

**WOODS CROSS CITY COUNCIL MEETING
NOVEMBER 6, 2018**

The minutes of the Woods Cross City Council meeting held November 6, 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/Assistant City Administrator
Tim Stephens, Community Development Director
Scott Anderson, Public Works Director

VISITORS:

Bob Goudy	Scot Feller	Erik McBride
Julie Barreda	Blake Leonelli	Don Schrader
Bart Betts	Lois Schrader	Justin Wood
Zaxton Wood	Makenzi Robinson	Adam Poulson
Carter Walsh	Micah Gillespie	Spencer McBride
David C. Hill	Michele Wood	Alyssa Wright
Melissa Weinick	Shaela Dolar	D.L. Weeks
Nick Dayley		

INVOCATION: Ryan Westergard

PLEDGE OF ALLEGIANCE: Nick Dayley, Scout

CONSIDERATION TO APPROVE MINUTES

The City Council reviewed the minutes of the City Council meeting held October 16, 2018. Following the review by the City Council, Council Member Terry made a motion to approve the minutes as written with Council Member Dayley seconding the motion and all voted for the motion through a roll call vote.

APPROVAL OF CASH DISBURSEMENTS

The Mayor and Council reviewed the cash disbursements for the time period of 10-13-18/10-26-18. Following their review, Council Member Larrabee made a motion to approve the cash disbursements as presented with Council Member Checketts seconding the motion and all voted for the motion through a roll call vote.

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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 that were brief in nature. This would be items that would take less than two or three minutes.

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

YOUTH CITY COUNCIL REPORT

The Mayor gave the floor to the Youth City Mayor, Makenzie Robinson, who reported on the activities of the Youth City Council as follows:

“Last month we thought Pumpkins in the Park was a great success. Looking forward to next year and planning already. Did the Council have any comments or questions?”

The Mayor noted there was around 500-550 who participated in this activity. The Mayor and Council said they thought this was a great activity and it was very well attended. They thanked the Youth City Council for their hard work to make this activity such a great success.

“This Friday, the 9th is our Veteran’s Day dinner with Continue Mission. It will start at 6:00 P.M. How many of the Council will be attending?”

The Council said they would get back with them and let them know.

“Also, this month on Monday the 26th at 6:30 P.M. will be the Tree Lighting in the Park. We are looking forward to working with the Anderson’s that night.

“Next month on Saturday December 1st our Sub-for-Santa shopping day will be at 8:00 A.M. We will be bombarding Smith’s Marketplace and using the Easter Event money to buy gifts for our angel tree family’s. We will not have a need for a work meeting for that month.”

CONSIDERATION TO APPROVE A RECYCLING RATE INCREASE REQUEST BY WASTE MANAGEMENT

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

“The last time this was discussed in City Council, the decision was made to approve the request for a rate increase effective January 1st for the \$1.15 extraordinary recycling fee conditioned upon Waste Management providing information regarding where the recycling materials go and providing flyers and information to our residents regarding the need to eliminate waste going into the recycling containers.

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“I forwarded this information to Julie Barreda and she has sent an amended letter requesting the extraordinary recycling increase become effective January 1, 2019. She has also provided a power point presentation that she will present at the meeting addressing the issue of where the waste goes and providing some proposals for education material to our residents.”

The Mayor and Council welcomed Ms. Julie Barreda who presented a power point presentation to the Council regarding the recycling rate increase that is being proposed. She went over what the current rates are, what the rates would be raised to January 1st, 2019, where the recycling materials are sent, how it is sorted and what some of the challenges are in the current market in regards to recycling.

Ms. Barreda said that Waste Management’s response to the new mandates has had its challenges. She said Waste Management continues to move commodities, although at lower prices and to a variety of vendors across the globe. She said their primary goal is to move material avoiding landfilling/warehousing. She also said plastic is moving to domestic buyers and paper is moving to domestic mills as well as places such as India, Vietnam, Malaysia, and South Korea. She also noted that pricing and markets are likely to continue to be extremely volatile in the next few years, but Waste Management has decided not to drop its recycling program. She noted they continue to avoid the landfills for recyclables. She told the Council that because of the changing market in recycling they are asking for help in partnering with the cities they serve to help them continue to make recycling beneficial. She noted one way this could take place would be by the \$1.15 increase in recycling fees that would be implemented January 1st, 2019. She also said Waste Management wants to focus more on education by informing the public what can be recycled and how to recycle items for maximum benefit.

Following Ms. Barreda’s presentation, the Council discussed some of their concerns and frustrations. There was discussion on how glass might be recycled but there would need to be separate drop off points or separate containers because of the nature of recycling glass. Some of the Council also said they are frustrated on being able to decide what is recyclable and what is not recyclable. It was noted that there really needs to be more education through things like websites, newsletters, stickers on the recycling cans, and social media.

The Council asked if Waste Management is going to help with the education process by making stickers or helping the cities decide what is the best way to get this education out to the public. Ms. Barreda said that is what she was hoping for was help from the cities to get ideas on how best to educate their communities. The Council said they thought a sticker on the can was a good idea as well as getting information out to the public through the city newsletter and by putting an insert in with individual’s water and garbage bills, so they can see what can be recycled and how it needed to be prepared for recycling.

The Mayor opened the public hearing for questions or comments from the public that was present.

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Mr. Spencer McBride living at 1263 South 875 West said he felt like social media marketing may not be the best way to reach everyone by using a link, but that the information should be directly on the city's website, so every individual is targeted to be able to see these posts. Ms. Barreda said Waste Management could help with that. Mr. McBride said he would be happy to help get some information on social media to get information out, as he has experience in doing so.

Mr. Clint Hortin living at 1273 West 1900 South said it would be nice if there could be a list of where different recycling points are located for where items such as glass, can be dropped off for recycling. The Council said they felt this was a good idea.

Ms. Dixie Weeks asked if there were other locations where things can be dropped off for recycling. She said she would like to see bins put at the new city shops for recycling. She also asked where she could take a lithium battery for recycling and the Mayor noted lithium batteries could be taken to Lowe's or Home Depot for recycling and regular alkaline batteries could go into the regular garbage can.

Mr. Don Schrader living at 2018 South 700 West said he did not feel like it was his problem what happens to the garbage after it leaves his property. He said he felt like the increase should not be his problem because he pays to have his garbage taken away and once it is gone it should be the problem of Waste Management to get rid of it.

The Mayor then closed the public hearing.

Council Member Dayley said she is frustrated to have to make adjustments during the contract year. She said she wants to recycle because she feels it is the right thing to do and feels like it is a worthwhile cause despite the challenges.

The Mayor and Council discussed what the best way to move forward with this item would be and felt like there should be a public education program before they approve the rate increase. Ms. Barreda said they would cover the cost of a vinyl type sticker to be put on the recycling cans, so residents can look at them and know how to recycle better. Ms. Barreda said they have some of these education ideas, such as the stickers for the recycling cans or a refrigerator magnet, already in the works and will continue to work on these ideas so they can be implemented.

Following the discussion, Council Member Dayley made a motion to table this item until December until staff can come back with a completed education plan for more effective recycling. Council Member Terry seconded the motion, and all voted for the motion through a roll call vote.

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PUBLIC HEARING: AMENDMENTS TO ZONING AMENDMENTS, PROPOSED AMENDMENTS RELATING TO CONDITIONAL USES AND MINIMAL LOT STANDARDS IN R-1-8, R-2, R-4, A-1, S-1 LEGACY GATEWAY ZONES AND CONDOMINIUM CHAPTER

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

“We have scheduled a public hearing to review proposed amendments to the zoning ordinance as they relate to residential zones R-1-8, R-1-10, R-2, and R-4, in addition to the A-1 Agricultural, S-1 Special Use, Legacy Gateway, and the condominium changes. The main purpose for these amendments is to correct inconsistencies in the zoning ordinance as it relates to lot frontage. Some zone chapters use the term lot “frontage” and others lot “width.” The practice and precedent within the city for the last several decades have been to apply the lot frontage definition. As such, the staff is recommending that the zones outlined in the adoption ordinance be amended to replace the word “width” with the term “frontage.” This will make the zoning ordinance consistent throughout all zones and apply the frontage definition as has been used.

“In addition, you will note in the adoption ordinance, that several zones are having their conditional use sections amended. Of concern is the listed use of condominiums as a conditional use in the single-family zones R-1-8 and R-1-10. Over 20 years ago, the city had placed condominiums as a conditional use in the single-family zones. The city’s intent was to permit condominiums within the single-family zones but potentially as part of planned unit developments. Fast forward 20 plus years and many of these sections of the city zoned single family have developed with single family homes. Recent events of the last few years have shown us that many of the single-family neighborhood residents are very concerned about the introduction of higher density housing within their neighborhoods. In addition, I have had a few inquiries by developers regarding the term condominium within the R-1-8 Zone.

“We are working on the General Plan and will be rewriting the Zoning Ordinance in the coming year. However, to avoid an unintended consequence, the Planning Commission recommends that condominiums be removed from the R-1-8 and the R-1-10 zones. In the coming months we will be revisiting the zoning ordinance in its entirety and multi-family housing will be a topic of discussion.

“The Planning Commission has reviewed the proposed amendments and has recommended adoption of the ordinance amending the Zoning Ordinance.”

Following the information given above, the Mayor opened the public hearing for public comments.

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Mr. Eric Jones living at 1913 South 1550 West said he had had some concerns about the wording but felt like this can be readdressed when the zoning ordinances are looked at in the future when the General Plan is updated, and it can be looked at again

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

CONSIDERATION TO APPROVE ZONING AMENDMENTS, PROPOSED AMENDMENTS RELATING TO CONDITIONAL USES AND MINIMAL LOT STANDARDS IN R-1-8, R-2, R-4, A-1, S-1 LEGACY GATEWAY ZONES AND CONDOMINIUM CHAPTER

This item was reviewed above and Council Member Terry made a motion to approve ordinance 587, an ordinance amending zoning relating to conditional uses and minimal lot standards in R-1-8, R-2, R-4, A-1, S-1 Legacy Gateway Zones and Condominium Chapter as presented. Council Member Larrabee seconded the motion and all voted for the motion through a roll call vote.

CONSIDERATION TO MAKE APPOINTMENTS TO THE PLANNING COMMISSION

The Mayor noted there were two Planning Commission members whose terms were expiring, and the Mayor recommended that the Council reappoint Mr. Eric Jones and Mr. Ryan Larsen to the Planning Commission. Council Member Westergard made a motion that Mr. Eric Jones and Mr. Ryan Larsen be reappointed to the Planning Commission for a new term. Council Member Dayley seconded the motion and all voted for the motion through a roll call vote.

Mr. Eric Jones was at tonight's meeting, so he was sworn in by the City Recorder. It was noted that Mr. Ryan Larsen would be sworn in at the next Planning Commission meeting.

The Council and public present congratulated Mr. Jones on his reappointment to the Planning Commission.

CONSIDERATION TO DECLARE VARIOUS PUBLIC WORKS EQUIPMENT AS SURPLUS PROPERTY AND TO MAKE THEM AVAILABLE THROUGH PUBLIC AUCTION

The Mayor gave the floor to the Public Works Director who went over the following with the City Council:

“We have the following equipment we would like to declare as surplus, so it can be disposed of:

1985 Ford 800 dump truck
Rhino roadside mower
JD 1445 V plow
Reznor oil burner

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GE 25 hp eic motor
Vac unit
10' western plow
9' snow plow
8' farm disk
AMF auto lift, 9000 lbs.
Backhoe forks

“These items will be taken to TNT auction to be sold.”

Following the information given by the Public Works Director, Council Member Westergard made a motion that the items presented be declared as surplus property and make them available through public auction. Council Member Dayley seconded the motion and all voted for the motion through a roll call vote.

UPDATE ON THE PUBLIC WORKS FACILITY

The Public Works Director continued with the floor and updated the Council and the public on the construction of the new public works facility. It was noted that the building will be turned over to the city around the first of December. It was noted that the city is in the process of finalizing the costs for the facility and will have additional costs of about \$180,000.

The Public Works Director went over the changes and details of the project and answered the questions the Council had regarding the project.

The Council said they are very excited for this project to be completed and said it will be a great asset to the staff of the city and for the community as well.

REVIEW OF STRATEGIC PLAN GOALS AND PROJECT FOR FY 2019

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

“Given to the Council is the 2018 Leadership Summit Executive Report of the Strategic Plan which was facilitated by Brian Muir. Given to the Council are the nine goals and projects that were selected by those attending as priorities for the city. I will go through each of the nine goals and give a brief update of where we are at on each one of them.

#1 “Complete the General plan and the Master Plan as well as update the Zoning Ordinances, Land Development Ordinances and Development Specifications. We are near the end of the process of updating the General Plan. We have a few other reviews with the consultant after which it will be placed on the agenda for the Planning Commission and the City Council for final review and approval. I anticipate this will be completed before the end of the

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year after which we will launch into the updating of the ordinances. We should have those completed by the end of the fiscal year.

#2 Create a long-term plan for subsidence issues. In July we created the Farm Meadows Community Reinvestment Area and have proceeded to use existing funds to mitigate four of the homes. We are now working on an application process for funding homes in FY 2019. We still need to meet with the taxing entities to get their buy in for tax increment that will fund future efforts by the city to address homes affected by the subsidence.

#3 Provide backup for critical administrative positions and functions, including payroll, utility billing, water, etc. We have hired Jessica as our Assistant City Administrator and are now in the process of hiring an individual to take her position. With Jessica as the Assistant City Administrator and with the hire of the person to take her position we will now have backup for payroll and billing within the city. We are still working on providing the necessary backup for those in the front office.

#4 Pay police officers more competitively. In the FY 2019 budget we created an 11 step pay scale for the police department which allows them to advance more rapidly within their pay scale making our department more competitive. We also equalized the Tier II and Tier I retirement plans.

#5 Provide more space for the police department to have more privacy. We have budgeted \$200,000 to start the process of remodeling the police department and making their space more usable. We have not started on that since it was determined we would finalize the public works facility to ensure we cover any increased costs on it before we move forward with the police department remodel. With the public works building being wrapped up in the next month, I anticipate moving forward with the police department after the first of the year.

#6 Provide more funding for the new city shops. We utilized funds from the Class C, RAP Tax, Storm Drain Funds to cover the additional costs for parts of the facility that were cut out after the initial cost's increases were determined. Those parts of the project are now being completed.

#7 Create a five-year prioritized street and water replacement plan. Scott is working on those plans and should have them ready to present at the next Strategic Planning Session.

#8 Develop the Kingston Property in the northwest quadrant of the city. The Mayor and I had been working with a developer who proposed a recreational facility in that area. That project has not panned out. However, the Kingston's appear to have entered into an agreement with a developer to develop the property. We will follow up with the Kingston's to see if they are serious about developing the area.

#9 Increase IT storage capacity and security. We have put out an RFP for our IT services and have narrowed it down to three vendors. It has taken us a little longer than anticipated to get

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the new vendor on board, but we anticipate having that completed by the end of November. With the new IT vendor, we will increase our IT capability and upgrade our security.

“As you can see, we have made considerable progress on the goals that were set.”

The Council said they felt like this was adequate information for the update and they feel like things are move ahead as had been planned and discussed.

SAFETY ACCOUNTABILITY REPORT

The City Administrator continued with the floor and reported the following to the City Council:

“Given to the Council is the Safety Accountability Report for the month of September. Austin Strong and I both had broken windshields due to a rock hitting our windshields. Mike Daugherty’s vehicle was rear ended while it was stopped. The accident was determined to be caused by the vehicle that hit him.

“Our three teams have been set up and will compete for the best safety reward each quarter. We will report the winners the month after the end of each quarter.”

OPEN SESSION

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

Mr. Dave Hill living at 768 West 1100 South asked if there is an unofficial walking path near the TRAX station and he wondered if it could be made an official walking path there. Staff said they would look at it and see what could be done. He also said that on 500 South near RB’s there is bottlenecked traffic often. There was discussion about things that could be done to alleviate some of this traffic by possibly extending the timing of the eastbound light on 500 South. Staff said they would also investigate this matter. Mr. Hill also said the meeting minutes are not being uploaded to the website and agendas are not on until Tuesday morning. Staff also said they would follow up and coordinate to get the agendas and minutes on the city website in a timely manner.

Ms. Dixie Weeks asked how much the raises were for the police officers. The City Administrator explained how the new pay scale worked for the police officers and said it was a 4.25 % raise. Ms. Weeks then said the answer to the recycling of plastics is to quit buying things that are in plastic. She said some communities have banned plastic bottles. She also said she felt like Maverik and Seven Eleven need to be part of the solution as well with the selling of many things that are in plastic. She also suggested there be more drinking fountains be placed in city parks, so this might help alleviate some of this problem.

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Council Member Dayley said she is concerned about the construction near the Odyssey Elementary School and the trucks that are sometimes blocking the roads because of all the construction congestion. She asked that signs be posted, or the roads be closed if there is going to be construction vehicles blocking the roads. Staff said they would get with the construction company and see what could be done.

Council Member Checketts said there was some discussion on how house numbers are assigned and who assigned those numbers. Council Member Terry said it was the Public Works Director and anyone needing information on house numbers can speak with him. Council Member Checketts said the flag that is near Croft is still on Highway 89 and it is still blocking the line of sight for traffic and she would still like to see that flag moved. Staff said they would take care of that matter. Ms. Checketts also mentioned there needs to be someone hired for the police department for the front office. She noted the person who has been filling in is having a hard time working at her regular job and then coming to work part time for the Woods Cross Police department. Staff noted there is going to be a job posting for a permanent position very soon. Council Member Checketts also said there has been trains blocking traffic for 15-20 minutes everyday around 3:00 or 3:30 and it is a problem. There was discussion about the safety issues that this problem can cause. Council Member Checketts asked if that could be looked into. It was also noted there are train whistles being blown while going through the city, one at 2:00 A.M. and one at 5:00 A.M. Staff said they would address this problem as well.

PLANNING COMMISSION REPORT

Council Member Terry reported on the Planning Commission meeting held September 23, 2018. Please see the minutes of that meeting for the details of his report.

SOUTH DAVIS SEWER DISTRICT

The Mayor gave the floor to Council Member Westergard who reported to the City Council that the Sewer District has passed their preliminary budget. He also said the waste to energy project has experienced a snag and will not be producing gas to sell until March. He said the algae project is in a holding pattern as they continue to work on getting the algae to grow and to figure out how to make the nutrient removal project work for the long term. He said he does not see this project coming online for about another year. He said there are many different people working on this project to help it become successful. He said there are many people from around the country who are very interested in seeing this project become successful, as they would like to try to do the same thing.

RECESS FROM CITY COUNCIL MEETING TO GO INTO RDA MEETING.

At 8:29 P.M. Council Member Westergard made a motion recess the City Council meeting in favor of an RDA meeting. Council Member Terry seconded the motion, and all voted for the motion through a roll call vote.

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RECONVENE CITY COUNCIL MEETING FROM THE RDA MEETING.

At 8:57 P.M. Council Member Westergard made a motion to go back into City Council meeting from the RDA meeting. Council Member Terry seconded the motion, and all voted for the motion through a roll call vote.

MAYOR'S REPORT

The Mayor expressed his sympathy for the passing of Mayor Taylor from north Ogden who was killed in the line of duty. The Mayor said he would like to have the flags of the city flying at half-staff in respect of this loss.

The Mayor also thanked the fire and police for their hard work and the good job they did in dealing with the fire that had occurred within the city a few nights ago. The Mayor noted it was an eight-year-old boy who was in a car passing by that had noticed the fire and reported it.

There was some discussion about the fire hydrants in the city. The City Administrator said the fire hydrants in city are tested periodically to make sure they are working properly. The City Administrator said he has asked for a report from the water department to see what the status of the fire hydrants are, particularly the new one that was in front of the house that had been involved in the fire.

CITY ADMINISTRATOR'S REPORT

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

1. Truck Ban

“I have contacted Senator Todd Weiler regarding legislation and the truck ban on Legacy Parkway and he has agreed to move the legislation forward for us. I will be working with Senator Weiler to formulate the legislation and be working on whatever support we can get in working to extend the truck ban on the parkway.

2. Resolution Supporting Utah's Housing needs

“Brynn Mortensen, who made a presentation before the City Council on September 4th regarding Utah's Housing Needs, is requesting the City Council adopt a resolution supporting Utah's housing needs. I have given the Council a copy of her email and the proposed resolution. Please let me know if you would like it on the agenda.”

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MOTION TO GO INTO CLOSED SESSION

At 9:12 P.M. Council Member Westergard made a motion to go into closed session. Council Member Terry seconded the motion, and all voted for the motion through a roll call vote.

MOTION TO GO INTO OPEN SESSION

At 11:05 PM. Council Member Westergard made a motion to go into open session from the closed session. Council Member Larrabee seconded the motion and all voted for the motion through a roll call vote.

CONSIDERATION TO SET INTERVIEW SCHEDULE FOR CHIEF OF POLICE CANDIDATES

The Mayor noted he would like to set an interview schedule of new police chief interviews on Monday. Council Member Westergard made a motion to set the date of November 19th at 7:00 P.M. to interview prospective candidates for police chief.

ADJOURNMENT

At 11:06 Council Member Westergard made a motion to adjourn the City Council meeting with Council Member Terry seconded the motion and all voted for the motion through a roll call vote.

Rick Earnshaw, Mayor

Jessica Sims, City Recorder