

**WOODS CROSS CITY COUNCIL MEETING
JANUARY 19, 2021**

The minutes of the Woods Cross City Council meeting held by Zoom conferencing January 19, 2021 at 6:30 P.M.

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
Sam Christiansen, Public Works Director
Annette Hanson, City Recorder

Chad Soffe, Chief of Police
Marc Evans, Parks Department
LaCee Bartholomew, Administration

VISITORS:

Mr. Cherone	Cheryl B.	Paul Roth	LeGrande Blackley
Don Schrader	Lois Schrader	Marly F	

The Mayor welcomed those in attendance remotely. He invited all in attendance to participate in the meeting if they would like to do so.

INVOCATION:

Ryan Westergard

PLEDGE OF ALLEGIANCE:

Julie Checketts

CONSIDERATION TO APPROVE MINUTES

The Mayor called for the review of the City Council meeting for January 5, 2021.

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

FINANCIAL REPORT

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

APPROVAL CASH DISBURSEMENTS

The Mayor called for approval of the cash disbursements for 12/31/20-1/15/21.

Council Member Larrabee made a motion to approve the cash disbursements as presented with Council Member Terry seconding the motion and all voted for the motion through a roll call vote.

OPEN SESSION

The Mayor opened the meeting to items from those present that they would like to bring before the City Council that were not on the agenda that were brief in nature.

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

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POLICE REPORT

The Mayor gave the floor to Police Chief Soffe who reported on the activities of the police department as follows:

<u>2020</u>	<u>2019</u>	<u>YEARLY</u>
Jan—1029	Jan—875	2019—11,368
Feb—979	Feb—896	2018—11,600
March-801	March—934	2017—11,411
April-560	April—805	2016—12,393
May-825	May—995	2015—12,819
June-776	June—872	2014—9495
July-1144	July—980	2013—8979
Aug-822	Aug—1173	2012—7347
Sept-804	Sept—943	2011—6918
Oct-896	Oct—1037	2010—7167
Nov-985	Nov—950	
Dec-852	Dec—908	
Running Total—10,473	Total-11,368	

ACTIVITY REPORT

Sept-Oct-November traffic citations

	<u>Oct</u>	<u>Nov</u>	<u>Dec</u>
Total Citations	192	236	179
Total Violations	301	379	279

258 New Cases opened in December.

USE OF FORCE

- 12/21/20-Felony Stop/Assist, Gunpoint
- 12/21/20-Assist Bountiful PD, Gunpoint
- 12/24/20-Assist Centerville PD, ACT

SWAT TEAM ACTIVITY

Regular NTOA Training

DEPARTMENT ACTIVITY

- Watchguard Bodycam Training
- Atek Defense Armor Demo (Vest and Vehicle)
- Community Partners Training
- Traffic Management

WOODS CROSS HIGH SCHOOL

Medical:	2	Lewdness:	1
Administration Assist	14	Keys:	1
Juvenile Problem:	3	Traffic Accident:	6
Assist Other PD:	3	Criminal Mischief:	1

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Ignition Interlock:	0	Warnings:	8
Plates to Another Vehicle:	0		

CRIME SPOTLIGHT

On December 8, 2020 officers responded to fraudulent activity at Mountain America Credit Union. When officers arrived, the suspects attempted to flee and hit Officer Bateman's vehicle. Three individuals were taken into custody and it was discovered the vehicle they were driving was stolen and full of stolen property including identifications, mail, and checks. Drug paraphernalia and prohibited substances were also found. The suspects were arrested on numerous charges and are currently being held without bail. The apprehension of these suspects and investigation led to multiple agencies across the Wasatch Front and Wyoming seeking additional charges against them. They are currently being investigated for numerous frauds, stolen vehicles, and have been linked to taking more than \$65,000 from Mountain America Credit Union within the last three months.

Chief Soffe then asked the Council if they had any questions for him.

Council Member Terry mentioned he had seen the new trucks for the police department in the parking lot and they looked nice. He also said he had heard about an auto/pedestrian accident where the new cement median had been put in at 1800 South and Highway 89 and he wondered if the barrier had anything to do with the accident. The Chief said that area is not well lit, and he did not think the new raised median had any bearing on the accident.

Council Member Checketts asked how long the police dogs were kept in service. The Chief said 6-8 years, depending how hard the dog has been worked. Council Member Checketts asked the Chief how the city would acquire a new dog when one of the dogs were to retire. The Chief said the last several dogs had been donated. Dogs who are also for sale are quite expensive, so the city would have to investigate options when they are ready for a new canine.

Council Member Checketts noted she had seen that Centerville City's crossing guards are wearing body cameras. The Chief said they had the old body cameras from the police department and offered the crossing guards the use of the old cameras if they would like to use them.

Council Member Terry asked how such body camera footage would be handled if there was an incident. The Chief said they could look at the camera and find out the information from any incident that occurred, and the offender could be charged by the body camera information.

Council Member Terry expressed that there may be concern from parents their kids regarding their being recorded and how that information was being used. The Chief said that state law does not require informing/consent regarding this type of recording but that he would make sure parents were given notice of the use of the body cameras and that the body camera information the practice that footage is used unless there is an incident that needs to be reviewed.

The Mayor thanked the Chief for all he and his department do to keep everyone in the city safe.

CONSIDERATION TO APPROVE MOWING SERVICES CONTRACT FOR 2021

The Mayor gave the floor to Mr. Sam Christiansen, Public Works Director, who noted the following:

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“As per the present mowing contract, which included yearly extensions, we have discussed with Lawn Butler and received a renewal price for the mowing contract for the 2021 mowing season. This 2021 renewal includes an increase of \$2,510.95 (3%) to the mowing price, which is allowed in the contract. This is the first time Lawn Butler has exercised the price adjustment in the mowing contract.

“We have set up a monthly quality control meeting between the Parks Department employees and a Lawn Butler employee to ensure the conditions of the contract are being met.

“The contract remains as last year, where Lawn Butler will mow everything once a week and city personnel will mow the athletic fields a second time at the end of the week. The total cost for 2021 will be \$86,211.”

Council Member Checketts asked why the lawns were mowed at twice a week, once at the beginning of the week and at the end of the week. The Public Works Director said the second mowing is on the athletic fields as there are games played often during the week as well as on the weekends. It was also noted that as the grass gets longer, there is a problem called grass “rust” that can be potentially damaging to the grass, so keeping the grass short to helps avoid this fungal disease problem.

Following the information given above, Council Member Checketts made a motion to approve the mowing services contract for 2021 with Lawn Butler for \$86,211. Council Member Terry seconded the motion, and all voted for the motion through a roll call vote.

DISCUSSION OF HOGAN PARK UPGRADE

The Public Works Director continued with the floor and noted the following:

“The Public Works Director has been working with the Parks Department and LaCee Bartholomew on conceptual drawings for proposed changes to Hogan Park. The Public Works Director would like to get feedback on the proposed changes.”

The Public Works Director turned the time over to Marc Evans from the Parks Department and to LaCee Bartholomew who is the Summer Recreation Director to share some of the ideas they had been discussing regarding the upgrades to Hogan Park to make it more usable for the residents of Woods Cross and for the recreation programs sponsored by the city.

Ms. Bartholomew noted that she and Mr. Evans had met and had brainstormed ideas for changes to Hogan Park. Ms. Bartholomew said they would like to have the large and small boweries made bigger. They would also like to see the larger bowery have a wet area for food preparation area for large group gatherings such as the annual Memorial Day Breakfast. They suggested moving the playground to the west and making the play area into a more user friendly and an all-inclusive playground for all children, including those with disabilities as well as upgrade the playground equipment. They also suggest new restrooms and a new storage area be constructed. She said they envision an amphitheater in the southeast corner of the park for a performance stage. She also noted they would like to see a pathway added to join the sidewalks along with possibly adding a community garden and picnic areas. She said they are suggesting removing the softball and soccer fields to create a more leisure type of a park verses a sports park to open up other types of opportunities for this park. She noted that many of the structures and playground equipment are not in very good shape and need to be upgraded.

Mr. Evans noted there are quite a few canopy trees that were lost because of the severe windstorm in September. He said there maybe a few trees located near the bowery could be moved should the

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bowery were to be enlarged. He also gave some details of the proposed walking path. He said the space in Hogan Park could be better utilized and if the park were to be opened up, making the park more family oriented. The Mayor noted the original bowery was built in 1961 and there really needs to be some upgrades done because it is outdated. Mr. Evans said that if these changes were to take place, the park would become a community gathering spot, allowing a base for a Christmas Tree lighting ceremony and other community wide events.

Mr. Christiansen reminded the Council that there is a regional park planned for the northwest quadrant. This new regional park would be a good spot to host sports events, allowing Hogan Park to be a nice family leisure park. He welcomes Council input.

Council Member Larrabee said he likes the ideas that were presented regarding making this park a family park. He did ask what would happen with the pioneer cabin and the buffalo that are located in the park. Mr. Evans said eventually the cabin and buffalo could be moved by the Memorial Wall on the north side of City Hall. He noted that that the buffalo needs to be repaired right now and that for now the cabin and the buffalo can stay where they are.

Council Member Checketts expressed that she also liked the concept of a family park and the idea of having a community Christmas Tree lighting to be held there.

It was noted there is possibly grant money available for a playground if it were to be “all inclusive” and ADA accessible. It was noted Ms. Bartholomew is working on some applications for grant money which, if received, could help with some of the updates to the playground.

It was also suggested there be some picnic areas interspersed with some of the larger trees for shaded picnic areas. There was also mention of cleaning up the tree area near the cabin as well. Mr. Evans said some of those trees are around 120 years old and there every effort should be made to preserve them. Mr. Evans said this is a good park, but it is very congested right now and it could be made a lot more user friendly with some of these proposed changes.

The Mayor said he and the Council liked the plan and as things move forward the Council may have a few more suggestions for the park.

Council Member Dayley said she would like to see a full comprehensive plan including financial plans. She also said she would like to make sure security is taken into consideration, as well as consideration of the neighbors near the proposed amphitheater, particularly addressing noise levels. She would like to reserve enough open space for kids to kick a ball and other informal sport activities.

Council Member Terry said he would like to see the bowery and the amphitheater moved closer together to have it more of an entertainment area.

There was some discussion on the needs of the needs of the summer recreation program regarding the park and open space. It was noted that the summer recreation programs will still be held at both parks, as in the past, based on which park will best accommodate the activities.

The Public Works Director said the next step will be to meet with the engineers to create more detailed drawings and to include suggestions that had been given and to address concerns for potential problems.

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The Mayor thanked everyone for their efforts on this plan and said they are looking forward to seeing this project move forward.

ROOM RESERVATION DISCUSSION

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

“I’ve had Phil Roth, a Boy Scout Troop leader for a group here in Woods Cross reach out about using the city shop’s multipurpose room for their troop to meet. We discussed that due to current COVID rates the city is not allowing groups to use the City Hall or City Shops Multipurpose Rooms. He asked what the city’s plans were post COVID. He is trying to ensure his Troop has a regular place to meet. I shared the discussion we had several months ago about letting groups use the shop’s multipurpose room at no charge was because of COVID, and post COVID the city would be reverting to the existing Room Rental Fees. Mr. Roth would like to have a discussion to ensure that this is the Council’s intention.”

Following the information given by the Assistant City Administrator, Council Member Checketts said she had been looking into what some of the other cities are charging. She said maybe the rental fees should be looked at more closely.

The Assistant City Administrator said staff had looked at what some of the other cities did when these fees were administered the first time.

Council Member Checketts said that since as scouts cannot meet at churches anymore, that the fees might be readdressed and that an hourly rate for some of the community programs might be considered.

The Mayor invited Mr. Phil Roth to address the Council. He said he thought a lower fee or no fee for non-profits would be set and there may be an agreement set up for those meetings. He said he did understand there are COVID restrictions right now. His concern is where this group might be able to meet in the future as he has not been successful in finding anywhere else for his troop of 33 boys, 8 of which are from Woods Cross.

The Mayor asked if Mr. Roth was looking for a set schedule. Mr. Roth said yes, he would like a consistent time and place to meet. He said they are self-funded, so funds are very limited. Boys must pay fees now along with paying for awards, which they did not have to pay in the past. He said they have looked into other buildings to try to meet in and they have not been successful.

The Council suggested a few people Mr. Roth might contact to see if there were any other options for buildings that might be utilized to meet in.

Council Member Dayley said they could possibly come up with a waiver that could be used on a case-by-case basis so the building could be made available for those groups that promote good values within the community.

It was discussed that it might work if the troop could meet outside when at all possible as weather permits and just use the building when it is bad weather.

The City Administrator mentioned that the city had tried using waivers in the past and that it became very problematic. He said he would be more comfortable with working something out for the city hall multi-purpose room and considering a possible adjusted fee.

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Mr. Roth asked if they troop could have a card to use on a specific time and day and it. It was noted that a key card could be issued for a specific time and hours if the Council decided to go that route.

The Mayor said he would like to see something put together for modifications to the fees to see if they could come up with something workable. Discussion ensued on a reasonable rate. It was noted that it might at least be the employee rate at 15.00 per hour.

Council Member Westergard said he would be willing to look at and explore things for groups like BSA. He noted that while scouting is a good program that teaches valuable life skills, it is hard to delineate who qualifies and who does not. He did say he felt like that the policy needed to be clear for staff as the more exceptions considered, the more time staff would have to spend on working things out which would likely take time away from other vital responsibilities.

Council Member Larrabee said he had a connection with the Mason's Lodge in Bountiful and they might be willing to talk with Mr. Roth. He indicated he would give Mr. Roth the contact information so he could inquire about the possibility of using the lodge for the scout meetings.

The Mayor said he and the staff could look at into the matter further and follow up at a future City Council meeting.

SAFETY REPORT

The Assistant City Administrator continued with the floor and gave a safety for the last quarter. She noted there had been two incidents, both with police vehicles; there was no negligence and no injuries. She said there had been 2 safety management audits completed, one in the police department and one at the public works building. Only minor findings were found. She said it was felt there did not need to be an audit on the administrative side at this time. She also said the goal for department safety meetings and safety topics trained had almost been achieved, but the Administrative team had not been due to COVID and because there was a change in team captain. She said things will move forward with Administrator this next year.

Also noted was that safety review had been completed at Mountain View Park by the Trust at the Mountainview. Only minor problems found.

Sam and Cyndi's teams tied for winning the contest for the quarter and team members received a treat to thank them for being safe.

COMMUNITY OF PROMISE REPORT

Ms. Bartholomew reported on the Community of Promise had held a January meeting. She noted that Mandy Wood is resigning from the YCC, but her assistants are staying on. She reported that there will be no Easter Egg Hunt this year because of COVID. She said the recreation and literacy programs are making plans for a hybrid program for June but are hoping that July will allow more traditional activities. Plans depend on COVID numbers. She said the Farmer's Market is hoping to be able to hold their activities the same night as the movies and concerts to help encourage more participation. She noted the Farmer's Market will be posting information on how to sign up for July activities.

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The Mayor said Sharon is going to stay on with Cassandra, LaCee and Erin Sims expressed desire to be a part of the YCC. He said there was not much going on July for the YCC, but he wants to get the leadership together to try to find some activities that the YCC could do that were outside of the box.

OPEN SESSION

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

LeGrande Blackley asked if retired employees can have the employee price for room rental at the city. It was noted the Council was okay with that.

It was noted that a Mr. Cherone had sent an email and asked if he could have the fencing regulations emailed to him. Staff said the email was about his home and lot located at 1891 S 800 West. Mr. Cherone wanted to put a 6-foot fence on his property but because of where it was located and because it was a different shaped lot, a 6-foot fence would not be allowed on the property as Mr. Cherone is requesting at present. Staff noted there may need to be a consideration on which way Mr. Cherone wants his front door oriented. Currently 800 W has been considered the front door, but it has not been allowed 6-foot fencing on a front yard.

The City Administrator noted the ordinance does allow someone to declare what is their front yard. He noted as the ordinance is written now there are several choices for Mr. Cherone. The City Administrator said he has instructed staff to send Mr. Cherone a written document with his options and then if those options do not meet his needs, he can go through the ordinance amendment process.

Ms. Marley Ferrin asked when the second access to Legacy Prep School will be going in. The City Administrator said they have been going through the approval process to get this road constructed so it will probably be going in about July or August.

Council Member Checketts asked regarding code changes to stricter penalties associated with possible drug houses. She asked if staff had checked with the City Attorney. The City Administrator said he would look into it if the Council would like. He suggested that as soon as the Community Development Director gets done with his meetings with the City Attorney regarding the rewriting of the zoning ordinances, the City Attorney could move onto that. The City Administrator said the update on the ordinances has taken up most of the city attorney's time right now.

WASATCH INTEGRATED WASTE DISTRICT REPORT

The Mayor gave the floor to Council Member Larrabee who reported on the activities of the Wasatch Integrated Waste District. He noted that there had not been a meeting, but he said he had sent out an email to the Council about the tonnage of what is taken out of the recycling cans and that monitoring this information can help make in the decision-making process regarding a weekly recycling pick up.

MOSQUITO ABATEMENT REPORT

The Mayor gave the floor to Council Member Terry who reported on the activities of the Mosquito Abatement District. He noted that mosquitoes are under control at this time.

PLANNING COMMISSION REPORT

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Council Member Terry continued with the floor and reported on the Planning Commission meeting held January 12, 2021. Please see the minutes of that meeting for the details of his report.

Council Member Terry asked if there could be some sort of recognition for the service by the Planning Commission over the last few months as they had put in a lot of extra time going over the zoning ordinance rewrites. He suggested a monetary recognition, if possible, considering the extra number of hours required for the ordinance review process. Council Member Checketts and Larrabee said they supported that request as well. The City Administrator said he would work on this suggestion.

SOUTH DAVIS RECREATION DISTRICT REPORT

The Mayor reported on the activities of the South Davis Recreation District. He noted that they met the previous Monday and went over the plan for building a new facility and the adding a new addition to the existing recreation center. The Mayor said SDRC would possibly going out for another bond for next year, but the school is doing one they are unsure if the community would support two bonds at the same time. He also noted there had been two public hearings held with about 37 people attending on Zoom. He said SDRC had received several positive comments from those meeting and there would also be an in person hearing on Saturday. The board is hoping for additional public feedback.

SOUTH DAVIS METRO FIRE DISTRICT REPORT

The Mayor reported on the activities of the South Davis Metro Fire Agency. He said that the Chief and Assistant Chief were officially sworn in and he is looking forward to working with them.

MAYOR'S REPORT

The Mayor said he had nothing further to report.

CITY ADMINISTRATOR'S REPORT

The City Administrator noted the following for the City Council:

1. **Waste Management Contract-** “I have not had time to discuss this with Blake the past week. I plan on discussing it with him next week and providing the Council with an update at the February 2nd meeting.
2. **UTOPIA-** “I have received a draft contract from Roger which I am currently reviewing. I have also asked Jason Burningham to help us review the financial options we have in entering into the agreement. I plan on having this on the agenda on February 2nd for further review.
3. **Pickleball Courts-** “After the discussion we had at the last meeting, Sam is proposing to:
 - a) Put up a sign that states: “Pickleball Courts will be closed during inclement weather. To prevent surface damage, snow removal is not allowed. Courts will reopen when they are clear of all snow and/or debris.”
 - b) Leave 1 or 2 nets up (depending on what the Council would like). The east gate would remain locked, but the west gate would remain open when the weather is good. When a snowstorm is anticipated the gate will be locked and will remain locked until the sun melts the snow off the courts.
4. **Strategic Planning Session-** “The session is planned for Saturday, March 6th from 9:00 A.M. to Noon.
5. **Action Item Report.**

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9-1-20 Send out RFP for Garbage Hauler	Will be on the Feb 2 nd agenda.
9-1-20 Follow up on Veterans Park Donation	Veteran Park has area for each city.
9-1-20 Weeds at Peak Asphalt Entrance	Completed
9-1-20 Weeds in Planter Strip-Silver Eagle	Completed
9-15-20 Welcome Packet w/Emergency Info.	Met with Citizens Corp for Input
9-15-20 Contact RM Power/streetlights	lack of manpower/RMP delays
10-6-10 Stop Signs in Clover Dale Subdivision	JUB is reviewing
10-6-20 Review streetlights in Argyle Acres	List sent to RM Power.
11-3-20 Garbage Truck Early at LDS Chapel	Ace Disposal has been contacted.
1-5-21 Put info. On website regarding glass recycling	In Progress

ADJOURNMENT

There being no further business before the City Council, Council Member Larrabee made a motion to adjourn the meeting at 8:38 P.M. with Council Member Terry seconding the motion and all voted for the motion through a roll call vote.

Rick Earnshaw, Mayor

Annette Hanson, City Recorder