

**WOODS CROSS CITY COUNCIL MEETING
SEPTEMBER 4, 2018**

The minutes of the Woods Cross City Council meeting held September 4, 2018 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
Jessica Sims, Finance Director/City Recorder
Scott Anderson, Public Works Director

VISITORS:

Jason Burningham	Rachael Bodell	Jarom Bodell
LeGrande Blackley	Sue Robbins	Cacey Bowman
Don Schrader	Lois Bowman	Scott Cline
John Castleberry	Bob Goudy	Stephen Lamb
Dawn Lamb	CJ Auto	James Sheldon
Kim Sheldon	Jeremy Howey	Robie Davis
Dan Schultz	Kim Burningham	Jim Linton
Ryan LaBounty	Tana Dyer	Greg Butler
Wally St. Jeor	Travis Timothy	Adam Osoro
Scott Cline	Elisa Braghin	Elias Braghin
David Braghin	Kim Burton	Robbie Davis
Jenn Oxborrow	Rodger Broome	Beth Holbrook
Brynn Mortensen	Mario Gonzolas	Brett Lutz
Marc Evans	Bob Coy	Melanie Lutz
Jennifer Page	Brad Pages	Hannah Chester
Nathan Chester	Wendy Gillespie	Ethan Gillespie
Janell Robinson	Sandie Robinson	Brittany McNair
Jason McNair	Bryson McNair	Ana Mackay
Allison Dart	Elayne Smith	Aubrey Smith
Danny Smith	Kyle Lavender	Julie Stephenson
Michele Wood	Makenzi Robinson	Daphne Robinson
Miles Robinson	Amanda Pettey	Jefferson Pettey
Trulee Goble	Curtis Jenkins	Rachel Dart
Madison Langton	Dylan Salas	Mele Tauataina
Kaylee Gridley	Stacey Gridley	Dallin Dyreng
Dawson Garner	Zander Goble	David Lewis
Leo Beecher	Megan Larsen	Nathan Wood
Jarom Dyreng	Marilyn Pettey	Austin Michaelson

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Bart Michaelson	Danielle Michaelson	Cheryl Pulsipher
Brooke Call	Maggie Call	Matt Wright
Lorie Wright	Susanna Moss	Apryle Moss
Allyssa Wright	Debbi Comstock	Heidi Cooper
Brian Keller	Makayla Lewis	Shaela Dolar
Marty Rawley	Nicla Dolar	Kirk Anderson
Bobbie Anderson	William Anderson	Brian Weese

INVOCATION: Ryan Westergard

PLEDGE OF ALLEGIANCE: Gary Uresk

APPROVAL OF MINUTES

The City Council reviewed the minutes of the meeting held August 21, 2018. Following their review, 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.

APPROVAL OF CASH DISBURSEMENTS

The City Administrator reviewed the cash disbursements with the City Council for the time period of 8/18/18-8/31/18. Following the review of the cash disbursements, Council Member Terry made a motion to approve the cash disbursements as presented with Council Member Larrabee seconding the motion and all vote for the motion through a roll call vote.

YOUTH CITY COUNCIL REPORT

The Mayor gave the floor to Ms. Michele Wood who serves as the Woods Cross Youth City Council advisor. She noted for the Council that in August the Youth City Council had their yearend party. She also said they were very excited for this next year and they would have 42 members and 13 new youth in leadership positions for the 2018-2019 Youth City Council year.

The new leadership is as listed:

Mayor-Kenzi Robinson	Pro Tem-Miles Robinson
Ambassadors-Dylan Salas and Hannah Chester	Treasurer-Hailee Wood
Service Hour Recorder-Alyssa Wright	
Meeting Recorders-Kelsey Wood and Natalie Page	
Music Master-Makayla Lewis	Communication Specialist Shaela Dolar
Photographers/Historians/ Social Media Specialists Emily Westergard, Jason Gonzales, and Kaylee Gridley	

SWEARING-IN OF YOUTH CITY COUNCIL MEMBERS

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The Mayor then gave the floor to the City Recorder who administered the Oath of Office to all of the new leadership and incoming Youth City Council Members.

The Mayor and Council congratulated the new Youth City Council leadership and also welcomed all of the incoming Youth City Council Members. The Mayor and Council said they are looking forward to working with the new Youth City Council and thanked them for their willingness to serve the community of Woods Cross.

CONSIDERATION TO ADOPT A COUNCIL KUDOS POLICY

The Mayor gave the floor to Council Member Checketts who went over a few changes to the Council Kudos Policy. It was noted there would be two Council Members on the board who would help implement this program.

Following the review of the changes by the City Council, Council Member Westergard made a motion to adopt the Council Kudos Policy as presented and amended. Council Member Checketts seconded the motion and all voted for the motion through a roll call vote.

CONSIDERATION TO RESTRICT PARKING ON 1950 SOUTH AND 1875 SOUTH

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

“1950 South and 1875 South are two areas in the city we have received numerous complaints regarding parking.

“Regarding 1875 South, if cars are parked on both sides of the street it becomes hazardous due to the narrowing of the street. Since there is a lot of traffic that cuts through between 500 West and 400 West this is a definite safety hazard. There are no businesses or residential dwellings that require parking on 1875 South, so I do not see any real hardships that would be placed upon any business or residential dwelling by restricting parking in this area. I suspect most of the parking are individuals in Renaissance who don’t want to pay the additional parking fee to park in the parking lot on the north side of the project. I would suggest we mark both sides of the curb of 400 West street “no parking”.

“This is a starting point for discussion, if there are any concerns or issues in marking this area as no parking, we can discuss them and come up with a solution that is appropriate.

“The second area that we have discussed considerably is the parking on 1950 South. The Community Development Director and I met with representatives of Auto Source to discuss the parking issue with them. They indicated their business has grown so much that they just do not have enough room for parking on the site and therefore a number of their employee’s park on the street. They did not indicate that any of their cars for sale are parked on the street. However, it

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has been reported to us that a lot of times cars that are unloaded, that are damaged, are parked on the street and then moved later on to the site.

“In discussion with them, they have agreed there are safety issues with cars on both sides of the street as well as cars parked in the vicinity of the crosswalk on the west side of 1950 South. We discussed the possibility of restricting parking on both sides of the crosswalk as well as the north side of 1950 South the length of their property. They requested we allow parking on their side of the street for their employees and leaving the red paint as indicated in the photo given to the Council.”

The Council asked if there were a residential subdivision to come into the area, would it still be designated as no parking. The City Administrator said the residents could possibly have parking stickers that would allow them to park there or there could be signs with time limits for parking along that area. He said there would be some options.

Council Member Checketts asked if the no parking could go around the corner to the north so there would not be a possibility for the employees of Auto Source to park there and walk over to their facility.

Council Member Dayley said she is concerned about the safety on this road because of the increased traffic in the area, especially since school had started again.

Council Member Terry also said he felt that there should be no parking a little farther on the north east side of the street as well to help alleviate parking in this area. Council Member Terry also said he would like to have the curb marked red to discourage the high school students from parking there as well as the Auto Source employees.

Council Member Westergard said he would like to make sure that Auto Source can come up with a solution to make sure they keep their business operations and parking on their own property.

The City Administrator said he would need to go back and take a look at the approval from years ago and see how that was given and come back and report to the City Council.

It was noted by the Council they feel like the business owner's in the city need to operate under the restrictions of the ordinance as outlined within the city. It was discussed there needs to be consistency in making these parking restriction decisions as well as making sure all businesses in the area are treated equally.

The Council said they would like to talk about these specific restrictions in a work session but they would like to do something about this particular problem area right away.

Rich Jensen, the President of Auto Source, addressed the Council and said he did realize there was a problem and they have taken action to try and help alleviate the problem by painting the curbs themselves because they had seen the problems. He said they have painted 25 feet in

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either direction from the crosswalk for safety purposes as they had also observed this problem. He also said he would like to see a blinking crosswalk sign put in because the sign that is there is not very visible. He also said he would like to see the crosswalk repainted because the paint is not very visible. He said they have scaled back their business because of this issue, but he said their business has grown so much, which requires more inventory and more employees and because of this growth they have sent some of their inventory to some of their other business locations. He also said this was helping with the parking issues to free up space for employees and customers. He went on to say he has noticed some of the parking problem is coming from high school students. Mr. Jensen said he would like to see the south side of the street allow parking so his employees could still park there and not have to cross the street. He also said there would be semi- trucks loading and unloading so they need as much room as possible on the street.

Council Member Checketts asked if cars are delivered at certain times of the day and Mr. Jensen said no they come when they can. He said they do not accept deliveries before 8:00 A.M. to avoid peak school traffic.

Council Member Westergard asked how many employees Auto Source has and Mr. Jensen said about 32-35 employees at peak time. Council Member Westergard asked how many stalls are not occupied with inventory. Mr. Jensen showed the Council on a map how many parking stalls are available for employee parking. It was noted there were about 30 stalls available for employee and corporate parking.

The Council then gave instruction on where they would like to have the curb painted with red paint. There was also some discussion of where a pocket park would be going in and there was discussion about parking for the park. It was noted since it is a pocket park, there would not be parking put in for the park because the intent was for the park to be used by the neighborhood not by people driving into the area.

The Council then went on to discuss the parking issues on 1875 South. The City Administrator said he had gotten numerous calls about parking problems in this area. He said this road is used quite a bit by people getting to the state highway and with parking on this street it narrows the street so it is very hard to use. It was also noted this could be a safety issue for emergency vehicles trying to get up or down this road when there are parking problems.

The Council then discussed where they would like the curb to be painted red and it was noted they would like to see both sides of street painted red as well as around the corners so it would alleviate some of these serious parking problems.

Council Member Westergard then made a motion to approve the parking restrictions as discussed with Council Member Checketts seconding the motion and all voted for the motion through a roll call vote.

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**DISCUSSION ON RECYCLING RATE INCREASE REQUEST BY WASTE
MANAGEMENT**

The City Administrator then explained the following to the City Council:

“Ms. Beth Holbrook and I have met to discuss their proposed increase of \$1.15. As was indicated in the last Council meeting we feel that is too large of an increase at this time. After discussing the issues. Ms. Holbrook has submitted the proposal which provides for a 57¢ increase October 1st with another 57¢ increase becoming effective February 1st, 2019. Her rationale for doing such is she felt it would be helpful to spread this increase out over a four month period. I’m not sure if this addresses our concerns because effective February 1st, 2019 we will have the \$1.15 increase. My concern is that the residents in the community will, because of the increase in rates due to recycling, ask us to discontinue the recycling program. I feel that would not be beneficial since recycling benefits the environment and minimizes the effect of our waste on our landfill.”

Following the information given by the City Administrator, the Mayor invited Ms. Beth Holbrook to come forward and discuss this matter with the City Council.

Ms. Holbrook said she was at tonight’s meeting representing Waste Management who was asking for an increase in recycling fees because of the volatile nature of the recycling market as a whole. She did remind the Council she had discussed how they are working on getting better information out to the public about what is acceptable for recycling. She said they are trying to get this information to the public to be able to see on a continuous basis. She did say that plastic bags of any kind are unacceptable for recycling.

Ms. Holbrook said she is asking tonight for an increase because of the changes in the recycling problems in the market, specifically with China. She said the increase would be a two tiered increase, the first increase starting in October and would be 57¢ per can, the second increase would be in February 2019 for the same amount. She went on to say Waste Management does understand that the recycling markets fluctuate but because of the actions of China, it has shut down their plastic recycling program and they are needing to ask for this increase so Waste Management can cover their costs for recycling such as an increase in the number of employees to help with sorting the recyclables that go through Waste Management.

The Mayor asked where the market is now that China has closed their market. Ms. Holbrook said China has reopened their market as of June 3rd and have indicated that some of their political issues are causing some of these recycling problems as well as contamination which continues to be the number one problem for recycling in China. Ms. Holbrook said there are other markets in India, South Korea and South America as well. She said they are looking for and continuing to develop recycling opportunities, one being considered at this time in Phoenix, Arizona.

Council Member Dayley asked when the contract for the city will renew with Waste Management. It was noted the contract will renew in June of 2021. The Council said they just did not want to have to inform the residents of the city of increases every six months.

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It was noted this item on the agenda was listed as a discussion item so it would need to be added to the agenda for the next meeting as an action item so they can vote on this matter at the next City Council meeting. It was noted they would inform Ms. Holbrook when the vote had been taken and what the results of the vote would be. The Council thanked Ms. Holbrook for her time.

CONSIDERATION TO ADOPT A RESOLUTION SUPPORTING DAVIS COUNTY PROPOSITION ONE FUNDING STOPLIGHT PROJECT

The City Administrator noted this is the same application that was submitted by the city last year. Given to the Council is a copy of the application and the proposed resolution. As previously discussed, we need to determine whether this should be the first priority or the second priority depending on how we feel about the movement on the Kingston Property.”

The City Administrator noted the Council would need to decide which of the Proposition One Funding for county funding requests the City Council would like as their 1st, 2nd and 3rd priorities as they have been listed on the agenda.

The Council discussed some of the issues the Redwood Road extension is having. They discussed how they felt some of these issues need to be fixed before the extension of Redwood Road could really be considered.

The Council noted they would like to switch the 800 West 1500 South traffic signal project as the 1st priority because it has the best chance of moving forward if funding is received.

The Council also said they would like to see the Redwood Road Extension Project be the 2nd priority for the Proposition One Funding and the Mills Park Connector Trail Project as the 3rd priority for the Proposition One Funding.

CONSIDERATION TO ADOPT A RESOLUTION SUPPORTING DAVIS COUNTY PROPOSITION ONE FUNDING FOR THE 800 WEST 1500 SOUTH TRAFFIC SIGNAL PROJECT

Following the discussion above, Council Member Westergard made a motion to adopt resolution 2018-659, a resolution supporting Davis County Proposition One Funding for the 800 West 1500 South Traffic Signal project as the number one priority project. Council Member Checketts seconded the motion and all voted for the motion through a roll call vote.

CONSIDERATION TO ADOPT A RESOLUTION SUPPORTING DAVIS COUNTY PROPOSITION ONE FUNDING FOR THE REDWOOD ROAD EXTENSION PROJECT

Council Member Westergard then made a motion to adopt resolution 2018-660, a resolution supporting Davis County Proposition One Funding for the Redwood Road Extension Project. 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 SUPPORTING DAVIS COUNTY
PROPOSITION ONE FUNDING FOR THE MILLS PARK CONNECTOR TRAIL
PROJECT**

Council Member Checketts then made a motion to adopt resolution 2018-661, a resolution supporting Davis County Proposition one funding for the Mills Park Connector Trail Project. Council Member Larrabee seconded the motion and all voted for the motion through a roll call vote.

PRESENTATION ON RANKED CHOICE VOTING

The Mayor then gave the floor to Mr. Stan Lockhart who made a presentation to the City Council concerning Ranked Choice Voting. He explained this is a concept utilizing ranking during elections. He noted for the Council that during the 2018 Legislature one of the things they passed was a measure to create a pilot program for ranked choice voting at a city level. He said the bill is now signed by Governor Herbert. He said this bill offers a great opportunity for Utahans to address issues that have plagued local elections. He noted Ranked Choice Voting would give voters in Utah the ability to ensure that local policymakers are elected with majority support without the need for expensive and low turnout preliminary or runoff elections, even in races where a large number of candidates run. He also said it encourages civilized elections as well as producing a more engaged voter. He also said it gets rid of vote splitting. He said it costs less money as well.

He cited an example of how Ranked Choice Voting could have been beneficial during a Mayoral race in a nearby city and how by not having Ranked Choice Voting is detrimental.

Council Member Westergard asked Mr. Lockhart how it worked and asked if a mail-in ballot could still be used. Mr. Lockhart said yes it would work with mail-in ballots.

The Mayor asked if it would eliminate a primary election. Mr. Lockhart said the city could choose if they want to have a primary election but most people would like to see it go to primary elections with the ranking system.

Ms. Checketts said the current voting system has worked for over 200 years so why change it. Mr. Lockhart said he felt like this is a better alternative and just because something is tradition it does not mean it is the best way. He used the change in vote by mail as an example of a good change. He said it gives a voter a chance to still choose a candidate by preference of ranking should his candidate be eliminated. She also asked if this would be something that might go to a presidential race eventually. Mr. Lockhart said it possibly could but it is a choice that can be considered. He said the Legislature has found the attributes to this type of voting to be positive.

The Mayor asked if the current voting equipment would be able to handle this type of voting and Mr. Lockhart said yes it should if it is newer equipment.

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Mr. Lockhart said this would just be for municipal voting for now but he is still working with other cities and counties to get this voting going.

The Mayor and Council thanked Mr. Lockhart for his time and asked him to send his resolution to staff so the Council could also look it over and make a decision as to whether this would benefit the city of Woods Cross in future voting.

SALT LAKE CHAMBER'S HOUSING GAP COALITION PRESENTATION OF HOUSING AFFORDABILITY

The Mayor gave the floor to Ms. Brynn Mortensen from the Salt Lake Chamber who made a presentation on housing affordability in the state. She presented a power point presentation to the City Council.

She went over the housing market in Utah and how the housing market is changing in Utah. She said for the first time in 40 years there are not enough homes for people to buy that would like to own a home. She also went over how the housing prices will rise in the future years. She also informed the Council on some of the ways Utah can help deal with the growth that continues in the state. She said she would like the city to look at their general plan overview, moderate income housing plan, zoning overview, and would like the city to sign a support resolution recognizing the housing shortage and their willingness to help with the housing shortage.

Ms. Mortensen asked if there were any questions. Council Member Checketts said she felt that the higher density is not what people want and that companies continue to build high density projects which is not what people ultimately are looking for. She said people would like to have single family homes to live in but that higher density is the direction the housing market is going.

Ms. Mortensen said she is not telling cities what build but does want them to be aware of the housing shortage and take a look at how cities are using their property and what the zoning is. She noted there is not enough land to put homes on one acre lots anymore and that smaller lots is a better use for property because of the housing shortage.

The Mayor told Ms. Mortensen that the city is in the process of updating their General Plan and he felt like the new update was in line with the moderate income housing plan. He said he felt like Woods Cross is on board with what she is asking.

Ms. Mortensen said she would send the resolution to staff that she was asking the Council to look over and hopefully sign. The Mayor and Council thanked him for his time and said they would look over the resolution and see if it is in line with what the city's General Plan and zoning are within Woods Cross to possibly sign at their next Council meeting.

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OPEN SESSION

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

Mr. Wally St. Jeor came before the Council and said he was a friend of Chief Butler and said it was a colossal mistake to let the Chief go. He said he has worked for the city for 32 years and he has worked with three police chiefs. He said the Chief Butler has made the police department a forward thinking department and it would be a big mistake to let him go.

Cacey Bowman, a Bountiful resident who works with organizations such as the Emergency Preparedness and Citizens Police Academy organizations, then addressed the Council and said he has worked with the Chief and has seen the Woods Cross City Police Department in action and the recognition he has brought to the city. He also said he is amazed at what Chief Butler has done for the police department with the budget he has been given. Mr. Bowman said the upcoming emergency preparedness fair would not have happened without his help. He also said the Chief has a good working relationship with businesses around the city as well. He said he felt like Chief Butler is a man of integrity and the importance of his caliber and his vision in that position.

Jen Oxborrow then appeared before the Council and said she was speaking for the Utah Domestic Violence Coalition. She said she represents the victims and provides emergency help for domestic violence cases. She said the Chief has played a very important role in this organization and she wanted the Council to know how Chief Butler had helped. Ms. Oxborrow said she had sent the Council a letter which highlighted 40 articles where Chief Butler had been working and finding solutions the domestic violence issues. She said he solved a domestic issues spending five hours of his own time and he has helped this program move forward and be very successful. She said he has reflected very positive on the city and on the state. She said she hoped the Council could try to find a solution to the problem because she did not want to lose him as a champion for her program.

Ms. Eliza Braghin then spoke and said she is a resident of Bountiful and part of the Citizens Police Academy where she has worked with Chief Butler. She said she had the sad experience of having her child involved in a police shooting at school. She said she was very concerned about her son at the time but she called the police department and they reassured her that her son was fine. She said the Chief is a great person and he and all of the police officers take good care of her. She said Chief Butler is a good leader.

The Mayor said there is no doubt in his mind that the Chief is a great person. He said he had nominated him for Chief of the Year last year but he said there are other things happening that the Council cannot let the public know.

Ms. Braghin said he is doing so many great things.

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Kyle Lavender, a resident of Woods Cross City and fire fighter in Salt Lake City, said some of the people here do know the circumstances and it is a challenging time. He said this police department has come a long way over the years. He said through good leadership and patience Woods Cross can be a destination for police officers not just a training ground. He said if the City is in the news it will not be easy. He said he hoped as the decisions are made the Council looks closely at the men and women that are serving and recognize that they are family and everything done tonight will affect that family.

Mr. John Freeman, Vice President of Operations for Flexpak, then spoke and said he runs a business in Woods Cross and has been very pleased to be here in the city. He said this business has been involved in a lot of community events and particularly because of the police department. He said Flexpak has been a great supporter of the police department in Woods Cross and had even bought a dog for the police department. Mr. Freeman said the police have done a great job for their company. He said he felt like Chief Butler has helped make a great feel to this community and as Flexpak grows, they would like to expand and stay in this community because of the great feeling here. He said the police department has been very responsive to any problems they have had and that has largely been because of the great leadership in the police department. He said he feels like the police department has also been very creative in some of the programs they have implemented.

Mr. Brian Weese of Kaysville who has been a Deputy Chief in the past, addressed the Council. He said he is retired from that position but he has since started a program in Davis County that supports law enforcement but they are also critics of law enforcement. He said he felt like this was a very critical time for the Council to look at the facts. He said he has had a unique perspective but he said this investigation had taken a very long time and if action is taken without cause the citizens are put at risk. He said he deals with a lot of law enforcement officers and Chief Butler is doing great things. He said he has expected professionalism from the law enforcement community and the officers in Woods Cross have shown that.

The Mayor thanked the public for their comments and closed the open session.

MOTION TO GO OUT OF CITY COUNCIL MEETING INTO RDA MEETING

At 8:33 P.M. Council Member Dayley made a motion to go out of City Council meeting in favor of going into an RDA meeting. Council Member Larrabee seconded the motion and all voted for the motion through a roll call vote.

MOTION TO GO BACK TO CITY COUNCIL MEETING FROM RDA MEETING

At 9:00 P.M. Council Member Dayley made a motion to go back into City Council meeting with Council Member Larrabee seconding the motion and all voted for the motion through a roll call vote.

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PLANNING COMMISSION REPORT

Council Member Terry reported on the Planning Commission meeting held August 28, 2018. Please see the minutes of that meeting for the details of his report.

SOUTH DAVIS SEWER DISTRICT REPORT

Council Member Westergard gave a quick update on both of the projects they continue to work on and said they are continuing to move forward in a positive manner.

He also read a letter from a resident who thanked the district for their outstanding service and for keeping the rates low for so many years and how much they appreciate the sewer district and all they are doing to make progress in sewer programs that will be beneficial in the future.

MAYOR'S REPORT

The Mayor reminded the City Council about the appreciation dinner this Friday night at 6:00 P.M.

Council Member Checketts said she had done some research and was able to find some school crossing zone lights with power and battery backup. She gave the information to staff to follow up with looking into this information.

CITY ADMINISTRATOR'S REPORT

The City Administrator then reported the following to the City Council:

1. Farmers Market

“Ms. Adamson has scheduled the Farmers Market for the 24th of September. If there are concerns with that date please let me know.

2. Water Meter Replacements

“The Public Works Director is still working on getting the numbers to present to the Council. He has requested additional and updated information from the vendor. We anticipate having this information to the Council at the September 18th meeting.

MOTION TO GO INTO CLOSED SESSION—PURSUANT TO UTAH CODE ANNOTATED 52-4-205(i) (a), TO DISCUSS THE CHARACTER, PROFESSIONAL COMPLIANCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL

At 9:06 P.M. Council Member Westergard made motion to go into closed session with Council Member Terry seconding the motion and all voted for the motion through a roll call vote.

Closed session began at 9:15 P.M.

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MOTION TO BACK INTO OPEN SESSION

At 12:48 A.M. Council Member Dayley made a motion to go into open session with Council Member Westergard seconding the motion and all voted for the motion through a roll call vote.

The Mayor then expressed his sorrow for the circumstances and said this is the hardest decision he has had to make. He said he loved the Chief and said he loved what he has done for the city but he said it was the decision of the Council that the Chief tender his resignation immediately, with benefits, in order to be able to find other employment.

Council Member Westergard made a motion to accept the chief's resignation effective immediately and approve as a Council, 14 weeks of separation pay with benefits, to be memorialized in a separation agreement within the next few days which will include a non-disparagement clause. Council Member Larrabee seconded the motion and all voted for the motion through a roll call vote except Council Member Checketts who abstained. The motion carried with a vote of 4-0.

The Mayor then expressed again what a hard decision this has been for him and the City Council and said they wished Chief Butler the best and said they appreciated all he has done for the City.

Council Member Westergard also said he echoed what the Mayor said and also said Chief Butler had done many great things with all of the different programs he has been involved in and said it has had a big impact on not only our city but the county as well. He said the Chief had brought policing into the community and the community into policing and thanked him for his contribution to the city.

ADJOURNMENT

There being no further business before the City Council, Council Member Dayley made a motion adjourn the meeting at 12:52 A.M. with Council Member Larrabee seconding the motion and all voted for the motion through a roll call vote.

Rick Earnshaw, Mayor

Jessica Sims, City Recorder