

**WOODS CROSS CITY COUNCIL MEETING
APRIL 17, 2018**

The minutes of the Woods Cross City Council meeting held April 17, 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 MEMBERS PRESENT:

Gary Uresk, City Administrator

Tim Stephens, Community Development Director

Bonnie Craig, Secretary

Greg Seegmiller, City Engineer

Greg Butler, Chief of Police

VISITORS:

Taylor Spendlove

Mason Cheney

Jayden Madill

Chris Green

Noralee Green

Warren Peters

Rachael Bodell

Tim B

Katrina Adamson

D.L. Weeks

Spencer McBride

Matt Seelos

Ryan Johnson

Quinn Dalton

Kara Green

Sue Robbins

Dan Reeves

LeGrande Blackley

Kathleen Larson

Scott Allen

Gary Francis

Cathy Larrabee

Dylan Seelos

Leifton Crofts

Ben Moon

Jarom Christiansen

Patt Huttzell

Gary Sharp

Sharm Smoot

Michele Wood

Kathy Turpin

Laura Smoot

Neal Hewlett

INVOCATION:

Wally Larrabee

PLEDGE OF ALLEGIANCE:

Scout Jarom Christiansen

APPROVAL OF MINUTES

The City Council reviewed the minutes of the regular City Council meeting held April 3, 2018. Following the review by the City Council, Council Member Terry made a motion to approve the minutes as written with Council Member Larrabee seconding the motion and all voted for the motion through a roll call vote.

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
APRIL 17, 2018
PAGE 2**

Council Member Terry then made a motion to approve the minutes for the special City Council meeting held April 5, 2018. Council Member Larrabee seconded 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 reviewed the financial report for March 2018 including the position of the City's general fund, cash position, transient room tax, sales and use tax, Impact Fees, RAP Tax, Energy use tax, court fines, water fund, water impact fee, and the garbage fund.

APPROVAL OF CASH DISBURSEMENTS

The City Administrator continued with the floor and went over the cash disbursements with the City Council for the period of 3/13/18-4/13/18.

Following the review by the City Administrator, Council Member Larrabee made a motion to approve the cash disbursements 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.

There were no items from the public present and the Mayor closed the open session.

COMMUNITY OF PROMISE REPORT

The Mayor gave the floor to Ms. Rachael Bodell who serves as the chair person for the Community of Promise Committee. She reported the following to the City Council:

“Book Club-We will be meeting this Thursday night, April 19, 2018. Ben Behunin, an author, will be there to discuss his writing as well as to show some of his pottery.

“CERT-The Great Utah Shakeout will be held on Thursday April 19.

“Summer Literacy-

Mills Park

June 15—Liz Tabish will be performing and teaching Polynesian Dancing

June 22—Fire Department presentation

June 29—Becky Wright from Centerpoint Theater

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
APRIL 17, 2018
PAGE 3**

Hogan Park

July 13—Drum Bus

July 20--Mark Evans, Mountain Man presentation

July 27--Ogden Nature Center, Bird Show

The older kids (grades 4-6) will be reading

June-“BFG”

July-“Call it Courage”

The committee is looking for some additional readers. They may contact the Fire Fighters to see if any of them might be able to come and read to the kids, but realize the need for back-up in the event that they get called to an emergency.

Mary Sue Smith, Summer Literacy Chair, is thinking that this will be her last year taking the lead on this program.

Summer Recreation—

1st Session: June 11-28

2nd Session: July 9-26

Monday/Wednesday at Mills Park

Tuesday/Thursday at Hogan Park

Brook Corob is also thinking that this will be her last year to chair this program.

Arts in the Park-

June 11-Davis County Orchestra & “The Greatest Showman” movie

July 9-Flat Canyon Band & “Coco” movie

August 6-Night Out Against Crime & “Zootopia” movie

Pumpkins in the Park—tentatively scheduled for October 27, wanting to make sure it doesn’t conflict with a dance at the High School.

Annual Christmas Caroling and Lights-November 26

The next meeting will be held May 10 @ 7:00 P.M.

The Mayor and Council thanked Ms. Bodell for her report and for her willingness to serve the community.

TAP AWARD PRESENTATION

The Mayor noted there was no one at the meeting representing this item so they would not be addressing this item at tonight’s meeting.

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
APRIL 17, 2018
PAGE 4**

REPORT ON THE COMPLETION OF THE LITTLE FREE LIBRARY EAGLE PROJECT

The Mayor called forward Scouter Jarom Christiansen who recently finished constructing his Eagle Scout Project within three of the city parks. He explained he had constructed and placed a “My Little Library” box in three of the city parks. He explained these boxes hold books that can be donated to the libraries and taken out for free, and then exchanged for free. He also explained that any residents who would like to utilize the libraries and take books for free are welcome to do so. He reviewed for the Council the steps he had taken in getting this project funded, constructed and completed. He showed the Council pictures of himself and others who had helped him throughout the project and the different things he had done to finish the project. He also showed pictures of the completed libraries with the books stocked in them.

The Council thanked Scouter Christiansen for his time and efforts and said they felt this was a great project and how much it will benefit the city. Scouter Christiansen said he enjoyed doing it and would like to be a reference for anyone in the future who thought they might like to do this same project in some of the other parks that do not have the libraries.

The Mayor and Council thanked Scouter Christiansen again for his time and efforts on this project and said they looked forward to the citizens of Woods Cross taking advantage of the books in the libraries.

POLICE DEPARTMENT REPORT

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

<u>2018</u>	<u>2017</u>	<u>Yearly</u>
Jan—904	Jan—1152	2017—11,411
Feb—990	Feb—821	2016—12,393
March—991	March—1020	2015—12,819
April--	April—901	2014—9495
May--	May—1065	2013—8979
June--	June—1069	2012—7347
July--	July—1294	2011—6918
Aug--	Aug—1225	2010—7167
Sept--	Sept—989	
Oct--	Oct—1000	
Nov--	Nov—988	
Dec--	Dec—875	

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
APRIL 17, 2018
PAGE 5**

ASSISTS OUTSIDE OF AGENCY

2018

Jan—134

Feb—128

March—134

April—

May—

Jun—

July—

Aug—

Sept—

Oct—

Nov—

Dec—

ACTIVITY REPORT

- 3 Scout Tours
- “What’s Your Genius?” training FlexPak
- Staff Attended Advanced Spillman Training
- Cop for a Day “Shane”
- Donated Anti-Bullying Book “Restart”
- Next COP TALK—Tuesday, April 17th
- Drug Take Back and Shredding Day—April 28th
- Cops & Kids Fishing Day—June 9th
- National Night Out Against Crime—Aug 6th

LaBounty K-9 Arrest

Use of Force

None

SWAT Team Activity

- 3 deployments
- Barricade
- 2 Warrants Assists
- 16 Hours NTOA training

Woods Cross School Activities

- 2 traffic accidents
- Hit & Run
- Theft of phone

OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
APRIL 17, 2018
PAGE 6

- Fight
- Theft from construction site
- D.A.R.E. completed Graduation date TBA soon

K-9 Activity

- Traffic Stop Meth, Forged money and Drug Paraphernalia
- Traffic Stop Meth & Marijuana
- Motel 6 parking lot arrest Meth Paraphernalia
- Stolen Car Chase 3 suspects fled on foot flushed out by K-9
- Residential Burglary suspect found hiding in bushes by K-9

Detective Division

- Aggravated robbery/Aggravated Kidnapping ****Update****

Since last City Council report, Detectives coordinated with the United States Marshalls Office during the investigation and apprehension of the fugitive. The Marshalls Office arrested the fugitive on the outstanding warrants from our investigation. The process to have the fugitive extradited back to Utah from California was coordinated with the Davis County Attorney's Office and the fugitive is expected to be back on 04-13-2017.

- Case #2018-00005 Aggravated Robbery and Assault

Charges were filed on two juveniles and one adult involved in a drug related Robbery and Assault, during the assault a handgun was produced and one of the suspects was shot in the leg.

The Police Chief reminded the public present of the free shred day coming up on April 28th at 10:00 A.M.

The Council asked how Officer Boyle was doing after he had encountered a problem from a previous case he was working on. The Chief said that Officer Boyle was fine and there were no problems.

The Mayor reminded the Council there would be an awards dinner this Saturday at 7:00 PM to honor the police department and staff.

The Mayor and Council thanked the Police Chief for his report and for all the police department does for the city of Woods Cross.

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
APRIL 17, 2018
PAGE 7**

CONSIDERATION TO APPROVE THE OLDE TOWNE CENTRE MIXED USE SITE PLAN

The Mayor gave the floor to the Community Development Director who reviewed the following for the City Council:

“As you know, this project has generated a great deal of public interest and concern. Originally, the City Council denied an application for a project master plan for the project. As such, the applicant filed a law suit against the city regarding that decision. Eventually, the matter was heard before the state ombudsman’s office who concluded that, based on the type of zoning, the project could proceed. As such, on October 17th the Planning Commission forwarded a recommendation to the City Council to approve a conditional use permit and project master plan for the Olde Towne Centre. In November, the City Council reviewed these recommendations and approved a conditional use permit and project master plan.

“The applicant has spent the last several months working with the staff with regard to an application for a site plan for the project in addition to a preliminary plat for the 45 townhomes which are a component of the mixed use center. We have now reached a point in which the staff has found that the application for the site plan meets the city requirements. Given to the Council is the site plan with the supporting design drawings for the civil work and the exterior architectural elevations.

“Given to the Council is the site plan that provides the final detailed information regarding the previously approved project master plan involving storm water, landscaping, parking etc. You will also note, they have provided cross sections of the buildings that indicate the buildings are within the required average height limit. These cross sections also show the relationship of the buildings grade to the street. As you will recall from the project master plan, they were building up the courtyards between the buildings to a two-story level with the back sides having a garage underneath the living space.

“Also given to the Council, is a landscape plan that details trees and plants that will be installed as part of the project including the landscape buffer along the residential zone boundary to the west. These plans also indicate the development of an interactive plaza along the north end of the existing commercial building which will feature a small splash pad, picnic arbor shelter, and playground structure.

“One of the requirements of the project master plan and conditional use approval were concerns regarding meeting the city’s required 100-year storm water requirements. The applicants have worked with the city engineer and public works director to eventually put together a storm water plan for the site that meets the city’s requirements and would protect the subject property and adjacent properties from flooding. The city engineer will attend the City Council meeting Tuesday night to answer any questions the Council or public may have regarding the storm water or any other engineering aspects of the project.

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
APRIL 17, 2018
PAGE 8**

“Off-street parking has been a concern regarding this project since the first public meetings and open houses held regarding the project. Given to the Council is the drawings, their parking calculations and chart that indicate they are meeting the required off-street parking for both the proposed residential component and the existing commercial uses based on the present tenants occupying the commercial building. Specifically, to meet the residential parking requirements they will need to utilize at least 9 stalls of the existing parking. In fact, their parking calculations show they would like to use 11 dedicated stalls for the residential that are now available for the existing commercial building. The present tenant mix within the existing commercial building will allow for this shared parking. However, the staff is concerned that, as the tenant mix changes in the coming years, there may be proposed tenants that would have parking demands that exceed the present uses in the building. I have discussed this concern with the city attorney, Mark Bell who will help prepare the required development agreement for this project. As discussed with Mr. Bell, if they wish to meet the parking requirements based on the present uses within the commercial building, this will need to be clarified and spelled out in detail in the forthcoming development agreement. Specifically, the agreement will limit the available non-residential parking to the present parking demand for the building. As such, it could limit the type of tenants they have in the future that may have a greater parking demand than the present tenants. Also, it should be noted that they are not only meeting the off-street parking but do have a few stalls above the minimum requirement. It should be noted that two of those stalls are actually within the unused drive-through that exists on the south end of the building adjacent to 1500 South. The building was originally constructed in anticipation of a small sandwich shop occupying the south unit in the building and having a drive-up window. This never materialized and there have always been tenants in the south end of the building that had no use for the drive-through and have actually used it as two parking stalls for either the business owner or employees. In fact, there are two parking places painted within this area on the site. One stall is accessible from the parking lot into the drive-through and the other stall is accessible from the other end of the driveway via 1500 South. They have had continuous vehicle parking on that paved area since the completion of the building.

“Another concern expressed during the project master plan approval was the geology and geotech review for the site. Of particular concern was the subsidence of the nearby Farm Meadows subdivision. As such, the applicant had professionals complete a geotechnical study of the site and the subsurface. The study found that this site will not be in jeopardy of subsidence. In fact, the city had a peer review by our own geotechnical engineer of the study who concurred with their findings and recommendations.

“A traffic study for the project has been submitted and reviewed by JUB Engineers. As previously stated in other meetings, this project will have a minimal impact on the existing traffic congestion at the intersection of 800 West and 1500 South. As such, the city has put together plans to install a traffic light and other improvements at this intersection to resolve these problems. In fact, the conditional use permit and project master plan previously approved required that the applicant dedicate the property needed on their corner for these traffic control measures. The preliminary plat already has the area designated which will be dedicated to the city with the approval and recordation of a final plat for the project.

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
APRIL 17, 2018
PAGE 9**

“I have provided for our convenience, a copy of the November 7, 2017 City Council meeting in which final approval for the conditional use permit and project master plan were granted.

“The Planning Commission would recommend that the City Council approve the site plan for the Olde Towne Centre with the following conditions:

1. This site plan approval is valid only after a development agreement has been entered into and signed between the developer and the city as required in the mixed use center chapter.
2. As part of the development, the required parking components shall clearly be identified and shall limit the future mix of tenants in the commercial building to the presently defined parking space requirements of the existing tenants as presently calculated.
3. Architectural exterior remodel of the existing commercial building as approved with this site plan shall be completed in conjunction with the construction of the residential component of the mixed use project. In no case may these improvements be delayed beyond the completion of the fifth residential building.
4. During the construction and development of the project, the developer and his contractors shall comply at all times with any applicable regulations and laws of both Woods Cross City and any service district or agency regulating or providing service to the project.
5. A pedestrian walkway tie be put it on the northeast end of the commercial building.
6. Future parking problems may be revisited as stated in the development agreement.

Mr. Stephens also noted that there had been numerous meetings and open houses during this process and the Mayor had been working on the project for 2 years or more and at this point in time the city needs to honor the ordinance per two years ago, by law, and should be approved.

The Council had a few questions regarding this item.

Council Member Larrabee asked what specifics had been done for a 100-year storm and the drainage to contain the water if that event were to happen.

Mr. Greg Seegmiller, the city’s engineer, said the storm water plan had been changed and the development engineer’s raised the site so the storm water will drain into the street and not be contained on the site.

Council Member Checketts asked if residents will be able to drive straight into their garages and it was noted they would be able to drive straight into their garages, not down into the garages.

Council Member Terry asked since there would be commercial spots given up for the residential area, who would enforce this parking agreement if new businesses come in and require more parking stalls.

Mr. Stephens said if there is a tenant change, the business will come in and apply for a business license and the landlord will have to prove the business complies with the parameters of the

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
APRIL 17, 2018
PAGE 10**

parking agreement and city ordinance. Mr. Stephens said he may even have to reconfigure his parking to make sure the parking is within the restrictions.

Council Member Terry said he felt the city must be very clear that this needs to be monitored. He asked if this will be a written requirement.

Mr. Stephens said it will be a detailed component in the development agreement when it is drafted. He said it may take a little extra effort to make sure this is monitored but it will be detailed so everyone will know what the requirements will be.

Council Member Dayley asked if this is in our ordinance now and Mr. Stephens said it was and the project is up to standard. He also stated it could be updated according to future needs.

Council Member Dayley said it seems like the city's parking ordinance might be lacking in some of the other projects within the city such as the Hills at Renaissance project.

Mr. Stephens said other developments were developed under different requirements but in the future the city will not use these other methods of figuring parking and may remove them completely from the ordinance.

The Mayor said the city has worked on figuring parking by averaging parking and at the Hills at Renaissance there were more people who had moved in per unit than had been approved for each unit creating the parking problem.

There was also mention of parking problems at the new Smith's development and Mr. Stephens said that part of the parking issues in the Smith's development is that employees for Smith's have been taking spots in the store parking lot instead of parking in back of the store. He said Smith's is working on putting in an employee entrance in the rear of their store so employees can park in the back of the store helping to free up parking spaces for customer's in the parking lot.

Council Member Checketts asked what would happen with the new Smoot development if ownership were to change.

Mr. Stephens said the townhomes preliminary plats and final plats will be recorded with the county so regardless of who owns it the regulations will be recorded and it will also be stated in the development agreement.

Council Member Checketts asked which parking spots would be reserved and what spots will be available. She said she is concerned there will not be enough parking spots for both the residential and commercial at the same time either during the day or the evening depending on what the demands are for either place.

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
APRIL 17, 2018
PAGE 11**

Mr. Stephens said there will be existing older commercial units removed as well as a few of the residential homes residences removed so that will also impact the parking by freeing up some parking spaces that have been required for the existing buildings that will eventually be removed.

Council Member Checketts also asked if there will be an easement when the traffic light will go in at the corner of 800 West and 1500 South. Mr. Stephens said there will not be an easement, the developer will be required to deed the property to the city for the street light and the project has been designed on the corner to accommodate the light.

Council Member Checketts also asked what will happen to the exit coming out of the commercial site after the traffic light goes in.

Mr. Stephens said it should be a right turn in and right turn out only but that it is not marked very well at the present time and he said it might be a good idea to mark it better with a more official traffic sign.

Mr. Seegmiller said a more permanent solution may be to put in a concrete barrier so people were compelled to comply. He said it is sometimes hard to make people abide the traffic laws.

Mr. Stephens went on to tell the City Council that the geotech survey showed the soils were not the same in the area where the subsidence is happening and where the Smoot development would be. He also said they did a peer review with the city engineer and he concurred with what the tests had shown that were done by the developer that there is not a concern for subsidence in the area.

Council Member Terry said he was worried about people using their garages as storage areas instead of using them for cars. He said this would add to the parking issues if people did not park their cars in their garages. He asked what could be done if this were to happen.

Mr. Stephens said the developer would have to record this in their covenants and restrictions so that when people move in they understand the parking requirements and restrictions.

Council Member Terry said he thought it would also be a good idea to add this to the development agreement.

Mr. Taylor Spendlove of Brighton Homes who will be building the homes in the Smoot development, addressed the Council. He said there would be a third party management company that would know all of the restrictions and it would also be in the CC &R's. He said they do not want to have this issue either. He said they would also be able to fine the homeowner's or put liens on the homes if the residents were not to comply with the codes and covenants. He said the HOA will have the right to tow vehicles as well, if there is a problem. He also said they would put a restriction in the CC&R's that there could be no sub-leasing or renting of these properties and that also would keep the parking to the limits that are required by city ordinance.

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
APRIL 17, 2018
PAGE 12**

Council Member Checketts asked how long the management company would be in charge of the project and if that company could change in the future. Mr. Spendlove said the HOA can change the management any time but they can't change the CC&R's so whichever management company is in charge, they still have to abide by what the parking restrictions are.

Council Member Westergard asked if the parking could be revisited in the future if there is a parking problem.

Mr. Stephens said that could possibly be added to the development agreement that the Council can revisit the parking restrictions if it ends up being an issue.

Council Member Checketts asked if this wasn't going to open Pandora's Box with allowing crossover parking with other areas of the city. Council Member Westergard noted that this mixed use zone no longer exists so it would not be a problem in the future. Council Member Checketts said it is her opinion that the extra 11 stalls for crossover parking is a lot of stalls and she would like to see the developer add more regular parking stalls to the project.

Council Member Dayley said she would like the two engineering companies to receive some sort of penalty after 3-5 years if the traffic exceeds the threshold they have projected. She said if traffic estimates are incurred, she would like to see judgments by the engineering companies using statistics to recheck the projections and make sure they are correct.

The Mayor said he felt this would be very difficult to do and you would almost have to be car specific as to where the traffic is coming from. He said there are other areas in the city that are also being developed adding growth to the city and will also be adding to the traffic problem so it would be hard to say where the added traffic will be coming from in the future. He said Woods Cross has a traffic problem right now but there is not much we can do about it. He also noted that the trains also have an impact on the traffic problem but there is also nothing that can be done when a train comes down the tracks to relieve the stacking of the cars as they are waiting for the train to go by. He said Woods Cross has to own our traffic problems and the impact they have on our roads. He also said he felt like the new proposed traffic light will help with the growing traffic issues.

Council Member Dayley said she felt like the traffic light will have a minimal impact on the traffic problem within the city.

Council Member Checketts also said she is concerned about the play area that is being proposed. She asked if it would be a public or private play area. Mr. Spendlove said it would be a private play area. Council Member Checketts said she is worried that if neighborhood children want to come and play in the play area, they may be removed from the private play area which could also cause problems. She said it would be good to put a fence around the area so the public did not have access to it.

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
APRIL 17, 2018
PAGE 13**

Mr. Spendlove said they could place a fence around the area if that is what the Council would like to have happen.

Following the discussion, the Mayor called for a vote. Council Member Westergard made a motion to approve the Olde Towne Centre Mixed Use Site Plan with the following conditions:

1. This site plan approval is valid only after a development agreement has been entered into and signed between the developer and the city as required in the mixed use center chapter.
2. As part of the development agreement, the required parking components shall clearly be identified and shall limit the future mix of tenants in the commercial building to the presently defined parking space requirements of the existing tenants as presently calculated.
3. Architectural exterior of the existing commercial building as approved with this site plan shall be completed in conjunction with the construction of the residential component of the mixed use project. In no case may these improvements be delayed beyond the completion of the fifth residential building.
4. During the construction and development of the project, the developer and his contractors shall comply at all times with any applicable regulations and laws of both Woods Cross City and any service district or agency regulating or providing service to the project.
5. A pedestrian walkway tie be put in on the northeast end of the commercial building.
6. Future parking problems may be revisited as stated in the development agreement.

Council Members Larrabee, Westergard, and Terry voted for the motion with Council Members Checketts and Dayley voting against the motion. The motion passed with a vote of three to two.

Council Member Terry thanked both the Planning Commission and staff for all of their hard work regarding this project. He also expressed his disappointment in the Council Members voting nay with the possibility of sending the city back to litigation after this project had been reviewed and had already gone through the litigation process once before.

Council Member Westergard noted that now this project is moving forward he would like to make sure that it is a good project and that the people who move into this project will be welcomed into our city and accepted as our neighbors and part of our community.

Council Member Checketts said she wanted to make sure the city was proactive and not reactive in what was needed.

Council Member Larrabee said he wanted to thank the staff for all of the time and effort they had put into this seeing this project through.

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
APRIL 17, 2018
PAGE 14**

PUBLIC HEARING—PROPOSED AMENDMENTS TO THE FY 2018 WATER FUND BUDGET

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

“As was discussed in the last Council meeting we need to amend the water fund budget to provide for the payment of the water main break flooding claims. Given to the Council is a budget adjustment for the Water Fund of \$350,000 and an expenditure line of \$350,000 for payment of the claims. This will allow us to move money from the Water Fund into the Water No Fault Fund to pay the damage claims.

“The Trust has agreed to make all of the payments up front and they will bill us for the amount above the \$100,000 No Fault payment that they will make. The claims adjustor has been working with the cleanup companies and has gotten them to reduce their costs and with the insurance payment from some of the residents hopefully we will be below the \$350,000 amount.”

Following the review by the City Administrator, the Mayor opened the public hearing.

Mr. Gary Sharp addressed the Council and said he was in favor of this as it was discussed at the last City Council meeting. He said it is good to be prepared in case of a future event. He said he did not like his water bill going up but he likes how the city has handled this situation and has stepped up to help the people who had these problems.

Ms. Dixie Weeks asked the Council if the city’s insurance will go up in price because of what is happening. The Mayor said no because the city was found not to be at fault.

Mr. Neal Hewlett addressed the Council and said he has worked with pipes over many years and it is a fact that pipes are going to leak. He said he is not happy that his water rates will be going up and wondered why he had to help pay for this problem. He asked the Council how much his rates were going to be raised.

The Mayor said he was not sure how much rates would be raised but they would be discussing this at their budget meeting in May. He also said the city wants to take care of its citizens and if it were Mr. Hewlett in this same position, the city would be willing to help him as well.

Sue Robbins living at 1938 West 2295 South suggested this matter be clearly defined with separate documentation and methodology. The Mayor said they would definitely be clearly defining this in the budget and setting a cap for the fund. He said that if in the future they can lower the rates after they have raised the funds needed, they would definitely do so.

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
APRIL 17, 2018
PAGE 15**

Ms. Weeks commented again saying she could support a water rate increase because it could be controlled by how much water she uses, but she did not want to see a tax increase happen because it cannot be controlled.

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

CONSIDERATION TO APPROVE AMENDMENTS TO THE FY 2018 WATER FUND BUDGET

Following the public hearing and comments, Council Member Dayley made a motion to approve resolution 2018-648, a resolution amending the FY 2018 Water Fund Budget. Council Member Checketts seconded the motion and all voted for the motion through a roll call vote.

SAFETY AND ACCOUNTABILITY REPORT

The City Administrator gave the safety and accountability report as follows:

“Given to the Council is the Safety and Accountability Report for the month of March. Thankfully there were no incidents during March. As you are aware we had a number of incidents during February. We hope to keep incident free through the balance of the year.”

DISCUSSION ON FARMER’S MARKET

The Mayor noted this item had been discussed a little bit in the past. He invited Ms. Katrina Adamson living at 1177 West 1500 South to come forward and bring the further information she had gathered regarding the possibility of having a Farmer’s Market in Woods Cross City.

Ms. Adamson noted she had been doing some research on how some of the surrounding cities operated their farmer’s markets. She said she had ideas to bring in food trucks, entertainment, produce and possibly hold the market once a month on a Monday night. She talked about parking, permits, how much payment might be and how they would collect the payments and what vendors might work best for the city.

She said it would be a great event to hold in the city and would bring the community together.

The Mayor and Council said they would like staff to research the city ordinances to see what would be allowable for the farmer’s market participants. They said they thought it was a nice idea but would like to keep it limited to certain items and they do not want it to become a burden to the administration. It was also noted there would need to be support staff such as parks and recreation people, police officers and garbage collection. They said they would like to make sure the fees paid by the participants are in line with the costs of the farmer’s market.

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
APRIL 17, 2018
PAGE 16**

The Mayor said they would go ahead and check on the ordinances then work on the organizational matters to see if they can get things in order. He said he would like to discuss the matter again at the next Community of Promise meeting.

UPDATE ON FLOOD DAMAGE CLAIMS

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

“The claims adjustor has been working on the claims but has not been able to get too many cleared out. As of Friday, she has put out four. The reason that she has not gotten any more is that she’s had other claims she has had to work on since she neglected them while working on ours. She’s made a commitment to me that by mid next week she will have the majority of settlements out to our residents.”

The City Administrator said they hoped to have 15-20 claims done by next week. He said the residents of the city had treated him very well and had been very patient and kind while working through this process.

The Mayor and Council thanked the City Administrator for his hard work on this matter.

MEMORIAL DAY UPDATE

The Mayor asked if the Council had followed up on their assignments. It was noted there were still a few people that were working on things for the breakfast and the Mayor said to let him know when they had further information for him.

OPEN SESSION

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

Mr. Gary Sharp came before the Council and said he was disappointed in the vote by the City Council that was taken for the Smoot development. He said as a member of the Planning Commission, they had done their due diligence in reviewing this matter. He said the ordinances had been followed but just because we don’t like how this project might be working out, we cannot put the city back into a lawsuit again. He said the ordinances are clear and they had been followed. He said he applauded the development agreement and thought it would be a good vehicle to help make sure this development would be a good one. He said those who voted against this development let the city down by opening it up to another lawsuit.

Ms. Dixie Weeks said she was in favor of the farmer’s market but was wondering what the city’s liability would be. The City Administrator said there are ordinances that will cover that.

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
APRIL 17, 2018
PAGE 17**

Council Member Dayley said she was concerned about the flag lots in the new development near the Odyssey elementary school and wanted the staff to look into them. The Mayor said the staff could review them and look into the matter further.

The Mayor noted there had been someone driving around the city throwing out plastic bags with newspaper advertisements in them. He said the wind had blown them all over the city and it was a mess. He asked staff if they could find out who was delivering them. The Staff said they would look into that matter.

WASATCH INTEGRATED WASTE REPORT

The Mayor gave the floor to Council Member Larrabee who reported that every four years the district has an executive training retreat. He said he attended and they had some good speakers and learned some good information. He also said there had been some discussion on using some cement kilns located a ways north of the landfill to dispose of refuse that could be used to replace the burn plant.

MOSQUITO ABATEMENT REPORT

The Mayor gave the floor to Council Member Terry who said the abatement district had purchased a new lab for mosquito testing and are in the process of installing the lab for the upcoming mosquito season.

PLANNING COMMISSION REPORT

Council Member Terry reported on the Planning Commission meeting held April 10, 2017. Please see the minutes of that meeting for the details of his report.

Council Member Terry did say he wanted to thank the Planning Commission for their work on the Smoot development and appreciated their time and effort on this matter.

SOUTH DAVIS METRO FIRE AGENCY REPORT

The Mayor reported that the fire agency had a meeting and they approved the architect and contractor for the three projects of remodeling and new construction that the fire agency is doing.

He said there had been a couple of recent fires that the fire agency and police had responded to. He said the public was very grateful to them for saving some puppies and for the good work in getting a fire out quickly at a trailer. The fire agency thanked the city staff as well for their help with the trailer fire and using some of their equipment to get the fire out quickly.

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
APRIL 17, 2018
PAGE 18**

SOUTH DAVIS RECREATION DISTRICT

The Mayor noted there was a special board meeting held because the director of the recreation district was retiring and he is part of the selection committee to find someone new to run the recreation center.

MAYOR'S REPORT

The Mayor said he had nothing further to report.

CITY ADMINISTRATOR'S REPORT

The City Administrator reported the following:

1. St. George Spring Conference Hotel Rooms

“I have booked hotel rooms for the Mayor and everyone on the Council except for Ryan. I need to know what nights you plan on staying. I have most of the hotel rooms booked for Wednesday, Thursday and Friday nights. If you are not staying Friday night, I will need to know and I will pull that night off.”

He asked the Council if they would email him and let him know what their schedules would be.

He also noted he would be getting out the tentative budget to the Council for their review so they could look at making changes to the budget at the May 1st meeting.

ADJOURNMENT

There being no further business before the City Council, Council Member Westergard made a motion to adjourn the meeting at 9:04 P.M. Council Member Larrabee seconded the motion and all voted for the motion through a roll call vote.

Rick Earnshaw, Mayor

Bonnie S. Craig, Secretary