

**WOODS CROSS CITY COUNCIL MEETING
MAY 15, 2018**

The minutes of the Woods Cross City Council meeting held May 15, 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

*Entered the meeting as noted in the minutes

COUNCIL MEMBERS EXCUSED:

Ryan Westergard

STAFF MEMBERS PRESENT:

Gary Uresk, City Administrator
Tim Stephens, Community Development Director
Greg Butler, Police Chief
Bonnie Craig, Secretary
Scott Anderson, Public Works Director

VISITORS:

Lois Schrader
Tyler Bodrero
Rachael Bodell
Eric Jones
Kelly Rasmussen
Nate Ship

Don Schrader
LeGrande Blackley
Spencer W. McBride
Ryan Kirkham
Alysa Revell
Robert Adamson

Patt Huttzell
Katrina Adamson
Jerry Stevenson
Steve Garn
James Bates

INVOCATION:

Wally Larrabee

PLEDGE OF ALLEGIANCE:

Tamy Dayley

APPROVAL OF MINUTES

The City Council reviewed the minutes of the meeting held May 1, 2018. Following their review Council Member Checketts made a motion to approve the minutes as corrected with Council Member Larrabee seconding the motion and all voted for the motion through a roll call vote. Council Member Dayley abstained from the vote as she was not present at the last meeting.

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
MAY 15, 2016
PAGE 2**

REVIEW OF FINANCIAL REPORT

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

APPROVAL OF CASH DISBURSEMENTS

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

Following the review of the cash disbursements, Council Member Dayley made a motion to approve the cash disbursements for the period of 4/28/18-5/11/18 with the exception of check numbers 15534 and 15535 which would be discussed at a later time. Council Member Terry seconded 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 that the public present 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 brief open session.

COMMUNITY OF PROMISE REPORT

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

Arts in the Park

A few changes,
June 11-Davis County Celebration Orchestra/ "Wonder"
July 9-Flat Canyon Band/ "Peter Rabbit"
August 6-Night Out Against Crime/ "Zootopia"

Book Club-

June 21st will be the next meeting. They will be discussing "Disciple of the Wind" and having a potluck dinner.

CERT

The next round of classes will start September 12 & 13, Wednesday and Thursday nights. The format will be the same as it has been with the same classes being taught both nights, making it easier for people to attend.

Citizens Police Academy will be starting another class on August 2nd

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
MAY 15, 2016
PAGE 3**

Preparedness Fair will September 8th, 9:00 AM-4:00 PM

Farmers Market

Still working on finalizing things on this, the proposed date is June 25th.

Summer Literacy

Still looking for book donations, especially picture books. Fliers will be going home with the elementary school students this week.

Still looking for readers, thinking of reaching out to Firefighters, local TV personalities and Book Club members.

Next meeting will be July 12th

Our group had a few conflicts, so we decided to forgo the June meeting.

The Mayor and Council said they are looking forward to these upcoming activities and thanked Ms. Bodell for her time and effort on the Community of Promise Committee and all the committee does to enrich the lives of the citizens of Woods Cross City.

SWEARING IN OF JEREMY HOWEY AS WOODS CROSS POLICE OFFICER

The Mayor gave the floor to Police Chief, Greg Butler. Chief Butler called forward Jeremy Howey and introduced him to those present as the newest Woods Cross Police Officer. Chief Butler said Officer Howey had 7 years of experience as a parole officer and would be a great addition to the Woods Cross Police force. Chief Butler said he was very excited to have Officer Howey as a part of the Woods Cross Police Department.

Chief Butler had Officer Howey introduce his family who was in attendance with him at the meeting. Following those introductions, the Mayor administered the Oath of Office to Officer Howey. Officer Howey's wife then pinned on his badge and those in attendance offered a warm welcome and round of applause to Officer Howey on his new position in the Woods Cross Police Department.

POLICE DEPARTMENT REPORT

Chief Butler continued with the floor and gave the police department report 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-- 887	April—901	2014—9495
May--	May—1065	2013—8979
June--	June—1069	2012—7347

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
MAY 15, 2016
PAGE 4**

July--	July—1294	2011—6918
Aug--	Aug—1225	2010—7167
Sept--	Sept—989	
Oct--	Oct—1000	
Nov--	Nov—988	
Dec--	Dec—875	
Running Total	3772	Total-11,411

ASSISTS OUTSIDE OF AGENCY

2018

Jan—134
Feb—128
March—134
April—156
May—
Jun—
July—
Aug—
Sept—
Oct—
Nov—
Dec—

ACTIVITY REPORT

- 2 Scout Tours
- 3 K-9 Demos
- Great Shake Out
- Flex Pak Open House
- Hired a New Crossing Guard
- Cops and Kids Fishing Day—June 9th
- National Night Out Against Crime—Aug. 6th
- Next COP TALK—Tuesday, June 19th @ 5:00 P.M.

AWARDS BANQUET

- 5 Awards given –several of them lifesaving awards

CHILDREN’S MIRACLE NETWORK

- Officer’s Working to raise money for the Children’s Miracle Network

DARE GRADUATION

- WX Elementary May 25th @ 9:30 A.M.
- Odyssey Elementary May 30th @ 9:00 A.M.

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
MAY 15, 2016
PAGE 5**

USE OF FORCE REVIEWS

- No uses of Force--We are one of the first in the state and we are the first in Davis County to report and track our uses of force in UCIJS for the FBI and the State of Utah.

*Council Member Checketts entered the meeting at this point.

SWAT TEAM ACTIVITY

- 1 deployment
- SWAT School
- 16 Hours NTOA training

WOODS CROSS SCHOOL ACTIVITIES

- Assisted SLCPD on a shooting investigation
- Simple assault arrest
- Traffic Accident
- 2 lockouts
- Lockdown Drill WX Elementary

K-9 ACTIVITY

- Assist to DCSO on 10-60. Indication on vehicle. Drug paraphernalia located inside.
- Strong 1060. Indication on vehicle. Marijuana located inside.
- 3 Canine Demos

DETECTIVE DIVISION

Agency Assist/Protocol Team Activation X18-00550

WX Detectives were requested by Davis County Attorney's Office to assist with an Office Involved Shooting that occurred in Layton. The incident involved a suicidal intoxicated male that fired multiple rounds from an M4 rifle inside and outside of his residence.

We were tasked to respond to IMC Medical Center for investigation of the suspect, including documentation of injuries, warrant service for blood evidence, and to maintain custody of all evidentiary items obtained from the suspect.

The Council asked about the parking issue on 1880 South and the Chief said he has asked officers to keep an eye out for illegal parking in that area, but the department had been very busy lately so they may not have had the time to look at it in the last 3 or 4 days.

There was also a question about a motorhome that is being parked in the overflow parking lot at the UTA station. The Chief said he will look into the matter.

The Council thanked the Chief for his report and for all the police department does to serve the community of Woods Cross.

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
MAY 15, 2016
PAGE 6**

ADOPTION OF RESOLUTION DECLARING MAY 13-19 AS LAW ENFORCEMENT WEEK IN WOODS CROSS CITY

The Mayor said he was proud to ask the Council to adopt a resolution declaring May 13-19 as Law Enforcement Week in Woods Cross City.

The Mayor asked Chief Butler to explain to those present about Law Enforcement week. Chief Butler said that in 1962 President Kennedy asked to set a week in remembrance of police officers who had been killed in the line of duty. Chief Butler said that in Washington D.C. they have a remembrance at the State Capital of those who have died in the line of duty. He said he has attended that event and it is a very moving and sacred occasion.

The Mayor then read the declaration which in part thanked the police officers for their service as well as encouraged the public to acknowledge the efforts of the police department for the city of Woods Cross and to learn and to listen to what they can do to support and honor these men and women who do such a service for our community.

Council Member Dayley then made a motion to adopt resolution 2018-649, a resolution declaring May 13-19 as Law Enforcement Week in Woods Cross City. Council Member Checketts seconded the motion and all voted for the motion through a roll call vote.

ADOPTION OF RESOLUTION PROCLAIMING MAY 17TH AS NEUROFIBROMATOSIS AWARENESS DAY IN WOODS CROSS CITY

The Mayor gave the floor to Council Member Checketts who explained to the Council that this declaration is to honor and bring awareness of those who suffer from neurofibromatosis. She reminded the Council of the young lady who had come with her mother last month to explain what this disease was and how it affected this five year old little girl. She said this was a very rare genetic disorder and this proclamation would help raise awareness and hopefully help to raise funds by supporting organizations that are trying to raise money to help find a cure for the disease.

Council Member Checketts then made a motion to adopt resolution 2018-650, a resolution proclaiming May 17th as Neurofibromatosis Awareness Day in Woods Cross City. Council Member Dayley seconded the motion and all voted for the motion through a roll call vote.

REQUEST BY BOUNTIFUL DAVIS ART CENTER TO PROVIDE FUNDING FOR SUMMERFEST

The Mayor gave the floor to Ms. Alysa Revell who is the executive director of the Bountiful Davis Art Center and said Ms. Revell is requesting a contribution from Woods Cross City for Summerfest in the amount of \$1500.00. The Mayor noted this was the amount they had contributed in the past and the funds were included in the tentative budget in the RAP tax fund.

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
MAY 15, 2016
PAGE 7**

Ms. Revell then introduced Mr. James Bates who is the Summerfest coordinator. Ms. Revell said she was happy to be back in Woods Cross as she likes the feeling of community she finds here when she comes to visit. She asked Mr. Bates to tell the Council about Summerfest coming up this August. The dates for the Festival are August 10th and 11th and will be located in the Bountiful Park. Mr. Bates said they are expecting 3 international groups and are looking for help to house the dancers. Mr. Bates said Woods Cross residents have been very good at helping to do this in the past years. Mr. Bates also said they will have 30 art vendors and 20 food vendors which will make it a great event. Ms. Revell said this event is free to the public. She said she is very excited for this event to take place this year and she thanked the Mayor and Council for their donations and support of this event.

The Mayor and Council thanked Ms. Revell and Mr. Bates for their information and said they are also looking forward to attending this event this summer.

REQUEST TO RENAME MT. VIEW BOULEVARD TO UTAH SAINTS BOULEVARD

The City Administrator noted there was no one at tonight's meeting representing this item.

**CONSIDERATION TO ADOPT AN ORDINANCE AMENDING THE ZONING
ORDINANCE MODIFYING THE OUTSIDE STORAGE REGULATIONS WITHIN THE
I-1 LIGHT INDUSTRIAL BUSINESS PARK ZONE**

The Mayor gave the floor to Mr. Tim Stephens, the Community Development Director who noted the following for the City Council:

“Several months ago the City Council reviewed a draft amendment regarding outside storage in the I-1 Light Industrial Zone. The Planning Commission initiated this amendment based on discussions with Jerry Stevenson and his industrial park. At that time the City Council tabled the matter and then some weeks later held a work session with the Planning Commission. At the conclusion of the work session, the City Council remanded to the Planning Commission the amendment asking that they consider modifying the amendment.

“The Planning Commission has spent the last couple of months reviewing and modifying sections of the proposed ordinance. One modification the Commission made to the proposed draft would permit the Commission to consider other fencing standards on parcels that are encumbered by restrictive gas easements or similar easements. The Planning Commission has forwarded to the City Council a recommendation to approve the outside storage amendment to the I-1 zone given to the Council.”

The Community Development Director also said there are pipelines and waterlines that run through the property in question that will not allow structures on them so some of the lots on this property are very challenging to try to develop.

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
MAY 15, 2016
PAGE 8**

The Mayor asked Mr. Stevenson and Mr. Bodrero who are owners and developers of the proposed property, if the outside storage revision addresses the challenges they have been facing with this property. Mr. Bodrero said he felt there had been compromises on both sides and the Planning Commission had put a lot of time and effort into this matter and had worked hard on getting the revisions done. He said he realized that the city has to be sensitive to all properties within the city when considering these types of changes. He said he was happy to see all of the input from the Planning Commission and the City Council to get to this point.

Mr. Stevenson said he wanted to point out that there were no changes made for the lots in the proposed business park subdivision that abuts to the residential area. He said they had come seeking changes for only the properties that are backing the industrial area.

The Council asked how hard it will be to get written permission from the easement companies for the development. It was noted that it depended on the particular company so it would be hard to say. The Mayor noted those companies included Chevron, Holly Energy, Tesoro, Weber Basin Water, Woods Cross City and North Salt Lake City. He mentioned some of the above may be easier to work with than others regarding the easements.

Council Member Dayley said she had concerns that changes in this ordinance change the whole zone and it may open Pandora's Box. She said she has concerns about the noise that will be brought in with businesses in this developments and she did not see this problem addressed in the ordinance change. She said the noise problems are hard to police and can be subjective. She said she felt like more concise and better language was needed for the ordinance change.

Mr. Stephens explained that there is not that much property in Woods Cross that will be subject to this particular ordinance change. He said it only affects four lots in the subdivision that Mr. Stevenson is proposing.

The Mayor also reminded the Council that there is an eight foot fence required for this zone change so that will also be a good revision for this area.

Council Member Terry said that the Planning Commission and the City Council had spent many hours in discussion in various meetings and felt that the changes are very strict in what would be allowed with this ordinance change.

Council Member Dayley said if it exists now it will still exist. She said the Planning Commission had done an admirable job but she didn't think the changes should be made or a new zone created for four lots.

It was noted that any business wanting to locate in this business area would still have to go before the Planning Commission for a conditional use permit so there would still be a review of what might be located in the area. It was also noted that this parcel of property was not designed for manufacturing.

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
MAY 15, 2016
PAGE 9**

Council Member Dayley mentioned she had toured a facility that might be like one of the businesses that would be allowed in this business area and said in the summer time when it is hot the doors of the businesses are open and you can hear what is going on inside their facility. She said that businesses have a tendency to do what they want no matter what the ordinances say. She said she is still concerned about this zone being noisy.

Council Member Terry said the Council may need to review the masterplan and see how some of these areas are laid out in the city and see what is planned to be located in these business areas.

Following the above discussion, Council Member Terry made a motion to adopt ordinance 582, an ordinance modifying the outside storage regulations within the I-1 Light Industrial Business Park Zone. Council Member Larrabee seconded the motion and all vote for the motion except Council Member Dayley who voted nay. The motion passed with a vote of 3-1.

DISCUSSION ON SHAMROCK VILLAGE PRELIMINARY PLAT LOT CONFIGURATION

The Mayor gave the floor to Council Member Dayley who said she had several concerns regarding several of the lots in the Shamrock Subdivision that she felt like were configured as flag lots. She said the driveway is not a street so it does not meet the requirements of the R-1-8 Zone. She asked how the measurements were taken that come from a private drive and how the frontage of the property is figured.

Council Member Dayley said the Council also spent a lot of time reviewing this subdivision and the Council did not want this to be like other subdivisions with HOA's and private streets. She also said the Planning Commission had concerns about snowplows and parking issues. She said she contends there are flag lots in this subdivision and there is not parking for visitors, friends or roommates. She said there have been similar issues in the Valentine estates subdivision and there were complaints about parking problems.

Mr. Stephens said the lots in question do not meet the definition of a flag lot according to city ordinance. He said the measurements are taken 30 feet back from street line as stated in the ordinance. He said that if this is not how the Council wants this ordinance to read it may need to be looked at to make sure the ordinance is amended to what is wanted in the future.

Council Member Dayley said as long as it is unclear where the setbacks and frontage are it does need to be reviewed.

Mr. Stephens said it might need to be outlined what is considered a private street and how it is explained in the ordinance.

Council Member Checketts asked if all private lanes show more private parking. She also asked if the street would be wide enough to park a car and get by on the street.

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
MAY 15, 2016
PAGE 10**

Mr. Nate Shipp, a developer for Shamrock Village said no there is not room because of the fire allowance but there are 2 car garages as well as parking in the driveway areas as is in most subdivisions.

Council Member Checketts observed that there are areas to park on the other streets where visitors can walk to the homes to visit. She asked if the people who are going to purchase the homes would be informed there would be no parking on the private streets and Mr. Shipp said they would be informed when the homes were purchased of the no parking rules.

It was noted there were 2 houses on each of the streets in question so there were not many homes that were affected but there should be adequate parking as there were a few more parking stalls being added to the subdivision for visitor parking.

Council Member Dayley said she felt there needed to be more discussion on private HOA streets versus public city streets.

Mr. Stephens said they could look at it in the land development or subdivision sections of the ordinance.

REVIEW OF PROPOSED FUNDING TO COMPLETE WAREHOUSE AND MATERIAL STORAGE PORTIONS OF THE PUBLIC WORKS FACILITY

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

“The Public Works Director and I have been working on getting the materials building and warehouse included back into the project. The Public Works Director would like to also include the motorized gate, overhead door openers, and windows back into the project as well. The total of including these items is \$638,532 which will bring the total cost of the project to just a little under 7.5 million To cover the cost of the additional \$638,532 I am recommending that we use an additional \$390,000 from the Class C Fund and \$248,532 from the Storm Drain Fund. Using these funds is justified since the materials building and the warehouse will be utilized by both funds. The usage of the Class C Funds removes nearly all of the fund balance that we have in the Class C fund. Although our original position was not to use any of the Class C funds, I feel it is justified to make sure we get these buildings built at this time. The Storm Drain Fund has a cash balance of \$400,000, however, \$100,000 of that will need to go for the FY 2018 payment on the bond for the public works facility.”

The Council asked if this might qualify for Prop 1 Funding. The City Administrator said he thought it might and he would be looking into that possibility.

Council Member Terry noted that without adding the storage buildings back into the project, the project would not be in compliance with city ordinance for storage.

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
MAY 15, 2016
PAGE 11**

Following the information given, Council Member Larrabee made a motion to approve funding to complete the materials building, warehouse, motorized gate, overhead door openers and windows back into the Public Works Facility. Council Member Terry seconded the motion and all voted for the motion through a roll call vote.

DISCUSSION ON ALLOWING CONCESSIONS IN CITY PARKS

The City Administrator noted the following for the City Council regarding allowing concessions in city parks in conjunction with the discussions that have taken place regarding a farmers market in Woods Cross City:

“In regards to concessions in city parks, they are prohibited by section 8-06-180 of the municipal code which states: “no person may sell food, drinks, or other items in city parks except as may be permitted by special permit approved by the City Council.” To allow concessions in our parks, we need to create the special permit referenced in this section. The Community Development Director and I will be working with Mark Bell to create the permit.”

The Mayor and Council had a discussion on allowing concessions in the parks. Ms. Katrina Adamson who is working with the Mayor and Council on the possibility of having a farmers market in Woods Cross City also gave input during the discussion.

Following the discussion, it was decided that an umbrella permit could be issued for the farmers market and the prices for the permits could be determined by Ms. Adamson and Mr. Stephens as they further research on who would be using the permits and what the costs would be and what the best way to handle the permits would be for future use.

The City Council said they felt good about this type of approach and encouraged staff to move forward with the further research in how the best way to handle these permits would be. They also thanked Ms. Adamson for her time and effort on the farmer’s market project and said they are looking forward to having this activity this summer and felt that it would be a good community event and would be beneficial for the community.

SAFETY AND ACCOUNTABILITY REPORT

The City Administrator continued with the floor and noted for the month of April there was one incident involving Officer Corey Boyle where he sideswiped a tow truck while negotiating through a narrow alley. He said the damage to the truck was not significant and has been fixed.

OPEN SESSION

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

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
MAY 15, 2016
PAGE 12**

Mr. Spencer McBride living at 1263 South 875 West said he loved the idea of a farmers market. He did ask if the food trucks they would be allowing at the event would draw business away from some of our local restaurants. He said he felt like it would be a good idea to give first preference to be included in the farmers market to businesses located within Woods Cross City. The City Council said they felt like this was a good idea and thanked Mr. McBride for his input.

There were no further comments for the open session and the Mayor closed the open session.

WASATCH INTEGRATED WASTE REPORT

Council Member Larrabee noted that the Waste District had approved a tentative budget and had reviewed a project design for the new transfer station. He said they have given out requests for RFP's and construction should start the end of the year.

MOSQUITO ABATEMENT REPORT

Council Member Terry said this district is moving along. He said he would make sure to get the dates on the spraying calendar for the city wide activities for the summer.

PLANNING COMMISSION REPORT

Council Member Terry said he was unable to attend the Planning Commission meeting because he was in attendance at another meeting that night.

SOUTH DAVIS METRO FIRE AGENCY REPORT

The Mayor noted this meeting had not yet taken place so he would report on it at the next City Council meeting.

SOUTH DAVIS RECREATION MEETING

The Mayor also noted this meeting had not yet taken place so he would also report on this meeting at the next City Council meeting.

MAYOR'S REPORT

The Mayor said he had receive an invitation to the Golden Spike Event and told the Council they could participate if they would like. He said the event would include a 100 mile bike ride. He said activities would start in Woods Cross at the Legacy Trail at 11:45 A.M. He also said on September 8th there would be an Emergency Preparedness Fair that would be held at the Megaplex Theatres in Centerville and invited everyone to attend.

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
MAY 15, 2016
PAGE 13**

CITY ADMINISTRATOR'S REPORT

The City Administrator reported the following to the City Council:

1. Update on flood Damage

“Given to the Council is an updated report of the claimants and where we are with each of the claims. Of the 23 claims, 16 of them have been closed, we are waiting for signed releases on three, and we are still working on four. Hopefully, these will all be closed within the next couple of weeks. As you will notice, the amount paid is well below \$400,000 meaning that our payment will be below \$300,000.”

MOTION TO GO INTO CLOSED SESSION

At 8:46 P.M. Council Member Larrabee motioned the meeting go into closed session with Council Member Checketts seconding the motion and all voted for the motion through a roll call vote.

MOTION TO GO INTO OPEN SESSION

At 9:11 P.M. Council Member Terry made a motion to go into open session with Council Member Larrabee seconding the motion and all voted for the motion through a roll call vote.

ADJOURNMENT

At 9:11 P.M. Council Member Terry made a motion to adjourn the meeting with Council Member Larrabee seconding the motion and all voted for the motion through a roll call vote.

Rick Earnshaw, Mayor

Bonnie S. Craig, Secretary