

**WOODS CROSS CITY COUNCIL MEETING  
DECEMBER 18, 2018**

The minutes of the Woods Cross City Council meeting held December 18, 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

Julie Checketts

Tamra Dayley

Wally Larrabee

Matt Terry

Ryan Westergard

**STAFF PRESENT:**

Gary Uresk, City Administrator

Jessica Sims, Assistant City Administrator

Tim Stephens, Community Development Director

Adam Osoro, Acting Chief of Police

Annette Hanson, City Recorder

**VISITORS:**

Todd Weiler

Dan Bradford

James Sheldon

Spencer McBride

Melissa Ballard

Mark Vlasic

Sue Robbins

Daniel Chase

Lois Schrader

Boyd Dart

Leo Beecher

Jenny Hale

LeGrande Blackley

Diane Chase

Don Schrader

Eric Dart

D.L. Weeks

**INVOCATION:**

Ryan Westergard

**PLEDGE OF ALLEGIANCE:**

Daniel Chase, Scout

**CONSIDERATION TO APPROVE MINUTES**

The City Council reviewed the minutes of the City Council meetings held December 4<sup>th</sup> and December 12<sup>th</sup>. Following the review by the City Council, Council Member Terry motioned the minutes be approved as written with Council Member Westergard seconding the motion and all voted for the motion through a roll call vote.

**REVIEW OF THE FINANCIAL REPORT**

The Mayor gave the floor to the City Administrator who went over the financial report with the City Council.

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**APPROVAL OF CASH DISBURSEMENTS**

The City Administrator continued with the floor and went over the cash disbursements for the time period of 11/20/18 - 12/4/18. Following the review of the cash disbursements, Council Member Larrabee made a motion to ratify the cash disbursements as reviewed with Council Member Westergard seconding the motion and all voted for the motion through a roll call vote.

The Assistant City Administrator introduced the new City Recorder, Ms. Annette Hanson. The Mayor welcomed her and said they were happy to have her on board and that he and the Council as well as the rest of the staff are looking forward to working with her.

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

Daniel Chase, a city resident living at 1417 South 1000 West, addressed the Council and asked for an update in regards to putting in a basketball hoop in the pocket park in Farm Meadows. The Mayor said he had spoken with the Parks Department about doing this and they told the Mayor they could not put in a cement pad at this location because it serves as a retention basin for the area. The Mayor said they are looking at other possibilities to where a basketball hoop could be located and they will keep it in mind.

**COMMUNITY OF PROMISE REPORT**

The Mayor noted there was nothing to report for the Community of Promise as there had been no meeting held.

**LEGISLATIVE DISCUSSION WITH SENATOR WEILER AND REPRESENTATIVE-ELECT BALLARD**

The Mayor noted the following for the Council:

“Senator Weiler and Representative-Elect Ballard are at tonight’s meeting to discuss legislative issues prior to the 2019 Legislative session, a list of issues of concern are as follows:

1. Continuing the Legacy Parkway Truck Ban (Senator Weiler has submitted a bill to continue the ban.)
2. Affordable housing legislation that will be put forward by the legislature this year. We need to discuss how this may affect us and our concerns about losing local control on this issue.
3. Community Impact Funding for impact from the refineries. This has been an issue we have discussed for a number of years. We feel the money from oil leases that go into

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Community Impact Fund should be available to the cities in South Davis County since we are affected by the refineries.

4. Redwood Road improvements. There are some issues on Redwood Road and we would like to see these improvements pushed up on the plan to make the road safer for the public.
5. Separate Grade Crossing in South Davis County. North Salt Lake is pushing to have the separated grade crossing on 2600 South. As we participated in those studies, we have become convinced that a separated grad crossing in South Davis county should be on 500 South since 500 South is a State Highway that is already widened to four lanes and connects I-15 and Legacy Parkway.”

Representative-Elect Ballard stood before the Council to share items she would be working on as the legislature goes into session, including van accessible parking and school funds accountability. She explained to the Council some of the measures suggested to make it easy for parents and community members to understand how the schools are allocating funds.

Senator Weiler then stood before the Council to address any questions or concerns. The Mayor went over the Council concerns as mentioned above. Senator Weiler reported filing a bill regarding to extend the truck on Legacy Highway after it's scheduled sun-setting on January 1, 2020. Senator Weiler and Representative-Elect Ballard expect some push back on the bill extending the ban. The Mayor said he was aware there would be some opposition to an extension but requested a concerted effort as there are clear safety issues as well as other concerns should the current ban be eliminated.

The Mayor also said Woods Cross City would like assistance obtaining some funding through the Community Impact Fund, stating that the city is being significantly impacted by growing transport trucking due to growth in the area. The mayor requested that Senator Weiler and Representative-Elect Ballard advocate for a portion of that funding to be allocated to help mitigate the associated impacts for Woods Cross City due to increased trucking.

Council Member Dayley also weighed in that with the significant amount of truck traffic it is critical that careful consideration be taken to assure Woods Cross receives appropriate funding that could help offset impacts.

Council Member Checketts asked if the state was checking on automobile accident statistics since the laws had been changed no longer requiring a safety inspection; she and her husband own an auto repair shop and are finding that people are now less likely to make needed repairs because there is no safety inspection to be a check point. Senator Weiler said newer vehicles are better built and most states no longer require inspections. As this a relatively new change, Senator Weiler will be looking into the effect of disbanding required inspections and if it has had an impact on safety.

The next item that was discussed was the affordable housing legislation. The Council said they have concerns about being required to increase affordable housing, particularly if it involves high

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rise housing units which may not fit with well within the city. The Council does not want to lose internal control which has long assured quality housing and the integrity of the city.

Representative-Elect Ballard and Senator Weiler finished by stating their intent to relay Woods Cross concerns back to their constituents as the legislative session begins.

The Mayor and Council thanked both Senator and Weiler and Representative-Elect Ballard for all of their hard work, help and support of our community.

**POLICE DEPARTMENT REPORT**

The Mayor gave the floor to Acting Police Chief Adam Osoro who reported on the activities of the Police Department 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--1020	Sept—989	
Oct--966	Oct—1000	
Nov--842	Nov—988	
Dec	Dec—875	

Running Total—10,733

**ACTIVITY REPORT**

- Davis School District Safety Meeting
- Hill Air Force Base Sexual Assault Training
- Chili Cookoff with the Mayor
- Last CPA Graduation—West Bountiful Police Department
- WXPd Firearms Qualification
- WX Christmas Tree Lighting Ceremony
- NSL Officer Charlie Skinner Flag Ceremony—10 yr

**USE OF FORCE REVIEWS**

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- Stolen Vehicle located in North Salt Lake, occupants taken into custody at gunpoint without incident.
- Assisted Centerville PD on a mentally disturbed man who possibly had a knife. Subject resisted arrest and attempted to grab an Officer's gun. Arrest control techniques were used to subdue him.

**SWAT TEAM ACTIVITY**

- No Deployments
- Regular NTOA Training

**WOODS CROSS SCHOOL ACTIVITIES**

- Theft of cell phone (later found)
- Fight involving 4 students—all suspended
- Assault-Student punched another student
- Criminal Mischief—students climbing on a vehicle causing damage
- Criminal trespassing—4 students broke into the school to enter the tunnels
- 2 traffic accidents with no injuries
- Drug Arrest—Student had THC oil and drug paraphernalia

**K-9 ACTIVITY**

- K-9 Demo for Centerville Jr. High School
- 2 Demos for Bountiful High School
- Assist to Davis County Sheriff's Office on a traffic stop/vehicle search. No narcotics found.
- Assist BPD on a Residential Burglary
- Monthly Training

**DETECTIVE DIVISION**

- 22 Active C.A.N.R. cases (child abuse neglect report) they are investigating in conjunction with D.C.F.S.
- 22 Active Theft/Property/Fraud/Assault/Death cases
- 5 Pending Review and the Davis County Attorney's Office

**7ELEVEN ROBBERY 1515 SOUTH 500 WEST**

- Armed Robbery involving two men who took cash and tobacco items.
- Suspects identified and pursued ending in the death of one suspect, one suspect outstanding, and a third suspect is in custody.

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Council Member Checketts asked if there was an increase in packages stolen off porches since there was no “Santa Squad” this year. Officer Osoro replied that there has been no notable increase in theft. He attributed this to the police education efforts use of electronic doorbells with cameras to provide additional surveillance

The Mayor and Council thanked Acting Police Chief Osoro for his report and for all of his hard work.

**COUNCIL KUDOS**

It was noted this item would be postponed until the January 15, 2019 Council meeting.

**PUBLIC HEARING—PROPOSED UPDATE TO THE GENERAL PLAN**

The Mayor gave the floor to the Community Development Director who noted the following for the City Council:

“Over the last several months, the city has been working with Landmark Design to study, analyze, and put together a General Plan update. Numerous focus committee meetings, a public open house, and advisory committee meetings were involved in this process. Also, a survey was conducted to further gauge residents’ ideas and feelings for the future of the community.

“Over the last month, the Planning Commission has spent three Commission meetings reviewing the draft and making some modifications and fine tuning. As such, the Planning Commission has now recommended to the City Council adoption of the Woods Cross City General Plan Update 2018. The Planning Commission’s proposed draft is dated December 12, 2018. This draft incorporates Planning Commission input and modifications that are somewhat different than the previous draft the City Council received dated November 7, 2018. Specifically, it should be noted that on page 2-16 there was added a “Commercial Areas Carefully Transitioned into Residential Areas” to the Northwest Quadrant concepts and visions call-outbox. Also, on page 2-19, there was some verbiage added regarding creating a diversity of residential types. Furthermore, on page 2-20, there was a rewrite of the “Design with Woods Cross in Mind” subsection which is now entitled “Encourage Well Designed In-fill projects.” This is the section where the Planning Commission made their major modifications to the previous draft. The November 7<sup>th</sup> draft envisioned emphasizing or placing future multi-family as a component of development within the Northwest Quadrant of the community. Any in-fill of the existing residential core was going to be in the nature of small-lot single family detached housing. The Planning Commission modified page 2-20 and re-entitled it “Encourage Well Designed In-fill Projects” that envision multi-family unit types, suitable for Woods Cross and given certain circumstance, as in-fill in the existing residential core areas of the city. During the Planning Commission’s last meeting a great deal of time and discussion was held on this modification. As such, the Planning Commission directed the staff and the consultant to modify this particular concept on page 2-20 as written.”

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Following the information given the Community Development Director, Mr. Mark Vlasic and Ms. Jenny Hale from Landmark Design, were introduced to give the Council further information. They went over how the draft for the General Plan had been compiled and discussed and the way the information had been gathered. Ms. Hale noted there had been many meetings with diverse groups of people from the community for input. She also noted there had been a survey sent out to residents for their input. She said there had been a lot of time and effort that had gone into putting the General Plan together. She also noted this General Plan update includes plans for affordable housing which is required by law to be included into all communities. Ms. Hale also noted the General Plan update had been presented to the Planning Commission for their review and suggestions regarding any changes they may have felt were necessary, which included the suggestion of infill of affordable housing into the community.

Following the presentation given regarding the General Plan update, Council Member Westergard asked what happens to a city like ours if it does not meet the requirement for affordable housing. Mr. Stephens said the legislature may put in some penalties if communities are not making an attempt to supply affordable housing.

Council Member Checketts asked if affordable housing has to be apartments or does it mean that the city just needs to supply a variety of housing options. Mr. Stephens said it can be different housing options but that it should be noted that one of the more affordable housing options tends to be options such as attached townhomes.

Council Member Terry said after listening to the discussion by the Planning Commission at their last meeting regarding affordable housing options, it could be very feasible and desirable to put a duplex in here or there into the community and also put more projects with higher density into the northwest quadrant so there would be options for affordable housing throughout the community.

Ms. Checketts said her concern was there is property that is being sold in the city that is about 3 acres and she does not want to see a five-story apartment building put in on a small piece of property in the middle of a residential neighborhood.

The Council discussed how they would work on fitting the proper types of housing into the community.

The Mayor then opened the meeting to a public hearing on this matter.

Mr. Spencer McBride living at 1263 South 875 West addressed the Council. He said he is pleased with the work that has been done on the General Plan update. He said he was supportive of diversity in the community, but he was concerned about some of the multi-family that was being considered to include apartments which can be troublesome. The Mayor said he knows of several instance where people rent apartments in the community and while they save money to purchase homes in the community because they like it here. He added that while he is sensitive

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to problems that can occur with some multi-family projects, he agrees with the Planning Commission that other types of housing need to be considered moving forward.

Ms. Dixie Weeks living at 1288 Governor's Way said she hadn't bought a home in a long time but thought homes were about \$285,000. She asked how much a house payment would be for a house that was that price and it was noted that such a home payment would be approximately \$1300 a month. She said she didn't hear anything about transportation and air quality in the General Plan update. She said Westwood is in the middle of the northwest quadrant and she is concerned about what will happen in her area. She was wondering if there were any plans to rehabilitate her area. She said that homeowners in this area do not have the money to fix the deteriorating roads. It was noted that Westwood mobile home park is a Planned Unit Development (PUD); as such they are responsible for fixing their roads within the PUD. Ms. Weeks said she does not see good things coming to Westwood Village.

Mr. LeGrande Blackley living at 1985 South 800 West then said there has been infill already incorporated into the community in several areas of the city that has been successful. He said that housing is a challenge in this market and all solutions should be considered. He said he would like to see extended family being able to find affordable housing in our community.

There was discussion about ownership making a difference in a multi-family project and how that is a factor in how it is taken care of. Council Member Westergard said he is very concerned about these multi-family dwellings and how they are operated and controlled.

Mr. Dan Bradford living at 1394 West 225 South said that when the area west of Redwood Road was being developed there was some concerns with smaller homes on smaller. He said he wonders what the vision of community is for the future. He suggested that the Council should set and maintain a vision to guide the process, adding that the Council needs to be prepared for what to say to residents who have different views. It will be important to help residents understand the reasons for the General Plan and how it helps to shape the community.

Mr. Leo Beecher living at 1974 Sorrento Drive said he is a little concerned that some of the comments generated about multi-family housing can cause unwanted fear; he voiced that it is critical that people understand reasons behind updating the General Plan and that the General Plan is frames a well-thought-out process to act as a guide for ordinances and the direction the city wants to go. He noted that much thought and consideration has gone into the recommendations for the General Plan. He asked the council to carefully consider approval of the plan, with the understanding that the plan does not tie their hands, but serves as a general guideline so final decisions ultimately come down to review of the Planning Commission and City Council. Each project will still need to be considered on their merits and on an individual basis prior to construction within the city.



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The discussion turned to address aging homes and structures within the city and possible plans for these properties in the future.

There were some inquiries in regard to crime rates associated with multi-family dwellings and businesses within the city. Mr. Stephens outlined the top 10 areas that have the most police calls.

The Mayor then closed the public hearing.

Deliberation by the Council continued. Ultimately, the Council determined they would like additional time to review the suggested changes/updates to the General in order to make sure they have and understand all information pertaining to the update.

**CONSIDERATION TO ADOPT A RESOLUTION ADOPTING THE UPDATED  
WOODS CROSS CITY GENERAL PLAN**

Following the above discussion, Council Member Dayley made a motion to table this item until the next meeting in order to allow for further review and study. Council Member Checketts seconded the motion and all voted for the motion through a roll call vote.

Council Member Westergard said he had a request that more detailed information be given on the scope and definition of the infill projects described in the General Plan.

The Council suggested having a work meeting, so they can discuss the details further.

The Mayor and Council thanked Landmark Design for their hard work on this project.

**CONSIDERATION TO ADOPT A RESOLUTION AMENDING THE CONSOLIDATED  
FEE SCHEDULE TO INCREASE THE GARBAGE COLLECTION FEE TO COVER A  
COST INCREASE FOR RECYCLING**

The Mayor gave the floor to the City Administrator who said at the last meeting the Council had approved the increase to the garbage collection fee but that a resolution now needed to be adopted.

Council Member Larrabee made a motion to adopt resolution 2018-664, a resolution amending the consolidated fee schedule to increase the garbage collection fee to cover a cost increase for recycling. Council Member Terry seconded the motion, and all voted for the motion through a roll call vote.

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**CONSIDERATION TO ADOPT AN ARBOR DAY PROCLAMATION**

The City Administrator continued with the floor and noted the Arbor Day Proclamation proclaiming April 26<sup>th</sup> as Woods Cross City Arbor Day had been given to the Council for their review. He noted the Arbor Day observance was held in April, but there was no resolution had been added at that time. An official proclamation fits as part of our Tree City USA designation.

Council Member Dayley made a motion to adopt resolution 2018-665, a resolution adopting an Arbor Day proclamation and that it be amended to include Council Member Julie Checketts signature. Council Member Terry seconded the motion, and all voted for the motion through a roll call vote.

**APPROVAL OF ANNUAL MEETING SCHEDULE**

The City Administrator then noted the city is required on an annual basis to post the city's annual meeting schedule; he referred to the annual meeting schedule included in the Council packet. This schedule states that the City Council will meet the first and third Tuesday of each month in 2019 with the exception of the first Tuesday in January which is New Year's Day.

Council Member Westergard made a motion to approve the annual meeting schedule for 2019 as presented. Council Member Terry seconded the motion, and all voted for the motion through a roll call vote.

**SAFETY AND ACCOUNTABILITY REPORT**

The City Administrator noted the following for the Council:

“For the month of November there were no incidents. Currently in the competition between the three teams, all scores are 0 since there have not been any incidents that would create scores. Also, no pictures or evidence of individuals violating safety rules have been submitted to the committee to rule on.”

**OPEN SESSION**

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 from the public present.

Council Member Dayley said she thought there were pickleball courts being considered to be put in by the public works building; it was noted that such a project is being considered by has not yet been approved. Council Member Dayley expressed a desire to see a basketball hoop put in as was requested by the scout earlier in the meeting.

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Council Member Checketts mentioned that the traffic sensor needs to be adjusted at the intersection on 500 South in the east bound lane. The City Administrator said he would look into the matter.

There were no further comments for the open session.

**WASATCH INTEGRATED WASTE REPORT.**

Council Member Larrabee reported on the activities of Wasatch Integrated Waste District. He said there was a board meeting on 12/27/18 to begin the process for bonding for the mixed waste processing facility. There was a majority vote to proceed with the bonding process.

**MOSQUITO ABATEMENT REPORT**

Council Member Terry reported on the activities of the Mosquito Abatement District. He reported there was a great project that the school district had implemented in the past that was bringing in revenue. He said it was projects like these that they like to see that will be beneficial for the future.

**PLANNING COMMISSION REPORT**

Council Member Terry reported on the Planning Commission meeting held December 11, 2018. Please see the minutes of that meeting for the details of his report.

**SOUTH DAVIS METRO FIRE AGENCY REPORT**

The Mayor reported on the meeting held 12/17/18. He said they had updated their by-laws to coincide with the election of the new chairman.

The Mayor reported on the success and safety that has been realized and afforded because of the new equipment and vehicles for the district. He said this has been made possible by the small tax increase which has already shown benefit to the citizens. He related a story of a West Bountiful resident who suffered a heart attack but survived because of the updated equipment the agency now has available.

**SOUTH DAVIS RECREATION DISTRICT REPORT**

The Mayor noted they had signed an interlocal agreement with Bountiful City to construct an ice ribbon at the planned City Plaza by the old Stoker School.

**MAYOR'S REPORT**

The Mayor had nothing further to report.

**CITY ADMINISTRATOR’S REPORT**

The City Administrator reported the following for the City Council:

**1. Telecommuting Policies**

“A number of months ago the Council approved a resolution establishing a telecommuting policy for the City and part of that policy required each of the departments set their own policies. The police and court departments have set their policies. Because of the classified nature of their information and their need to provide interface with the public, telecommuting is not allowed. The Public Works Department also prohibits telecommuting because of the physical requirement to be at their jobs. I am currently working on the administrative employees which may allow telecommuting under certain conditions.”

**2. December Christmas Employee Party**

“Monday, December 24<sup>th</sup> at 11:00 A.M. Red Flame will be catering a brunch for the Employees. Please come and join us if you like.”

**3. Employee Appreciation**

“Our Employee Appreciation Party will be held at the new City Shops on January 11<sup>th</sup> at 6:00 P.M.”

**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 9:38 P.M. Council Member Terry made a motion to go into closed session with Council Member Checketts seconding the motion and all voted for the motion through a roll call vote.

At 9:51 P.M. the closed session began after the City Council took a short break.

At 10:45 P.M. Council Member Westergard made a motion to come out of closed session with Council Member Terry seconding the motion and all voted for the motion through a roll call vote.

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**ADJOURNMENT**

There being no further business before the City Council, Council Member Dayley made a motion to adjourn the City Council meeting at 10:46 P.M. with Council Member Terry seconding the motion and all voted for the motion through a roll call vote.

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Rick Earnshaw, Mayor

Annette Hanson, City Recorder