

**WOODS CROSS CITY COUNCIL MEETING
MARCH 6, 2018**

The minutes of the Woods Cross City Council meeting held March 6, 2018 at 6:30 P.M. in the Woods Cross City Hall located at 1555 South 800 West, Woods Cross, Utah.

CONDUCTING:

Rick Earnshaw

COUNCIL MEMBERS PRESENT:

Rick Earnshaw, Mayor

Julie Checketts

Tamra Dayley

Wally Larrabee

Matt Terry

Ryan Westergard

STAFF MEMBERS PRESENT:

Gary Uresk, City Administrator

Jessica Sims, City Recorder/ Finance Director

VISITORS:

LeGrande Blackley

Jon Stover

Mark Larson

Chris Hollman

Leola Mikkelson

Mark Bell

Ann Marie Pena

Lois Schrader

Steph Gonzales

D.L. Weeks

Dylan Salas

Andres Pena

Don Schrader

Jared Gisseman

William Glen

Melissa Ballard

INVOCATION:

Rick Earnshaw

PLEDGE OF ALLEGIANCE:

Gary Uresk

CONSIDERATION TO APPROVE MINUTES

The City Council reviewed the minutes of the City Council meeting held February 20, 2018. Following the review by the City Council, Council Member Terry 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 and the Council reviewed the cash disbursements for the time period of 02/17/18-03/02/18. Following the review of the cash disbursements, Council Member Dayley made a motion to approve the cash disbursements as listed. Council Member Terry 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 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 and the Mayor closed the brief open session.

YOUTH CITY COUNCIL REPORT

The Mayor gave the floor to Youth Mayor Dylan Salas. Youth Mayor Salas reported on the following to the City Council:

“Last month we had our appreciation dinner and it was a success.

“This month we will be going to the Utah State leadership conference this week. It will be Thursday-Saturday. We have 16 youth and 4 leaders going this year. We have 5 youth on the planning board this year. Dylan Salas, Hailee Wood, Hannah Chester, Kenzie Robinson, Makayla Lewis.

“Our work meeting was yesterday and we completed the Easter egg filling and baskets for the drawing. The Easter Eggstravaganza is on Saturday the 24th. The event will be from 10:00 A.M.-11:15 A.M. We were wondering who will be conducting the egg gathering this year.

“Next month we will not have an activity since Easter is this month. For our planning meeting we will plan the float for the parade. We have already registered for the parades.”

Youth Mayor Salas asked if there were any comments for question from the City Council.

The Mayor and Council thanked Youth Mayor Salas for his report.

INTRODUCTION OF MELISSA BALLARD CANDIDATE FOR THE UTAH HOUSE OF REPRESENTATIVES DISTRICT 20 SEAT

The Mayor noted that Ms. Melissa Ballard was at tonight's meeting and would like to introduce herself. The Mayor invited Ms. Ballard to come forward and she explained she was a candidate who would be running for the Utah House of Representatives District 20 Seat. She said she wanted to introduce herself to the Mayor and Council so they could get to know her a little as she is running for the House of Representatives. She said she is hoping to work with the Mayor and Council in the future.

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INTRODUCTION OF THE UTAH SAINTS FOOTBALL (SOCCER) CLUB

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

“Mr. Andres Pena will be at tonight’s meeting to introduce his soccer club, the Utah Saints, who play at Woods Cross High School. If you recall in the previous meeting the Mayor indicated Mr. Pena would like the Council to rename Mt. View Blvd. to Saints Blvd.”

Mr. Pena introduced himself and his soccer club and explained to the Council that he just wanted to make sure they were aware of the quality of this organization and what a great team they were with a great soccer program and that even Governor Herbert supports them. Mr. Pena said that Governor Herbert would at one of their upcoming games to start off the game with the opening kick.

The Mayor and Council thanked Mr. Pena for coming in and introducing his organization and said it seems like a great team and program.

COUNCIL KUDOS

The Mayor gave the floor to Council Member Checketts and paid recognition to Jared Gisseman who was nominated by Officer Corey Boyle. Mr. Gisseman helped out Officer Boyle during a snow storm and Officer Boyle was very grateful for the help.

Sergeant Chris Hoffman who was nominated by Chief Greg Butler who told the Council that Sergeant Hoffman had built a case against a domestic abuser who eventually was put in jail. Chief Butler said he worked very hard on the case and did some great work in getting this criminal off the streets.

The Mayor, Council and those in attendance, thanked these two individuals for their help and for all they do for Woods Cross City and for the citizens who reside in the city.

OPEN MEETINGS, ROLES & RESPONSIBILITIES AND ETHICS TRAINING

The Mayor then gave the floor to Mr. Mark Bell, the City Attorney. He explained he was at tonight’s meeting to give annual training to the Mayor and Council on Open & Public Meetings and Mayor and Council training roles and responsibilities.

Mr. Bell proceeded with the training and he Mayor and City Council thanked Mr. Bell for the information and training he gave to the City Council. They thanked him for his knowledge and for all of his help with City matters and for his professionalism in handling legal matters for the City.

CONSIDERATION TO ADOPT AN ORDINANCE AUTHORIZING THE CITY TO ISSUE SUBPOENAS TO REQUIRE THE ATTENDANCE OF WITNESSES AND TO COMPEL THE PRODUCTION OF DOCUMENTS AND OTHER ITEMS AT CITY PROCEEDINGS

The City Administrator then noted the following for the City Council:

“In reviewing our procedures for the Employee Appeals Board hearings, we realized we do not have the ability to subpoena witnesses into our proceedings. Mr. Bell has drafted an ordinance that would allow the City to subpoena witnesses. Mr. Bell will be at the meeting to answer any questions the Council might have.”

Mr. Bell then went over the procedures on the most common ways a subpoena is delivered and who commonly delivers the subpoenas.

The Council had a few questions regarding how subpoenas are delivered and what happens if someone is not available to receive the subpoena. Mr. Bell answered these questions for the City Council.

Following the review by Mr. Bell, Council Member Westergard made a motion to adopt ordinance 580 as presented with Council Member Dayley seconding the motion and all voted for the motion through a roll call vote.

CONSIDERATION TO APPROVE THE VIDEO RECORDING AND BROADCASTING OF CITY COUNCIL MEETINGS

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

“In the last meeting the Council requested some information regarding the costs of video streaming City Council meetings. The initial cost of putting in the camera was around \$300. There should be no additional cost for equipment. We currently have the video going through our system and there is no cost. The only problem is if we get 10 or 15 users on at one time it will slow the system down and not work appropriately. Our next option would be to go to YouTube which is also free. There are some issues with setting it up before each Council meeting but we could work through that. I know a lot of cities use YouTube. If we wanted to go to a vendor that would provide video streaming, the range is from \$42-\$100 per month for that service. I do not believe we would need to go to that level.

“The other question was regarding storage. Right now we have sufficient storage on our server to handle a couple of years of recordings since they are highly compressed. If we should need to increase that, we would need to put another drive in our server which would be somewhere

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around \$400. Overall I do not see the costs of broadcasting our City Council meetings as prohibitive.”

The Council discussed how long the video, audio and written minutes needed to be stored. They talked about if the City had enough storage space. Council Member Westergard noted that saving video would take up a lot of space to store it and that storing audio minutes would take up less space. The Mayor expressed his concern about using YouTube because he felt that the City Council loses control over what is broadcasted and how it is used. Council Member Westergard said he is not opposed to broadcasting the meetings but he would like to see it broadcast internally from the City. It was noted that the IT for the City would need to be upgraded to see this happen. Council Member Terry said he would like more information about what type of security and control the city might have if the City Council meetings were broadcast through YouTube.

The Mayor asked if the County still had the cable TV channel they started. The City Administrator said the County still did have the channel. Council Member Dayley said she felt like it would be a good idea to look into that because she has had some dealings with public records and said she felt like the County channels would be a good option to look into.

The Mayor said it would be good to look into this matter further and we could look into the IT matters of having this done.

It was also noted that it might be a good idea to reach out to Bountiful City and see how they went about deciding on broadcasting their meetings through YouTube and how it is going for them using this type of system. The City Recorder said she would reach out to her counterpart at Bountiful city hall and talk with her about it.

It was noted the way the City Council meeting is being broadcast at the present time with the 10-15 users is a good way to go until there is more information gathered to see what would be the very best way to broadcast for Woods Cross City.

Following the discussion Council Member Terry made a motion to direct staff to table this item until there is more information available. Council Member Dayley seconded the motion and all voted for the motion through a roll call vote.

REVIEW OF THE STRATEGIC PLANNING SUMMIT EXECUTIVE REPORT

The City Administrator then gave an update on the top nine items that the Council had discussed during the strategic planning meeting that had been held on February 10th, 2018. He noted the top nine prioritized strategic focus goals and projects for Fiscal Year 2019 as follows:

1. Complete the General Plan and Master Plan
 - a. Update zoning ordinances, land development ordinance and development specifications.

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2. Create a long term plan for subsidence issues
 - a. Obtain Federal Funding to mitigate subsidence damage to homes in the city
3. Provide backup for critical administrative positions and functions (including payroll, utility, billing water, etc.)
4. Pay police officers more competitively
5. Provide more space for the Police Department in order to have more privacy
 - a. Find Architect
 - b. Improve customer service by having separate counter space
6. Provide more funding for new city shops
7. Create a 5-year prioritized streets and water replacement plan
8. Develop Kingston Property in the North West Quadrant of the city
9. Increase IT storage capacity and security

The Council discussed they thought there was a number 10 but were not certain what it was as they had discussed several other concerns for the city. They did say they had talked about traffic concerns in the city and then discussed the possibility of putting traffic lights in other areas on Redwood Road. It was noted that because Redwood Road is controlled by UDOT, and UDOT makes the decision where lights can be installed, it is sometimes difficult to work with them in getting this accomplished.

The City Administrator asked if there was something the Council would like to have him start working on first. Council Member Checketts said she would like to see the police officers pay be addressed as soon as possible. The City Administrator said this would be something that would be discussed during the budget process so that will be a good opportunity to discuss that.

The Mayor said he felt like providing more funding for the new city shops and the increase in IT storage capacity and security were two of the items he felt needed to be addressed first.

The Mayor and Council discussed a few other items on the list and how they would like to go about handling these items.

The City Administrator said he would get started on these items and would report back to the City Council on his progress.

OPEN SESSION

Mr. Mark Larson living at 1421 South 950 West addressed the Council. He said he was concerned about some safety issues. He said he thought that Woods Cross City and North Salt Lake need to work together and approach the state Department of Transportation and ask them to revisit the speed limit of Highway 68 where it passes through the two city limits, with the goal of lowering the speed limit to 40 mph. He noted from his experience what would be required in their traffic studies upon which limit decisions are based. He said to make that case, it would be well to ask UDOT for historical and current data on accident incidence with traffic ingress. He said it might need to be done by the city for that section of road. He also said it might be well to

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cite the increase in the number of businesses and residential users of Redwood Road and how that is projected to increase.

Mr. Larson also asked if the police department could increase their presence on Redwood Road. He said the purpose of this is to help reduce risky and aggressive driving behavior on the road.

The Mayor asked the City Administrator to add the request for the things Mr. Larson had mentioned when they do speak with UDOT on the other matters discussed previously in the meeting and that UDOT be asked the speed limit to be lowered by a traffic study. They said they would follow through with these requests and look into the matters as discussed.

Mr. Don Schrader living at 2018 South 700 West then asked about the intersection at 2600 South and said there is part of the crosswalk that has no control and there is no help with people crossing at this part of the intersection. The Mayor said they would also speak with UDOT about this concern and see what can be done.

Dixie Weeks living at 2888 West Governors Way said she agreed that 50 mph is too fast on 500 South. She said she had been told that idling cars cause more pollution if there is a stoplight. She said she was in favor of having the speed limit reduced.

Council Member Checketts then addressed the Council and said she had brought a copy of the timeline for the FBI Audit the city was given and handed out a copy to each of the Council. She said the city is not done with the audit. She said the city has passed the policies but have not implemented them. She said the audit was presented in April and it was due in May but that it is still not complete. She said she was concerned it has not been completed on time. She said because it was not complete, there is a chance the city has a possibility of losing its police department because of this. She said the police department had completed their required items regarding the audit in a timely manner to the state. She said we are 10 months passed due and there are items that are still not completed.

The Mayor asked if Spillman had given the correct information that was needed for the audit. The Mayor noted there was other information that showed it was missing from the audit but that had been turned in. He noted the security addendum was the only thing missing that he could see and said this was being worked on.

The City Administrator asked if there were to be separate audits for the court and the police and said he had asked about this but is waiting to hear back from the court. He also said he would like to have some time to look over the list of items that Council Member Checketts had given to the Council for their review so he could speak to the items and where they are in process of the audit. The City Administrator said he has been and will continue to work with the court to get things done.

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Council Member Checketts said she was concerned that this audit had not been finished and it has been a year since it started and the due date has passed and asked why it took so long because she had heard other cities audits had been taken care of in a timelier manner.

The City Administrator said he had received mixed messages from the court, police department personnel, and the Chief of Police on the importance of this audit so he was trying to sort out what needed to be done. He said that other cities have larger staffs so it may have been easier for them to get their audits done more quickly. He said he did know about the audit but he has had many pressing matters regarding city business and was not sure he understood the urgency of this audit.

Council Member Checketts said she wanted to make sure that this audit is taken care of because it is a federal audit and the city is a government entity so these audits do need to be done. She said she felt that the police department is at risk.

The City Administrator said he did not feel the urgency from the Police Chief when he asked him about this matter so he may not have spent as much time on the matter as it may have needed. He said he was getting mixed messages about the importance of this audit from different people within the city staff and the police department.

Mr. Mark Bell, the City Attorney noted that as a point of order this matter should have been presented as a line item on the agenda. He said because this was subject matter that dealt with something that was very specific, it should have been made an agenda item and placed on the agenda so that everyone could have looked over the information and been able to make pertinent comments regarding the information

Council Member Dayley said at her work place she went through an audit and it took quite a while. She said the particular audit the city is going through is a statewide ongoing audit and there are many cities that are going through these audits. She said she felt like because of her experience with auditing through her job, that this was not very unusual that it could take a while to do.

The Mayor said he suggested that they make this item a line item for the next agenda. He said that as he looked over the list he saw only one item that was still not completed.

The City Administrator said he believed that with the IT items there might be some back and forth work to get everything completed as required and there were some training items that needed to be done.

Council Member Checketts asked if there was someone who could come in and help with the IT items. The City Administrator said he would like to see what needs to be done and comes back from the IT portion of the audit and then consider if extra IT help would be needed.

Mr. Bell commented and said these are fairly specific items and documents that had been passed out to the Council and should have probably been presented in the packet given to the Council.

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He said the purpose of an agenda was to let the public know what was going to be talked about and that the public be aware so they can make comments or ask questions. He said if there is a specific item that needs to be discussed, it should appear on the agenda with the information provided to the City Council so they can discuss it with the public in an informed manner.

There was some discussion about how things could be placed on the agenda and how it should be handled to get the items on the agenda before the Council meeting.

Council Member Dayley said that she felt that sensitive material should be shared carefully and that audit papers should not be shared. She suggested the Mayor meet with the auditor and talk with him to get the details from him on what is happening with the audit.

The Mayor said they would add this matter as a line item on the agenda and be able to see what the auditor still needs or what he is still working on. The Mayor also asked staff from the police department to get information from Spillman on what information is still needed. The police department staff said they will work on that. The Mayor said he felt like the most secure part of the City Hall is the police department and he is confident about that.

The Mayor thanked those who have been working on this matter and he appreciated their time and effort.

Council Member Westergard then addressed the Council on a matter and said he had been approached by a city resident who said years ago Salt Lake City had a street lighting program that if a neighborhood wanted to get together and work on putting up some decorative lighting in their neighborhood, the city helped to fund it and over a period of time the residents paid it back on their city billing.

The City Administrator said he would have to look into this but he had seen it done in other cities so he could look into how the city could put a program together that could benefit the neighbors who would like to put in upgraded and updated street lights.

Council Member Westergard then asked who would be in charge of fixing a broken street light and the City Administrator said Rocky Mountain Power would be the ones to address street light issues.

There was then discussion about some places in the city that have been tagged with graffiti and noted they would like have this taken care of. Staff said they would follow up on this matter.

PLANNING COMMISSION REPORT

Council Member Terry reported on the Planning Commission Meeting held February 27th, 2018. Please see the minutes of that meeting for the details of his report.

SOUTH DAVIS SEWER DISTRICT REPORT

Council Member Westergard updated the Council on the two projects the sewer district continues to work on. He said the algae nutrient program has had a few setbacks because of some engineering snags and the work has been slowed, but it continues to move forward.

He also said the waste to energy project is moving along quickly and is going very well.

He also noted there have been some things done on the roads around the facility to help with safety from increased traffic that would be occurring following the programs that are being implemented.

MAYOR'S REPORT

The Mayor noted that he had nothing further to report at the meeting.

CITY ADMINISTRATOR'S REPORT

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

1. Flooding at 2300 South 1450 West

“As you are aware from the e-mail I sent last Tuesday we had significant flooding occur at the intersection of 2300 South 1450 West. A water main split sometime early in the morning of the 27th with our crew not being notified until about 7:00 A.M. Consequently, a large quantity of water had gotten into the streets and subsequently into the sewer. Eventually the sewer system was surcharged and 23 homes were flooded. I am investigating why it took so long for our public works crew to be notified of the leak and once I have completed my review I will report my findings to the City Council. I will be working with Scott to find ways to prevent this occurring into the future.

Currently the homes have been cleaned and the damaged materials removed from the homes. The insurance adjusters are now going through the homes and assessing the damage and the estimate of the costs. I have been working closely with the Trust on this and will continue to work on this to resolution. If any of you receive calls from residents in this area please have them contact me and I will put them in contact with the insurance adjusters.

2. Capital Improvement Plan

“My plan was to have that on the agenda for this evening however, because of the flooding issue and the time involved in addressing this issue, I was not able to complete it and will have it on the agenda for the 20th of March meeting.”

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ADJOURNMENT

There being no further business before the City Council, Council Member Westergard made a motion to adjourn the meeting at 9:17 P.M. with Council Member Terry seconding the motion and all voted for the motion through a roll call vote.

Rick Earnshaw, Mayor

Jessica Sims, City Recorder