

WOODS CROSS CITY COUNCIL
APRIL 21, 2015

The minutes of the Woods Cross City Council meeting held April 21th, 2015 at 6:30 P.M. in the Woods Cross City Hall located at 1555 South 800 West, Woods Cross, Utah.

CONDUCTING:

Mayor Rick Earnshaw

COUNCIL MEMBERS PRESENT:

Rick Earnshaw, Mayor
Tamra Dayley*
Jill Evans

David C. Hill
James Sheldon
Ryan Westergard

STAFF PRESENT:

Gary Uresk, City Administrator
Tim Stephens, Community Development Director
Scott Anderson, Public Works Director
Greg Butler, Police Chief
Maureen Nelson, City Treasurer
Marc Evans, Public Works

VISITORS:

Pat Suttsetl
Lois Schrader
Don Schrader
Ann Blankenship
Hall Blankenship

Heidi Cooper
Stephanie Gonzales
LaMoyne Anderson
Cleo Anderson
Paul Merrill

Adam Osoro
Jason Gonzales
Nick Gonzales
Dwight Poulson

INVOCATION:

Dave Hill

PLEDGE OF ALLEGIANCE:

Ryan Westergard

APPROVAL OF MINUTES

The City Council reviewed the minutes of the City Council meeting held April 7th, 2015. After their review Council Member Hill 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.

REVIEW OF FINANCIAL REPORT

The City Council reviewed the City's Financial Report. The City 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, Energy Tax Collection report and an executive summary of the City's funds, comparing revenues and expenditures to the budget.

APPROVAL OF CASH DISBURSEMENTS

The floor was given to the City Administrator who reviewed the cash disbursements listing with the Council which they needed to ratify for the period of 4/4-17/2015. Council Member Hill made a motion to ratify and approve the cash disbursements 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 opened the meeting to items from those present that they would like to bring before the City Council that would take less than two or three minutes.

Paul Merrill, a city resident, was very concerned with the purchase of police vehicles. He was outraged the city purchased trucks and SUV's instead of smaller vehicles that are less expensive. He suggested buying Ford Focus instead like the police departments in Salt Lake. Chief Butler gave Mr. Merrill a copy of the breakdown of the vehicles and why they go with the trucks and SUV's. Mayor Earnshaw, Council Member Hill and Council Member Westergard also spoke about the vehicles and why the City goes with this kind of vehicle for the police, and noted the city is very careful about the purchases it makes in all departments.

It was also noted the Toyota Bountiful donated a vehicle to the police department for the officer at the high school.

This concluded his report.

RECOGNITION OF FLEXPAX FOR DONATION TO COVER THE COST OF PURCHASING THE POLICE DEPARTMENT NARCOTIC/SEARCH DOG

The Mayor gave the floor to Chief Butler who introduced Ryan Daugherty and Beau, a German short hair narcotic/search dog from the police department. Chief Butler also introduced Brian Kellen from Flexpax, who presented a check in the amount of \$2,500 and Ann Blankenship who also donated \$50.00 for the narcotic/search dog. Mr. Kellen has been in business in Woods Cross since 2007 and wanted to give back to the community. The Mayor, Chief Butler and City Council thanked both Mr. Kellen and Ms. Blankenship for their support.

This concluded his report.

SWEARING IN OF MICHAEL JETER AND MICHAEL DAUGHERTY AS WOODS CROSS POLICE OFFICERS

The Mayor gave the floor to Chief Greg Butler who then introduced to the Council and the public, one officer coming back from Post and another officer that is new to the police department.

The Mayor then administered the Oath of Office to Officer Mike Daugherty and Officer Michael Adam Jeter.

Chief Butler then introduced the family members of the newly sworn in officers to the Mayor and the City Council who congratulated them on their appointments.

POLICE DEPARTMENT REPORT

The Mayor gave the floor to the Police Chief and he went over the following information with the City Council:

DISPATCHED CALLS

2015	2014
• Jan.—1169—223	Jan—748
• Feb---1030—142	Feb—662
• March 1065	March—761
• April	April—838
• May	May—956
• June	June—763
• July	July—802
• Aug	Aug—777
• Sept	Sept—803
• Oct	Oct—734
• Nov	Nov—946
• Dec	Dec—873

YEARLY TOTALS

- 2015—3264 YTD
- 2014—9495
- 2013—8979
- 2012—7347
- 2011—6918
- 2010—7167

ACTIVITY REPORT

- Staff Attended UCOPA Training
- Staff Attended DCLEAA Meeting
- Staff Attended START Meeting
- Staff Attended CAER Meeting
- Staff Attended Spillman Training
- Staff Attended City Staff Meeting
- Staff Attended Council Strategic Planning Session
- Staff Attended UT GOVT Trust Training (Drug & Alcohol)

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- Staff Attended Legal Update from Prosecutor
- Staff Attended Citizen Corps Meeting
- Staff Attended Instructor Development Training
- Staff Attended FIT Training and Certification
- Staff Conducted 3 Scout Tours
- Citizen Police Academy Started
- Held RAD Kids Training (March 9-14)
- Staff Attended Planning Meeting for Cops & Kids Fishing Day
- Staff Attended Lexipol Policy Training
- Completed two basement offices

LETTER FROM THE PUBLIC

Dear Chief Butler,

I wanted to take a moment to convey my deep gratitude for the outstanding work that you and your officers do on behalf of the community and more specifically, for Benchmark.

Although it is never ideal when we need to elicit your assistance, we do not hesitate to do so, knowing that you are here to provide us support and assistance.

Your officers always respond to our calls with the upmost of respect, professionalism and understanding.

Please pass along our thanks to all of your officers.

Sincerely,

Craig Scholnick, CEO and The Benchmark Team

USE OF FORCE REVIEWS

- Taser Point uncooperative suspect refusing to submit to arrest.

SWAT TEAM ACTIVITY

- Lundquist resigned from the SWAT team
- One deployment on armed barricaded subject in Bountiful
- Bountiful Conducted SWAT tryouts

UTAH TRUCK INSPECTOR PROGRAM

- Three shifts worked

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- 4 truck inspections
- 4 trucks put out of service for safety issues
- 19 citations
- 1 warrant arrest

WOODS CROSS SCHOOL ACTIVITIES

- Two traffic accidents
- Two Thefts
- One fight
- Three bullying issues
- Boys baseball ranked 2nd in State 4A
- Girls softball randed 2nd in State 4A
- DARE is finished in both elementary schools graduation TBA

NEIGHBORHOOD WATCH ACTIVITY

- Travel Safety--Personal safety and crime prevention are key when traveling domestically and abroad.

K-9 ACTIVITY

- Deployed on a search warrant assist for Metro Narcotics.
- Beau has been recertified with his handler
- Flex Pak donated \$2,500 to pay for Beau

LPR HIGHLIGHTS

- 44 traffic stops
- 33 citations, 15 were LPR generated (expired or revoked registration, no insurance)
- 1 impound (state tax)

DETECTIVE CASE LOAD

- 32 active cases Sgt. Hoffman
- 22 active cases Det. Lundquist
- Four cases in screening of sex abuse of a minor. Three additional cases are close to screening for property crimes. One case involves the theft of dozens of catalytic converters stolen from vehicles. Det. Lundquist continues to work on additional charges on the robbery at Walgreens and additional charges on metal theft cases.
- Investigations served a search warrant at Motel 6 where suspects had been arrested for counterfeiting money. The suspects were charged with passing the money and booked into the Davis County Jail.

The Mayor and Council thanked the Police Chief for his report and the good work the police department is doing for the city.

This concluded this report.

CONSIDERATION TO APPROVE PURCHASE OF VEHICLES FOR THE PUBLIC WORKS DIRECTOR AND CITY ADMINISTRATOR

The Mayor gave the floor to the City Administrator who presented the following.

My vehicle is 10 years old and has 170,000 miles on it **and** the maintenance costs are starting to increase because of its age. Scott checked the cost of a Chevy Equinox at \$25,503 from Murdock Chevrolet. That cost of that vehicle would be allocated as follows: (\$12,750) administration department, (\$5,100) water department and (\$7,653) RDA along the same lines as my salary is allocated to each of those departments.

The Public Works Director continued with the floor explaining his vehicle needs to be replaced as well and he is recommending a Chevrolet 1500 crew cab from Murdock Chevrolet at \$30,471 with the lights, shell, tool tray and boxes for a total of \$34,371. The cost would be allocated 50% from the storm drain budget and 50% from the water budget.

The water and storm drain budgets have sufficient funds currently budgeted to cover the costs. The General Fund and RDA budgets will need to be amended to cover the costs allocated for the City Administrator vehicle.

Council Member Hill motioned to approve the purchase of the vehicles for the City Administrator and the Public Works Director. Council Member Dayley seconded the motion and all voted for the motion except Council Member Evans.

This concluded this report.

PUBLIC HEARING - CONSIDERATION TO APPROVE A NON-CONFORMING USE ALTERATION AND CHANGE REQUEST TO ELIMINATE AN OUTSIDE STORAGE AREA LOCATED AT 1040 WEST 1500 SOUTH AND CONSTRUCT SELF SERVE STORAGE UNIT BUILDINGS IN ITS PLACE

The Mayor gave the floor to the Community Development Director who explained the following:

You may remember Dwight Poulson and his former requests for nonconforming use enlargement made several years ago. Mr. Poulson owns the small, self-service storage facility on 1500 South just east of the Denver Rio Grande tracks. It is an old, small, storage unit development with just a few small storage buildings with the balance of the property being utilized for the outside storage of boats, trailers, and similar items. Several years ago, Mr. Poulson made an attempt to expand

this facility onto adjacent property he owned to the north. After several failed attempts to make that work, he developed the property into a residential cul-de-sac with homes that now back on to the old existing storage facility. The existing storage facility is a small, odd shaped property with a narrow neck of property that permits access to 1500 South Street. In addition to the new homes built to the north, there are several residential properties adjacent to the facility on the east side including a flag lot. Plains Pipeline, which operates a petroleum pipeline adjacent to the Denver Rio Grande tracks has a property between the tracks and Mr. Poulson's property that has a small office and operation building for the pipeline infrastructure.

As you will note from Mr. Poulson's letter of request and site drawing, he has proposed the addition of three, enclosed storage unit buildings. Presently, the areas proposed for new storage buildings are filled with boats and travel trailers. This outside storage of vehicles extends out to 1500 South Street. As you will note in Mr. Poulson's letter of request, if he were permitted to alter the nonconforming use to permit the new storage buildings, he would eliminate the outside storage, in addition to paving the project which is presently dirt and gravel. As you are aware, we recently approved a similar request for elimination of outside storage for a property on 800 West.

Our zoning ordinance permits the Planning Commission and Council to consider an enlargement, alteration or change to a nonconforming use based on the following criteria:

- (1) That the expansion, alteration or change of the use would not adversely impact the surrounding properties more than the existing nonconforming use;
- (2) That the proposed expansion, alteration or change will make the building structure, or site more compatible with the surroundings and existing zoning;
- (3) That the site of the proposed expansion, alteration or change of use conforms to all site development requirements as physically possible, given existing site limitations; and
- (4) That the proposed expansion, alteration or change does not create new non-conformities.

It appears that Mr. Poulson's proposal would make the site more compatible with the surroundings and existing zoning and would not adversely impact the surrounding properties any more than the existing nonconforming use of outside storage. Also, the paving of the site and handling of storm drainage would make the site more compatible and in conformance with site development requirements. This proposal seems very similar to the one recently approved on 800 West.

Another issue that should be noted is that the site is also in nonconformity with building setbacks for the R-1-8 zone. Many of the existing storage buildings are at or near side property lines. Mr. Poulson would also be requesting an extension of that nonconformity to permit the location of the proposed buildings most of which will be adjacent to property lines. Mr. Poulson has mentioned to me that he has talked to the adjacent residential neighbors and none of them are opposed to the proposal. In fact, a few have expressed interest in having a door and direct access from their property into a storage unit. That is somewhat of a unique issue that we typically wouldn't find with other developments.

You can discuss in more detail this proposal and evaluate its merit in relationship to the criteria outlined in 12-22-104B(1)(a). It does appear that a case can be made for this proposal based on the criteria and recent nonconforming use alteration for similar facility on 800 West.

The Planning Commission has reviewed this matter and has made a recommendation to the City Council to approve the proposed nonconforming use alteration with the following conditions:

1. All outside storage will be eliminated from the site.
2. Site shall be paved.
3. Applicant shall prepare final site plan application and site plan for review and approval by the staff and Planning Commission.

At the conclusion of the discussion with Mr. Poulson Council Member Hill made a motion to approve the non-conforming use alterations and change request to eliminate outside storage and construct self storage unit structures in its place with the option if anyone buys this property and wants to do something different, that it will come back to the Planning Commission for approval. Council Member Westergard seconded the motion and all voted for the motion through a roll call vote.

This concluded the report.

TREE CITY USA

The Mayor gave the floor to Marc Evans from the public works department who reported Woods Cross City has been part of Tree City for 16 years, longer than all other cities other than Kaysville who is one year longer. He presented a new flag to the Mayor and also talked about the bore in the ash trees and the pine bark beetle in the pine trees. Marc is working with Scott Zeigler to see if we can get grant money to replace some of the trees that have been lost.

This concluded his report.

ULCT SPRING CONFERENCE UPDATE

The Mayor turned the time over to Council Member Westergard who spoke of the League conference that was recently held in St. George. He talked about cyber security and the importance of protection and training.

Park improvements was also a topic. He spoke of a park in St. George that catered to handicap persons.

Also branding was spoke of in what will out City be known for?

The Mayor also spoke of House Bill 62 on transportation funding. It is our responsibility to tell our own story of why we need this and not rely on the press to present their view.

Another issue discussed was water and conservation projects we can participate in. For more information please refer to the audio minutes.

This concluded this report.

MEMORIAL DAY UPDATE

The Mayor continued with the floor about the Memorial Day Celebration. Everything is on track. We have a keynote speaker. The fire and police departments will take care of the flag ceremony. There will be a men's choir, still looking for anyone who would like to sing with them.

This concluded his report.

SAFETY ACCOUNTABILITY REPORT

The Mayor gave the floor to the City Administrator who spoke of the Safety Accountability Report.

We had one minor incident where a police officer's son threw a rock in the back window of his Charger and the window needed to be replaced.

As far as our leading indicators, we had one management audit, two department safety audits, five department safety meetings and nine safety topics trained.

I believe our safety committee is making progress in creating a positive safety culture within the city.

This concluded his report.

OPEN SESSION

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

The Mayor gave the floor to Council Member Evans who was wondering about the Frisbee golf course to be put in at Mills Park. The Mayor indicated we are waiting for the signs. The Frisbees should be here Friday. There are 12 sponsors and room for six more.

Other items that were discussed included the rec. center on 800 West, the cleanup that was taking place there.

May 3rd there will be a bomb drill at Frontrunner. UTA and the Fire department will be included in the drill. The police department will have a small part in that drill.

Council Member Dayley talked about the cub scout troops coming into the Police department and what a warm welcome they have received there.

The City Administrator also talked about the problems with the Silver Eagle air quality monitor, they are still experiences problems with the monitor talking to the system. The City Administrator will get with Dennis Keith from Davis County and follow up on that situation.

Council Member Hill discussed The Hills at Renaissance Apartments.

The 1500 South paving with UDOT was also discussed. Clyde Construction is reviewing it. They will get back to the City on what they are doing with that paving project.

An Eagle Scout from the 6th Ward has taken 147 flags to have cleaned, out of those 53 were salvaged. He is checking with Modern display to get the lowest bid and reply back to the City so there will be new flags for Memorial Day. It was discussed it would be nice for scout troops to retire the old flags in their scout troop meetings.

This concluded this report.

WASATCH INTEGRATED WASTE REPORT

The Mayor gave the floor to Council Member Hill who noted the burn plant is on schedule. One unit is down for re-building and when it is done they will tear down the other one and re-build it. They are installing a tumble machine taking out grass, rocks, etc.

There will be a rate increase in May or June. There will be a public open house to explain the details. Residential will not be taking the hit, it will mainly be the commercial fees.

Wasatch Integrated Waste can't process anymore green waste. The Mayor's need to get together and discuss the recycle needs in the county.

This concluded his report.

MOSQUITO ABATEMENT REPORT

The Mayor gave the floor to Council Member Evans who reported the financial report is on schedule. They are already spraying for mosquitoes. They have had 145 calls from March 15-30th.

They have new things coming out, there are drone helicopters which can provide a better coverage. There is a camera that goes underwater to see the larva and know where to spray. They may be testing these this year.

There are two more school sessions left. The students have really loved this.

For more information, refer to the audio minutes.

This concluded her report.

SOUTH DAVIS METRO FIRE AGENCY REPORT

The Mayor reported on the Fire District. They met yesterday and discussed forming a tax district. They are looking at doing a hybrid which would create a taxation district that would cover capital expenditures and debt and still have the participating cities pay an assessment for operating and expenses. If this goes through we could lose 20% of our tax base which would be around \$120,000. This was a preliminary discussion, with a lot more discussion needed before a final decision is made. There are a lot of issues involved in this discussion: building remodel, response times, and bonding ability which are complex and not easily understood by those not involved in the day to day operation of the agency.

SOUTH DAVIS RECREATION DISTRICT REPORT

The Mayor continued with the floor and reported there were three mayors who were not able to there so they cancelled the meeting.

Woods Cross residents will be able to use the facilities on Memorial Day from the hours of _____ for the pool and the ice rink. Drivers licenses or some form of ID will be required.

This concluded his report.

COG UPDATE

The Mayor continued with the floor. TAC recommendations for surface transportation programs in the county included our project, Phase III of the 1500 south project. The funding amount is \$2,753,641.00. This phase will finish the project and is funded for 2019. The environmental has already been completed for the project. The project will start from the end of Phase II to the east side of the railroad tracks just east of 1100 west. The Project will also include upgrading 1100 west 500 feet north and south of 1500 west.gfc

MAYORS REPORT

This was covered in the above reports.

CITY ADMINISTRATORS REPORT

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

1. Budget

The budget will be presented in May.

2. Strategic Plan

Attached as Exhibit 1, is a copy of the 2015 Strategic Plan Goals. I have identified below the areas we need to focus on in the near future to keep us on track in accomplishing the goals we identified we wanted to work on this year.

#1 RAP Tax –I am working with the city attorney to make sure we can authorize the RAP Tax early. Since we still have one more year left before it needs to be authorized I want to make sure we are on good legal grounds before proceeding with the election. I should have an indication from him prior to Tuesday night. We need to work at getting key citizens involved in the effort, put together a brochure for Memorial Day and make sure we meet the deadlines for getting it on the ballot.

#2 Shop Building—I am working with the city attorney to amend the procurement section of our municipal code to allow us to utilize a design build type of a bidding process in procurement of the shop building. We also need to budget, \$50,000 to start the preliminary design of the building. The tentative budget does not include this funding but we can work between now and the adoption of the final budget in June to get it in the budget.

#3 Salary and Wage adjustments –The department heads and myself are currently reviewing the job descriptions that have been rewritten. We should have them

completed by the first of May and start reviewing the salary comparisons with other cities the first of May.

#4 Smiths Development—We are still waiting to get a draft of the development agreement from the developer's attorney. Hopefully we should have a draft by next week.

#5 Streets—Attached as Exhibit 1, is a chart from the League showing how much the 5¢ Class C increase plus the .25% sales tax increase would increase our transportation budget. We would receive a \$260,000 increase which is nearly double what we currently receive in Class C Funding. We need to work closely with the County Commissioners to get this on the ballot and get it passed by the voters. One thing I feel we need to do is put together a list of what the additional funds would be used for. I suggest over the next month we develop a list of what we would use the funds for so we can communicate to our residents what benefits they will receive from the tax increase.

3. Davis/Salt Lake City Connector

The cities in South Davis County have been working with UTA, Salt Lake City and Salt Lake County in getting an enhanced bus system from Salt Lake City into South Davis County. The environmental work and preliminary engineering is slated to move ahead within the next few months. Salt Lake County received funding from the legislature to pay for this phase of the project, which will move ahead as soon as UTA can get the bidding documents ready. Attached is a copy of the proposed route.

This concluded his report.

ADJOURNMENT

There being no further business before the City Council, Council Member Westergard made a motion to adjourn the meeting at 9:23 P.M. with Council Member Sheldon seconding the motion and all voted for the motion through a roll call vote.

Rick Earnshaw, Mayor

Jessica Sims, City Recorder