

**WOODS CROSS CITY COUNCIL MEETING
FEBRUARY 19, 2019**

The minutes of the Woods Cross City Council meeting held February 19, 2019 at 6:30 P.M. in the Woods Cross City Hall located at 1555 South 800 West, Woods Cross, Utah.

CONDUCTING: Rick Earnshaw, Mayor

COUNCIL MEMBERS PRESENT:
Rick Earnshaw, Mayor Matt Terry
Tamra Dayley Ryan Westergard

COUNCIL MEMBERS EXCUSED:
Julie Checketts
Wally Larrabee

STAFF PRESENT:
Gary Uresk, City Administrator
Jessica Sims, Assistant City Administrator
Chad Soffe, Chief of Police
Annette Hanson, City Recorder
Scott Anderson, Public Works Director
Steven Hellyer, Police Department

VISITORS:
LeGrande Blackley Brittany Hellyer
Lois Schrader Matthew Fredrickson
Don Schrader Dave Fredrickson
Jeane Hellyer

INVOCATION: Rick Earnshaw

PLEDGE OF ALLEGIANCE: Gary Uresk

CONSIDERATION TO APPROVE MINUTES

The City Council reviewed the minutes of the City Council meeting held February 5, 2019. 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.

REVIEW OF FINANCIAL REPORT

The Mayor gave the floor to the City Administrator who reviewed the financial report with the City Council for the month of February.

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APPROVAL OF CASH DISBURSEMENTS

The City Administrator continued with the floor and reviewed the cash disbursements for the time period of 2/2/19-2/15/19.

Following the review of the cash disbursements, Council Member Westergard made a motion to approve the cash disbursements as presented with Council Member Dayley seconding the motion and all voted for the motion through a roll call vote.

OPEN SESSION (BRIEF ITEMS)

The Mayor 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 for the brief open session and the Mayor closed the brief open session.

COMMUNITY OF PROMISE

The Mayor noted there had not been a meeting held for the Community or Promise Committee because that meeting fell on Valentine's Day so there was no report from the Community of Promise Committee at tonight's meeting.

SWEARING IN OF STEVEN HELLYER AS A WOODS CROSS CITY POLICE OFFICER

The Mayor noted Mr. Steven Hellyer was being sworn in as the newest police officer for Woods Cross City. The Mayor asked Mr. Hellyer to introduce his family and he did so.

The Mayor then asked the City Recorder to administer the Oath of Office to Officer Hellyer. Those in attendance congratulated Officer Hellyer on his new appointment to the Woods Cross police force and Chief Soffe said he was very excited to have Officer Hellyer serving as a police officer in the city.

POLICE DEPARTMENT REPORT

The Mayor gave the floor to Chief Soffe who reported the following to the City Council on the activities of the Police Department:

DISPATCHED CALLS

<u>2019</u>	<u>2018</u>	<u>Yearly</u>
Jan--875	Jan—904	2018—11,600
Feb--	Feb—990	2017—11,411
March--	March—991	2016—12,393
April--	April—887	2015—12,819

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May--	May—1023	2014—9495
June--	June—1010	2013—8979
July--	July—982	2012—7347
Aug--	Aug—1118	2011—6918
Sept--	Sept—1020	2010—7167
Oct--	Oct—966	
Nov--	Nov—842	
Dec--	Dec—867	
Running Total	2018 Total—11,600	

ACTIVITY REPORT

- Shop with a Cop—West Bountiful Applebee's, Centerville Walmart
- AP&P Sex Offender Checks—Officer Howey
- Hired New Records Assistant—David Owens
- City Christmas Breakfast—Thank You

USE OF FORCE REVIEWS

122 cases opened

- Police appreciation luncheon – Creekside Seniors
- Guns and Hoses Hockey Game – Austin scored 3 goals – Hat trick
- Goal Luncheon with Jessica
- Girl Scout Tour x2
- Quarterly In-service Training / Legal Update
- Meet the Chief hour/report on state of the PD

Suspicious Incident – Officers cleared an open residence where neighbors were worried the front door was ajar. The homeowner was found safely sleeping downstairs.

- DUI Arrest – Male forcefully removed from his vehicle while attempting to elude officers in traffic, after leaving the Indoor Soccer arena intoxicated. Arrest control techniques used to subdue driver. No injuries.
- Assist North Salt Lake PD in arrest of mail theft suspect who fought arresting officers. Arrest control techniques used to subdue suspect. No injuries.
- Shots fired call – suicidal female was on the phone with a crisis worker when she fired one shot and then dropped the phone. When officers arrived, she was talked out of the house by Officer Strong. One 22 caliber round was fired from a revolver. Assisted by Bountiful and West Bountiful, good job by Officer Strong and Officer Jones

SWAT Training

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- No Deployments
- Regular NTOA Training

WOODS CROSS HIGH SCHOOL ACTIVITIES

- Theft-Airpods taken from Drama room
- 2 Traffic Accidents—No injuries
- Fight-2 Female students
- Boys Basketball heading to state championships
- Rise in parking citations

K-9 ACTIVITY

- Assist UHP in vehicle pursuit with wrong-way driver. Tracked suspects 3 miles until the K-9 Ranger tore his paw pad. (K-9 is healing well)
- Assist UHP with pursuit on the firebreak road in Centerville. Track discontinued due to weather and terrain hazards.
- Demo for Viewmont High School Faculty.
- Demo for Scout Group
- Assist Bountiful on 2 traffic stops, no drugs found.
- Traffic Stop-Marijuana, Heroin, Paraphernalia, and edibles found.
- Assist the Davis County Attorneys Office with 3 home searches for drug court violations. Heroin residue found at one location.

DETECTIVE DIVISION

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

36 (up from 12) active Theft/Property/Fraud/Assault/Death cases

CASE SPOTLIGHT

01/26-01/27: 8 storage units were burglarized in Woods Cross. Suspects would cut off the padlocks and replace with another lock that they supplied. Suspect would later return and remove property from the units that were targeted. Patrol Officers were diligent and located a suspect vehicle description and possible license plate number.

Detective Sheldon conducted a follow-up investigation regarding the suspect vehicle and plate and identified three suspects.

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Search warrants for 4 locations were obtained and searches were conducted in West Jordan, Murray, Salt Lake City and Holladay. Officers and Detectives located a large amount of property that was taken from Woods Cross. All 3 suspects were arrested for Felony Burglary and Theft.

The Council asked if the trucks the police department bought were already purchased. Chief Soffe said yes, they were purchased as the car dealer had the trucks on the lot. Chief Soffe said he would be stripping equipment off of the older vehicles and putting them on the new vehicles.

Chief Soffe also informed the Council that he would be generating a police log with information to go out every two days to increase communication. He said he would be happy to send it to the Mayor to keep him informed.

Council Member Westergard expressed concern about some youth selling cookies door to door in one of the neighborhoods in the city. He said a few of the children who had consumed the cookies got sick, causing them to go to the emergency room. It was noted there were some questionable substances in the cookies which had made the children sick. Council Member Westergard asked if the police had been informed of this issue. Chief Soffe said he had not heard about what had occurred but that he would look into the matter.

CONSIDERATION TO APPROVE THE FY 2020 MOWING CONTRACT

The Mayor gave the floor to the Public Works Director who noted the following:

“As per the 2018 mowing contract which included yearly extensions, we have discussed with Lawn Butler and received a renewal price for the contract.

“We have added the athletic fields back into the contract to be mowed once a week and have stipulated that Hogan Park and City Hall be mowed on Monday.

“Total cost for 2019 will be \$83,700.05. The price of the contract increased \$14,647.55 with the added 10.11 acres. This calculates to a \$28 an acre per year increase or 2.15%.

“City crews will still mow the athletic field one additional time each week to maintain athletic playing field conditions.”

The Council questioned if Lawn Butler has had the required fire inspection done at their business location. There was also discussion and concern that Lawn Butler has not obtained a business license. The Public Works Director said he has had conversations with Lawn Butler, providing them with the contact information to secure a business license required to operate and maintain a business within the city limits and that he would continue to work to make sure they pursue a license.

Following the discussion, Council Member Terry made a motion to approve the mowing contract with Lawn Butler for 2020 with the condition they receive all occupancy permits and meet all

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conditional use terms. Council Member Dayley seconded the motion and all voted for the motion through a roll call vote.

CONSIDERATION TO CONSIDER DECLARING PUBLIC WORKS EQUIPMENT AS SURPLUS PROPERTY

The Public Works Director continued with the floor and explained the following to the Council:

“Given to the Council are two memorandums, one is an accounting for the property that was surplus by the Council in November and the other is a request for surplus additional items.”

The Public Works Director explained that the city would like to advertise the surplus items for public auction and sold “as is.” Council was provided with a breakdown of the surplus property along with the minimum bid required for each item.

Following review of the information given, Council Member Dayley made a motion to declare the public works equipment as surplus property. Council Member Westergard seconded the motion and all voted for the motion through a roll call vote.

CONSIDERATION TO ADOPT A RESOLUTION ADOPTING THE FY 2020 CAPITAL IMPROVEMENT PLAN

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

“Given to the Council is the proposed FY 2020 Capital Improvement Plan. As you can see from tables 1 & 2 that \$1,589,000 worth of capital improvements have been proposed by the department heads with only \$1,340,000 in improvements being recommended for inclusion in the FY 2020 budget. One of the items that increased the amount of capital improvements requested is the 2 ½ ton truck and sander for the streets department. Scott has requested this the past couple of years and it has not been included in the budget. In discussing this with Scott, I feel it is time that we fund this truck. With the funding of this large ticket item, a number of the smaller items are not being recommended for funding because of the reduced amount of funds in the general fund.

“For a number of the lower cost items that are not being funded, I will work with the department heads to purchase them this fiscal year with un-expended funds. I will keep the Council apprised as to the ability to purchase those items in the FY 2019 budget.

“Of particular interest in the General Fund Capital Improvement Plan is the fund balance for the General Fund shown in Table 6. You will see at the bottom of Table 6, that in FY2017 the fund balance was a little over \$1.9 million and increased in FY18 to 2.7 million dollars. The majority of this increase was funds being held for completion of the Public Works Facility. I anticipate the fund balance will drop to \$1.6 million at the end of this fiscal year with the completion of the Public Works Facility.

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“Prior to 2016, in gearing up for the shop construction, the General Fund balance has been consistently around \$500,000. With this in mind I have budgeted nearly \$200,000 of the fund balance to purchase the truck for the Streets Department.

“We will monitor the General Fund balance over the next couple of years to make sure that we keep a healthy balance in the General Fund. I feel that as long as we are above a million dollars, we are fine. We can have further discussions about our fund balance during the budget discussion.

“In the Water Fund, there is a request for \$590,000 in capital improvements as shown in Table 11. I am recommending only \$465,000 be funded. In discussing this with Scott, we feel the service truck can be pushed off a year or so to allow us to complete the replacement of the water meters, which is the bulk of the capital improvements over the next couple of years. Table 15 shows that we are using \$45,000 in cash in the water fund to cover the cost of the water meter replacements. However, since our cash at the end of FY 2019 is anticipated in the Water Fund, there is a request for \$590,000 in capital improvements as shown in Table 11. I am recommending only \$465,000 be funded. In discussing this with Scott, we feel the service truck can be pushed off a year or so to allow us to complete the replacement of the water meters which is the bulk of the capital improvements over the next couple of years. Table 15 shows that we are using \$45,000 cash in the water fund to cover the cost of the water meter replacements. However, since our cash at the end of FY 2019 is anticipated to be over a million dollars this is not a critical concern since and will allow us to replace the water meters as quickly as possible.

I am recommending we minimize the projects in the Storm Drain Funds for the next couple of years to build back up our cash reserves. This may increase slightly if we have a considerable influx of storm drain impact funds and we need these funds to complete needed projects.”

There was discussion on some of the items presented and following questions and answers, Council Member Terry made a motion to adopt resolution 2019-672, a resolution adopting the Fiscal Year 2020 Capital Improvement Plan. Council Member Dayley seconded the motion and all voted for the motion through a roll call vote.

CONSIDERATION TO APPROVE THE MILLS PARK STORM DRAIN DETENTION STRUCTURE CONTRACT

The Public Works Director then went over the following with the Council:

“Woods Cross City has an agreement with the Bureau of Reclamation to utilize a drain system which they own that is called the A-1 Drain. The majority of our storm water goes through this system to the state surplus canal. The agreement limits the amount of water that can be discharged to 30 CFS, (roughly 224 gallons per sec). In order to comply with this agreement, we need to construct detention areas along this drain system to slow down the release of the water.

“We have designed a structure to be placed at approximately 1425 West & 1870 South that will restrict the flow of water and detain it within the drain system through Mills Park for a short period of time (ideally less than eight hours).

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“With this construction being somewhat specialized, the city has contacted MC Green & Sons General Contractors to review our design and concept. They have spent a couple of weeks reviewing and investigating the design construction concepts at the location. We have received a cost from them to construct this facility for \$51,313.35.

“This project is within our storm water master plan and is eligible for impact fee funding.”

Council Member Terry suggested checking on putting in a sign to reduce liability associated with kids playing in retained water in this area. The Public Works Director said he would take that advisement under consideration.

Following the discussion Council Member Dayley made a motion to approve the Mills Park Storm Drain Detention Structure contract as presented. Council Member Terry seconded the motion, and all voted for the motion through a roll call vote.

PUBLIC WORKS FACILITY CONSTRUCTION UPDATE

The City Administrator noted they had held the meeting with the parties involved in the public works facility. He noted that JUB said they would be willing to give the city an offset of \$8200. He noted that Ascent Construction would be willing to give back \$50,000.

The City Administrator recommended that the Council may want to consider this information and wait for all of the Council to be present to continue to address this matter.

There was some discussion about whether or not the city will sell the old public works property since the facility had been built. The City Administrator said he would put this item on a future agenda for the Council to discuss.

MEMORIAL DAY DISCUSSION

Mayor Earnshaw then brought up the upcoming Memorial Day Celebration.

The Mayor noted he is working on getting an engaging keynote speaker. He has asked Commander Jon Eberland of Hill Air Force Base to be the keynote speaker. The Commander has tentatively committed or to arrange for his second in command to come in his place. The Mayor also said he would also like to have another veteran speak.

There was also conversation in regard to how the Council would like the race to work and what changes might help to assure the race run as smooth as possible.

The Mayor reviewed the assignments for the Council, possible entertainment choices and the race event. The Mayor asked Chief Soffe if he could contact Life Flight to come and to have the police officers and fire department help with the flag ceremony. The Mayor also indicated that he would be speaking with possible donors for the breakfast.

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SAFETY ACCOUNTABILITY REPORT

The City Administrator went over the following for the Council:

“Given to the Council is the safety accountability report for the month of January. We had one incident; Marc Evans injured his leg while shoveling snow around city hall. I have also given our competition score sheet that shows MASA is behind in the competition for the first month of the quarter.”

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 and the Mayor gave the floor to Council Member Dayley.

Council Member Dayley complimented the city’s water department on water reporting and accountability. She complimented the Public Works Director on the great job he is doing in managing this important area.

Council Member Westergard also complimented the public works department in regard to their attention to road maintenance. He noted the good condition of the roads within the city, comparing Woods Cross roads with other cities that do not do as well with upkeep.

MOSQUITO ABATEMENT REPORT

The Mayor gave the floor to Council Member Terry who reported on the activities of the Mosquito Abatement District.

He said that Utah had only one death from the West Nile Virus and that the virus had been well controlled this past season. He also shared the district is hiring for a few part time employees.

The Council noted that they would like to have the parks sprayed prior to the concerts that will be held the second Mondays of June, July, and August.

PLANNING COMMISSION REPORT

Council Member Terry then reported on the Planning Commission meeting held February 12, 2019. Please see the minutes of that meeting for the details of his report.

SOUTH DAVIS METRO FIRE AGENCY REPORT

The Mayor reported that the agency will be replacing Gary Uresk, Woods Cross City’s City Administrator, as the chair of the budget committee for the fire agency. He noted the new budget

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committee chair would be Ken Leatham, the City Administrator from North Salt Lake. The Mayor said they also passed the budget for the fire agency.

SOUTH DAVIS RECREATION DISTRICT REPORT

The Mayor continued with the floor and pointed out that the district had issued an online survey to help gather information regarding service and outlining the district's new general plan. So far the survey has had about 1200 responses; they are hoping for at least 1800 responses. He asked the city staff to advertise it on the reader board in order to direct people to the online survey. A paper copy of the survey is available at the Recreation Center.

MAYOR'S REPORT

The Mayor talked about the expiration of the truck ban on Legacy Parkway in 2020. Representative Melissa Ballard is proposing an extension of this truck ban. The Mayor has asked Davis County Council of Government (COG) to support the extension bill. He committed to keep the Council apprised of what was happening with this and other issues at the legislature this session.

CITY ADMINISTRATOR'S REPORT

The City Administrator reported the following to the City Council:

1. Strategic Planning Update

“Brian Muir, who facilitated the Strategic Planning Session, is putting together a summary report. He will have it to the city next week and I will present it to you at the next Council meeting for your review.

2. CDBG Grant

“We have submitted an application for CDBG funding for \$150,000 to pier two homes in the Farm Meadows subdivision. In talking to Stephen Lyon, the CDBG Administrator, he thinks we have a good project and should have a good chance of being funded.

3. Sales Tax Change

The City Administrator said that there is a proposal to change sales tax to 100% allocation by population. This would be detrimental to Woods Cross City and if the change were enacted it could cost the city around \$450,000. He is actively voicing opposition to the proposed change and the change itself. He will continue to monitor this situation and report back to Council.

ADJOURNMENT

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There being no further business before the City Council, Council Member Westergard made a motion to adjourn the meeting at 8:07 P.M. with Council Member Terry seconded the motion and all voted for the motion.

Rick Earnshaw, Mayor

Annette Hanson, City Recorder