

**WOODS CROSS CITY SPECIAL CITY COUNCIL MEETING
APRIL 5, 2018**

The minutes of the Woods Cross City Special City Council meeting held April 5, 2018 at 6:00 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

Mark Bell, City Attorney

VISITORS:

Taylor Jacobsen

Jodi Reber

Cleverly

Consuelo Rasmussen

Jordan Rasmussen

Jennifer Davis

Adam Anderson

Adrienne Anderson

CLOSED SESSION—IMMINENT LITIGATION

At 6:02 P.M. Council Member Dayley made a motion to go into closed session to discuss imminent litigation. Council Member Westergard seconded the motion and all voted for the motion through a roll call vote.

At 6:26 P.M. Council Member Terry made a motion to go out of closed session with Council Member Dayley seconding the motion and all voted for the motion through a roll call vote.

At 6:28 P.M. Council Member Dayley made a motion to go into open session with Council Member Westergard seconding the motion and all voted for the motion through a roll call vote.

CONSIDERATION TO ADOPT AN ORDINANCE PROVIDING FOR NO-FAULT UTILITY CLAIMS

The Mayor gave the floor to the City Attorney who reviewed the proposed ordinance providing for no-fault utility claims with the Council and some of the changes that had been made to update the ordinance.

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Following the update by the City Attorney, Council Member Westergard made a motion to adopt ordinance 581, an ordinance providing for no-fault utility claims as presented. Council Member Larrabee seconded the motion and all voted for the motion through a roll call vote.

The Mayor then noted this would now give the City Council the authority to pay the claims to the citizens to help with their water damage. The Mayor suggested the City Administrator give the citizens an idea of how the procedure will go moving forward.

The City Administrator said there would be some details to work out but he said he would be working with the Trust's adjustor who would be providing documents for the residents to sign. He said the one thing that may hold things up is the waiting period for the individual insurance claims to the resident's home owner's insurance to come through. It was noted the residents needed to file a claim to their insurance company and be given a written document with the decision of what would be paid on the claims that have been filed. The City Attorney said the purpose for doing this is to make sure no one is double dipping through their own insurance and then filing a claim to the city to cover damages as well.

Council Member Westergard then explained to the residents who were present that filing one claim to their insurance should not raise their rates.

The City Administrator then said he would make sure he would meet individually with each resident to explain everything and go over what needs to be done.

The Mayor said the city's intent with passing this new ordinance was to cover the difference of what the residents home owner's insurance would not cover. He said by utilizing their home owner's insurance it would allow the funds from the city to be spread a little further among the residents who were impacted by the flooding. He did say that if the resident's insurance claims were to be denied, the city would pick up the cost of the repairs to the homes.

The Council encouraged the residents to get their lists of contents and damage to them as soon as possible so the process can move forward. It was also noted the cost of the cleanup by UDK would be also covered.

The Mayor asked if anyone present had any questions or comments.

Mr. Jordan Rasmussen living at 1452 West 2200 South said he didn't think any of the affected home owner's got back the adjusted value of their claims from Traveler's. He said it was not quite clear to him where the funds will be coming from, from Traveler's or the city. It was noted the first \$100,000 would come from Traveler's and be used first and then the rest of the money would come from the city but would be processed through Traveler's so the checks would be coming from Traveler's.

It was noted they would be getting a new waiver to sign and were encouraged to sign the new document when it became available to them.

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Mr. Adam Anderson living at 1444 West 2350 South asked if they would be able to schedule appointments in the near future to discuss this issue and the process of getting their damages covered. He asked if they needed letters back from their insurance company stating what the insurance will or will not be paying. It was noted they did need the letter from the insurance company with what their personal insurance companies would be covering. The City Administrator said he would get a list of phone numbers from the residents and start calling each resident to set up a time to talk. He said he would expedite the process as quickly as he could. Mr. Anderson also noted there were some damaged items in his garage that need to be disposed of and he was wondering what he might do with them. The City Administrator said he would check with the public works department and see what can be done to get rid of the damaged items. Mr. Anderson said that would be very helpful.

Mr. Taylor Jacobson living at 1417 West 2300 South asked if they could utilize the city's spring cleanup to dispose of the damaged items and he was told that they could utilize the cleanup.

Ms. Adrienne Anderson living at 1444 West 2350 South said she has two pods storing items in her driveway and wondered what to do about them. She said her basement will not be finished before the pod deadline will pass at the end of the month. The City Administrator said he would look into the matter and get it resolved.

REVIEW OF FY 2018 WATER FUND BUDGET

The City Administrator noted that he wanted the Council to be aware the budget adjustment to the water fund would be on the next City Council agenda for their review. He said there will be a fund created in the water fund to help cover the costs of the water damage repair for the residents.

ADJOURNMENT

There being no further business before the City Council, Council Member Dayley made a motion to adjourn the meeting at 6:55 P.M. with Council Member Checketts seconding the motion and all voted for the motion through a roll call vote.

Rick Earnshaw, Mayor

Jessica Sims, City Recorder