

**WOODS CROSS CITY COUNCIL MEETING
AUGUST, 6 2019**

The minutes of the Woods Cross City Council meeting held August 6, 2019 in the Woods Cross City Hall located at 1555 South 800 West, Woods Cross, Utah.

CONDUCTING:

Rick Earnshaw, Mayor

COUNCIL MEMBERS PRESENT:

Rick Earnshaw, Mayor
Tamra Dayley * Entered the meeting as noted in the minutes
Julie Checketts

Wally Larrabee
Matt Terry
Ryan Westergard

VISITORS:

LeGrande Blackley
Makenzi Robinson
Ryan Devore
Caili Hadlock
Ben Simpson
Caleb Dahle
Karen Kriegbaum

Lois Schrader
Caden Devore
Katelyn Mickelsen
Mikey Messina
Emerson Pettey
Warren Pettey

Don Schrader
Norene Riedle
Neil Burutse
Sandi Robinson
Barbara Robinson
Michele Wood

INVOCATION:

Wally Larrabee

PLEDGE OF ALLEGIANCE:

Caden Devore

CONSIDERATION TO APPROVE MINUTES

The Mayor then called for the review of the City Council minutes for the meeting held July 16, 2019.

Following the review of the minutes, Council Member Larrabee made a motion to approve the minutes as written with Council Member Terry seconding the motion and all voted for the motion through a roll call vote. Council Member Checketts abstained as she was not at that meeting.

RATIFICATION OF CASH DISBURSEMENTS

The Mayor then called for the ratification and approval of the cash disbursements. Council Member Checketts made a motion to ratify the cash disbursements for 7/22/19 with Council Member Larrabee seconding the motion and all voted for the motion through a roll call vote. Council Member Westergard then made a motion to approve the cash disbursements for 7/23/19-8/2/19, with Council Member Larrabee seconding the motion and all voted for the motion through a roll call vote.

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**INTRODUCTION AND SWEARING IN OF CYNDI SMITH, JUSTICE COURT
ADMINISTRATOR**

The Mayor then introduced to those in attendance, Ms. Cyndi Smith who is the new Justice Court Administrator for Woods Cross City. The Mayor then asked the City Recorder to administer the Oath of Office to Ms. Smith.

The Mayor and Council and those in attendance, congratulated Ms. Smith and welcomed her to Woods Cross City. They said they were very excited to have her on board and looked 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.

Scout Caden Devore then approached the Council and said he would like to propose to the City Council an Eagle Scout project within Mills Park. He said he would like to install a flagpole in between the baseball fields.

The Mayor said he thought this was a great idea and asked that Caden meet with the Public Works Director to get the details worked out for this project.

Ms. Norene Riedle then addressed the Council and said she has a neighbor that has thistles growing seven feet tall next to her back fence. She said she is wondering why she has to come to the Council every year and ask that this problem be taken care of.

Council Member Westergard said the city is proactive with this type of issue and the Code Enforcement Officer needs to have a complaint to respond to and he also needs to be able to have access to the yard that does have the problem so he can physically see the problem.

Ms. Riedle said the thistles seeds are getting into her garden and growing in her garden making it a mess. She said this weed problem comes up every year. Council Member Westergard said he was sorry this is happening, but the city has found the best way to handle these problems is on a case by case basis after a complaint has been filed.

The staff said they would look into this matter and try to get this issue taken care of. The Council said they would also take another look at how these matters are handled and see if there is something further they can do to help residents who are having a continuous problem with weeds.

Ms. Riedle thanked the Mayor and Council for their consideration.

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Ms. Tara Devore then addressed the Council and asked if the city has a noise ordinance for the trains at the refinery. The City Administrator said the city does not have authority to monitor or control the train horns at the refinery. He said they are regulated by federal law and because of safety issues when there are no barriers at a crossing, the trains are required to blow their horn. Ms. Devore said her family was awoken to the train horn three times during the night due to the loud noise. She said she has not had that problem in the past. The City Administrator said he didn't know if the refinery had changed their train schedule, but the city has no authority to regulate the refinery train horns.

Ms. Devore thanked him for the information.

Ms. Devore also said there has been a lot of traffic near her home since they put in the new sidewalks which has opened up the road from 1500 South to 500 South. She asked if there was a way of putting in the solar panel speed limit signs to help remind cars to slow down. The Mayor said he has proposals on his desk right now for the solar signs and they would be looking into the possibility of purchasing them if cost will allow.

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

YOUTH CITY COUNCIL REPORT

The Mayor gave the floor to Youth Mayor Makenzi Robinson who noted the following for the City Council:

“LAST MONTH: We participated in the West Bountiful 4th of July parade and the Bountiful Handcart Days parade. They were hot and successful, and we heard many comments that our float looked like a parade entry should look.

“We would like to make a recommendation that the float be stored indoors to reduce the expense of redecorating supplies each year.

It was noted there should be room to store the float at the old city shop buildings for now.

THIS MONTH: “Leadership interviews are complete, and positions are decided.

“We are having our end of year party this Thursday at Hogan Park if any of you would like to join us.

“We will be helping the WXPd at the Night Out Against Crime.

NEXT MONTH: “The 2019-20 YCC year will begin. Parent meeting and swearing in will be at the Council meeting on August 17th.

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“New leadership command will be under Mandi Wood. Sara and Sharon will continue as support leaders.”

The Mayor thanked the Youth Mayor and also those seniors who will be graduating for their service on the Youth City Council. He said they had all done a fantastic job in giving service to the community and they will be missed.

CONSIDERATION OF CONDITIONAL APPROVAL SHAMROCK VILLAGE PHASE 3

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

“The staff has reviewed the following development for conditional acceptance:

“Shamrock Village Phase 3.

“We would recommend conditional acceptance of these improvements authorizing the release of the appropriate bond amounts down to 10% with the exception of the landscaping.”

Following the information given above, Council Member Westergard made a motion to approve Shamrock Village Phase 3. Council Member Terry seconded the motion, and all voted for the motion through a roll call vote.

CONSIDERATION TO APPROVE SHAMROCK VILLAGE PHASE 5

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

“Development Associates and Lennar Homes have been quickly developing phases of the Shamrock Village subdivision. To date, the city has approved phases one through four. Phases one and two are complete including new home construction. Phase 3 has homes under construction on all lots and should be receiving conditional acceptance from the City Council on Tuesday evening for the public improvements. Phase 4 has been approved and recorded and is presently having infrastructure and streets installed. Phase 5 consists of 32 lots which will connect Phase 3 with Phase 4 near the southeast corner of the project near the Odyssey Elementary School. This phase is adjacent to Redwood Road which includes landscape setback/walkway between the proposed lots and Redwood Road.

“The Planning Commission has reviewed Phase 5. Their approval included a condition, as per our ordinance, that Phase 5 could not go before the City Council until one of the previously approved phases of the subdivision had received conditional acceptance from the Council. The Public Works Director has placed Phase 3 on the agenda for conditional acceptance. If the Council grants conditional acceptance, this permits the Council to consider approval of the Phase 5 final plat.

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“The Planning Commission recommends approval of Shamrock Phase 5 Final Plat with the following conditions:

1. Downspouts must be directed to the street for homes adjacent to Valentine Estates. This includes lots 526-532 and shall be indicated on the grading loan and a note on the plat.
2. Construction of infrastructure and buildings must conform to the recommendations of the geotechnical study.

Following the information given above, Council Member Larrabee made a motion to approve Shamrock Village Phase 5 with the conditions recommended by the Planning Commission including lots 526-532. Council Member Westergard seconded the motion and all voted for the motion through a roll call vote.

CONSIDERATION TO MAKE APPOINTMENTS TO THE PLANNING COMMISSION

The Mayor said he had spoken with the two Planning Commission members who were up for re-appointment and they both were interested in being reappointed.

The Mayor then mentioned the email that had been sent out by Council Member Dayley noting there was another candidate that she knew of who would be a good candidate for the Planning Commission also. The Mayor said he had been contacted also and had a request from someone else in the city saying that they were interested in serving on the Planning Commission.

The Mayor and Commission said they felt like it would be in the best interest of the city to interview the other interested candidates to see what skills they might have to offer to the Planning Commission.

Following the above discussion, Council Member Terry made a motion to table the Planning Commission appointments until the Mayor could interview all interested candidates. Council Member Larrabee seconded the motion and all voted for the motion through a roll call vote.

CONSIDERATION TO ADOPT A RESOLUTION AMENDING CONSOLIDATED FEE SCHEDULE INCREASING GARBAGE RATES

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

“As mentioned in the budget discussion meetings, Wasatch Integrated Waste is increasing our household fee by \$2 a month for the first and second can. This increase is to cover the cost of building a transfer facility and materials recovery facility. This increase will necessitate raising the rates for the 1st can from \$16.15 to \$18.40. This includes an additional .25¢ to cover the CPI increases for collection over the past couple of years as discussed in our budget meetings. We will also need to increase the 2nd can from \$8.50 to \$10.50 per month.”

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Following the above information given to the Council, Council Member Larrabee made a motion to adopt resolution 2019-686, a resolution amending the consolidated fee schedule increasing garbage rates. Council Member Checketts seconded the motion and all voted for the motion through a roll call vote.

CONSIDERATION TO ADOPT A RESOLUTION AMENDING SECTION XII OF THE POLICIES AND PROCEDURES MANUAL TO INCLUDE FIELD TRAINING OFFICER SUPERVISORY INCENTIVE PAY

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

“Given to the Council is a resolution amending the Personnel Policies and Procedures manual allowing for Field Training Officer (FTO) supervisory incentive pay. Paragraph 12 has been added, to Section 12 which adds an incentive pay of \$1.00 per hour while the officer is acting as a supervisor over an officer on FTO. This will only be available to those officers during the time they are actively supervising an officer on FTO. This will only be available to those officers during the time they are actively supervising an officer on FTO. Also, this shift differential will apply to any overtime calculated for that officer which is required under the FLSA laws.

“This is being done to help attract officers who are willing to supervise the FTO process and as any incentive for completing the extra paperwork that comes along with those duties.”

“Additionally, we are adding clarifying language to Paragraph 11, Shift Differential Pay, precluding officers of graveyard shift from earning the differential on overtime shifts that they volunteer for and may be reimbursed for (i.e. Davis County School District, State DUI, Tobacco and Seatbelt enforcement, and Bailiff Shifts.)”

Following the information given above, Council Member Westergard made a motion to adopt resolution 2019-687, a resolution amending Section XII of the policies and procedures manual to include field training officer supervisory incentive pay. Council Member Checketts seconded the motion and all voted for the motion through a roll call vote.

DISCUSSION ON POSSIBLE LOCATION OF NEW PICKLEBALL COURTS

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

“The Public Works Director has identified two possible areas for construction of new pickleball courts within Mountain View Park, an area in the detention basin at the Public Works facility, and possible removal and replacement of the existing tennis courts in Mills Park. He has outlined the pros and cons of each position for discussion.

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“Two other sites are possible for pickleball construction in the future. We are considering procuring some of Luna’s property for additional parking for Mills Park and could include some additional area in that property acquisition for pickleball courts. Additionally Gary Wright has discussed with me the possibility of moving forward with a residential housing development on the property just north of the Mountain View subdivision. As part of that development, the area just north of the existing Mountain View parking lot could be considered for future pickleball courts.”

The Mayor noted the pickleball courts in the city have been very popular. He said because of this popularity, the city would like to put in some more of these courts. He said there are several options for the City Council to consider. The Mayor said there could be more courts installed at Hogan Park, they could be considered in Mills Park where the tennis courts are located, they could be put in nearby the new city shops or at the Mountain View Park. The Council also discussed purchasing property that is for sale from the Luna’s that could also accommodate new pickleball courts.

There was discussion on the pros and cons of each of the locations. There was discussion on the problems at Mountain View Park because of the lighting challenges and mosquitoes. It was also discussed that it might be beneficial to spread the courts out to service all areas of the city. The Council discussed the fact that the tennis courts at Mills Park are still being used even if it was not very often. It was also discussed that the public works area might be a good fit with all of the new development that would be going into that area. The Council also discussed the purchase of some of the Luna’s property where courts and parking could be constructed on the south side of the property near the existing portion of the park.

Following the discussion, the Council said they would like to see if it might be possible to purchase some of the property from the Luna’s if it was financially feasible. They felt like this would be the best fit for more pickleball courts and parking for those courts.

Council Member Dayley entered the meeting at this time.

DISCUSSION ON IMPLEMENTATION OF MODERATE INCOME HOUSING REQUIREMENTS OF SENATE BILL 34

The City Administrator gave the following information to the City Council:

“Under Senate Bill 34 four additional items are required regarding transportation and traffic circulation element of General Plan. Requirements for the City are as follows:

1. **Provide a general location extent of active transportation facilities.** We have done this with our trails plan within the current General Plan so no major adjustments to our General Plan will be necessary to meet this criterion.

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2. **Plan residential and commercial development around major transit investment corridors to improve connection between housing, employment, education, recreation, and commerce.** With the Rail Station Plan that was reviewed in the June 18th City Council meeting we have taken steps in that direction. With the finalization of that plan, we will satisfy this requirement element within our General Plan.
3. **Correlate the transportation plan with population employment projections and the proposed land use element.** Since most of the transportation routes have been developed in Woods Cross, we do not anticipate any further major transportation routes being built within City or a need to make any major changes here. The only area within the City that we have significant amount of undeveloped land is in the northwest quadrant in proximity of the Legacy Parkway. Our General Plan may need some adjustment to address the availability of land next to the 500 South interchange on the Legacy Parkway and 500 South.
4. **Consider the regional transportation plan developed by Wasatch Front Regional Council in planning.** As we have always taken into account that plan, we do not see any major adjustments needed to bring us into conformance with WFRC's long-term regional transportation plan.

“Under SB 34 all municipalities are also required to facilitate an opportunity for a reasonable opportunity for a variety of housing, including moderate income housing. Each municipality’s plans must address the following:

1. **Meet the needs of people in various income levels living, working, or desiring to live in the community.**
2. **Allow people of various income levels to participate in and to benefit from all aspects of community of life.**
3. **Cities shall analyze how they will provide a realistic opportunity for moderate income housing within five years.**

“We will need to address these issues in our General Plan and outline how we will accomplish these requirements. We are required to update and have these moderate income housing elements incorporated into our General Plan by December 1, 2019. We will then be required to provide an annual accounting of how we are implementing the plan with the first report due on December 1, 2020. Between now and December 1st it will be necessary to make slight modifications for our General Plan to address these issues.

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“In addition to the above mentioned items, Woods Cross City will be required to implement three or more of the strategies listed in the bill. Since we have a rail station in the City we are required to fulfill an additional item, for a total of four. There are 23 strategy options from which we can choose. Given to the Council is a list of these strategies. The fourth strategy we are required to consider is either G or H which read:

(G) Eliminate or reduce parking requirements for residential development where a resident is less likely to rely on their own vehicle, e.g. residential development near major transit investment corridors or senior living facilities

(H) Allow for single room occupancy developments. The following options would work for our City:

- 1. Option A: Rezone for densities necessary to assure production of moderate income housing.** This could be accommodated by rezoning a portion of the Northwest Quadrant to allow higher density housing as discussed in the General Plan update.
- 2. Option F: Allow for higher density or moderate income residential development in commercial and mixed-use zones, commercial centers, or employment centers.** We could allow moderate income residential development in the Northwest Quadrant where we have commercial centers planned.
- 3. Option G: Encourage higher density or moderate-income residential development near major transit investment corridors.** The Rail Station study we have been working on recommends housing around the Rail Station. While this would be limited due to the proximity of the refinery, we could meet this requirement by inclusion of housing in this area.
- 4. Option L: Preserve existing Moderate-Income Housing in the City.** We are preserving existing moderate income housing through the home piercing projects that we are funding within the Farm Meadows Subdivision. By diverting RDA monies to these projects I feel we are accomplishing Option L and preserving moderate income housing in this area of the City.

“We need to determine which options we want to work on and set a schedule to get these strategies incorporated into the General Plan.”

Following the discussion, the Mayor and Council said they will continue to look at all of the possibilities and work on these issues and on implementing what will work best for the city under the new requirements for this bill.

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**DISCUSSION OF NATIONAL LEAGUE OF CITIES & TOWNS CONFERENCE
MARCH 8-11-2020**

The City Administrator said there was a National League of Cities & Towns Conference that would be held in Washington D.C. He said he was wondering if the Mayor and Council might be interested in going to this conference.

The Mayor said he had been to this conference before and it was very informative and enjoyable. He said he thought it would be nice if they could attend the conference.

The City Administrator said he would look into what the cost would be to attend the conference and then get back with the Council with the information.

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 not on the agenda.

Council Member Dayley asked if the Council should consider putting in cameras in the city parks. It was noted there are quite a few costs for the installation of cameras as well as barriers involved in getting information back and forth from the cameras to a central location regarding cameras.

The City Administrator said he would look into the matter and get back to the Council with the information.

The Council also expressed some concerns over watering in the parks. Staff said they would also look into this matter.

Council Member Larrabee said he is a member of the Davis County Citizens Core and they are sponsoring a county wide CERT competition at our city shop on September 28th. He said he would like to invite everyone to come to that event.

Chief Soffe then gave an update on the National Night Out Against Crime. He said it will be August 13th and there would be booths with gunlocks, bike licenses, bounce houses, clowns with balloons. He said there would also be a concert and movie that night and it should be a good event.

PLANNING COMMISSION REPORT

Council Member Terry reported on the Planning Commission meeting held August 23rd, 2019. Please see the minutes of that meeting for the details of his report.

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SOUTH DAVIS SEWER REPORT

The Mayor gave the floor to Council Member Westergard who reported on the activities of the Sewer District.

He gave an update on the waste to energy and algae projects that the district continues to work on and refine.

MAYOR'S REPORT

The Mayor noted for the Council that the fire district is still training on the new fire truck. He also said the new fire station in Centerville is coming along.

CITY ADMINISTRATOR'S REPORT

1. Zoning Ordinance Development Update RFP

“The Community Development Director has received three proposals to provide the services to update our zoning ordinances. He is putting together a review committee and will have a recommendation to the City Council for approval at the August 20th City Council meeting. We will subsequently have a contract for City Council approval at the September 3rd meeting.

2. CDBG—Piering Project

“We have been notified by Davis County that the environmental assessment has cleared. We will now move forward with securing a formal bid document for the piering of the Bodell residence as required by the grant.”

He also noted there will be a summer party for city employees will be on September 6th. He noted it will be BBQ and invited all to come.

There was also some discussion on the size of the Farmer's Market and that it seems to be struggling. The Council discussed some ways that might help give the Farmer's Market a boost and it was noted there had already been some banners ordered for advertising. Council Member Checketts also said she would be willing to help with the market in September and October.

The City Administrator also noted there would be a Utah League of Cities and Towns Conference held September 11-13. He asked the Council for their schedules so he could get them registered to attend.

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ADJOURNMENT

There being no further business for the City Council, Council Member Terry made a motion to adjourn the meeting at 8:37 P.M. with Council Member Checketts seconding the motion and all voted for the motion through a roll call vote.

Rick Earnshaw, Mayor

Annette Hanson, City Recorder