

**WOODS CROSS CITY COUNCIL MEETING
SEPTEMBER 5, 2017**

The minutes of the Woods Cross City Council meeting held September 5, 2017 at 6:30 P.M. in the Woods Cross City Hall located at 1555 South 800 West, Woods Cross, Utah.

CONDUCTING:

Rick Earnshaw, Mayor

COUNCIL MEMBERS PRESENT:

Rick Earnshaw, Mayor
Tamra Dayley
Jessica Gertsch

Matt Terry
Ryan Westergard

COUNCIL MEMBERS EXCUSED:

Wally Larrabee

STAFF PRESENT:

Gary Uresk, City Administrator
Jessica Sims, City Recorder/Finance Director
Scott Anderson, Public Works Director
Tim Stephens, Community Development Director
Marc Evans, Public Properties Supervisor

VISITORS:

LeGrande Blackley
Dylan Salas
Don Schrader

Julie Checketts
Michelle Wood
Ryan Kirkham

Nate Shipp
Lois Schrader
Benn Buys

INVOCATION:

Rick Earnshaw

PLEDGE OF ALLEGIANCE:

Ryan Westergard

CONSIDERATION TO APPROVE MINUTES

The City Council reviewed the minutes of the City Council meeting held August 15, 2017. Following the review by the City Council, Council Member Gertsch 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 City Council then reviewed the cash disbursements. Following the review, Council Member Terry made a motion to ratify the cash disbursements for 8/5/17-8/18/17 and approve the cash disbursements for 8/19/17-8/31/17 with Council Member Gertsch seconding 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 were brief in nature that they would like to bring before the City Council.

There were no items for the brief open session.

YOUTH CITY COUNCIL REPORT

The Mayor then turned the time over to the new Youth City Council Mayor, Dylan Salas. Youth Mayor Salas reported on the activities of the Youth City Council.

Youth Mayor Salas introduced himself and said he will be sharing the mayor responsibilities with Jonathan McNair who is the Mayor Pro-tem. He said the new theme for the year was “Service is Magic”. He also said that shirt colors for the new year are purple with white print.

Youth Mayor Salas said that last month the Youth City Council had an end of year party and it was successful, fun and wet.

He noted that this month they will have their first work meeting on Monday, September 11. He said their service activity would be on the 15th at Hogan Park and they will be assisting Woods Cross Elementary with their carnival.

He reported that the swearing-in ceremony for the new Youth City Council is scheduled for the next City Council meeting on September 19th.

Mayor Salas reported that next month they are planning on and participating in the Pumpkins in the Park at Hogan Park. The Mayor asked if the YCC was doing the spook alley and if they could also handle doing the music as well. It was also asked if the lights on the playground and the pickle ball courts could be turned off for this event. Staff said they would look into the matter. They also talked about having the Council judge the pumpkin carving contest.

Mayor Earnshaw thanked Youth Mayor Salas and said that he and the Council are looking forward to working with the new youth leadership and council for the upcoming year.

**PUBLIC HEARING: REQUEST TO REZONE 59.8 ACRES OF LAND LOCATED AT
2050 SOUTH REDWOOD ROAD FROM A-1 AGRICULTURE TO R-1-8 RESIDENTIAL
BY SUNRISE 3, LLC.**

The Mayor gave the floor to Mr. Tim Stephens, the Community Development Director, who reviewed this item with the Council as follows:

“As you are aware, Nate ship has previously requested that the City consider permitting a variable lot residential zoning on the property surrounding the Odyssey Elementary School. To

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that end, Mr. Shipp and the city staff prepared a draft ordinance which would permit such development. The Planning Commission reviewed the proposed zoning chapter that would permit the variable lot development and recommended approval to the City Council. Due to public comment and opposition, the City Council spent several meetings reviewing the development with Nate Shipp who made numerous modifications to the concept plan which included deleting lots from the development. However, in the end, the City Council approved a motion not to adopt the proposed chapter.

“As such, Mr. Shipp has made a rezone application for our standard R-1-8 Single Family Residential Zone. He is requesting the property he owns surrounding Odyssey Elementary, which is zoned A-1 Agriculture, be rezoned to R-1-8 Single Family Residential. This zoning is consistent with both the adjacent neighborhoods of Valentine Estates and Mountain View Estates. Furthermore, the City has modified the proposed rezone to include the Odyssey Elementary School lot. As such, the legal description and public hearing notices have been modified to include the school property. It makes no sense to rezone the rest of the area and leave the school in the agricultural zone. For consistency, the staff and Planning Commission have recommended that the school property be included in the rezone. The proposed zoning change in no way changes the land use status of the school district’s property or use as an elementary school. We have also contacted the school district regarding this matter and they have indicated they are fine with the school property being rezoned R-1-8.

“The Planning Commission has reviewed this request with Mr. Shipp. Furthermore the Commission held a public hearing which was attended by approximately six individuals from the adjacent neighborhoods to the rezone area. The only public comment was a question regarding the difference between this rezone and Mr. Shipp’s previous request.

“The Planning Commission has forwarded a recommendation to the City Council to rezone the subject properties from A-1 Agriculture to R-1-8 Single Family Residential. This would be consistent with adjacent zoning of the neighborhoods both north and south of the subject properties. Furthermore, this would be in line with public comment in opposition to the previously proposed variable lot ordinance that would have permitted some lots less than 8,000 square feet.”

The Mayor then opened the public hearing.

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

Council Member Dayley said she was still concerned about the water and the drainage in this particular area. She said she felt that there are still enough issues with the water and she is not comfortable with that and there are not enough tools in their tool box to deal with this water issues. She said the school has some water issues and she is concerned that the city ordinance is not strong enough to deal with these issues.

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The City Administrator said they are updating the development standards and the Planning Commission is studying them right now. He said that the city would have more detail in what needs to be done with these types of water issues.

Council Member Dayley said she would like to see the changes made before this zoning change was made.

The City Administrator said he felt there had been discussions with Mr. Shipp regarding the details of the drainage and he felt they have things in order regarding this rezone and the water drainage. He said that what is in place in the zoning ordinance does cover the rezone of this area as well.

CONSIDERATION TO REZONE 59.8 ACRES OF LAND LOCATED AT 2050 SOUTH REDWOOD ROAD FROM A-1 AGRICULTURE TO R-1-8 RESIDENTIAL BY SUNRISE 3, LLC

Following the above discussion Council Member Gertsch made a motion to approve ordinance #576, an ordinance approving the rezone of 59.8 acres of land located at 2050 South Redwood Road from A-1 Agriculture to R-1-8 residential by Sunrise 3 LLC. Council Member Terry seconded the motion and all voted for the motion except for Council Member Dayley who voted nay because of the reasons stated in the discussion above. The motion carried with a vote of 3-1.

CONSIDERATION TO MAKE A REAPPOINTMENT TO THE PLANNING COMMISSION

The Mayor noted he had been in contact with Ms. Jennifer Bassarear regarding her term coming to an end on the Planning Commission. The Mayor said that Ms. Bassarear had expressed her wish to continue for another term on the Planning Commission. With that, Commissioner Westergard made a motion to reappoint Ms. Jennifer Bassarear to another term on the Planning Commission with Council Member Gertsch seconding the motion and all voted for the motion through a roll call vote.

REPORT ON PARK AND OPEN SPACE MAINTENANCE

The Mayor gave the floor to the Public Works Director who noted the following for the City Council:

“The Public Works Director and the City Administrator with Parks Dept. have reviewed the condition of the parks over the summer and have come to the conclusions that a number of factors have led to the concerns raised by the Council regarding the condition of our parks and open space. Inadequate amount and allocation of man power, the lack of clear direction on priorities and outside interference especially Questar construction around Mountain View Park have contributed largely to the poor condition of some of our parks and open space.

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“In discussing the manpower issue, we allocated two part time individuals to the parks this summer but we were only able to hire one. In preparation for next summer we will start early in January and work at getting at least two and possibly three part-time individuals to help with the weeding, sprinkling and other maintenance of the parks. Also, we will provide clear direction for the employees as to what our priorities are and those areas we need to focus on. I believe that by doing this we will have a much more coherent and effective maintenance program for our parks and open space.

“We believe this will make a big difference on how the parks and open space are maintained. We discussed with Parks Dept. the priorities for the remainder of this year and we will present to the Council for their input and approval.”

The Public Works Director went through five different areas within the city that are experiencing problems. He noted they are devising a plan for these different areas to take care of the problems in these areas with watering issues and the upkeep issues for these different areas. He explained how Public Works and the parks department plan to take care of these specific areas.

The Council asked how many part time employees the city had. It was noted there was one part time employee and there have been three part time employees working during the summer in the past. They discussed the difficulty in hiring employees who are 18 and over. They said they had interest from high school students but they are usually not 18 so they cannot be hired because of insurance restrictions.

It was noted the parks department would like to start earlier in hiring part time employees so they can get a better start to hire people earlier in the year.

There was also some discussion on how the mowing can be done. The Public Works Director said the contracting for the mowing is going well. He noted the city might consider contracting out more of the mowing so the city employees can concentrate on taking care of these other issues.

The Council also asked if there is a plan to help cut down on the dandelions and weeds. The Public Works Director and Public Properties Supervisor said this was a bad year for weeds because of weather conditions and they also have to be careful when they fertilize in the park because of activity in the park. It was also noted by law, the city can only spray twice a year for weeds. He said they have to be very careful on conditions for spraying.

The City Administrator commended the parks crews for their good work and said the parks look good. He said he would like to try and have better communication between everyone so problems can be addressed and expectations can be met.

Council Member Westergard thanked the parks department for their hard work and said that they have the support of the City Council for whatever they might need like seasonal help or more of

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the work contracted out or whatever can help the department be successful. He said he appreciated their good work.

UPDATE ON PUBLIC WORKS FACILITY CONSTRUCTION

Public Works Director continued with the floor and he had put together a presentation regarding the progress that has been made on the public works facility. He gave the Council a spreadsheet showing the expenditures as of July 31, 2017 on the facility. Currently there has been about \$800,000 spent which is about 13% of the project cost.

The Public Works Director then showed the Council slides of the progress of the facility.

The Council asked if the parking lot was concrete or asphalt and it was noted the parking lot is asphalt.

The Public Works Director said he felt like the work being done was in line with the budget and things were moving along well.

OPEN SESSION

Council Member Westergard said UTA is doing better with taking care of the weeds along 800 West but not around the corner.

Staff said they would look into this matter.

PLANNING COMMISSION REPORT

Council Member Terry reported on the Planning Commission meeting held August, 22, 2017. Please see the minutes of that meeting for the details of his report.

SOUTH DAVIS SEWER DISTRICT REPORT

Council Member Westergard reported on the activities of the South Davis Sewer District. He said they had had multiple hearings on bonding items and some of it was regarding the algae project. He also said the school district has an initiative that is called Davis Goes Green which operates from donated money allowing school children to go on field trips to see some of the different waste facilities in Davis County. He noted the program helps to promote recycling and also explains how the sewer district works He said they will work with the other sewer districts to get funding for this initiative.

He noted there has been a great savings for the waste to energy project and it is going very well. He said there is quite a bit of interest in this project nationwide and they are excited to get this project going.

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He also said they are working on a list of “best practices” for the district.

He also mentioned that he would be happy to help anyone who would like to see how the sewer plant works to get in for a tour of the plant.

MAYOR’S REPORT

The Mayor said he had nothing to report.

CITY ADMINISTRATOR'S REPORT

The City Administrator reported the following to the City Council:

1. January Employee Appreciation Dinner

“We need to determine where we will have the Employee Appreciation Dinner in January so we can make the reservation. Last January we held it at the Canterbury in Bountiful and in the past it has been at the Joseph Smith Building in Salt Lake. I would like to get your input on where you would like to hold it next year.

There was discussion between the Council and it was the preference of the Council to hold the appreciation dinner back at the Joseph Smith Building.

2. FEMA Grant for the Farm Meadows Subsidence

“The grant period opened August 14th and will close on November 14th. We are working on putting together material for the grant and I will keep you posted as we move forward.

3. Prohibition of Truck on Legacy Parkway

“I have discussed this with the Council before but would like to get your feelings on removal of the prohibition of trucks on the Legacy Parkway. The legislation for trucks on Legacy will sunset in 2020 meaning that if no action is taken trucks will be allowed on Legacy Parkway in 2020.

“The Great Salt Lake Legacy Parkway Scenic Byway Committee has come out in opposition to removing the prohibition and I would like to know the position of each of the cities that Legacy goes through. Given to the Council is a short paper I have written outlining why the truck ban should not be removed.”

“Retain Truck Ban on the Legacy Parkway

“Affect on residential neighborhoods adjacent to the parkway

A sound wall was not designed for the Legacy Parkway since the low noise pavement and the ban on trucks made in unnecessary. If the truck ban is lifted

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and trucks are allowed on the Parkway, the noise level will significantly increase adversely affecting adjacent residents. If these residents are affected to the point they demand something be done, who will pay for the installation of the sound wall and will its installation detract from the driving experience along the Parkway?

“Detraction from Parkway atmosphere UDOT created with the Parkway concept UDOT in utilizing the Parkway concept for the Legacy Parkway created a special driving experience that is different from all major urban arterials along the Wasatch Front. The absence of trucks adds to this different driving experience. Davis County residents should have this option available to them. Allowing trucks on the parkway will turn it into another I-15, destroying the special attributes of the Parkway that UDOT had in mind when it was designed as a Parkway.

“Impact on users of the Legacy Parkway Trail
Users of the Legacy Parkway Trail have commented about how quiet and peaceful it is. Allowing trucks on the Parkway will significantly diminish the quality experience trail users are currently experiencing.

“Impact on air quality in and adjacent to the Legacy Preserve
The Parkway was designed to limit the impact of noise and pollution on the adjoining Nature Preserve. Allowing big trucks on the Parkway will negatively impact wildlife on the preserve.

“It is questionable as to whether the Parkway was designed to accommodate large trucks
There is some question as to whether or not the Parkway was designed to accommodate large trucks. UDOT needs to show conclusively the Parkway can accommodate large trucks without seriously damaging the pavement. If the Parkway was not built to accommodate large trucks, then large trucks should not be allowed on it.

The Council expressed their concerns about having the Parkway allow large trucks. They discussed speaking with the residents of the area along the Parkway to get their feedback and support on whether or not to allow large trucks on the Parkway. The Council did say it was a concern to them to make this change and they would continue to discuss ways to try to work through this issue by working with other cities that would also be impacted. The City Administrator said he would work on a resolution for the Council to adopt.

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ADJOURNMENT

There being no further business before the City Council, Council Member Westergard made a motion to go into closed session at 7:50 P.M. Council Member Terry seconded the motion and all voted for the motion through a roll call vote.

Rick Earnshaw, Mayor

Jessica Sims, City Recorder/Finance Director