

**WOODS CROSS CITY COUNCIL MEETING
JULY 3, 2018**

The minutes of the Woods Cross City Council meeting held July 3, 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
Tamra Dayley
Julie Checketts

Wally Larrabee
Matt Terry
Ryan Westergard

STAFF PRESENT:

Gary Uresk, City Administrator

VISITORS:

LeGrande Blackley
Ashley Allan
Dennis Hooper

INVOCATION:

Rick Earnshaw

PLEDGE OF ALLEGIANCE:

Gary Uresk

APPROVAL OF MINUTES

The City Council reviewed the minutes of the meeting held July 19, 2018. Following their review, Council Member Dayley made a motion to approve the minutes as written with Council Member Checketts seconding the motion and all voted for motion through a roll call vote except Council Member Westergard and Council Member Terry who abstained because they were not at that meeting.

CONSIDERATION TO ADOPT AN ORDINANCE AMENDING CHAPTER 9 OF TITLE 3 OF THE WOODS CROSS CITY MUNICIPAL CODE REGARDING EMPLOYEE APPEALS AND ESTABLISHMENT OF A HEARING OFFICER TO HEAR EMPLOYEE APPEALS

The Mayor gave the floor to the City Administrator who in turn gave the floor to the City Attorney, Mr. Mark Bell.

Mr. Bell noted there were some ordinance changes that had not been updated for many years. He said these ordinances concerning appointing an independent hearing officer needed to be considered and addressed. He noted it would be beneficial to update these ordinances to help all involved with the appeals process.

The City Administrator noted the following for the City Council:

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“The City Attorney, Mr. Mark Bell feels we need to make these change as soon as possible to address a potential employee appeal. Given to the Council is the email sent by Mr. Bell giving the reasons for the proposed change to a hearing officer. I have also given to the Council a copy of the proposed changes to Title 3. Mr. Bell will be working on finalizing the language this weekend and will send them out as soon as he has them completed. Mr. Bell will be at the City Council meeting to address any questions you might have.”

The City Attorney went over the proposed changes with the City Council. The City Council reviewed those changes and asked a few questions regarding this issue.

The Council asked if the same independent Council could be hired to work for the Board of Adjustments as well as the new hearing officer. The City Attorney recommended that it be a licensed person but it could be the same person or it could be someone independent of other duties.

It was also asked if these changes force employees to get an attorney. The City Attorney said no it did not force employees to get an attorney, but it does give notice that they can have an attorney.

There was also discussion on how many days might be considered for the appeals process and how those dates are determined.

The question was asked of why this was being considered right now and the City Attorney noted it did need updating as well as there may be a matter coming up for this update to be in place to protect all involved going through this type of process.

Following the discussion, Council Member Westergard made a motion to adopt ordinance 583, an ordinance amending Chapter 9 of Title 3 of the Woods Cross City Municipal Code regarding employee appeals and establishment of a Hearing Officer to hear employee appeals as presented. Council Member Terry seconded the motion and all voted for the motion through a roll call vote.

**CONSIDERATION TO ADOPT A RESOLUTION AMENDING SECTION VII OF THE
WOODS CROSS CITY PERSONNEL POLICIES AND PROCEDURES MANUAL
REGARDING EMPLOYEE APPEAL PROCEDURES AND ESTABLISHMENT OF A
HEARING OFFICER TO HEAR EMPLOYEE APPEALS**

The City Attorney then explained this next proposed change brings the personnel policies consistent with what was just adopted above.

Council Member Westergard made a motion to adopt resolution 2018-654, a resolution amending section VII of the Woods Cross City Personnel Policies and Procedures Manual regarding Employee Appeal Procedures and Establishments of a Hearing Officer to hear Employee Appeals. Council Member Checketts seconded the motion and all voted for the motion through a roll call vote.

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**CONSIDERATION TO ADOPT A RESOLUTION AMENDING SECTION VIII OF THE
WOODS CROSS CITY PERSONNEL POLICIES AND PROCEDURES MANUAL
REGARDING EMPLOYEE GRIEVANCES**

The City Attorney noted this amendment would change the way the grievance policy was outlined and this will clarify the grievance process as well as clarify how much time is allowed for this process.

Council Member Terry made a motion to adopt resolution 2018-655, a resolution amending section VIII of the Woods Cross City Personnel Policies and procedures Manual regarding Employee Grievances with the change of allowing 20 calendar days instead of 10 to be consistent with the other changes made above. Council Member Larrabee seconded the motion and all voted for the motion through a roll call vote.

OPEN SESSION

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

Mr. Dennis Hooper living on 1250 West addressed the City Council. He said he is very frustrated with the dust that is being produced by construction area. He the construction company is doing well at managing the dust during the daytime construction hours but it is after hours that there is a huge problem with the dust in the construction zone. He said there are large trucks going through this area after business hours and they are kicking up dust and it is awful. He said he is asking that the road be closed to through traffic during this construction project, including after hours, instead of opening it to traffic after business hours to help keep down the dust or at least lower the speed limit to slow the traffic so it does not kick up as much dust. He said he has talked to a few neighbors and they also said the dust is so bad right now. He said it is getting into the homes in the area as well. He said the decks and yards in the area are being coated with dust and said it is just a giant dust bowl.

The Council thanked him for bringing this to their attention. The Council discussed several options that may be considered for helping to mitigate this problem such as lowering the speed limit, not allowing large trucks through the construction area, and keeping the area closed to through traffic. The City Administrator said he had spoken with the Public Works Director and he thought that lowering the speed limit in the construction area might work to help with the dust. The City Administrator said he would look into some of the suggested options from the Council and would continue to work with the Public Works Director to try and come up with some options for solutions to help keep the dust down.

Several of the Council Members said there were several areas in the city that have dead grass and they thought it might need to be looked at to see what can be done to work on keeping the grass growing. The City Administrator said he would look into that matter.

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CLOSED SESSION—PERSONNEL MATTER

At 7:07 P.M. Council Member Westergard made a motion to go into closed session to discuss personnel matters with Council Member Larrabee seconding the motion and all voted for the motion through a roll call vote.

MOTION TO GO INTO OPEN SESSION AND ADJOURN

At 7:22 P.M. Council Member Terry made a motion to go into open session and adjourn the meeting. Council Member Checketts seconded the motion and all voted for the motion through a roll call vote.

Rick Earnshaw, Mayor

Jessica Sims, City Recorder