

**WOODS CROSS CITY COUNCIL MEETING
JUNE 5, 2018**

The minutes of the Woods Cross City Council meeting held June 5, 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
Ryan Westergard

COUNCIL MEMBERS EXCUSED:
Matt Terry

STAFF MEMBERS PRESENT:
Gary Uresk, City Administrator
Tim Stephens, Community Development Director
Greg Butler, Police Chief
Scott Anderson, Public Works Director
Jessica Sims, City Recorder/ Finance Director
Michelle Rowley, Court Clerk
Adam Osoro, Police Lieutenant

VISITORS:

Rajan Zed	Jason Meservy	Sue Robbins
Matt Wright	Logan Wright	Tim Bothell
Sharm Smoot	Jen Langton	Brian Langton
Megan Langton	Sean Peters	Sharon Peters
Caity Peters	Donna Johnson	Cacey Bowen

INVOCATION: Rajan Zed

PLEDGE OF ALLEGIANCE: Julie Checketts

APPROVAL OF MINUTES

The City Council reviewed the minutes of the meetings held May 8, May 15, and May 29. Following their review, Council Member Larrabee made a motion to approve the minutes of May 8 as written with Council Member Checketts seconding the motion with all voting for the motion through a roll call vote except Council Member Dayley who abstained because she was not at that meeting.

Council Member Dayley then made a motion to approve the minutes of the City Council meeting held May 15 as written with Council Member Larrabee seconding the motion and all voted for

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the motion through a roll call vote except Council Member Westergard who abstained because he was not at that meeting.

Council Member Checketts then made a motion to approve the minutes of May 29 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 Council then reviewed the cash disbursements for the time period of 5/12-5/25 which also included checks 18534 & 18535 from the previous cash disbursement listing. Council Member Westergard made a motion to ratify the cash disbursements as presented with Council Member Dayley 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.

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

YOUTH CITY COUNCIL REPORT

There was no Youth City Council report at tonight's meeting.

PUBLIC HEARING: OLDE TOWN CENTRE FINAL PLAT LOCATED AT 1500 SOUTH 800 WEST

The Mayor gave the floor to the Community Development Director who went over the following with the City Council:

“Recently, the City Council approved the preliminary plat for this project. Given to the Council is the final plat which will be recorded at the county for the Olde Towne Centre Project. Again, the plat consists of a lot for the existing commercial building in addition to 45 townhomes and common area. As you will note on the preliminary plat, the dedication of the triangle property at the intersection for the purpose of providing the city of the needed property for the future traffic light. Also as with the preliminary plat, the final plat will grant 11 parking stalls within the commercial lot for use of the townhome HOA.

“The Planning Commission has recommended that the City Council approve the Olde Towne Centre Preliminary Plat with the condition that the plat not be recorded until the development agreement is completed. The final plat and development agreement shall both be recorded.”

The Mayor then opened the public hearing for anyone who would like to make public comment.

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There were no comments from the public present and the Mayor closed the public hearing.

Mr. Stephens noted this would be the final subdivision that would be recorded with the county but the development agreement is still being worked on. He also said there are CC&R's that are also going to be attached to this project and are being worked out.

Council Member Westergard made a motion to approve the Olde Towne Center Final Plat with the condition that the plat not be recorded until the development agreement is completed and approved and accepted by the city. Council Member Larrabee seconded the motion and all voted for the motion through a roll call vote.

SILVER EAGLE REFINERY UPDATE

The Mayor gave the floor to Mr. Jerry Lockie who was at tonight's meeting representing Silver Eagle Refinery. He updated the Council on the activities of the refinery. He first apologized about a large flair that had caused a loud noise that had concerned some of the citizens in the city. He said the noise had been cause by a shutdown process and there were no safety concerns associated with the noise. He said they had since changed their shut down procedure so this loud noise would not happen again.

Mr. Lockie said they had finished with their major safety initiatives. He went on to report on their safety record and said they are doing very well with their safety record. He said they are trying to work all of these new safety measures into the refinery culture so they will become second nature to all those who work at the refinery. He said they are moving in a very good direction in doing this.

He said they have continued to make improvements on their energy efficiency with bringing the efficiency up by 10%. He also said they have been able to process 10% less crude which diminishes the emissions which is a benefit to the city.

Mr. Lockie said over the next year he will be phasing himself out of this company as he plans to retire May of 2019, but he will stay on for about a year or so as a consultant if needed.

The Mayor said he has appreciated Mr. Lockie and all he has done to improve things at the refinery. The Mayor said there has been tremendous progress in making safety a priority at Silver Eagle and he was grateful for Mr. Lockie and his expertise and hard work in improving the safety and work environment of the company. Council Member Westergard also said he appreciated the partnership with all that Mr. Lockie and the City and all he has done to improve things at the refinery and become a great community partner.

**CONSIDERATION TO ADOPT THE SILVER EAGLE REFINING INCIDENT
EMERGENCY RESPONSE PLAN AS AN APPENDIX TO THE WOODS CROSS CITY
EMERGENCY PLAN**

The Mayor gave the floor to the Public Works Director who noted the following for the City Council:

“Given to the Council is a copy of the Silver Eagle Refining Incident Response Plan that has been reviewed by the Public Works Director, the police department and the fire district. They have all had their input on the plan. We would like to adopt it as an appendix to our Emergency Management Plan.”

Following the information given, Council Member Dayley made a motion to adopt the Silver Eagle Refining Incident Emergency Response Plan as an Appendix to the Woods Cross City Emergency Plan. Council Member Checketts seconded the motion and all voted for the motion through a roll call vote.

**RECOGNITION OF SILVER EAGLE REFINING, CROFT POWER AND THE DAVIS
COUNTY CLIPPER AS WOODS CROSS BUSINESS SPONSORS OF THE 2018 SOUTH
DAVIS PREPAREDNESS FAIR**

The Public Works Director continued with the floor and introduced the members of the preparedness committee. He first introduced Cacey Bowen who volunteers with the Bountiful Emergency Response Committee and is the chairman of the emergency preparedness fair. He also introduced Mr. Jason Meservy who is the manager of preparedness for West Bountiful City. He also noted that Chief Butler of the Woods Cross City Police Department and Chief Paul Child of the Centerville Police Department along with Debbie Olsen of Centerville City are also on the preparedness committee. Dave Edwards of Bountiful is also on the committee. The Public Works Director asked the Mayor if he could talk to the Mayor of North Salt Lake to see if there was someone who could represent that city on the committee. The Mayor said he would look into the matter.

The Public Works Director said that because of construction at Woods Cross High School, the preparedness fair would be held at the Megaplex Theatre Complex in Centerville on Saturday, September 8, 2018. He went on to introduce the business sponsors for Woods Cross City for the preparedness fair. He introduced Silver Eagle Refinery who had donated \$7,500 for the fair, Croft Power with a donation of two 2000 watt generators with two transfer cases with a value of \$1500, the Davis County Clipper who will publish a preparedness fair insert which will be sent to all homes in South Davis County. He thanked those sponsors who had made these generous donations and said he felt like these donations would help add to the success of the fair.

The Mayor and Council also thanked the sponsors who were in attendance at the meeting for their participation and help with the preparedness fair to ensure its continued success.

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AWARDING OF 2018 YOUTH CITY COUNCIL SCHOLARSHIPS

The Mayor then invited Ms. Megan Langton and Ms. Caity Peters from the Youth City Council forward. He recognized them for their great leadership and for the example these two young ladies had contributed to the Woods Cross Youth City Council.

The Mayor then presented Ms. Langton and Ms. Peters with \$500 scholarships. The Mayor and City Council congratulated them on receiving these scholarships and thanked them again for their hard work and service on behalf of Woods Cross City.

Council Member Westergard, as Council Member over the Youth City Council, said he had worked with both of these young ladies and said he would miss them on the Youth City Council as they had worked very hard and had done a great job.

REQUEST TO RENAME MT. VIEW BOULEVARD TO UTAH SAINTS BOULEVARD

The Mayor noted there was no one at the meeting representing this item.

**7:00 PUBLIC HEARING—COMMENTS ON ADOPTED FY 2019 TENTATIVE
BUDGET FOR ALL CITY FUNDS**

The Mayor gave the floor to the City Administrator who went over the following proposed changes to the FY 2019 Tentative Budget as follows:

Expenditures

Police Salaries & Benefits (Adjustment of Pay Scale)	\$16,000
100% Adjust of Tier 2 Employees to equal Tier 1 Employees	\$27,000
Non-Departmental—Tuition Reimbursement	\$6,000
2% Reduction in Merit Increase	\$(44,000)
Addition of 1% Bonus	\$18,000
Assistant City Manager Salary Benefits	\$122,000
Move part of City Manager Salary & Benefits to RDA	-\$32,000
Reduction in Workman Compensation rates	\$(36,000)
Total Expenditures	\$89,000

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Revenues

Sales Tax: Increase from \$2,814,000 to 2,881,000	\$67,000
Planning & Zoning Fees: Increase from \$5,000 to \$12,000	\$7,000
Interest Income: Increase from \$35,000 to \$45,000	\$10,000
<u>Sales of Fixed Assets: Increase from \$20,000 to \$25,000</u>	<u>\$5,000</u>
Total expenditures	\$89,000

The City Administrator then noted there had been some discussion on merit increases and how it might negatively affect the police department. The City Administrator said he felt that this needed to be reviewed.

The Mayor then opened the public hearing on the tentative budget.

Mr. Casey Bowen of Bountiful City commented that he had great concerns about the lack of compensation in general for police officers and being able to attract qualified people into public service because there were no incentives for them to work in these areas because of the low pay and the lack of benefits for public servant jobs. He said it is very difficult to find good people to fill these types of jobs at the current time. He told the Council that the last time Bountiful City had tried to hire police officers, the majority of them could not pass a background check or failed the drug testing. He said it is very difficult these days to find good people to work in these jobs and the lack of pay is part of the problem. He said he would like to address the legislature about this problem.

The Mayor said he appreciated those comments and said he and the Council are aware of this situation and at their last budget meeting, this had been the bulk of their discussion on how the City can compensate the officers more fairly. He said they are looking at ways they will be able to do this by using a tier pay program as well as other ideas they can use to help make this situation better.

Chief Butler then stepped forward and noted for the Council that the surrounding cities in South Davis County will be giving their police officers anywhere from a 5% to 10% raise. He noted that if Woods Cross officers hear about the raises that other cities are giving, they may leave our police department to go elsewhere to find jobs. He said it will kill the Woods Cross Police Department if the city cannot find funds to help with compensation for the police department.

There was some discussion about what COLA and merit raises are being considered. The Chief asked for a 4.25% merit increase and then an additional COLA raise.

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Chief Butler said we have outstanding officers and he does not want to lose them to other departments. He said he would ask the Council to look at this again. There was some discussion about using the appraisal performance form and having that be part of the evaluation process and then reviewing these evaluations to consider merit increases.

The City Administrator said that things are moving ahead as discussed and with a 1% COLA increase and a 4% raise for the police department and then hopefully things can be revisited at the beginning of the next year to see where things were at. He suggested doing a market survey and see where the city is in comparison to the rest of the market at the beginning of the year. He said these are real issues the police department is facing and they need to be addressed.

Council Member Checketts said she has had feedback from citizens and they have said they would like to know who their police officers are and they feel more comfortable when they recognize their hometown officers and she feels like the residents of Woods Cross would like to see their police officers paid fairly.

Council Member Larrabee then asked how often the police officers were evaluated. It was noted evaluations take place once a year. The Chief went on to say they do main evaluations once a year but smaller evaluations are done more often. Council Member Larrabee said that one thing that came up in their budget meeting was that there is an expectation for raises and he said he feels like there needs to be input from everyone so that there is not a feeling of an entitlement situation. He said it is important that the funds are looked at very carefully and there are not certain expectations year after year because those expenses are a lot of money. He said we are getting a great deal with the police officers and the police department but he felt like the Council needs to be careful with taxpayer money.

It was noted that maybe it needs to be called something different than a merit system but maybe for the police department it is a tiered pay scale instead.

Council Member Westergard asked if there are comparable benefits from the surrounding cities. He said he felt like this would be good to look at as well because benefits are an important part of what the employees benefits are as well.

The City Administrator said the city's medical insurance benefits are better than some of the other cities and it is one of the best insurance coverage programs in comparison.

Council Member Westergard said the health insurance benefits the city offers is a big benefit to the employees and health insurance is very expensive so it should be considered as part of the big picture when looking at this issue. He went on to say he is a big fan of our police department and he thinks they are doing great things. He said he is not sure that the Council can fix everything about the public safety jobs being recruited and retained but he hopes that the balance can be found. He said the money that is being used is tax payer money and it needs to be handled carefully. He said there needs to be a balance and there needs to be a difference between what a COLA is and what a merit increase is.

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Lieutenant Osoro addressed the Council and said the officers are held to standards and if they do not meet those standards and job performance expectations, they will be terminated. The City Council was given Lieutenant Osoro's written evaluation as a part of the example and explanation by the Police Chief as to how evaluations are done so they can look at what they are trying to accomplish by these evaluations and how they may be used in the merit increases.

The City Recorder said she would prepare a sheet of paper be given out to each employee outlining how they are paid and what portion of those payments go to other benefits so it is clear what their overall compensation is. The Council said they thought this was an excellent idea.

The Mayor thanked the police chief and Lieutenant Osoro for their comments.

The Mayor then closed the public hearing.

The City Administrator said he would like some direction on how to proceed. Council Member Larrabee said he would like to see it move ahead as discussed in the previous budget meetings and possibly revisit and evaluate this issue again after the first of the year.

The Council discussed what they felt like they would like to recommend as far as the increases go. The majority of the Council said they would like to go with the original budget and train the supervisors how to best to do evaluations and give merit raises as well as to help the employees understand all of their benefits and how it helps them and adds to the bottom line of their paycheck.

CONSIDERATION TO ADOPT A RESOLUTION CERTIFYING USERS OF THE WOODS CROSS PTIF ACCOUNT WITH THE UTAH STATE TREASURER

The Mayor then went over the following information with the Council:

“The Utah State Treasurer has requested that each entity that has a PTIF account adopt a resolution identifying those who within the city are users. Given to the Council is a resolution which identifies the individuals that can access the PTIF account.”

Following the information given by the Mayor, Council Member Dayley then made a motion to adopt resolution 2018-651, a resolution certifying users of the Woods Cross PTIF account with the Utah State Treasurer. Council Member Larrabee seconded the motion and all voted for the motion through a roll call vote

MOTION TO GO INTO RDA MEETING

At 8:27 P.M. Council Member Westergard made a motion to recess the City Council meeting in favor of an RDA meeting because the City Administrator needed to be excused from the meeting as soon as the RDA meeting was concluded. Council Member Larrabee seconded the motion and all voted for the motion through a roll call vote.

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At 8:32 P.M. The City Administrator was excused from the meeting.

MOTION TO GO BACK INTO CITY COUNCIL MEETING FROM RDA MEETING

At 8:34 P.M. Council Member Westergard made a motion to close the RDA meeting and go back into City Council meeting with Council Member Checketts seconding the motion and all voted for the motion through a roll call vote.

DISCUSSION ON USE OF RAP TAX FUNDS FOR A SMALL BASKETBALL COURT AT THE FARM MEADOWS PARK

The Mayor noted he had been approached by a young man living within the city that would like to have a small basketball court put in at the Farm Meadows Park. The Mayor asked the Council if they felt like this would be a good way to use some of the RAP Tax funds and if they liked this idea of putting a basketball court in at this particular park. The Council said yes they felt this was a good idea for the area.

The Mayor said he would contact the Public Works Director and see what it might take to get a basketball court put in at this city park.

MEMORIAL DAY REVIEW

The Mayor asked the Council if they had any feedback they would like to give regarding the Memorial Day Celebration.

Council Member Checketts said she thought it would be a good idea to have a first aid kit on hand for the 5K run. They also mentioned it might be a good idea to have a garbage can and hose on hand for other incidents or mishaps.

Council Member Westergard said he thought it was fantastic. He said the speakers were great and the weather was good.

Council Member Dayley said she felt bad there were not more people there to listen to the keynote speaker. She said she really thought the band was great as well.

The Mayor said one suggestion he was given was that maybe people attending the program might be able to get a sticker dot that would allow them to get in line for the breakfast so they don't have to wait in line for the breakfast because they had attended the program. It was also suggested the race start a little later after the program is over.

The Mayor thought these were good ideas.

The Mayor also said he was given a suggestion on doing a memorial field where crosses could be put up with service member's names who had died in service to our country and place them on the City grounds somewhere close to the celebration. He said they could possibly use the

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Memorial Wall at the city building to start with those names. The Council said they thought this would be a nice addition to the Memorial Day Celebration.

The Mayor also said there had been about 2800 people who had been served breakfast and he felt like things went very well this year.

OPEN SESSION

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

Council Member Dayley said there is some old junk in front of the public works building that needs to be removed from the front of that building. Some of the other Council Members also said they had seen some of these items and they did make the area look like an eyesore and would like to see these items removed.

Council Member Checketts said there had been a planned power outage in an area in the city but the city offices did not get any notice this was going to happen. It was discussed that it would have been nice if the city had been informed so they could pass that information along to the community if they were to get calls asking about it. There was some concern about a city resident who had talked to Council Member Checketts, who said she cannot go without power for an extended period of time. It was noted that citizens who cannot go without power for a day might need to see about getting a generator and they could talk to Crofts about that.

Council Member Checketts also asked the Mayor about the Prop One funds. The Mayor said he will be attending a COG meeting coming up and distribution of the funds will be discussed after the new county commissioners are elected.

Council Member Checketts asked if the city was going to shop around for insurance and see about getting some bids. It was noted that the Council would need to talk to the City Administrator about that. The Council noted they thought this might be a good idea to see if they could get better rates elsewhere.

PLANNING COMMISSION REPORT

The Mayor noted that Council Member Terry was not at the meeting to report on the last Planning Commission meeting. Please see the minutes of that meeting for the details of that meeting.

SOUTH DAVIS SEWER DISTRICT REPORT

The Mayor gave the floor to Council Member Westergard who reported on the activities of the South Davis Sewer District.

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He said that both of the ongoing projects are moving along, especially the waste to energy project which is really moving forward quickly. He said he had been appointed to be on the board of this joint venture. He said this new joint board is starting to meet once a month to help get things going. He said when they are up and running with the new projects they will have tours and open houses so the public can see the benefits of these projects.

He also said the rate increase went into effect that they had discussed previously.

MAYOR'S REPORT

The Mayor noted for the Council that the ribbon cutting for the Black Bear Diner will be June 19th. He also said the new Dairy Queen is now open and is planning its grand opening after the 4th of July.

He said the Golden Spike Ride was this last Saturday. He said Officer Strong rode to represent Woods Cross City. He said it was a very successful event.

CITY ADMINISTRATOR'S REPORT

The Mayor reported for the City Administrator noting the following:

1. Water Damage Claims

“We are down to two claims that have not been resolved. I will follow up and get an update of where we are at with these claims and the dollar amount we are responsible for.”

The Mayor said the dollar amount the city would be responsible for would be quite a bit less than they were expecting so that was good news.

The Mayor noted there was an employee who had filed a grievance. He said he had appointed an investigator to look into the grievance and then he as the Mayor had made a decision after interviewing those involved and reading the report from the investigator. He said the employee is appealing his decision so the Council will now need to be involved to review this matter and make a decision regarding the appeal. He said the Council needed to plan a time they could meet with the person who had filed this grievance.

They discussed different options and it was decided that they would meet on June 12, at 8:30 P.M.

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ADJOURNMENT

There being no further business before the Council, Council Member Westergard made a motion to adjourn the meeting at 8:30 P.M. Council Member Checketts seconded the motion and all voted for the motion through a roll call vote.

Rick Earnshaw, Mayor

Jessica Sims, City Recorder