

**WOODS CROSS CITY COUNCIL
JANUARY 16, 2018**

The minutes of the Woods Cross City Council meeting held January 16, 2018 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
Julie Checketts
Tamra Dayley

Wally Larrabee
Matt Terry
Ryan Westergard

STAFF PRESENT:

Gary Uresk, City Administrator
Jessica Sims, City Recorder/Finance Director
Greg Butler, Chief of Police
Scott Anderson, Public Works Director

VISITORS:

Patt Huttzell
Tyler Timothy
Travis Timothy
James Sheldon
Mike Love
Steve Garn
D.L. Weeks

Lois Schrader
Tami Timothy
LeGrande Blackley
Logan Russon
George Peterson
Kelly Russon
Andrew Hill

Don Schrader
Allison Timothy
Adam Osoro
Joshua Love
Karen Kriegbaum
Amber Bowman

INVOCATION:

Rick Earnshaw

PLEDGE OF ALLEGIANCE:

Logan Russon, Scout

CONSIDERATION TO APPROVE MINUTES

The Council reviewed the minutes of the City Council meeting held January 2, 2108. Following the review by the City Council, Council Member Terry made a motion to approve the minutes as written with Council Member Dayley seconding the motion and all voted for the motion through a roll call vote

REVIEW OF FINANCIAL REPORT

The Mayor gave the floor to the City Administrator who went over the financial report, fund by fund, with the City Council.

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APPROVAL OF CASH DISBURSEMENTS

The City Administrator continued with the floor and went over the cash disbursements with the City Council.

Following the review by the City Administrator, Council Member Westergard made a motion to ratify the cash disbursements for the time period of 12/23/17 through 1/5/18 as presented with Council Member Checketts seconding the motion and all voted for the motion through a roll call vote.

OPEN SESSION (BRIEF ITEMS)

The Mayor then opened the meeting to items from those present that 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.

Council Member Checketts asked the Council if they would be open to doing something to recognize employees who are going the extra mile for the city or employees who come up with ideas to improve the city or save the city money. She asked if they could open this idea up to the employees who could also make nominations for other employees they feel deserve to be recognized for their hard work and extra efforts. She said she would be happy to head that up and set up an email for the nominations. She said she was going to donate some of her City Council pay to buy gift cards for these employees.

The Council said they were fine with that idea. She asked if she could start the recognition at tonight's meeting by acknowledging two city employees she felt had already earned this recognition. She said the first employee was John Filler who trimmed trees and did a good job even though limbs were falling everywhere around him. The second recipient for recognition was Chief Butler who Council Member Checketts said came up with the idea of the Santa Squad which Council Member Checketts said saved her a lot of time and effort during the holidays as well as a lot of the other residents in the City.

Council Member Checketts presented Chief Butler with a gift card and thanked him for his efforts. She said she would be getting ahold of Mr. Filler and presenting a gift card to him, as well as thanking him for his hard work and efforts in behalf of the city.

Ms. Karen Kriegbaum living at 912 West 1935 South asked since the Utah Outdoor Retailers Show no longer comes to Utah, does that affect our hotel tax that is collected. The City Administrator said it could. She said she felt it was sad if that was the case. The City Administrator said he would be interested in tracking that and said he would look into the matter.

There were no other items for the brief open session and the Mayor closed the brief open session.

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**SWEARING-IN OF TRAVIS TIMOTHY AND SEAN GREEN AS WOODS CROSS CITY
POLICE OFFICERS**

The Mayor then gave the floor to Chief Butler who introduced two new officers who would be sworn-in at tonight's City Council meeting. The Chief introduced Mr. Travis Timothy and Mr. Sean Green then introduced their families to those who were in attendance.

The City Recorder then called Mr. Timothy and Mr. Green forward to administer the "oath of office" to them.

Following the swearing-in of Officer Timothy and Officer Green, their wives came forward and pinned their badges on their uniforms. The Mayor, Council and those in attendance gave them a round of applause and congratulated them on their new appointments to the Woods Cross City Police Department. All in attendance were excited to have the new officers as part of the community.

POLICE DEPARTMENT REPORT

Chief Butler continued with the floor and reported on the activities of the Woods Cross Police Department as follows:

DISPATCHED CALLS

<u>2017</u>	<u>2016</u>	<u>YEARLY</u>
Jan.--1152	Jan.—850	2017—11,411
Feb--821	Feb--911	2016—12,393
March--1020	March--1021	2015--12,819
April-901	April—1073	2014—9495
May-- 1065	May —1131	2013—8979
June— 1069	June—1055	2012—7347
July— 1294	July--1230	2011--6918
Aug. —1225	August--1062	2010--7167
Sept.—989	Sept.—1085	
Oct. —1000	Oct. ---1002	
Nov—988	Nov.—835	
Dec— 875	Dec.—1138	
Running Total---11,411		

ASSISTS OUTSIDE AGENCY

Jan.—195
Feb.—101
March—158
April—156
May—166

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June—155
July—208
Aug.—185
Sept.—168
Oct.—158
Nov.—163
Dec.—145
Running total: 1958

ACTIVITY REPORT

- Cops and Kids Shopping
- FBI Training Case Study “Boston Bombing”
- Cop Talk January 3rd
- Neighborhood Watch Meeting “Drug House”
- Citizen Corp Meeting
- Warm the Soles
- 1 Scout Tour
- Next Cop Talk—Monday, February 12th

USE OF FORCE REVIEWS

- Officers responded to a call at a local grocery store of a suspicious male who was possibly using drugs. After investigating and finding drug paraphernalia, the officers placed him under arrest and he resisted arrest. He assaulted one officer at which time the officer deployed his Taser. It took several officers to take him into custody. He has been charged with possession of heroin, possession of drug paraphernalia, assault on a peace officer, resisting arrest, and disorderly conduct.
- WXPB Officers assisted Bountiful Police on a theft in progress at Smith’s located at 555 South 200 West in Bountiful. Upon their arrival, two male suspects were running from the business. Officers pursued the suspects on foot through the parking lot. One officer deployed his Taser on one of the suspects. Both suspects gave up and were arrested. It was later learned that both suspects arrived at the store in a stolen car.

SWAT TEAM ACTIVITY

- Assist NSLPD on high risk warrant service
- 16 Hours of Training

SANTA SQUAD

- We took in over 200 packages and assisted over 60 families enjoy a safe #porchpirates free Christmas. We ended the season with three thefts this year where we had dozens in the past years.

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SHOP WITH A COP

WARM THE SOLES

- We partnered with Horizon Credit Union and students at Woods Cross, Odyssey and Legacy Prep schools to “Warm the Soles” of dozens of Woods Cross families. As part of the credit union’s annual fundraising event to provide shoes for needy families we partnered with Horizon to purchase and deliver shoes to the three schools. The families were picked by staff at the schools who provided us boys or girl’s names and the shoe sizes needed.

WOODS CROSS SCHOOL ACTIVITIES

- Traffic Accident
- 2 thefts from classrooms (student arrested)
- Vehicle Lockout
- Lots of Parking Problems

K-9 ACTIVITY

- 12/3 assist to Bountiful traffic stop. No indication
- 12/15 10-47 RB’s One Stop. No indication
- 12/15 10-60 WX. No indication
- 12/29 Assist to Bountiful on traffic stop. Indication on vehicle. Heroin, pills and several items of paraphernalia located inside vehicle.
- Tracked DV suspect who fled from Police in Clearfield

DETECTIVE DIVISION

- On December 14, 2017 charges were filed against Wilburn Baker. He used a stolen identity to procure a \$24,000 Chevrolet Truck from Murdock Chevrolet. After the dealership realized he used false information they reported the incident to police. The vehicle was recovered and the suspect charged with second degree communications fraud.
- In a similar case, a \$65,000 Audi was obtained the same way from Bountiful Toyota by a different suspect and sold to a buyer in Texas. The vehicle was recovered and we are working with the Dallas PD on charging the suspect in this case.

The Chief asked if there were any questions from the Council or the public. Someone from the audience asked what COP TALK was and the Chief explained it was a forum where people could come and talk to officers and ask questions or give concerns that they may have regarding their neighborhood and the city.

There was also a citizen who thanked the police for monitoring the Trax station.

The Mayor and Council thanked the Chief for his report and for the hard work the police department does in keeping the citizens of Woods Cross safe and protected.

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ADOPTION OF A RESOLUTION APPROVING WALLY LARRABEE TO A FOUR YEAR TERM AS THE WOODS CROSS CITY REPRESENTATIVE TO THE WASATCH INTEGRATED WASTE MANAGEMENT DISTRICT

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

“Given to the Council is a resolution re-appointing Council Member Larrabee to the Wasatch Integrated Waste Management District for another four year term.”

Following the information given by the City Administrator, Council Member Westergard made a motion to adopt resolution 2018-643, a resolution approving Wally Larrabee to a four year term as the Woods Cross Representative to the Wasatch Integrated Waste Management District. Council Member Terry seconded the motion and the motion carried.

CONSIDERATION TO APPROVE THE CONSTRUCTION BUDGET FOR THE PUBLIC WORKS FACILITY

The City Administrator noted for the Council that the Public Works Director had been working on this item. The City Administrator and Public Works Director explained the following for the City Council:

“Given to the City Council is a copy of the budget that was submitted the first of November showing the additional costs. The additional costs have not changed since November. What has changed are the items that have been removed from the project as given to the Council which is the cost reduction items. The second column showing the actual savings amount show the amounts saved for each item either changed or eliminated. The two main items that have been removed are the material storage building and the warehouse, which accounts for about \$400,000 of the total reduction of \$718,000. The total amount proposed to be removed from the project is \$718,000 bringing the total cost of the project down to \$6,820,827.

“To cover the overage above the 6 million bond proceeds we originally planned on using \$400,000 from the sale of the existing shop property. This will be expensed out of the Capital Improvement Fund which will be reimbursed when the property is sold. To cover the remaining \$420,000 I recommend utilizing \$320,127 from the RAP Tax Fund for the conference room which has a total cost of just under \$400,000. The remaining \$100,000 is recommended to come from the Class C Fund since the Public Works Facility provides space for equipment and materials utilized for street maintenance. Payment for the construction of maintenance facilities is an allowable use of Class C Funds. We did not originally program Class C Funds for the Public Works Facility since we wanted to keep the Class C Funds to get the facility built it would be justified. For instance if 10% of the facility was utilized for street maintenance, \$680,000 of Class C Funds could be justified for the project. Exhibit III summarizes the project expenditures and the revenue used to pay for the facility.

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“We would like to proceed with this proposed budget and as we get closer to the project completion in the spring, examine more closely where we are at with the cost of the building to determine if we want to move ahead with the construction of the warehouse storage building. Those are important parts of this project which we would like to complete this year.

“Andrew Hill and Kelly Rasmussen and Steve Garn, from Ascent construction will be at the meeting to answer any questions you may have concerning the project budget.”

The Public Works Director said the City Council will get a packet to review of the proposed changes. He then went over some of the changes that they were looking at doing to help reduce the budget.

The Public Works Director went over the construction budget and what changes have been made as follows:

Expenditures

November 2017 Costs	\$7,411,168
Project Reductions	\$(718,597)
General Conditions*	\$65,016
Winter Condition Allowance**	\$62,540
Proposed Project Budget	\$6,820,127

Revenues

Bond Proceeds	\$6,000,000
Sale of Property***	\$400,000
Rap Tax	\$320,127
Class C Funds	\$100,000
Proposed Revenues	\$6,820,127

*Percentage of budget cost not added in
Until reduction amount known

**Added costs due to work pushed into the winter

***This amount will come from the capital improvement
fund and will be reimbursed when the current shop property
is sold.

The Public Works Director and Mr. Andrew Hill then said they would be happy to answer questions that the Council might have.

The Mayor expressed his concerns about not constructing the lean-to to protect materials that the city would be using. He said he hates to see this building done away with as it will expose materials to the elements and that was one of the purposes to building a new city shop area to

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protect materials the city uses. He said he wondered if when the sale of the property where the current city shops is located goes through, if they might be able to use some of that money to help with the cost of constructing the lean-to.

Council Member Checketts then asked if the bathrooms are being plumbed. The Public Works Director said everything is being roughed plumbed so that at a future date they will be able to complete it. She asked how the Council can answer to the residents when they were promised a completed shop at the open house.

The Mayor said they had planned to bond for more money to build the city shops but the residents said they would like to see a less expensive project so that is what was planned for but now there is not enough money to finish the project as proposed because of the unforeseen problems they are facing with this project, such as the natural disasters that occurred in the nation which have caused the pricing of building materials to greatly increase in price.

Council Member Checketts asked if it were possible for the police to move into the building with the public works so there might be more funds to look at using to complete the building as they have been looking to enlarge the police department as well.

Council Member Westergard said he didn't think the police department had extra funds at this point to use towards that purpose.

Council Member Checketts said she had heard something about expanding the police department so it might work to combine the two departments if they were going to expand the police department in the first place. She thought it might be more feasible.

The Public Works Director said the way the building has been planned there would not be a secure area to put the police department in the new building. He said those plans would have to have been put into place before the building ever started to be constructed.

Council Member Checketts asked the Police Chief if he thought there would be a secured area for the police department as he had watched the building being built. The Chief noted he did not think that as the building is being built right now that it would be a possibility to relocate the police department there.

The City Administrator said that the Police Chief and the Public Works Director and himself could talk about it and see if there were any way possible to do that at this point in the process but he did say they were so far along in the project that it probably would not be a possibility at this point.

The City Administrator said he has been working with other budget ideas and hoped he could come up with some other ways to help finance some of the vital parts of the project they still wanted to try and construct.

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There was discussion again about where city materials would be stored. It was noted that the city would be out of compliance with its outside storage ordinance if there were not a storage building to store these materials the public works department uses.

The Mayor said he and the City Administrator had been discussing ideas on what else might be done to help mitigate all of the issues that the reductions would be causing.

The Public Works Director said that with the natural disasters that happened in the nation, it drove the price of building materials up very fast. He said they did save some money because the contractor purchased as much as he could before costs went up, but because everything was not back from the architect they were not able to purchase all of the products they needed for the project before costs went up.

Council Member Checketts asked if there was anything else that could be done to cut costs and reduce the price. Mr. Hill said that the Public Works Director has cut back as much as possible at this point. He said they have deleted as many furnishings that could be done away as they could as well to help in further cost reductions for the project.

Council Member Westergard said he was glad that the main structure has been saved so that later when they can find some more cash they can go back in and add some of the things that have been deleted.

The Mayor asked if changing the concrete thickness would be an issue and if it may need to be repaired later if the big equipment is moving in and out of the buildings on the thinner concrete. The Public Works Director said he felt like they would still be okay with what they would be using and that they may be able to go back in at a later date and reinforce the concrete if there seems to be any problems with the concrete.

Council Member Terry asked how many skylights there were in the building. It was noted there were no skylights but there were windows in the overhead doors so there would still be some light coming in through those windows.

Council Member Dayley said she appreciated the efforts that have been done on working through this project and she said even though it was difficult she appreciated the professionalism that has been shown through this difficult process. She said she hopes they can come up with ways to add the things that have been deleted back in at a later date.

The City Administrator asked the Council to look at the spread sheet that he had put together for the budget on the project. He talked about the sale of the shop property and when it could be sold and how much would be made at that point. He also went over the RAP Tax and the Class C Funds and how those funds will be allocated. He said there were some funds from the Capital Improvement Fund and the General Fund that could be used for the project but that the Council needed to see where they felt those funds would be best utilized. He did note that the materials

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storage building really needed to be constructed and so he felt that whatever they can do to get this done should really be considered.

There was also some discussion on if there were road funds that could be used to go into the shops project but it was not clear if those funds could be used. It was noted they had applied for grants for road improvements but had not been notified if they have received any of those monies. He said after they were notified regarding those funds, they could reevaluate and see where they were at again with the finances.

After the discussion Council Member Westergard made a motion to approve the construction budget for the Public Works Facility as presented. Council Member Larrabee seconded the motion and all voted for the motion through a roll call vote.

It was suggested that at the strategic planning session coming up the Council go through what has been deleted from the project and prioritize what they would like to see added back into the project, starting with what they felt was most important and then continuing down the list with what is least important.

The Public Works Director then showed the City Council some photos taken by drone and how this project is progressing.

UPDATE ON FARM MEADOWS SUBSIDENCE

The City Administrator then went over the following information with the City Council:

“The grant information from FEMA indicated the grants would be awarded on January 31st. However, in discussing the grant status with the State they are anticipating hearing any time from FEMA regarding the awarding of the grants. I anticipate we should hear from them sometime next week.

“I feel we need to come up with a long term solution to the subsidence issues in the City since I am not sure how much grant money we will receive over the long term. I have been contemplating using Redevelopment Agency funds to fund the stabilization of the homes, since the general concept behind the RDA’s is to enhance areas of the City which have development issues. I have discussed this with our RDA attorney and he feels it is workable to utilize RDA funds to facilitate stabilization of the homes affected by the subsidence. This will take up a fair amount of my time, plus some time with the RDA attorney and possibly Jason Burningham who has helped set up our RDA project areas.

“The goal is to provide a long term solution to stabilizing the property values in the areas affected. If approved I will report back in the first meeting in February my findings and proposal for further action.”

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The Council said they would like the City Administrator to look into the matter further and bring back a proposal on how a long term solution might be achieved and the possibility of creating a project area to help with the subsidence issues.

SAFETY ACCOUNTABILITY

The City Administrator gave the safety and accountability report and noted the following:

“Given to the Council is the report for the month of December. There were no major incidents. We had one minor incident where Officer Strong lost control of his vehicle on ice on 1500 South under the I-15 overpass. A corrective action plan has been put into place to prevent this from happening in the future.”

The City Administrator also said they are filling out the TAP application in hopes of receiving back some rebate money.

OPEN SESSION

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

Ms. Patt Huttshell came before the Council and said she was concerned about a woman she had noticed panhandling on the northeast corner of 2600 South and 1100 West. She said this woman was elderly and Ms. Huttshell said she felt that this woman was experiencing elder abuse and wanted the police to look into the matter to find out who she was and where she was from to see if she could be helped by social services. She said she was very concerned about it. The police chief said he would look into the matter.

Council Member Checketts said she had been meeting with city employees and getting to know them and their ideas. She said she was excited for this opportunity to get to know them better and to serve the community.

The Mayor asked if there had been an increase of homeless people in the city since Operation Rio Grande was put into place. The police chief said yes there has been an increase of homeless people. It was noted there may be a small homeless camp being started in the area. The chief said there is an increase in the homeless population wherever the Front Runner train has a station as that is where the homeless will get off the train and find somewhere to camp. It was suggested that the city possibly try and track the increase in homeless people in the city so that it can be reported to the legislature on what the impacts of Operation Rio Grande are having on nearby communities.

The police chief said he would look into trying to track the homeless population that is now migrating to our community from Salt Lake City.

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WASATCH INTEGRATED WASTE REPORT

The Mayor gave the floor to Council Member Larrabee who reported on the activities of the Wasatch Integrated Waste Management District. He showed the Council a video on the operation and activities of the facility and how recycling can be beneficial to the city. He also noted that this spring they will be looking at the plans for the transfer station and look at the mixed waste processing facility to process even more recyclables. It was noted by the Council there is some frustration that Layton City does not participate in the recycling program. It was noted that the board should look at the matter and possibly charge Layton City an extra charge because the rest of the city's that use the landfill and participate in the recycling program bear the burden of the cost of the recycling. The Mayor said he would talk to the Mayor of Layton about the matter.

MOSQUITO ABATEMENT REPORT

The Mayor then gave the floor to Council Member Terry who reported on the activities of the Mosquito Abatement District. He noted they had approved a small tax increase and are in the process of building the new lab and hiring microbiologist to be on staff at the district.

PLANNING COMMISSION REPORT

Council Member Terry continued with the floor and reported on the Planning Commission meeting held January 9th, 2018. Please see the minutes of that meeting for the details of his report.

It was noted there would be a joint meeting between the City Council and the Planning Commission on February 26th at 5:45 P.M. to have a discussion on matters of importance to both bodies.

SOUTH DAVIS METRO FIRE AGENCY REPORT

The Mayor reported on the activities of the South Davis Metro Fire Agency. He said they have given approval for the purchase of the ladder truck which will come in at the cost of 1.7 million dollars. He noted it will take a year to build this truck.

SOUTH DAVIS RECREATION DISTRICT

The Mayor continued with the floor and reported on the activities of the South Davis Metro Fire Agency. He said they voted to raise rates but are working through some legal language. He said the walk-in fees have been increased but membership pricing is on hold at the moment until the legal matters are resolved.

The Mayor also said they are looking at ways to accommodate the very large Jr. Jazz program at the recreation district so it can better serve the needs of our community. He said they have to

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turn away about 3000 youth because they do not have the space to accommodate everyone who would like to be involved in the program.

MAYOR'S REPORT

The Mayor expressed birthday wishes to Council Member Terry and thanked him for attending the meeting on his birthday.

CITY ADMINISTRATOR'S REPORT

The City Administrator was given the floor and noted the following for the Council:

1. Strategic Planning Session

“In our last meeting we set the date of February 10th for the Strategic Planning Session to start at 8:00 A.M. Given to the Council is a preliminary agenda which is the same format as last year. If you have any suggestion on changes we can discuss them in the meeting.

2. Local Officials Day

“Just a reminder January 24th is Local Officials Day. I have registered the Mayor, Council Member Westergard and Council Member Checketts to attend.”

It was also noted that on Tuesday February 27th there will be a fundraiser for Primary Children's hospital at IHOP. He noted the police department and the fire department will have a competition to see who can eat the most pancakes. He said it was a very fun activity.

The Police Chief then said he had an update on the elderly lady who was talked about earlier in the meeting who was panhandling. The Chief said he had spoken with one his officers who had spoken to her and she said that her husband is always close by and they have both been offered help and they have declined it. There was sadness expressed that this couple would not accept the help offered to them.

ADJOURNMENT

There being no further business before the Council, Council Member Terry made a motion to adjourn the meeting at 8:50 P.M. with Council Member Westergard seconding the motion and all voted for the motion through a roll call vote.

Rick Earnshaw, Mayor

Jessica Sims, City Recorder