

**WOODS CROSS CITY COUNCIL MEETING
OCTOBER 6, 2015**

The minutes of the Woods Cross City Council meeting held October 6, 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
Tamra Dayley

David C. Hill
James Sheldon
Ryan Westergard

COUNCIL MEMBERS EXCUSED:

Jill Evans

STAFF PRESENT:

Gary Uresk, City Administrator
Tim Stephens, Community Development Director
Jessica Sims, City Recorder

VISITORS:

J. Daniel Hansen
Gregg Dayley
Sydnie Wood
Michele Rowley
Jessica Gunn
Erin Sims

Patt Huttzell
D.L. Weeks
Ernest Rowley
Jeff Bassett
Bart Michaelson

Rachael Bodell
Michele Wood
Carolyn Rowley
Megan Hennessy
Austin Michaelson

INVOCATION:

Dave Hill

PLEDGE OF ALLEGIANCE:

Scouter Daniel Hansen

APPROVAL OF MINUTES

The Council reviewed the minutes of the City Council meeting held September 15, 2015. After their review, Council Member Sheldon made a motion to approve the minutes as written with Council Member Westergard seconding the motion and all voted for the motion through a roll call vote.

APPROVAL OF CASH DISBURSEMENTS

The Mayor then went over the cash disbursements with the Council for September 23- October 2, 2015. After their review, Council Member Sheldon made a motion to approve the cash disbursements as presented. Council Member Dayley seconded the motion and all voted for the motion through a roll call vote.

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OPEN SESSION (BRIEF ITEMS)

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

INTRODUCTION OF MICHELLE ROWLEY, NEWLY HIRED JUSTICE COURT ADMINISTRATOR

The Mayor then gave the floor to the City Administrator who introduced to the City Council Ms. Michelle Rowley, who is the new justice court administrator for Woods Cross City. He stated how excited he was to have Ms. Rowley working for the city and that she will be a great asset to the city. The Mayor and the City Council welcomed Ms. Rowley and said they are looking forward to working with her in the future.

COMMUNITY OF PROMISE

The Mayor gave the floor to Ms. Rachael Bodell who serves as the chairperson for the Community of Promise Committee. She reported on the following activities of the Community of Promise Committee:

Book Club-Our next book will be "Huckleberry Hill" by Jennifer Beckstrand. We will also have our book exchange. It is fun to get to know our local authors. We meet the 3rd Thursday of every other month. They are going to take turns bringing treats to the meeting.

Arts in the Park-We are busy getting ready for the 2nd annual Pumpkins in the Park October 17 at 6:30 P.M.

Seniors-November will be a Thanksgiving dinner and December will be the Woods Cross High Madrigals.

QPR-Since September 1, 2014 there have been 1,461 citizens of Woods Cross that have been QPR Suicide Prevention trained. I was able to secure a training grant from Davis County and we now have two more QPR certified Gatekeeper instructors in southern Davis County. Gill Wellisch from the Woods Cross 5th Ward is now certified along with Beccie Nielsen of West Bountiful. They were both trained and certified in June. Gun locks are now provided to those attending the QPR training courses in order to create an extra measure of safety in our homes.

Our next meeting will be October 21st at 7:30 P.M.

This concluded her report and the Mayor and Council thanked her for her time and her efforts in working with the members of the Community of Promise.

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YOUTH CITY COUNCIL REPORT

Ms. Sydnie Wood reported on the activities of the Woods Cross City Youth Council as follows:

October 9- We will be volunteering at the elementary school movie night.

October 17- The Youth City Council will help set up the Pumpkins in the Park activity and will be helping with the Zombie Spook Alley.

October 29- We will be helping entertain the kids while the NCPA board meets.

November 6- We will be providing a date night for the veterans associated with Continue Mission who will be sharing their stories with us.

This completed her report and the Council thanked her for her time.

**CONSIDERATION TO INSTALL A RAISED PEDESTRIAN CROSSING AT ODYSSEY
ELEMENTARY SCHOOL AT 1895 WEST 1950 SOUTH**

The Mayor gave the floor to the City Administrator who reviewed the following with the City Council:

“You have all received a number of e-mails requesting a raised crosswalk be put in front of Odyssey Elementary immediately. The position I have taken regarding the installation of the raised crosswalk is that we would monitor the situation at the crossing after the crossing signs have been put in and determine if there is a need for a raised crosswalk. Mr. Scott Zigich, the Risk Manager for the School District, has indicated we have done more for Odyssey than most cities in the county have done for schools.

“The e-mails you have received have made a number of statements which according to my observation are not quite correct. Statements have been made that nobody uses the flashing signs. My observation is that about 50% of those who cross at the crossing use the sign and I have observed those that do not use it are mainly students accompanied by their parents or older students. I have noticed the younger students tend to use it more often than the older ones. I have also noticed that if there are no cars approaching the crosswalk they often will not activate the sign.

“It has also been stated that there is constant speeding on 1950 South and the cars do not stop for kids in the crosswalk. My observation is that cars do stop for the students in the crosswalk and I have not observed any cars using excessive speed on the street. The busses do at times tend to go a little fast but I have noticed that is when there is no one in the crosswalk or near the crosswalk. If there are students in the crosswalk or near it the busses do slow down.

“Both the Chief of Police and I have been out there numerous times observing this crossing and our observations do not raise any concerns that would justify a raised crosswalk in this location. The students are crossing safely. I have not seen any situations where any students crossing or attempting to cross has been put in any kind of danger. The biggest hazard at this crossing

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would be a distracted driver. A raised crosswalk or a crossing guard would not provide any protection in that instance. I would be willing to monitor it more to determine if there is an issue at the crossing but as it stands right now I see no need to put a raised crosswalk at this location.

“If you wanted to have the raised crosswalk installed, it would cost somewhere between \$5,000 and \$10,000. It would take about a month to get it installed, depending how busy contractors are at this time.

“I did make one observation that concerns me. One individual parked on the east side of the crosswalk on the north side of the street which did obscure the view of vehicles approaching the crosswalk from the east. I recommend we prohibit parking 30 or 40 feet east from the intersection to provide an un-obstructed view for the motorist to see anyone in the crosswalk or waiting to cross.

“My recommendation is we continue to observe the crossing and determine if there are issues that warrant further action in this area.”

Ms. Megan Hennessey appeared before the City Council. She said the kids do not seem to understand that they need to stop and look both ways before they cross the street in the crosswalk. She said the only thing that stops the kids is an adult standing there to stop them. She said she thought the best thing to do would be to place a crossing guard at this location. She also said there are tall weeds that are taller than some of the kids and are a concern and you cannot see the kids coming. A raised crosswalk would be good but the biggest concern is just the kids not stopping at the crosswalk. She asked what the regulations were that were preventing a crossing guard. It was noted that it was the speed limit that is prohibiting the need for a crossing guard because it was not a main arterial street. She asked if the speed limit could be raised so a raised crosswalk or crossing guard could be considered but it was noted that was not possible.

The City Administrator did say the weeds were bad and unfortunately they are on UDOT property and they have been in contact with them and are trying to work with them but that is a process and the weeds need to be mowed down. The Mayor suggested maybe the Woods Cross City employees should just go down and take care of the problem.

Council Member Hill said he thought there were only about 15 cars that he saw in that area as he observed traffic there and there was not a lot of traffic in the area. He did also say that UDOT should step up and be responsible for the weeds and take care of them.

There was some discussion on UDOT and the issues that come up regarding the property and the sale and purchase of the property and who is responsible for taking care of the weeds. Council Member Dayley said the city should just take care of the weed problem right now and not wait for UDOT to take care of it and the discussion can continue but at least the weed problem would be taken care of. There was then also some discussion about having a crossing guard stationed at the location but it was noted that according to the restrictions regarding crossing guards, this area

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does not warrant a crossing guard because there is not enough traffic in the area. It was also suggested a volunteer crossing guard could be stationed here. The Council also discussed that parents need to make sure they teach their children how to stop and watch for cars and then safely cross the street. It was noted that a volunteer crossing guard could also provide training to the children as they come to the crosswalk but that it also may be a problem if the children come to expect someone there and if for some reason someone is not there to help that could also be a problem.

The Mayor said he thought the city could take care of the weeds and there should be signs for “no parking” for the unobstructed view and painting the curbing for “no parking” and he suggested they observe and see what happens in the future. He also suggested they talk with the principal at the elementary school about using education within the classes so the the children know how to cross the street safely as well as possibly sending out fliers out to the parents to encourage educating their children is crossing safety.

Ms. Michelle Wood came before the Council and said that when her kids were in the Jr. High there was a need for a parent volunteer in the lunch room and it was a good experience to have a parent volunteer. She said she felt like it would be a good idea to get some parent volunteers to help out at the crosswalk and take turns in helping at the crosswalk.

The Council noted that if the kids get used to a volunteer, if the volunteer does not show up the kids might not watch for cars. It was noted the school needs to be involved with teaching and helping with this as well.

The Mayor said they would move ahead with the “no parking signs” painting of the curb for no parking and getting the school involved in education and then re-evaluate if there is a need.

CONSIDERATION TO ADOPT A RESOLUTION SUPPORTING THE 2015 DAVIS SCHOOL DISTRICT GENERAL OBLIGATION BOND ELECTION TO FINANCE THE LAND COSTS OF CONSTRUCTING AND FINANCING PUBLIC SCHOOLS, ACQUIRING LAND, AND OTHER SCHOOL RELATED PROJECTS

The Mayor gave the floor to the City Administrator who reviewed the following with the City Council:

“When the Davis School District was before the City Council in August explaining their need for the school bonds, they asked the Council if you would consider adopting a resolution supporting their bonds, which agreed to do at that time. Given to the Council is a proposed resolution supporting the Davis School District 2015 Bond Election.”

After the review by the City Administrator, Council Member Hill made a motion to adopt resolution 2015-601, a resolution adopting the 2015 Davis School District Obligation Bond election to finance the costs of constructing and financing public schools, acquiring land and

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other school related projects. Council Member Westergard seconded the motion and all voted for the motion through a roll call vote.

CONSIDERATION TO ADOPT A RESOLUTION REQUESTING A RECERTIFICATION OF THE WOODS CROSS JUSTICE COURT BY THE JUSTICE COURTS STANDARDS COMMITTEE AND THE UTAH JUDICIAL COUNCIL

The City Administrator continued with the floor and reviewed the following with the City Council:

“Given to the Council is a resolution requesting the recertification of the Woods Cross City Justice Court. Every four years we are required to certify the court. Given to the Council is an affidavit that has been signed by the judge outlining that we meet all the requirements to be recertified. Mr. Mark Bell is drafting a letter indicating we meet the requirements for the certification.”

After the review by the City Administrator Council Member Sheldon made a motion that the city Council adopts resolution 2015-602, a resolution requesting recertification of the Woods Cross Justice Court by the Justice Courts Standards Committee and the Utah Judicial Council. Council Member Dayley seconded the motion and all voted for the motion through a roll call vote.

CONSIDERATION TO APPOINT POLL WORKERS FOR THE 2015 MUNICIPAL ELECTION

The City Administrator continued with the floor and noted the following for the City Council:

“The Council is required by state statute to appoint poll workers for the municipal election. Given to the Council are the names of five individuals the county has submitted that will be poll workers on Election Day. Since the county is administering the election, they have hired the poll workers. In the motion they would like a statement that if any of these workers become ill or for some reason cannot do their duties the county has an option to get an alternate in their place.”

The Council then asked questions and discussed the voting process and where and when you could vote or mail your ballot.

Council Member Westergard then made a motion to appoint the poll workers as noted by the county and if any of these workers become ill or for some reason cannot do their duties the county has the option to get an alternate in their place. Council Member Hill seconded the motion and all voted for the motion through a roll call vote.

CONSIDERATION TO AUTHORIZE THE PURCHASE OF A NEW READER BOARD

The City Administrator then went over this item with the City Council:

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“The reader board we currently have is getting out dated. It was purchased more than 15 years ago and YESCO does not have a number of the parts that is needed to keep the board in running condition. Currently it displays the constant temperature of -39° and YESCO does not have the part necessary to correct this problem. Over time the sign will be at the point we will not be able to use it. We have asked them for a bid to replace the existing sign. Given to the Council is their estimate of \$25,830. This is a considerable amount; however, we use the reader board daily to inform our residents of what is going on in the City. We will be receiving approximately \$40,000 for the purchase of the property on 2600 South. If the Council would like, we could utilize some of this money to purchase a new reader board.”

After reviewing the information, Council Member Hill made a motion to authorize the purchase of a new reader board from YESCO for the bid amount of \$25,830. Council Member Sheldon seconded the motion and all voted for the motion through a roll call vote.

UPDATE ON CODE ENFORCEMENT PROCEDURES

The Mayor gave the floor to the Community Development Director, Mr. Tim Stephens, who noted the following code enforcements improvements:

Code Enforcement Improvements

1. **Violation Notices:** Presently, a 14-day notice is being used in addition to a follow-up “fix-it” ticket.
 - a. The “fix-it” ticket will be eliminated shortening the compliance time. In addition, violations not resolved within 14 days of the first notice will be immediately forwarded to the city prosecutor.
2. **Communication with Complainant:** Communication with the complainant will be improved. Even though most complainants ask to remain anonymous they will be given the option to have the Code Enforcement Officer follow-up with them and give them status updates.
3. **Court/Prosecutor:** Originally, the former prosecutor, Mike Nelson, was very good to work with and gave the code enforcement a high priority. Prosecutors since have not been very responsive to the needs of code enforcement. As such, Gary Uresk and Tim Stephens will meet with the present prosecutors to reinforce the Council and community’s desire to actively prosecute non-code compliance.
4. **City Council Complaint Form:** A form will be created to permit follow-up and reporting to the City Council on complaints received through City Council members.

The Council said they felt like these were good suggestions in improving the code violations within the city.

The Council then asked what the status was of the property with the vacant house located on 800 West. The staff noted the Hales now own the property and should be coming in for a demolition

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permit from the city. Staff said they were hoping the home would be demolished by the end of this month.

The old Sports Forum property was also discussed and it was noted that this property is still going through the court system. The hearing for this property will be later this month on the 20th.

SOUTH DAVIS METRO FIRE AGENCY

The Mayor gave the floor to Chief Bassett who was visiting at tonight's meeting and who is the Fire Chief for the South Davis Metro Fire Agency. He noted that the agency had wrapped up their fire prevention open house during which they held an open forum for the formation of the fire district.

He said the new training facility is greatly appreciated and they are preparing for the winter fire season.

He noted there had been several traumatic accidents on the freeway recently and counselors were brought in for help with these events. The district now has a volunteer Chaplain who will also help with these sorts of situations.

He also noted they are moving forward with the formation of the fire district and they are currently in the 90 day waiting period.

It was also noted that the CERT organization is busy and being well attended and so are the first aid and CPR classes.

He also noted they assisted with "Burn Camp" and they are big supporters of this event and how great it is to help burn victims.

This concluded his report.

SOUTH DAVIS RECREATION DISTRICT REPORT

The Mayor reported on the activities of the South Davis Recreation District and said that they held a board meeting two weeks ago. He said they had discussed an annual shut down and budget for repairs.

He also noted that they are getting ready for Jr. Jazz to start and that the South Davis Recreation District is the largest sponsor of Jr. Jazz in the intermountain west. He said it was close to 3000 kids who participate.

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OPEN SESSION

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

Ms. Dixie Weeks appeared before the City Council. She asked what jurisdiction the city had for code enforcement within Westwood Mobile Homes. She said that there are illegal businesses operating within the mobile home park. She asked what could be done with these illegal businesses if the city has no jurisdiction over them. She said she has talked to the code enforcement officer and he is not there at the times when the businesses operate. She said she is confused over code enforcement jurisdiction.

The City Administrator reminded her that the code enforcement officer does not have the legal right to go onto private property.

The Mayor said the Community Development Director went over improvements they are going to implement with code enforcement and are moving forward with improving their plan so they can track the problems and know what is being handled with complaints and find out what the issues are and if they are breaking the law and need to come to court or if it is personal and private use what they are doing so it does not get lost in the system.

Ms. Weeks asked if a letter could possibly be sent to the HOA. The Council noted the HOA was only as strong as the residents and what they want done and the letter would probably not serve any purpose as things were unlikely to change. It was also noted that as of now, Ms. Weeks was the only one complaining about these businesses. It was also noted that there had been many times these businesses had been investigated but there had been nothing found as far as illegal businesses being operated within the Westwood Mobile Home Park.

Ms. Weeks thanked the Council for listening to her.

SOUTH DAVIS SEWER DISTRICT REPORT

Council Member Westergard noted that they are nominating the manager of the South Davis Sewer District for the distinguished manager of the year award which is long overdue since he has done such a great job over the years.

The District has approved an agreement between the district and the Woods Cross RDA and the North Salt Lake RDA for property on 2600 south.

The District is continuing to look for options for the resource recovery project and we will be having a special meeting to discuss the options.

The District is also looking at updating the impact fee and use fee for Holly refinery since they have grown over the years to make the fee more in line with its use.

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MAYOR'S REPORT

The Mayor reported on a fall of someone within the city from one of the raised sidewalks. He said we need to try and mitigate this problem.

He also noted that Pumpkins in the Park will be held on October 17, 2015. He encouraged everyone to come and participate at 6:30 P.M. and they are asking everyone who attends to bring a donation for the Bountiful food bank. The Youth City Council has a lot of fun activities planned and are excited to be involved with this activity.

CITY'S ADMINISTRATOR'S REPORT

The City Administrator reviewed the following with the City Council:

1. Smith Project

“We have been informed by John Thackery that they are now looking at reorienting the Smiths to face south the same as the K-mart building has been faced, which means they need to redo the site plan. He is now looking at the start date being October 26. The Community Development Director and I will keep you apprised as we move through this process. I have given the Council a copy of John's email letting us know of this change.

2. Stevens Henager Scholarship

“The Mayor in the last meeting mentioned the Stevens Henager Scholarship. There is a \$15,000 scholarship available for someone seeking an associate degree and a \$25,000 scholarship for someone seeking a bachelor's degree. I have given the Council a copy of the letter the Mayor received from Stevens Henager. We need to get the information out to our residents concerning this opportunity. To assist in the selection process, I would suggest we require the applicants submit an essay patterned after the League and have the applicants write, “Why they feel Woods Cross is a great place to live” and also address why the scholarship would be beneficial to them. We can talk more about what we would like in the essay. The applicant needs to be enrolled at Stevens Henager prior to December 31st and we could have the deadline on the scholarship be sometime toward the end of November.

3. Legacy Parkway Truck Prohibition

“I have received comments from residents living near the Legacy Parkway concerning the eventual lifting of the truck ban on Legacy Parkway. The legislation, as written, will remove the ban in 2020. This is a few years out but we need to get started early if it is the desire of the city to have the truck ban maintained since there will be strong pressure on the legislature to remove it by the trucking industry. I would like to know if this is something you

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would like to pursue. If it is, then I will start reaching out to the other communities along Legacy to see how they feel regarding the ban.”

The Council said they felt like it was a good idea to reach out to the other cities and see how they feel about the issue.

Council Member Dayley noted there are some problems with truck traffic and construction ON 1500 South associated with the Skypark runway construction. The City Administrator said there are issues because of the construction and said he would look into the issues.

ADJOURNMENT

There being no further business before the City Council, Council Member Westergard made a motion to adjourn the meeting at 8:09 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