

**WOODS CROSS CITY COUNCIL MEETING  
JULY 7, 2009**

The minutes of the Woods Cross City Council Meeting held July 7, 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	Jill Evans
Tamra Dayley	Jon Hadlow
	David C. Hill

**MEMBERS EXCUSED:**

Rick Earnshaw

**STAFF PRESENT:**

Gary Uresk, City Administrator  
Alan Low, City Recorder  
Tim Stephens, Community Development Director  
Maureen Nelson, City Treasurer  
Wally St. Jeor, Public Works Employee  
Marc Evans, Public Works Employee

**VISITORS:**

Melinda Williams	Al Jewell	Charles Payne
Katie Cochran	Sam Cochran	Jacob Bingham
Barry Woodward	Jennifer Palmer	Vicki Hinckley
Pat Blackley	LeGrande Blackley	Nate Shipp
Douglas Stanger	Chris C. Rivera	Jan Winborg
Kirt Harmon	Marion Willey	Greg Chapman
Gary Jones		

**INVOCATION:** David C. Hill

**PLEDGE OF ALLEGAINCE:** 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 June 16, 2009. After the review, Council Member Evans motioned the minutes be approved as corrected with

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Council Member Dayley seconding the motion and all voted for the motion through a roll call vote, except Council Member Hadlow who abstained from voting.

The Council then reviewed the minutes of the City Council Work Meeting held May 28, 2009 and corrections to the minutes that were submitted by Council Member Evans. The floor was given to Council Member Evans who motioned the minutes of the Work Meeting of May 28 be approved as amended. The motion died for lack of a second.

Council Member Hill recommended other information concerning the meeting needed to be included in the minutes.

The floor was given to Council Member Hadlow who motioned the approval of the minutes of the Work Meeting for May 28, 2009 be tabled to allow review of the corrections. Council Member Dayley seconded 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 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**

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 from the public present and the floor was given to Council Member Evans who said she wondered about the weeds that were growing on the property at the corner of 850 West and 1500 South which is owned by Proterra Corporation.

The floor was given to the City's Code Enforcement Officer, Mr. LeGrande Blackley, who said they had been notified to cut down the weeds and that it would be coming before the Justice Court in the next month.

The floor was then given to Council Member Dayley who expressed concern about the weeds that are along Redwood Road near Valentine Estates. It was noted by the Staff the roadway on each side of Redwood Road is maintained by the Utah Department of Transportation. The City Administrator said he would be meeting with UDOT in the next week or so and he would mention the weeds to them.

There were no other items for the brief open session.

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**REPORT FROM THE WOODS CROSS COMMUNITY OF PROMISE**

There was no report from the Community of Promise Committee because they suspend their meetings during the months of June, July, and August.

**REPORT FROM THE SOUTH DAVIS SEWER DISTRICT**

The floor was given to Mr. Charles L. Payne who serves as the City's representative on the Board of Directors of the South Davis Sewer District. He reported on the following items to the City Council and gave them a copy of the annual audited financial report for the period ending December 31, 2008 for the South Davis Sewer District:

“There are problems with the sewer main lines in the Westwood Mobile Home Park. We are working on fixing these lines. The residents will be paying \$5 a month to defray the cost of the repairs and were happy to do so. There are no problems with the Meadow Crossing PUD job.

“We are conducting ongoing studies for the Jordan River/Farmington Bay water quality group to study water quality issues with monies from an enforcement action conducted by the EPA fourteen years ago.

“Our meetings will be held at 4:00 P.M. the third Thursday of each month.

“There have been limits placed on our backup policy of \$5,000 per location, \$25,000 per incident and \$50,000 per year.

“The CAFR report was required to be given to all entities involved at one time. This is no longer the case and if you do not wish to receive this report let me know, but it does have some good information regarding our area.”

Following the report by Mr. Payne the Council expressed appreciation to him for his report and service to the community.

**REPORT FROM THE WOODS CROSS YOUTH CITY COUNCIL**

The Mayor gave the floor to the Youth City Council Mayor, Ms. Jennifer Palmer, who reported on the following concerning the activities of the Youth City Council:

1. “We enjoyed hosting the Lunch Bunch in June and enjoyed sharing our talents and playing Bingo with the group. We hope they had as much fun as we did.
2. “Applications for the 2009-2010 WX Youth City Council are still available at the City offices. Applications are due by Friday, August 21, 2009.

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3. "The West Bountiful Parade was a lot of fun. The theme of our float was "Garden of Service....Plant, Grow, Harvest...Reaping a Better Community." Our next parade will be the Bountiful Handcart Days parade. Please join us.
4. "Our End of Year Awards Party is scheduled for Monday, August 10 at 4:00 P.M. We will be awarding participation certificates and celebrating a successful youth council year."

Following the report by Mayor Palmer, the City Council expressed appreciation to her for her leadership this past year in the Youth City Council organization. The Youth City Council will reorganize itself in the next two months to begin a new year in the fall.

**CONSIDERATION TO APPROVE VALENTINE ESTATES COTTAGE HOMES  
PHASE 2 FINAL PLAT**

The floor was given to the Community Development Director who outlined the following for the City Council:

"Recently, Mr. Shipp had a Development Agreement and a first phase final plat for this project approved by the City Council. Mr. Shipp's contractor is nearing completion of the improvements for Phase 1 and his builder should be starting home construction within the first phase in the next few weeks. As such, Mr. Shipp has now submitted for your consideration and recommendation, Phase 2 of the Valentine Estates Cottage Homes. Phase 2 continues the development of the cottage homes westward and consists of 24 lots.

"Mr. Nate Shipp and Development Associates will have Dakota Homes build most of the homes in the first phase. However, Development Associates have created their own building entity and will construct the homes in the second phase. In fact, they have developed new home plans and architectural elevations for use in the second proposed home plans and styles for the second phase. Staff believes that some of the proposed home styles for the second phase are an improvement over what was originally proposed for the first phase for Dakota Homes.

"The Planning Commission has reviewed this matter and has recommended the Valentine Estates Cottages Phase 2 final plat be approved with the following conditions:

1. "The Development Agreement be updated to include the new proposed home styles.
2. "A 6-foot foot, solid, vinyl fence shall extend along 2260 South along the back lot lines of lots 206-209.
3. "Homes sited on lots 209, 219 and 220 shall have driveway access prohibited on the 2260 South traffic circle.
4. "Applicant shall submit for staff approval a street tree and landscape plan for Phase 2."

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Following the outline by the Community Development Director, the Council expressed concern about the roundabouts that were used within the development area, stating there has been some concern about other roundabouts in housing developments in the western part of the City where people are going the wrong way in the roundabout just to save distance to drive their cars. The Council recommended to the Staff the roundabouts be constructed in a manner the citizens cannot use a shortcut method when going through the roundabouts.

Following the discussion the floor was given to Council Member Hadlow who motioned the City Council approve the final plat for the Valentine Estates Cottages Phase 2 with the recommendations 1 through 4 as outlined above by the Planning Commission. Council Member Evans seconded the motion and all voted for the motion through a roll call vote.

**CONSIDERATION TO AUTHORIZE THE PURCHASE OF TWO NEW POLICE VEHICLES**

The City Council reviewed the following information as given to the Council by the City's Police Chief:

“When Officer Sheldon contacted Ken Garff Dodge they informed him Chrysler had stopped building vehicles during their recent bankruptcy and does not expect delivery of 2010 police vehicles until January 2010 at the earliest.

“They do have several 2009 Chargers on the lot and we have placed a hold on two of them pending approval to purchase them. Installation, radar and emergency equipment will be purchased from Premier Vehicle Installation which is on State Contract. The in-car video will be purchased based on State Contract from Kustom Electronics.

“The following are bids for the vehicles and equipment:

2009 Dodge Charger	\$22,687.00 ea	\$45,374.00
Kustom in-car digital video	\$4,588.00 ea	\$9,176.00
Emergency equipment	\$7,417.04 ea	\$14,834.08
Stalker Radar	\$1,725.00 ea	\$3,450.00
Installation	\$1,275.00	\$2,550.00
Total		\$75,384.08

“This is well under the budgeted amount of \$78,000.

“Based on the bids received by Officer Sheldon, I recommend we purchase two 2009 Dodge Charger Police vehicles from Ken Garff and the equipment listed above.”

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Following the review from the City's Police Chief, the City Administrator also recommended to the City Council they authorize the purchase of the two new police vehicles.

Following the recommendation by the City Administrator, the floor was given to Council Member Evans. She expressed concerns over warranty issues that may arise with the problems Chrysler Corporation is having being in bankruptcy.

The Staff felt that there would not be a warranty problem and Chrysler will continue to operate.

The Staff then asked if they would like them to research purchasing Ford Crown Victoria's for the police vehicles. It was noted the Police Department would prefer to have the Chrysler product for their patrol vehicles.

The floor was then given to Council Member Dayley who suggested perhaps the Council should wait on the purchase of the new vehicles and see how funds come in over the fiscal year that began July 1. It was noted by the Staff that money for the new vehicles is in place which is in the Capital Improvement Fund for this purchase and the funds coming in for the new fiscal year should not affect the purchase of the automobiles.

The floor was then given to Council Member Hadlow who noted if the purchase is put off there will be maintenance issues that would be costly to the City in maintaining the older vehicles.

The floor was given back to Council Member Evans who said she would like to see estimates on the Ford products for comparison purposes only. The Staff said in the future they will provide comparisons for the Council to consider. The Mayor suggested this information is important to the Council so they can make an accurate decision on the purchase of items for the City.

The floor was then given to Council Member Hadlow who motioned the City Council approve the purchase of two police patrol vehicles as outlined above by the City's Chief of Police. Council Member Hill seconded the motion and all voted for the motion except Council Member Evans who voted opposed. The motion carried by a vote of 3 to 1.

**CONSIDERATION TO ADOPT 2009-478 A RESOLUTION ADOPTING THE  
WOODS CROSS CITY CERTIFIED TAX RATE FOR THE YEAR 2009**

The Mayor gave the floor to the City's Budget Officer who is the City Administrator and he explained to the City Council the following information concerning the 2009 Certified Tax Rate for the City:

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“Given to the Council is the sheet from the county showing the Certified Tax Rate at .000690 with a budgeted revenue amount of \$391,189. This compares to last year’s Certified Tax Rate of .000646 and a budgeted revenue amount of \$363,547. The Certified Tax Rate has increased because the value dropped by about 4 million and the budgeted amount has increased by \$30,000. I’ve budgeted \$360,000 so will have an additional \$30,000 to increase the budget.

“I recommend adopting the Certified Tax Rate of .000690 as shown on the attached resolution.”

Following the recommendation by the City’s Budget Officer the floor was given to Council Member Hadlow who motioned the City Council adopt Resolution 2009-478, a resolution establishing the Certified Tax Rate for 2009 for the City of Woods Cross. Council Member Evans seconded the motion and all voted for the motion through a roll call vote.

**CONSIDERATION TO ADOPT ORDINANCE 529 AN ORDINANCE ESTABLISHING REGULATIONS AND PROCEDURES FOR PLACING PERMANENT PLAQUES OR MONUMENTS IN CITY PARKS AND OTHER CITY PROPERTY**

The Mayor gave the floor to the City Administrator who reviewed the following information concerning this ordinance with the City Council:

“Given to the Council is an ordinance drafted by the City Attorney to address the issue of placing structures, statues, displays and permanent signs or monuments in City parks and other City property. The Council needs to consider section 8- 05-030 (b) where it states that the item placed needs to meet one of the following criteria:

1. Commemorating a deceased individual who has contributed significantly to the City.
2. Commemorating a community organization or group that has rendered service to the City for 20 or more years.
3. Commemorate or is directly associated with events of historic significance in the City.
4. Associated with events that have made significant contributions to the broad patters of the history of Woods Cross City, the State of Utah or the United States.

“If you feel there are additional criteria that need to be added or any that you would like to narrow in scope, we can discuss them. The City Attorney has done a good job in narrowing the scope of what can be put in the parks while giving the Council considerable latitude in deciding what can and cannot be placed in the parks.

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“Another section the Council needs to consider is section 8-050-40 which states the City shall have the right to alter or remove such objects from the parks or public property at anytime at the sole discretion of the City Council. The City Attorney and I both feel once the object is placed in the park, the City Council should have the sole discretion to have it altered or removed since it is now on City property. Some organizations may have some concern about the City having that control but I believe the City Council needs to have the ability to remove anything that is placed in the park.

“I recommend the Council adopt the ordinance as drafted unless the Council has some issues with the criteria that you would like to have addressed.”

Following the review by the City Administrator and finding all in order, the floor was given to Council Member Hill who motioned the City Council adopt Ordinance #529, an ordinance governing the placement of plaques, structures, statues, displays and permanent signs and monuments in Woods Cross City Parks and on other City property. Council Member Dayley seconded the motion and all voted for the motion through a roll call vote.

**DISCUSSION ON USE OF CITY PARKS**

The Mayor advised the City Council the City is having problems scheduling the use of its City parks under the current scheduling matrix that has been devised. He said the biggest issue is the combo field at Mills Park where baseball and soccer can be played on the same field. He said there have been conflicts between those who reserve the field and not using the field and others coming and seeing an unused field and then beginning their practice on that field. He said the reservations need to be made more time sensitive and that those reserving the use of the fields should have to pay for the time they are reserving.

He said again one of the major problems is that organizations are reserving the fields all day on the same day of the week for many weeks and then not using the field. He recommended to the City Council that consideration be given to holding two scheduling meetings, one for the first half of the year and one for the second half of the year, for the use of the City parks. He said those reserving the fields would be responsible for the control during the time period they are reserving the field and they would have to schedule various coaches and so forth using the field and it would not be up to the City Staff to work with each coach on scheduling time.

In addition, it was recommended that a marker be placed on the field indicating that it has been reserved and the time which it has been reserved and that also perhaps this information could be placed on the City's website.

He asked the City Council to give consideration to these suggestions and this item would be on the agenda at a future City Council meeting for further discussion.



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**DISUCSSION ON PARK WATERING**

The Mayor continued with the floor and noted for the Council he had received an email in the last two weeks concerning the City Staff watering the parks at the same time it is raining or has been raining and the parks would not need watering. He asked the Parks Superintendent, Mr. Marc Evans, to report on this situation. Mr. Evans said it is a difficult thing to turn off the watering clocks for the City. He said there are 49 clocks throughout the City and it would take approximately two men, four hours each to turn off all of the clocks and turn them back on. He recommended to the Council they develop an automatic sprinkling system that senses when it has rained and which would automatically turn the sprinklers off when the rain was sufficient.

In addition, he noted if the sprinklers are not run for a long period of time the grass clogs the pop up heads so it is important the sprinklers are turned on even when it is raining to keep them free and clear.

Mr. Evans was asked by the City Council if he could put together a cost proposal for the automatic sprinkling system and bring it back to the City Council for their review.

He said he would do this.

**DISCUSSION ON WOODS CROSS CITY EMERGENCY OPERATIONS PLAN**

The Mayor gave the floor to the City Administrator who reviewed with the City Council the 36 page draft emergency plan for the City of Woods Cross. He reviewed with the Council the following information concerning the plan:

“Given to the Council is a draft copy of the Woods Cross City Emergency Operations Plan that the Chief of Police, the Public Works Director and I have been working on for some time. This is an overreaching plan that establishes basic policies for evacuation, communication, congregate care, mass casualties, vulnerable population, public information and warning, human resources, resource management and volunteer management. The Chief of Police’s *Silver Eagle Emergency Plan* dealing with the specifics of an emergency at the Silver Eagle Refinery, will be added as an annex to this plan. Additional annexes will be added as we develop specific plans for other facilities.

“We can discuss the plan and incorporate any suggestions you have into it. I plan on having it ready for adoption at the July 21<sup>st</sup> Council meeting.”

After the review by the City Administrator, the Council was asked to review the plan and prepare for discussion on it at the Council Meeting to be held July 21.

**OPEN SESSION**

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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 for the open session.

**MAYOR'S REPORT**

The Mayor reported to the City Council the Silver Eagle Citizens Advisory Committee had met for the first time two weeks ago with the management of the refinery. The next meeting will be in about two months. He noted the meeting was productive and it strengthened communication between the City and Silver Eagle Refinery. He said the meeting went for about one hour and the committee organized itself into sub-committees as well. It was noted they may want to have someone be a facilitator at future meetings in order to have the agenda flow smoother and be more productive.

There were no other items reported by the Mayor.

**REPORT FROM THE PLANNING COMMISSION**

The Mayor gave the floor to the Community Development Director who reported on the Planning Commission Meeting held June 23, 2009. Please see the minutes of that meeting for the details of his report.

**REPORT FROM THE CITY ADMINISTRATOR**

The City Administrator reported the following to the City Council:

**1. Additional Sales Tax**

“We received an additional \$97,000 in sales tax this month from the Utah State Tax Commission. It is part of the hold harmless payment which was eliminated by the legislature in 2006. Legislation was passed last year that allowed hold harmless cities to get a payback until 2013. The \$97,000 is this year's payback under the legislation. In the late 1980's when the state sales tax was changed to a 50% population 50% point of sale allocation Woods Cross City lost revenue due to its high sales tax collection in proportion to population. Because of the loss of revenue Woods Cross was guaranteed a certain level of revenue regardless of the population formula. Hence, we were referred to as a hold harmless city, the same as Murray, South Salt Lake, Riverdale and a number of other cities throughout the state.”

**RECESS OF CITY COUNCIL MEETING IN FAVOR OF A REDEVELOPMENT AGENCY MEETING**

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AT 7:50 P.M. Council Member Dayley motioned the Council recess City Council Meeting and go into a Redevelopment Agency Meeting. Council Member Evans seconded the motion and all voted for the motion.

**ADJOURNMENT TO CLOSED SESSION**

At 9:00 P.M. Council Member Dayley motioned the City Council go into Closed Session for the purpose of discussion litigation matters and personnel issues. Council Member Evans seconded the motion and all voted for the motion through a roll call vote.

**ADJOURNMENT**

At 9:35 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.

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Kent Parry, Mayor

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Alan T. Low, City Recorder