th will be the Senior Lunch Bunch at 12:00 noon. The speaker will be Sam Delecuw. She will share some cowboy poetry. Lunch will be provided with everyone bringing a white elephant.
2. "Oct. 15th will be the city wide book club at 7:00 P.M. The book to be discussed will be "Home Another Way" by Christa Parrish.
3. "Oct. 29th will be the Community of Promise meeting at 7:00 P.M."

*Council Member Dayley entered the meeting at this point.

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 District:

1. "The bid for the cost to replace pipe for Westwood Mobile Home Park is as follows:
2862 Linear Feet 8" diameter pipe \$51,516
400 Linear Feet 6" diameter pipe \$12,000
Traffic control \$500
Reconnect to laterals 64 \$4,800

Total \$68,816.00

"I have talked to their board members. They seem to be happy as all they are paying is an extra \$1.00 per month.

2. "The District has made an extensive study of options of wastewater disinfection. More information to follow.
3. "I would like to say thanks to those attending the openhouse for the celebration of 50 years of the operation of the District. We were pleased with the turnout."

**REPORT FROM THE WOODS CROSS YOUTH CITY COUNCIL AND
SWEARING IN OF NEW MEMBERS**

The Mayor gave the floor to Ms. Vicki Hinckley, the advisor to the Woods Cross Youth City Council. Ms. Hinckley in turn introduced to the City Council the new Mayor for the Youth City Council, Ms. Aubrey Page. Mayor Page then took the floor and introduced to the Council the new Youth Council leadership group.

After they were introduced, the floor was given to the City Recorder who administered the Oath of Office to the Youth City Council leadership. Following the swearing in of

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the new leadership, the floor was given to Mayor Page who then introduced the rest of the members of the Youth City Council.

After their introduction, the floor was given to the City Recorder who then administered the Oath of Office to the remaining members of the Youth City Council.

The Mayor and the City Council then congratulated each member of this year's Youth City Council.

The floor was then given to Mayor Page who reported on activities for the Youth City Council as follows:

1. "The 2009-2010 Woods Cross Youth Council is 47 members strong. The theme for this year is "Got Service?" We will set 5 goals to work on throughout the year. We look forward to learning more about city government and get involved in more service.
2. "Our October service activity will be "Trick or Treating" for canned food for the Bountiful Community Food Pantry. We will have a Halloween party afterwards.
3. "The next meeting will be November 2, 2009. We will be working on service projects for Thanksgiving and Christmas.
4. "The new Youth City Council members are as follows:"

Aubrey Page, Youth Mayor
Morgan Stewart, City Administrator/Mayor Protem
Patrick Burnett, City Planner
Kristine Jackson, City Recorder
Deanna Bown, Treasurer
Mattison Tate, Historian/Photographer
Erron, Bown, Historian/Photographer
Zachary Page, Chief of Police
Mitchell Paul, Assistant to the Chief
Sammi VanFleet, Council Member
Cortney Peters, Council Member
Austin Tate, Council Member
Meagan Ruud, Council Member
Melanie Hooper, Council Member

Committee Members:

| | | |
|--------------------|---------------------|-------------------|
| Haley Allmendinger | Sarah Allemendinger | David Anderson |
| Melanie Anderson | Hannah Atkin | Abigail Barnett |
| Aubrianna Bishop | Kasey Boulton | Torri Christensen |
| Tyler Christensen | Cameron Frandsen | Jordan Gillette |
| Chase Gregersen | Andrew Hansen | Keyara Hill |
| Thomas Hill | Ivan Kingston | Emily Martin |

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Brianna McConkie
Julianna Olsen
Kayleigh Paul
Eryka Roth
Bailie Vasquez

Annakiah Messick
Cassidy Oswald
Robbie Peters
Jeremy Roth
Sydney Willis

Laura Mortensen
Matt Palmer
Keisha Pratt
Holly Stewart
Madeline Workman

CONTRIBUTION TO THE WOODS CROSS CITY'S "LAW ENFORCEMENT TEACHING STUDENTS" (LETS) PROGRAM FROM DETATCHMENT 1014 OF THE MARINE CORPS LEAGUE INC. IN THE NAME OF LANCE CORPORAL DION J. STEPHENSON

The Mayor gave the floor to the City's Chief of Police who in turn introduced to the City Council a group of retired Marines from Detachment 1014 of the Marine Corps League Inc. who in turn presented to City Police Officer, Jim Linton, a check for \$500 as a donation to the LETS program of the City. The donation is made in the name of Lance Corporal Dion J. Stephenson who was killed in Kuwait.

The floor was given to Officer Linton who expressed appreciation to the Marine Corps Detachment and their generous donation to the LETS Program. Officer Linton serves as the Resource Officer for Woods Cross Elementary School where the LETS Program has been instituted.

The floor was then given to Mrs. Stephenson, Dion's mother, who told the story of how her son served in the Marines and how his life was taken in a battle in behalf of the United States of America in Kuwait.

The Mayor and the Council expressed appreciation to the Marine Corps League for their generous donation to the City's LETS Program.

CONSIDERATION TO DECLARE A 2004 FORD CROWN VICTORIA AS SURPLUS PROPERTY

The floor was given to the City Administrator who, speaking in behalf of Chief Howard explained the following to the City Council:

"I request that a 2004 Crown Victoria police vehicle with 97,000 miles be declared surplus.

"In the past we have taken vehicles to TNT Auction but the vehicles have not sold for long periods of time, especially high mileage vehicles, and on several occasions we have taken them back and sold them ourselves. I would expect to receive between \$500 and \$1,500, less the commission, from TNT.

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“We have received two offers from CJ Auto for this vehicle, which have purchased many of our used police vehicles in the past: the first is for \$2,500 and we remove the equipment, the second is for \$2,200 and they remove the equipment and return it to us.

“I recommend we advertise the vehicle for sale with a minimum bid of \$2,500 with an option of a lower price if the purchaser removes and returns the equipment.”

Following the explanation, the floor was given to Council Member Earnshaw who motioned the City Council declare the Ford 2004 Crown Victoria as Woods Cross City surplus property and sell it through advertising the vehicle for a bid of \$2,500 with the option of a lower price if the purchaser removes and returns the equipment. Council Member Hadlow seconded the motion and all voted for the motion through a roll call vote.

**Council Member Earnshaw left the meeting at this point. He left after the vote on the Scout Monument. Nota bene, he made the motion to accept the monument.

DISCUSSION ON PROPOSED RAP TAX PROJECTS

The City Administrator continued with the floor and outlined for the City Council the proposed RAP Tax projects.

“Given to the Council is a spreadsheet showing the annual collection from the RAP Tax for the eight years in which it has been authorized. For expenditures I have shown \$10,000 being expended each year for the Memorial Day Celebration and contributions to the Bountiful Davis Arts Center. I have shown payments over the eight years for the Power Line Park which is estimated to cost approximately \$1.5 million dollars. A detailed cost estimate for the park is also given to the Council. Approximately 35% of the cost of the park will be paid out of impact fees. I have estimated \$1.1 million of RAP Tax funds will be needed to complete the park which includes bonding costs. This leaves about \$270,000 that can be utilized for other projects such as the Heritage Park located in the Legacy CDA area, the possible regional softball facility or other cultural activities or facilities.

“If the desire is to move forward with the Power Line Park I recommend we dedicate our RAP Tax funds to that project for now. During the formulation of the FY 2011 budget we can discuss the uses of the balance of the funds when we have a better estimate of what will be available.”

After the review by the City Administrator, the floor was given to Council Member Evans who suggested to the City Council the parking lot at Mills Park be asphalted and finished so it provides adequate parking for those using the park.

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The Council agreed this should be one of the first projects accomplished by the City with the excess RAP Tax money.

The Mayor then suggested to the Council the City complete a bike and walking trail along 1100 West to connect with the trail system in West Bountiful as well as along 1500 South to connect with the Legacy Parkway trail system.

The floor was given to Council Member Hill who encouraged the City Council to use the funds for projects and facilities within the City boundaries and not to be used in joint government projects outside the boundaries of Woods Cross City.

The Council concurred the City should move ahead on the Power Line Park as well as the finishing of the Mills Park parking lot as the first projects for the RAP Tax and the smaller projects would be scheduled as the budget is prepared for the fiscal year 2011.

The Mayor then gave the floor to some of the citizens that were present and two spoke in favor of the City having an amphitheater park somewhere located in the City for outdoor events. The City Staff noted an amphitheater park is planned as the Legacy Parkway Interchange and 500 South area is developed.

DISCUSSION ON A PROPOSED ORDINANCE REGULATING RESIDENTIAL SOLICITORS

Continuing with the floor the City Administrator went on to discuss the following with the City Council concerning residential solicitors:

“We have had a number of solicitors and peddlers in the City within the last week. We tend to get an influx occasionally and concerns have been raised concerning our ability to regulate them. Previously the City could outlaw solicitors within the City, however, with the Kirby Vacuum law suit; our ability to do such has been significantly reduced. I have given to the Council a copy of a proposed ordinance that was submitted to the Utah League of Cities and Towns back in 2006. We could implement this ordinance or something close to it that would at least require registration of solicitors as well as makes it clear if there is a “no solicitors sign” on the door they can be prosecuted.

“Council Member Hadlow has also brought to my attention that his hometown of Olmstead, Ohio has a “Do Not Knock Registry” in which the City creates a registry of those who do not want solicitors. In reviewing Olmstead’s ordinance, this registry is created to strengthen the ability of the City to prosecute those who knock on doors of those who do not want solicitors bothering them.

“I am not sure if we want to go through the effort of creating such a registry as long as we have the ability to register door to door solicitors and to prosecute those who knock on doors who have clearly marked they do not want solicitors at their door.

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“We can discuss what direction you want to take on this and I will work with the City Attorney to develop an ordinance that meets our needs.”

Following the review by the City Administrator the floor was given to Council Member Hill who said he would like to keep the solicitor ordinance as simple as possible and that perhaps the best approach would be that the current ordinance is strengthened and that if a no solicitation sign is posted on the front door of the home that those who solicit at that home can be referred to a police officer for trespassing.

Council Member Evans was given the floor and she spoke in favor of having the registry so the Council can see who the solicitors are that are coming into the City as well as to help protect the citizens.

After discussion on these two approaches to the problem the Mayor summarized the feelings of the Council noting first would be to reinforce the current ordinance, if a no solicitation sign is posted on the door of the home, no solicitation can take place at the home and the resident of the home can call the police if they were bothered by solicitors. The second part of this would be to get more information to what other cities have done in enforcing no solicitation in their cities.

The City Staff said they would move forward with this direction the Council has given them.

CONSIDERATION TO APPROVE THE PLACEMENT AND LOCATION OF THE STATUE COMMEMORATING THE BOY SCOUTS OF AMERICA IN HOGAN PARK

The City Administrator went over the following with the City Council concerning the placement of the Boy Scout Statue in Hogan Park:

“Eagle Scout Candidate Tom Smith called me today and requested to be put on the agenda for this meeting. In response to his request I have reviewed Ordinance 529 which requires the City Council to approve the placement of any monuments in City parks. (I have given you a copy of the ordinance for your review). I believe Eagle Scout Candidate Smith meets the criteria for placement under 8-05-030 (b) ii, commemorating a community association organization or group that has rendered service to the City for more than 20 years. The object is consistent with the City’s general plan and zoning ordinances and does not create any safety hazards and is not obscene. Since the City has been in the support of this project, I feel it appropriate the City approve the placement of the statue in Hogan Park.

“Concerning the location, we had discussed placing it where the buffalo is now and moving the buffalo to another location.”

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Following the review by the City Administrator the floor was given to Council Member Earnshaw. He praised Eagle Scout Candidate Tom Smith for his excellent presentation in writing to the City Council for the placement of the Boy Scout Statue in Hogan Park. He recommended to the City Council the Buffalo be moved further to the west and the Scout monument be erected where the Buffalo currently is located.

With that, the floor was given to Council Member Earnshaw who motioned the City Council accept the monument for placement in Hogan Park where the buffalo is currently located moving the buffalo a few feet to the west. Council Member Hill seconded the motion and all voted for the motion through a roll call vote.

**Council Member Earnshaw left the meeting at this point.

The City Council then discussed the monument lighting and referred Eagle Scout Candidate Smith to the Public Works Director to discuss the lighting of the statue. Eagle Scout Candidate Smith also noted the concrete work is ready to go forward and he will be meeting with the Public Works Department to determine when the buffalo can be moved and the cement work for the statue commenced. He also reviewed with the City Council he has collected \$44,700 towards the statue and only \$2,850 remains to be donated.

The Council thanked him for his review and for his project in behalf of the citizens of Woods Cross City.

**CONSIDERATION TO APPROVE DESIGN WORK ON THE CITY HALL
MULTI-PURPOSE ROOM EXPANSION**

The floor was given to the City Administrator who outlined the following concerning the multi-purpose room expansion for the City Council:

“The City Recorder and I have determined that with a 25 foot extension of the multi-purpose room we can pick up five additional tables for the senior luncheon which increases the capacity from 64 to 104, creating 40 additional seating spaces. We could possibly get another table in by squeezing things up if necessary. I feel this is the most cost effective proposal for increasing the space for the senior citizens.

“I recommend the Council give approval to move ahead with design work, so we can get the addition ready to bid.”

Following the outline by the City Administrator, the floor was given to Council Member Evans who said she was concerned that the room would not be big enough to meet the future needs not only of the senior citizens but other groups who want to use the room.

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The City Council discussed the concern and determined without a more major undertaking and considerable more expenses than the estimated \$200,000 it would be impossible to make the room bigger than is currently proposed.

The Mayor then took the floor and asked the City Council if this was the best use of City funds. He noted he had received two comments from citizens noting the expansion of City Hall for senior citizens might not be the best use of City funding.

The floor was given to Council Member Hill who suggested perhaps the senior citizens could meet at the church across the street instead of using the City Hall for their programs. It was noted some of the seniors would be uncomfortable in using a Church of Jesus Christ of Latter-Day Saints church in place of meeting at the City Hall.

Also it was noted the seniors appreciated for the last many years meeting at the City Hall which is a congregating point within the City for community activities.

The Council felt good about expanding the City Hall and gave the floor to Council Member Hill who motioned the City Council approve the going forward and preparing a floor plan and site plan for the expansion of the multi-purpose room as proposed by the City Administrator. Council Member Hadlow seconded the motion and all voted for the motion through a roll call vote.

REPORT FROM THE WASATCH INTEGRATED WASTE DISTRICT

There was no report at tonight's meeting because Council Member Earnshaw had been excused from the meeting.

OPEN SESSION

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

There were no items to bring before the Council and the Mayor continued with the outlined agenda.

MAYOR'S REPORT

The Mayor reported on the Board of Directors meeting of the South Davis Metro Fire Agency where he represents the City of Woods Cross. He reported on the financial condition of the Fire Agency noting their revenues and expenditures are equal to their budget for the year 2009. He noted at the last meeting there was a ceremony where new firemen and paramedics along with those who have been promoted within the ranks were sworn in to their respective positions.

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He advised the Council the Board had approved the resolution which gives a waiver on impact fees for governments that belong to the agency for the construction of those governmental buildings or facilities.

This concluded his report.

The Mayor also noted for the Council that he had received some email complaints concerning dogs in the parks with resident wishing to change the ordinance to allow dogs back into the parks. This would be discussed at a future City Council meeting.

CITY ADMINISTRATOR'S REPORT

The City Administrator reported the following to the Council:

1. Redwood Road Extension

“We have been working with UDOT and the Auto Auction to work together to extend Redwood Road about 200 feet northward to allow the transporters for the Auto Auction to come in off of Redwood Road rather than 500 South. This would allow the closure of one of the entrances on 500 South and will make a much safer situation. I am currently working through the details and by next Council Meeting I will be able to discuss the details of the project more fully.”

2. RDA Housing Project

“Both the Housing Authority and Jed Millburn have refined their projects and would like to present them in further detail. I believe we are at a point we need to make a decision on whether to go with their projects or let them know we are interested. We have currently cleared the site of all of the units except for one of ours and the building owned by the Housing Authority. The remaining unit we own should be demolished in the next couple of weeks. I have asked both groups to come in and make a short presentation to the Board at the October 20th RDA meeting outlining the details of their project. The decision does not need to be made at that meeting, but it would be good if a decision could be made in the first part of November.”

In addition to the items reported the City Administrator asked for direction from the Council concerning the annual employee's appreciation dinner which is held each January as part of the Christmas celebration as well as to recognize the employees and their years of service to the City. He noted this item had not been budgeted in the fiscal 2010 budget and he said the City Staff were recommending that perhaps the appreciation dinner would not be held this year.

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The Council discussed the matter and said because the City employees had not received any kind of salary increase this year that the dinner needed to be held and recognitions taken place.

The City Administrator said the Staff would plan the event and bring a recommendation back to the City Council.

ADJOURNMENT

At 8:40 P.M. Council Member Dayley motioned the City Council 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