

**WOODS CROSS CITY COUNCIL MEETING
DECEMBER 6, 2022**

The minutes of the Woods Cross City Council meeting held December 6, 2022, at 6:30 P.M. in the Woods Cross City Hall located at 1555 South 800 West, Woods Cross, Utah

COUNCIL MEMBERS PRESENT:

Ryan Westergard, Mayor	Matt Terry
Gary Sharp	Jessica Kelemen
Julie Checketts	

COUNCIL MEMBERS EXCUSED:

Wally Larrabee

STAFF PRESENT:

Bryce Haderlie, City Administrator	Johnny Filler, Public Works
Annette Hanson City Recorder	Sam Christiansen, Public Works Director
Jessica Sims, Assistant City Administrator	Cory Boyle, Police Department
Chad Soffe, Chief of Police	Jim Linton, Police Department
LaCee Bartholomew, Community Services Coordinator	

PUBLIC ATTENDANCE:

LeGrande Blackley	Alisha Copfer	Marcus Arbuckle
Tim Stayner	Jenni Stayner	David Lewis
Marley Ferrin		

INVOCATION:

Matt Terry

PLEDGE OF ALLEGIANCE:

Gary Sharp

COUNCIL KUDOS

The Mayor gave the floor to Council Member Checketts who noted Adam Osoro was nominating Master Officer Jim Linton for Council Kudos for an incident that had recently taken place regarding a medical emergency. Assistant Chief Osoro said Officer Linton arrived on scene where an 18 month old child was not breathing. Office Linton immediately recognized the severity of the incident with the child not breathing and turned the child over his arm and started administering back blows to the child. After several blows a penny and a quarter were dislodged from the child's obstructed airway. The paramedics arrived and took over the care of the child. The paramedics said without the quick action of Officer Linton this baby would certainly have died. Assistant Chief Osoro said he wanted to commend Officer Linton on his decisive action that exemplified what a first responder should do, which resulted in saving the baby's life. Assistant Chief Osoro added that Officer Linton does not hesitate to act when needed and contributes daily to the police agency and to the citizens of Woods Cross City.

The Mayor and Council thanked Officer Linton for his good work for the city of Woods Cross and awarded him a gift card as a thank you and in appreciation for all his does for the City.

The City Administrator also noted that Officer Linton had been submitted for an NAACP award and was awarded that honor, which would be officially recognized in January of 2023.

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2022 FISCAL AUDIT REPORT

The Mayor then gave the floor to Mr. Marcus Arbuckle from the city's audit firm who was at the meeting to present the FY2022 Audit Report.

Mr. Arbuckle reported on the findings of the recent audit of the city's financial records. He went through what was contained in the audit report. He noted the things that were required for within the audit. He went through his findings recommended a few adjustments for the next fiscal budget year.

Mr. Arbuckle thanked the City Administrator and the Assistant Administrator for their help with this audit and the work they had done to prepare for this audit.

Council Member Terry made a motion to accept the audit as presented with Council Member Checketts seconding the motion and all voted in favor of the motion through a roll call vote.

CONSIDERATION TO APPROVE MINUTES

The Mayor called for the review of the minutes for November 15, 2022.

Council Member Checketts made a motion to approve the minutes for November 15, 2022. Council Member Kelemen seconded the motion, and all voted in favor of the motion through a roll call vote.

RATIFICATION OF CASH DISBURSEMENTS

The Mayor gave the floor to the City Administrator who went over the cash disbursements for the time period of 11/10/22-11/18/22 with the City Council.

Following the review of the cash disbursement for the time period of 11/10/22-11/18/22, Council Member Sharp made a motion to approve the cash disbursements as presented with Council Member Checketts seconding the motion and all voted in favor of the motion through a roll call vote.

PUBLIC COMMENT

The Mayor then opened the meeting for public comments that would take less than two or three minutes.

Mr. David Lewis addressed the Council and thanked them for their service. Mr. Lewis asked for a copy of the Moderate-Income Housing Element Plan. He also said he did not feel like there was a solid archive system for the City Council. He said he would like to be able to look back at the video of the meeting. He said there were several other cities that had platforms allowed viewing after the meeting. He also noted he had recently applied for and received a building permit; he felt the process had been challenging; it was difficult to get ahold of the building inspector and when he did come, he provided almost no notice that he was coming. He said he felt like there could be a better way to handle things for this. Staff said they would look into this matter and see what improvements could be made.

There were no other public comments, and the Mayor closed the public comment period.

PUBLIC HEARING: APPEAL/REQUEST FOR EXEMPTION TO RESIDENTIAL DRIVEWAY WIDTH

The Mayor gave the floor to the Public Works Director who said they Stayers were asking for an exemption to their driveway width with the improvements that will be taking place on 1100 W. He said that the standard width for a drive approach is 20 feet minimum and 30 feet maximum. The Public Works Director said the process for any exemption request is to go through the City Council for consideration and approval.

The Public Works Director invited the Stayners to address the City Council on this matter. Mr. and Mrs. Stayner thanked the Mayor and Council for all they do. The Stayners said they are requesting an exemption from the residential width of their driveway. They explained they are used to having a wide driveway and have used two drive approaches since they moved into their home in 2011. They also noted that Continue Mission, which is a nonprofit organization, has been using their driveway to park their small bus for the last six years. They said that Mr. Stayner is a school bus driver so at times they also park a that school bus in the driveway. They said they use their driveway as a horseshoe to make it safer to get out of the driveway onto 1100 West which can be busy at times. The Stayners said they were asking that instead of a 30-foot drive approach which has been offered, that they would like to have two 15-foot drive approaches, one on each side of their property. They said they would like to start the driveway about 54 inches from the fence post on the south side of their property, and 24 inches from the grass line on the north side of the property. They said this will make it so they can continue using the driveway safely and allow Continue Mission to park their vehicles as needed.

The Council reviewed the drawings that had been submitted showing the proposed changes to the area and had discussion on the proposed changes. The Council then discussed if it might be better to have a wider 40-foot driveway instead of having two 15-foot driveways. There were comments that it may be safer to have a wider driveway. The Public Works Director confirmed that there are safety concerns with having two drive approaches located so close together.

He said some of the factors that needed to be considered is that additional are wider driveways would result in less available parallel. He also said the budget was put together to put up to a 30-foot driveway for each property according to the city code, adding that a wider drive would be an additional cost and that the owner should be required to bear the additional costs for additional concrete. It was noted there could be eight or nine other people who could be coming in to ask for similar alternatives to their properties as well. The City Administrator said this decision could impact future improvements and could set a precedence for others in this area who may want some similar considerations. The Council expressed that if additional exceptions were requested, each would need to be considered by the Council on a case-by-case basis.

The Mayor then opened the public hearing for public comment.

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

Following the information given and further discussion by the Council, Council Member Terry made a motion finding of fact that because the existing driveway is over the maximum 30 feet allowed by city code, the Council is granting an exception to allow the driveway to be extended to 40 feet, and that the driveway must be at least 6 feet off property line and the increased cost incurred beyond the 30 foot driveway will be

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the resident's responsibility. Council Member Checketts seconded the motion and all voted in favor of the motion through a roll call vote.

CONSIDERATION TO AUTHORIZE CITY TO ENTER INTO A CONTRACT FOR TEXTING SERVICES

The Mayor noted this item had been discussed in detail at the November 15 Council Meeting. The Community Services Coordinator said there was nothing new to add to what had already been discussed. The cost to set up this service is being waived and 75,000 texts included in the agreement, but more texts could be purchased if they were needed.

Following the information given, Council Member Kelemen made a motion to authorize the City to enter into a contract for texting services per the agreement as had been outlined. Council Member Checketts seconded the motion, and all voted in favor of the motion through a roll call vote.

CONSIDERATION TO APPROVE PORTOFINO SUBDIVISION CONDITIONAL ACCEPTANCE AND BOND RELEASE

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

"We have reviewed the Portofino for conditional acceptance and Bond Release.

"Mr. Greg Seegmiller and Danny have inspected the Portofino Subdivision on November 22nd. We recommend Conditional Acceptance of the Portofino Subdivision to start the warranty period and authorize the release of the appropriate bond amounts down to amounts listed below:

Drawdown to \$119,181.25 retainage that includes bonding for

- Warranty
- Slurry seal
- Sidewalks on Lots 3 and 4. (There is active construction on Lot 4 and Salmon Electric will bond sidewalk on lot 3)
- ADA Ramps on Lots 3 and 4

"We recommend the City Council approves Conditional Acceptance, entering the warranty period for the Portofino Subdivision with the listed bond releases to the amount listed above."

Following the information given, Council Member Sharp made a motion to approve the Portofino Subdivision Conditional Acceptance and Bond Release. Council Member Terry seconded the motion, and all voted for the motion through a roll call vote.

COMMUNITY CONNECTIONS REPORT

The Mayor gave the floor to the Community Services Coordinator who reported to the following:

The Veterans Day dinner was a great night. There were 20 veterans from the city who attended, and 10 veterans were distinguished guests of the YCC members. Next year the publication for this event will begin in October, so more people know about the event.

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Santa Coming to Town/Tree Light was also a great success. The WXPDP used Instagram Live for the event. She said that in the future the route for Santa Clause will be published earlier and be available online. Next year the start time will move to 6:30 pm and the Santa line will open *after* the lights are turned on. The pinatas were a little too difficult to break, but it was good to have a different activity at the event. There was also a suggestion that the different flavored drinks be clearly labeled when they are served so people are aware of what they are getting. This year a Spanish flyer for this event was published for the first time, this was well received. An estimated about 450 people attended this event.

Winter Recreation is well on its way with the registration almost completely full.

Ms. Bartholomew also reported on Angel Tree funds. The YCC was given \$200 to spend to help 2 additional teens at the Woods Cross High Teen Center. Woods Cross Elementary will be getting \$300 to support their Sub-for-Santa efforts and \$500 for their "Coat Closet" and hygiene items. Legacy Prep Academy is getting \$200 to support their Sub-for-Santa program. Odyssey Elementary had five families in need of help for Christmas this year and all five of their families had been adopted by community members to help with Christmas gifts, so the school declined funding from Woods Cross City.

Upcoming events include:

- Staff Christmas Lunch December 22 1:00 pm at the Public Works building
- Marathon Miles (Sergeant Schultz and Mayor Westergard are neck-in-neck)
- Memorial Day kick off meeting January 12
- Employee Appreciation Dinner January 20 6:00 pm at the Public Works building
- YCC Winter Retreat January 20-21 Provo

PUBLIC WORKS REPORT

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

WATER/STORM WATER

- After Hours callouts November –11
- Water Leaks November—7
- Blue stakes tickets November—425
- Storm Water Inspections/Plan reviews October—8
- 1100 W Waterline Inspections
- Large leaks on 1500 S and 970 W and 1935 caused asphalt to lift

STREETS

- Fleet Repairs
- Road Patches
- Tree Trimming in Morningside Park along 925 W
- Remove concrete and prep for Contractor replacement
- Snowplow Prep and 2 snowplow mobilizations
- Bond Inspections

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PARKS

- Christmas Tree Lighting
- Towne Center Playground replaced
- Planning Fertilizing and spraying schedules for 2023 for both normal and drought conditions
- Christmas tree lighting and Santa
- Parks and Recreation Master Plan Update
 - Once information is compiled, we will share it with the Council
 - Working with LaCee on the Recreation Program section
- November Work Orders

800 WEST RECONSTRUCTION

- Everything is complete, except for road paint
- There is a small punch list of items that Kilgore is working on
- Street Preservation of new asphalt in the Spring/Early Summer 2023, depending on the traffic light construction schedule

RAILROAD QUIET ZONE

- Woods Cross helped establish in 2007 and is the managing entity from Downtown Salt Lake through Ogden for all rail crossings along the Frontrunner corridor
- Letter of Remediation sent to FRA and they have scheduled a follow up inspection in June 2023
- Plan out future self-inspections every 3 years by qualified personnel prior to FRA's inspections to allow time for remediation of possible deficiencies prior the FRA finding them
 - Will ask UDOT to perform all Agencies' self-inspections in the future if possible
 - 3rd party inspector charges approximately \$20,000 to perform these inspections. Costs will have to be split amongst all agencies if the group goes with this option
 - This will prevent this issue from reoccurring. And we can be ahead of the FRA

1100 WEST WATER LINE

- Bi-weekly construction updates are being held with AAA Construction
- 1100 W is closed down to one lane
- Garbage pick-up has been adjusted to accommodate the waterline work, and residents have been notified
- 48 hour notices have been required for all driveway blocking and water shutoffs
- Water lateral tie into the new main will start on December 5th. Water notices will be handed out prior
- Replacement of this water line will help with future brown water concerns in the 1050 S Cul-de-sac

PUBLIC WORKS ADMINISTRATIVE

Projects

- Parks and Recreation review and results to come soon
- 1970 S Street
 - Punch list created and working out the final details with 3XL

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- Google
 - 2 new permits approved
- West Legacy Trail
 - Bind Weeds coming up in middle of asphalt, working with the County to find solutions
- Streets/Water Projects
 - 1100 W Waterline awarded to AAA Construction
 - The mainline is complete, process of testing and sampling to put in service
 - Water laterals hydrants will be installed after samples and testing pass
 - 800 W Street rebuild road paint and punch list left
 - 800 W and 1500 S traffic light funded, in the engineering phase
 - Working with utilities to relocate
 - Awarded Davis County Third Quarter Transportation grant \$80,000
 - Adjust manholes in Farm Meadows 10 on 1200 S and 4 on 1100 S
 - Fill in large cracks on 1200 S and 1100 S in Farm Meadows

IN THE WORKS

- Development Review Committee
- Possible additional street preservations, mill and overlays in the spring
- Fleet Replacement Program with Enterprise
 - Ordered 2 light pickup trucks from Ford
 - Ordered banks for heavy duty pickups open in December/January
 - May pivot manufacturers due to manufacturer allotment issues
- Grant Applications—
 - CDBG grants for road/utility repairs in income focused areas
 - BRIC and Congressman Stewart's earmarks
 - County funding for waterlines and roads in income targeted areas
- 1100 W 500 S—1100 S widening project
 - Affected residents and businesses are and continue to be contacted by the Langdon Group for construction easements and Right-of-Way cleanup
 - Bid out in December/January
- 1100 W 3rd quarter funded road widening from 1733 S to 1750 S in design, bid out December/January
- Elements work orders in use, setting up building permitting
- East Mills parking lots rebuild (not increasing size) bid out in December
- Parking and Pickleball options at Mills (survey and funding)

CITY ADMINISTRATOR'S REPORT

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

1. Working with Tim on the Moderate-Income Housing Report to comply with State law.
2. Preparing CDBG application for the subsidence grant that we will be applying for in early Dec.
3. Coordinating with Davis County on the Legacy trail completion and reimbursement.
4. Working with Davis County Animal Control on model ordinances.

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5. Attending meetings on I-15 Environment Impact Statement process.
6. Preparing subsidence grants and pay requests to issue down-payment checks.
7. Attended Lund pre-construction meeting for CDBG subsidence project.
8. Met with staff and Darren Elkins from Bloomquist Hale to discuss our Employee Assistance Program for mental health and how they can assist our efforts to provide greater support for our police staff regarding mental health and the State grant that the Chief is applying for.
9. Prepared City Newsletter article for December.
10. Participated with staff to complete work at the 1970 S assessment area and with neighbors.
11. Work with PD on career ladder policy.

The city administrator also reported that he is working on getting a free consultant to come and assess cyber security safety for the city.

Action Item Report		
Item	Assigned to	Status
Include mow strip provisions in zoning ordinance	Tim Stephens	Ordinance updated to allow citizens to access money.
Have attorney provide legal remedies for drug houses	Bryce Haderlie	Will continue to review in the next couple of weeks
Work with UDOT to widen Redwood Road	Sam Christiansen	Sam has emailed UDOT regarding the striping this spring but has not had a response.
Review zoning ordinance requirements for home occupancy.	Tim Stephens	Will review ordinances to see if changes can be made.
Junk Home Code Enforcement Review	Chief Soffe	Review code enforcement activities around the city

STRATEGIC PLANNING SESSION

The City Administrator then discussed with the Council possible dates and times for the budget retreat for this upcoming year.

The Council discussed the options for the budget retreat. They decided on Thursday the 26th at 4:00-8:00 PM and Friday the 27th at 8:00 AM until things are finished up. There would be a dinner Friday at 6:30 pm, after the work session is completed. The City Administrator asked if the Council liked doing storyboarding concept and if they would like to do it again this year.

The City Council said they did like using storyboarding. With that direction, the City Administrator asked the City Council to be thinking about those things they would like to talk about for the session.

I-15 ENVIRONMENTAL IMPACT STATEMENT

The City Administrator continued with the floor and noted the following for the City Council:

“With the I-15 Environment Impact Statement (EIS) process underway, I believe that it would be beneficial to discuss the 800 W transition at 2600 S and how it will function, and if we need to discuss this with UDOT.

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“They are proposing to remove the 800 W connection to 2600 S and have it bend under I-15 to Wildcat Way. Someone going South on 800 W will need to go under I-15 to access I-15 northbound and southbound, as well as 2600 South both eastbound and westbound. UDOT and the consultants say that the current intersection is too congested on the west side of I-15.

“As a result, there would only be an I-15 off-ramp connection to 2600 S on the west side of I-15 and all 800 W traffic would be diverted under I-15 to Wildcat Way. The current alternative re-route appears to go through the current IHOP property.

The Council and Staff discussed some of the issues they felt like there were with UDOT’s plan. They talked about the hurdles and challenges with the plan that is being presented.

It was noted the public comment period was extended to January 13th and everyone was encouraged to get on the website and make their comments on the proposed project. It was also noted there would be a joint meeting with all cities to get together to discuss this matter.

QUESTIONS/DIRECTION TO CITY ADMINISTRATOR AND STAFF

There was nothing further from the Council or staff.

COUNCIL REPORTS

The Mayor said the sewer district had met and held their budget meeting in which the budget was approved. He said that John Davies, who had served on the sewer district for many years, had passed away, so they are looking for a replacement at the sewer district. He said they have another new board member from Centerville City who was appointed after Dee Hansen had retired. He said the new sewer district member was Gina Hurst who is Dee Hansen’s daughter. Ms. Hurst has background and related training to be very beneficial to the district.

The Mayor also noted that the recreation district is still working through some things and making changes to resolve the financial problems.

The City Administrator asked who would be attending the additional City Council meeting in conjunction with the Planning Commission meeting this coming Tuesday. Some of the Council said they would be attending by Zoom and other said they would try to attend in person. It was noted there would be a discussion on the Moderate Income Housing Element and the changes that have been made in order to get this matter approved by the Planning Commission and City Council and then sent on to the State.

RECESS CITY COUNCIL MEETING AND MOVE TO RDA MEETING

At 9: 07 P.M. Council Member Terry made a motion to recess City Council meeting in favor of moving into the RDA meeting. Council Member Checketts seconded the motion and all voted in favor of the motion through a roll call vote.

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**MOTION TO MOVE INTO CLOSED SESSION AND ADJOURN CITY COUNCIL IMMEDIATELY
FOLLOWING THE CLOSED SESSION** held at 1555 S 800 W Woods Cross City

At 9:38 P.M. Council Member Sharp made a motion to move into Closed Session to discuss for items pursuant to UCA § 52-4-205 and to adjourn the City Council meeting immediately following the closed session. Council Member Checketts seconded the motion, and all voted in favor of the motion through a roll call vote.

Julie Checketts	yea	Matt Terry	yea
Jessica Kelemen	yea	Wally Larrabee	excused
Gary Sharp	yea		

ADJOURNMENT

There being no further business before the City Council, the meeting adjourned at 10:02 P.M.

Ryan Westergard, Mayor

Annette Hanson, City Recorder

Approved by City Council 1/6/23