

**WOODS CROSS CITY COUNCIL MEETING  
OCTOBER 16, 2018**

The minutes of the Woods Cross City Council meeting held October 16, 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	Wally Larrabee
Julie Checketts	Matt Terry
Tamra Dayley	Ryan Westergard

**STAFF PRESENT:**

Gary Uresk, City Administrator  
Jessica Sims, City Recorder/Finance Director

**VISITORS:**

Lois Schrader	Don Schrader	Radford Weller
LeGrande Blackley	Patt Huttzell	D.L. Weeks
Makenzi Robison	Glen Mikkelson	Leola Mikkelson
Jason Gonzales	Brooklyn Beagley	Hailee Wood
Josh Sims	Stella Sims	Elliott Sims
Marshall Sims		

**INVOCATION:** Rick Earnshaw

**PLEDGE OF ALLEGIANCE:** Gary Uresk

**CONSIDERATION TO APPROVE MINUTES**

The City Council reviewed the minutes of the City Council meeting held October 2, 2018. Following the review by the City Council, Council Member Terry made a motion to approve the minutes as presented with Council Member Dayley seconding the motion and all voted for the motion through a roll call vote except Council Member Checketts who abstained. The motion carried.

**INTRODUCTION OF THE NEWLY HIRED ASSISTANT CITY ADMINISTRATOR**

The Mayor gave the floor to the City Administrator who noted that he and several members of the City Council had interviewed many great and qualified candidates for the new position of Assistant City Administrator. He went on to say he was happy to announce that Ms. Jessica Sims, who is the current City Recorder and Finance Director, had been hired as the new Assistant City Administrator.

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The City Administrator congratulated Ms. Sims on her new appointment and invited to her to introduce her family who were in attendance at the meeting to support her this evening.

The City Council and those in attendance congratulated Ms. Sims on her appointment and the Mayor said he and the Council were looking forward to continuing to work with Ms. Sims in her new capacity.

**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 Mayor gave the floor to the Finance Director who reviewed the cash disbursements with City Council.

Following the review by the City Council, Council Member Westergard made a motion to approve the cash disbursements for the time period of September 29-October 12. Council Member Larrabee seconded 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 were brief in nature that they would like to bring before the City Council. 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. Patt Huttshell who serves on the Community of Promise Committee.

Ms. Huttshell noted there were several fun activities coming up in the next few months.

She noted on October 27, there will be the Pumpkins in the Park activity at 6:00 P.M.

She also noted there will be the Christmas Tree lighting activity on November 26 at 6:00 P.M.

The City Administrator also presented the budget for the Community of Promise.

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**POLICE DEPARTMENT REPORT**

Acting Police Chief Adam Osoro reported on the activities of the police Department for the month of September as follows:

**DISPATCHED CALLS**

<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--1010	June—1069	2012—7347
July--982	July—1294	2011—6918
Aug--1118	Aug—1225	2010—7167
Sept--	Sept—989	
Oct--	Oct—1000	
Nov--	Nov—988	
Dec	Dec—875	

Running Total—8925 Total—11,411

**ACTIVITY REPORT**

- WX City Picnic—Thank You
- Davis County Preparedness Fair
- School Safety Committee Meeting
- Utah Domestic Violence Coalition Meeting
- New Hire—Officer Mike Singleton
- TAC Conference—Amber

**USE OF FORCE REVIEWS**

- Hands on arrest of a Disorderly Conduct/Intoxicated Suspect—No Injuries

**WOODS CROSS SCHOOL ACTIVITIES**

- Criminal Mischief case—Football field sustained \$12,000 damage. Case ongoing. Field was cleaned successfully.
- Simple assault—Two students from SL trespassed.
- 1 Bullying case completed.
- 1 non-injury traffic accident.

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**SWAT**

- No Ops
- Regular NTOA Training

**K-9 ACTIVITY**

- 2 K9 demos for Scouts
- 2 K9 Assists to Bountiful Police
- Traffic Stop by Officer Labounty yielded a seizure of 29 grams of Methamphetamine. Driver charged with Possession and Drug Distribution.

**DETECTIVE DIVISION**

30 active C.A.N.R. cases (child abuse neglect report) they are investigating in conjunction with D.C.F.S.

25 active Theft/Property/Fraud/Assault/Death

Lorena's Robbery Case Update: WX detectives obtained the identities of all parties involved and are currently working with the Salt Lake Gang Unit to apprehend the other three suspects, who are all members of a violent Surenos gang with Los Angeles ties.

**DISCUSSION ON NOMINATIONS FOR THE 2019 OUTSTANDING BUSINESS AWARD**

The Mayor noted he had submitted some names last year for some business awards. He did say that none of his recommendations won but said they were recognized for their accomplishments. He said he was asking for the Council's input for some suggestions for businesses this year that might be worthy of a business award. There were suggestions of Black Bear Diner, Flexpak and Silver Eagle. The Mayor asked that the Council continue to think about any other suggestions and let him know.

**CONSIDERATION TO ADOPT A RESOLUTION AMENDING SECTION XII  
PARAGRAPH SEVEN (EMPLOYMENT CLASSIFICATIONS/COMPENSTION) OF  
THE PERSONNEL POLICIES AND PROCEDURES MANUAL TO INCLUDE  
TELECOMMUNTING POLICIES**

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

“Given to the Council is a proposed resolution that adopts policies for telecommuting. I have patterned this after information Council Member Dayley sent me from the state. The policy states that telecommuting is not a universal employee benefit and any employee desiring to use the telecommuting option must enter into a written agreement with the employee's department head addressing such issues such as the use of city equipment, protecting confidential

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information, provision of a separate private work space, and an agreed upon measurement of work accomplished. Any department utilizing the telecommuting option will need to establish a written policy governing telecommuting.

“The policy also does not allow overtime, while telecommuting, unless specifically approved by the department head. The employee is also not be compensated for normal commute time. For instance, if an employee is at work and wants to go home to telecommute, travel time to home from work would not be covered since it would be considered as part of commuting time.

“I feel these policies provide a good framework for addressing the issues involved in telecommuting.”

The Mayor asked if there were any positions that would qualify for telecommuting. The City Administrator said there are very few positions in the city that would qualify, and it would probably not happen very often.

Council Member Dayley then made a motion to adopt resolution 2018-662, a resolution amending section XII, paragraph 7 (Employment Classifications/Compensations, of the personnel policies and procedures manual to include telecommuting policies. Council Member Checketts seconded the motion and all voted for the motion through a roll call vote.

**SAFETY ACCOUNTABILITY REPORT**

The City Administrator reported the following to the City Council:

“Due to a couple of the members of the committee not being available to meet for last Thursday’s Safety Committee meeting, we have rescheduled it for this upcoming Thursday. I will provide this report at the next Council meeting.”

**OPEN SESSION**

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

Ms. Dixie Weeks living at 1288 West Governor’s Way asked how the businesses are nominated for the business award. The Mayor explained that the Chamber of Commerce makes the decisions on who wins the award, but the Council can nominate businesses, but community members are also welcome to go online and vote.

Ms. Weeks also asked if UTA officers can pull over cars. She said she has seen them on 500 South pulling over cars. It was noted that it is legal for them to pull over cars if they see drivers doing something wrong.

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She also asked how many of the 1020 calls last month handled by the police department were outside assists. Officer Osoro said that information is currently unavailable, but he is hoping he will be able to have access to that information again sometime in the future.

Ms. Weeks asked Council Member Checketts why she voted nay when the former Chief of Police tendered his resignation. Council Member Checketts said she was not in favor of the Chief resigning and she also said she abstained because her name had been brought up in relation to the case that is ongoing.

Ms. Leola Mikkelson living at 1915 South Sorrento Drive asked the Council if there was any work being done at the old Sports Forum building. The City Administrator said the owner has been working on it off and on and plans to turn it into an office building, but the building is in very bad shape at this point. He said he is hoping they will continue to work on getting it cleaned up, so they can move forward with the project.

Ms. Mikkelson also said the citizens of the city had heard of Chief Butler's resignation and that there were other employees who were no longer employed with the city. She said there had been no information given to the citizens and she felt like the citizens of Woods Cross were entitled to know what was going on with these issues. The Mayor said it was kind of a sensitive subject and there are still an ongoing investigation so by law they are obligated to not discuss it at this time.

Mr. Don Schrader living at 2018 South 700 West asked how the search for the new police chief is coming. It was noted that applications will be accepted through October 26 and then the interviewing process will begin.

Council Member Dayley said thank you to the city staff for getting the Hartland sign finally taken down. She also said there is some rubbish on 1500 South near 1600 West and she was wondering if it can be removed. Staff said they would work on getting that removed.

Council Member Terry asked if anyone else received an email from Collette Miller about a UDOT issue. It was noted that the City Administrator gave her the information she was asking for.

Council Member Checketts said there is a flag advertising the nearby fireplace store at the intersection on 1500 South and 500 West which is causing problems with blocking the site of traffic that is turning. The staff said they would get that moved.

Council Member Checketts also asked if they could get an update on the strategic planning goals that had previously been set. The staff said they would add it to the next agenda.

Council Member Checketts also asked about a fall work meeting. The Mayor said he was thinking about the first part of November and they would work on getting something scheduled.

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The Mayor also said he has had a lot of compliments on the improvements on 1500 South and 1100 West and how great that project is coming along.

Council Member Checketts asked Ms. Huttshell if she could let Mary Sue Smith know that the Commissioner's grant application is open now for possible money for the summer literacy program. Ms. Huttshell said she would be happy to pass along that information.

**WASATCH INTEGRATED WASTE REPORT**

Council Member Larrabee noted that he had invited Nathan Rich executive Director of Waste Management to come to the City Council meeting on November 20 to discuss some of the projects they are working on and how they could impact our recycling and Waste Management needs.

**MOSQUITO ABATEMENT REPORT**

Council Member Terry reported only three states did not have human cases of the West Nile Virus. All states had mosquitos that tested positive for the West Nile Virus. He said it is a nationwide problem.

**PLANNING COMMISSION REPORT**

Council Member Terry reported on the Planning Commission meeting held October 16, 2018. Please see the minutes of that meeting for the details of his report.

**SOUTH DAVIS METRO FIRE AGENCY REPORT**

The Mayor noted the Centerville station has been issued a building permit. He said they are looking forward to having this new fire station built.

He also said Davis County is moving forward with pressing charges against pharmaceutical companies regarding all the issues with the opioid problems that are happening. He said South Davis Metro Fire Agency will join this action, so they can try and recoup expenses such as Narcan and other hard costs that have gone out for the agency.

The Mayor asked if Officer Osoro would like look into the costs from the police department and see what may be involved on their side and decide if they would also be interested in joining the action to recoup some of their hard costs. Officer Osoro said he would look into it.

**SOUTH DAVIS RECREATION DISTRICT REPORT**

The Mayor said this meeting has been postponed until the next week.

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**MAYOR'S REPORT**

The Mayor said he had nothing further to report at this time.

**CITY ADMINISTRATOR'S REPORT**

The City Administrator reported the following for the City Council:

**1. Police Department Santa Squad**

“Last year the police department implemented the Santa Squad where they encouraged residents to have their packages sent to the police department where they could pick them up. I was not consulted prior to the implementation of this program and first became aware of it when I saw it on the news after coming back from being out of town. I have some concerns with this program but did not raise them at the time due to the public relations issues that it would have created by backing away from the program. I believe we should not provide this service this year since it is not a core police function and it creates liability for the City which we do not need to incur. For instance, if a high value package were damaged or lost we could be held liable to replace its contents. Although I agree that it does diminish the theft of packages, I do not believe that is our responsibility. The homeowner is responsible to take the appropriate steps to prevent thefts.

“The police department has maintained that it did not put any additional burden or cost on the department. While it may be true that they did not request a budget increase to provide the service, it did divert resources away from other police functions. I do not feel we can justify using tax payer funds to support a service that is not a typical police function.

“Since this was very popular with the public, (since government was providing them a “free” service) I wanted to discuss this with the Council before instructing the police department to discontinue the service.”

The Council discussed this matter and decided they would discontinue this service because of the reasons stated above.

**2. Employee Appreciation dinner:**

The City Administrator asked if January 11<sup>th</sup> would work for the Employee Appreciation Dinner. The Council felt this would work and the party would be held at the new Public Works facility.



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**MOTION TO RECESS CITY COUNCIL MEETING TO GO INTO AN RDA MEETING**

At 7:47 P.M. Council Member Dayley made a motion to recess City Council meeting to go into an RDA meeting. Council Member Terry seconded the motion, and all voted for the motion through a roll call vote.

**MOTION TO GO BACK INTO CITY COUNCIL MEETEING FROM RDA MEETING**

At 7:48 P.M. Council Member Westergard made a motion to go back into City Council meeting from the RDA meeting. Council Member Dayley seconded the motion and all voted for the motion through a roll call vote.

**MOTION TO GO INTO CLOSED SESSION**

At 7:48 P.M. Council Member Westergard made a motion to go into closed session with Council Member Larrabee seconding the motion and all voted for the motion through a roll call vote.

**MOTION TO GO INTO OPEN SESSION**

At 8:31 P.M. Council Member Westergard made a motion to go into open session with Council Member Dayley seconding the motion and all voted for the motion through a roll call vote.

**ADJOURNMENT**

There being no further business before the City Council, Council Member Dayley made a motion to adjourn the City Council meeting at 8:31 P.M. with Council Member Westergard seconding the motion and all voted for the motion through a roll call vote.

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Rick Earnshaw, Mayor

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Jessica Sims, City Recorder

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