

**WOODS CROSS CITY COUNCIL MEETING
AUGUST 17, 2021**

The minutes of the Woods Cross City Council meeting held at 6:30 P.M. in the Woods Cross Public Works building located at 2287 South 1200 West, Woods Cross, Utah.

CONDUCTING: Rick Earnshaw

COUNCIL MEMBERS PRESENT:

Rick Earnshaw, Mayor
Julie Checketts
Tamra Dayley

Matt Terry
Ryan Westergard

COUNCIL MEMBERS EXCUSED:

Wally Larrabee

STAFF PRESENT:

Gary Uresk, City Administrator
Sam Christiansen, Public Works Director
Tim Stephens, Community Development Director
LaCee Bartholomew, Community Service Coordinator

Annette Hanson, City Recorder
Chad Soffe, Chief of Police
Jessica Sims, Assistant City Administrator

PUBLIC ATTENDANCE:

LeGrande Blackley
Danny Smith
Allison Dart
Jim Grover
Mary Sue Smith

Aubrey Smith
Don Schrader
Marley Ferrin
Sean Peters
Rachel Dart

Gary Sharp
Boyd Dart
Sharon Peters
Karen Kreigbaum

INVOCATION:

Wally Larrabee

PLEDGE OF ALLEGIANCE:

Rick Earnshaw

CONVENE AS THE WOODS CROSS CITY CANVASS BOARD TO CONSIDER APPROVAL OF THE PRIMARY ELECTION RESULTS AS PREPARED BY THE DAVIS COUNTY CLERK/AUDITOR'S OFFICE

The Mayor convened the Woods Cross City Canvass Board to consider approval of the primary election results as prepared by the Davis County Clerk/Auditor's Office. He noted that about 23.5% of all voters in Woods Cross had voted in this election and the top four candidates would move forward. Jessica Kelemen, Gary Sharp, Jim Grover, and Tamra Dayley were the top four candidates and would be moving forward to the final elections in November.

Council Member Westergard made a motion to approve the primary election results as prepared by the Davis County Clerk/Auditor's Office with Council Member Terry seconding the motion and all voted in favor of the motion through a roll call vote.

ADJOURN BOARD OF CANVASSERS AND MOVE TO OPEN CITY COUNCIL

The Mayor then called to move to adjourn the Board of Canvassers. Council Member Westergard made a motion to adjourn the Board of Canvassers and move to open City Council meeting with Council Member Checketts seconding the motion and all voted in favor of the motion through a roll call vote.

APPROVAL OF MINUTES

Council Member Westergard made a motion to approve the minutes as written with Council Member Checketts seconding the motion and all voted in favor of 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 OF CASH DISBURSEMENTS

The Mayor called for the approval of the cash disbursements for the time period of 8/1/21-8/13/21. Council Member Dayley 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.

COUNCIL KUDOS

The Mayor gave the floor to Council Member Checketts who read a letter from Officer Aaron Bateman who had nominated Officer Austin Strong for Council Kudos because he had gone above and beyond his regular duties.

Officer Bateman said that Officer Strong had helped an at-risk juvenile who was having some trouble. This elementary age youth was living with his grandmother who is also in some difficult circumstances herself. The letter noted that Officer Strong had helped this child by providing meals at his own expense as well as taking him to school. Officer Bateman said that Officer Strong had done a great service to this family by getting them the extra help they needed and that he is making a real difference in our community.

Council Member Checketts thanked Officer Strong for his diligent service and for going above and beyond what he needed to do to help this family in need. She said Officer Strong would be receiving a gift card as a small thank you for all that he does to help Woods Cross City.

ZONING ORDINANCE UPDATE

The Mayor then gave the floor to the Community Development Director, Mr. Tim Stephens. Mr. Stephens gave an update on the zoning ordinance rewrite that has been taking place over the past few months. He noted they are getting down to the end of these rewrites and will be getting their recommendations to the City Council in the next few weeks. He said he is hoping that a public hearing can be held at the September 14, 2021, Planning Commission meeting so this can move forward and then have it to the City Council for their review. The Mayor thanked Mr. Stephens and the Planning Commission for all the hard work they have put in on this matter.

APPROVAL OF YCC SCHOLARSHIPS

The Mayor recommended two candidates for Youth Council Scholarships: Ms. Aubrey Smith and Ms. Rachel Dart came forward to accept the scholarships.

Council Member Westergard made a motion to approve the Youth City Council Scholarships to Ms. Aubrey Smith and Ms. Rachel Dart for \$500 for their work with the Youth City Council over the past four years. Council Member Dayley seconded the motion, and all voted in favor of the motion through a roll call vote.

The Mayor and Council said the Council was very proud of these two Youth City Council members and for their service to the community. The two candidates expressed their feelings on how serving the community had helped them over these past four years. The Mayor and Council congratulated them and said they were very excited to see what the future holds for these two candidates.

OPEN SESSION (BRIEF ITEMS)

The Mayor gave the floor to Mr. Jim Grover who was joining the meeting through Zoom. He shared a website for a matching grant for local COVID assistance. The application period is open through September 15.

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

COMMUNITY OF PROMISE

The Mayor gave the floor to Community Service Coordinator, Ms. LaCee to report for the Community of Promise:

Ms. Bartholomew asked if the Police Department would be able to pass out popsicles left over from Night Out Against Crime to the kids on their way home from the first day of school. It was decided the police department could pass them out at the crosswalks near the two elementary schools that are located in the city.

Ms. Bartholomew also noted the following for the City Council:

1. CERT: The group is back to hosting classes on Tuesday and Thursday nights. Mock disaster will be on November 6th at Fire Station 8 in West Bountiful.
2. Recreation: This will be all wrapped up at the end of the week.
3. Arts in the Park: August 9th Night Out Against Crime and it was a huge success. There was a great turn out but not as many as expected but we probably had about 300-350 people attend overall.
4. Seniors: They are back to business as usual.
5. Book Club: They are meeting this week at City Hall.
6. RAD: Hosting a class this week with 15 kids in attendance. We have never hosted a class in the afternoon. Due to the enrollment, afternoon classes may be considered next year.
7. Upcoming Items:
 - September Community Night on September 13—Celebrating Utah becoming a state. Preliminary contact had been made with a local comedian to perform for about 30 minutes. After discussion, the Council determined they would postpone this event in favor of combining it with Pumpkins in the Park in October if that event will be able to be held due to COVID numbers.
 - Woods Cross High School would like to hold a homecoming parade on September 18, 2021 at 9:30 am. Public Works and WXPd have given tentative approval. It is expected that there will be about 30 vehicles, floats, and firetrucks for the school parade. The Public Works Director said there will be no permanent road closures, rather there will be rolling closures as the parade moves through the city.
 - Pumpkins in the Park was tentatively set for October 23. There was some concern expressed by the Council over leaving the bathrooms open in case of freezing weather since restrooms usually close after October 15th. There was a suggestion of putting heaters in the bathroom at Hogan Park and locking the doors so the bathrooms when not in use for a specific event. It was also noted the event may be affected as Council keeps an eye on COVID numbers.

POLICE REPORT

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

<u>2021</u>	<u>2020</u>	<u>YEARLY</u>	
Jan---704	Jan--1029	2020—10,473	
Feb— 674	Feb—979	2019—11,368	
March—796	March—801	2018—11,600	
April—821	April—560	2017—11,411	
May— 854	May—825	2016—12,393	
June— 700	June—776	2015—12,819	
July— 775	July—1144	2014—9495	
Aug—	Aug—822	2013—8979	
Sept—	Sept—804	2012—7347	
Oct—	Oct—896	2011—6918	
Nov—	Nov—985		
Dec—	Dec—852	Running Total—5324	Total-10,473

ACTIVITY REPORT

May-June-July traffic citations

	<u>May</u>	<u>June</u>	<u>July</u>
Total Citations	133	125	102
Total Violations	208	200	162

277 New Cases opened in July.

USE OF FORCE REVIEWS

6/22/21—Suicidal Female on RR Tracks—ACT Officer Green did an excellent job following training to deescalate.

DEPARTMENT ACTIVITY

- Lakeview Hospital Roundtable
- Trust Safety Luncheon
- South Davis Key Leadership Meeting
- WXPD All Call
- New K9 Purchase
- Clandestine Lab Training
- Crisis Intervention Training

K-9 ACTIVITY

Ranger

7/30/21—10-99 vehicle in WX, vehicle fled, and 3 suspects bailed out. Containment set up and suspects tracked 1.44 miles. No suspects located.

Legend

7/03/21—Storage unit search warrant. Paraphernalia located on benchtop.

7/07/21—Open Door, building search.

7/09/21—Open Door, building search.

7/13/21—Assist Centerville on traffic stop, vehicle search.

7/22/21—Vehicle search, marijuana located.

Rex—New K-9 purchased for Officer Strong

DETECTIVE DIVISION

26 Persons Crimes/Sexual Assault/Active C.A.N.R. cases (child abuse neglect report)

33 Active Theft/Property/Fraud/Assault/Death cases for the month of July

Detective Jones is helping during the summer months since he is not involved at WX High.

SEX OFFENDER ENFORCEMENT

2-Sex Offender Registries

0-Home Compliance Checks conducted

ORDINANCE ENFORCEMENT

7- New cases were received and opened from the public.

3- Cases resolved/closed successfully.

15-Ongoing cases from previous month. Officer Timothy will be taking over Code Enforcement

VFAST

During the month of June, working throughout Davis And Weber County, our North Task Force Team located and apprehended 15 violent fugitives, one of which was involved in 7 Woods Cross cases.

Several controlled substances

Possession of burglary tools

Aggravated Assault

Weapon by a Restricted Person

Obstruction of Justice

Criminal Mischief

Possession of Dangerous

LPR ACTIVITY

DL Violations: 3

Expired/Cancelled: 13

Revoked/Suspended Reg: 6

Stolen: 0

Insurance Violations: 4

Impound: 1

Interlock: 0

Plates to Another Vehicle: 1

Warnings: 8

No Plates/Tags: 0

CRIME SPOTLIGHT

On August 3, 2021, officers responded to Motel 6 to assist South Davis Metro Fire Department on a structure fire. Fire personnel determined the fire was started by an electrical issue in the fan and after it was extinguished, they requested officers respond to the room. Inside the room, marijuana and drug paraphernalia was located. The illegal items were seized, and the owner was notified they would be destroyed. Later, the owner came to the police department and demanded the illegal items be returned to her and provided false and misleading information to the officers. As a result, officers made the decision to arrest the owner, but she refused to comply, and it took five officers and a taser to take her into custody.

DISCUSSION ON ARPA FUNDING

“Given to the Council is a list of projects proposed for ARPA Funding. The first item on the list is the redesign of Hogan Park. The next six items are water line replacement projects totaling \$1.329 million. The last item is the \$42,000 requested by the Sewer District for their nutrient removal project. I have also given to the Council a map showing the location of the water line replacement projects.

“It is clear from the guidelines for spending the ARPA funds that the water line and sewer projects qualify for funding. It is not quite clear that the Hogan Park redesign would qualify.

“If any of you have additional suggestions for use of the funding, we can discuss them as well.”

Council Member Checketts asked if this would take care of updating all of the water lines. The Public Works Director said it would almost take care of the older lines that needed to be updated.

There was discussion on what projects the Council might like to see get taken care of with the ARPA funds as well as what funds would be needed from the city’s budget to take care of the projects discussed. The Council encouraged staff to look into available grants to help with the budgeting for the projects outlined as needed within the city.

The Council discussed providing the sewer district the requested \$42,000 to fund the nutrient removal project. While the Council is supportive of this project, they would also like to see participation from the surrounding cities as well.

CONSIDERATION TO ADOPT RESOLUTION 2021-743 SUPPORTING APPLICATION for 3RD QUARTER FUNDING from DAVIS COUNTY FOR RECONSTRUCTION of 1100 WEST BETWEEN 500 SOUTH AND 1200 SOUTH

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

“Davis County is currently accepting applications for another round of 3rd Quarter Funding. We have identified the reconstruction of 1100 West from 1200 South to 500 West as our top priority for the funding. With the completion of this section of 1100 West, the reconstruction of 1100 West will be completed from 1500 South to 500 South. Given to the Council is a letter of intent for the project which was submitted last month. The total cost of the project is estimated at \$1,435,00 with us providing a \$435,00 match. Completing the reconstruction of 1100 West between 500 South and 1500 South will be a great benefit to those traveling north and south through the city.”

Member Terry made a motion to adopt resolution 2021-743, a resolution supporting the application for 3rd quarter funding from Davis County for the reconstruction of 1100 West between 500 South and 1200 South. Council Member Dayley seconded the motion, and all voted in favor of the motion through a roll call vote.

CONSIDERATION TO APPROVE THE TERMINATION OF DEVELOPMENT AGREEMENT FOR WOODS CROSS TOWNHOMES WRIGHT DEVELOPMENT GROUP, LLC

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

“In March of 2018 we entered into a Development Agreement with Wright Development Group LLC for the construction of the townhomes just north of the Hampton Inn on 800 West. The agreement contained a clause stating that once Wright Development has completed the project and have met the requirements of the warranty period the agreement would be terminated. Given to the Council is a copy of the termination agreement.

“They have completed all the improvements of the project and the improvements have been fully accepted by the City after the expiration of the applicable warranty period. With this, the City is obligated to terminate the agreement.

“The termination agreement does explicitly state that the parking easement with the Hampton Inn and the Declaration of Covenants which both have been recorded survive this termination.”

Following the information given, Council Member Westergard made a motion to approve the termination of the Development Agreement for Woods Cross Townhomes Wright Development Group, LLC. Council Member Checketts seconded the motion, and all voted in favor of the motion through a roll call vote.

CONSIDERATION TO ADOPT ORDINANCE 2021-601 AMENDING ORDINANCE 2021-600 TO REFLECT THE ACCURATE ZONING MAP OF WOODS CROSS CITY

The Mayor gave the floor to the Community Development Director, and he noted the following for the City Council:

“Recently, it was discovered that the current zoning map, adopted March 16, 2021 when the new northwest quadrant zoning was added, had an error. Specifically, the R-1-8 Single-Family zoning for the Valley Meadows Subdivision, approved by the City Council in 2019, had reverted back to A-1 Agriculture as the map was updated with the northwest quadrant zoning. Gateway Mapping is not sure how this happened but has prepared a corrected zoning map.

“I have discussed this issue with the city attorney. He advised that the City follow the state code for the correction of errors to a zoning map which involves adopting an ordinance outlining the map error and adopting a corrected zoning map. The staff would recommend that the ordinance and corrected zoning map be adopted by the City Council restoring the R-1-8 zoning to the Valley Meadows Subdivision.”

Following the information given, Council Member Westergard made a motion to adopt ordinance 2021-601 amending ordinance 2021-600 to reflect the accurate zoning map of Woods Cross City. Council Member Dayley seconded the motion, and all voted in favor of the motion through a roll call vote.

OPEN SESSION

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

Council Member Dayley asked how Redwood Road was going to be striped at the intersection on 2600 South. The Public Works Director said he would look into the matter.

Council Member Dayley also noted the illegally parked trailer she had spoken about in previous meetings was back again and said she would like the police department to look into it. The Chief said he would look into that matter.

Council Member Dayley asked if the air cleaning equipment to help eliminate COVID concerns had been put in at city hall so if the Council could again meet in Council room at city hall they could do so. Council Member Westergard said he liked the way the remote meetings had been able to connect at the Public Works building. He wanted to know if city hall could be fixed to have good remote connection like at the public works facility. The City Administrator said he is working with ETS to implement a new system, similar to the one at the public works building, be installed at city hall.

Council Member Checketts said that the Smoot property is watering every day and Comfort Inn is watering at noon, both of which are a concern due to the drought. Council Member Terry said that Weber Basin is taking complaints and should be contacted regarding water regulation concerns.

Council Member Checketts mentioned there is a tree near Bamberger Bridge that needs to be removed and the Public Works Director said he would take care of the matter.

SAFETY REPORT

The Mayor gave the floor to the Assistant City Administrator who noted that the safety program is working to reduce risk for employees and the city. There were no incidents to report.

MOSQUITO ABATEMENT REPORT

Council Member Terry who reported there are more mosquitoes than are being reported. He said there have been mosquitoes which have tested positive for West Nile. The Mosquito Abatement crew is actively working on hot spots.

PLANNING COMMISSION REPORT

Council Member Terry continued with the floor and reported on the Planning Commission meeting that was held on August 10, 2021. Please see the minutes of that meeting for the details of his report.

The Mayor mentioned there will be one seat on the Planning Commission that will need to be filled because one of the Commissioner's was moving and there was one Commissioner that would like to be re-appointed to the Commission.

SOUTH DAVIS RECREATION CENTER REPORT

The Mayor reported on the activities of the South Davis Recreation District, which is moving ahead with plans for a new facility. They are also adding another pool to the current recreation center and are replacing a pump in the existing leisure pool. They have will pursue a bond this year as they are waiting clarification on funding from other sources.

SOUTH DAVIS METRO FIRE DISTRICT REPORT MAYOR'S REPORT

The Mayor noted SDMF had held their Truth and Taxation hearing and they adopted the recommendation from the city manager's and budget committee regarding implementing a 10% increase to the cities. There will be a residential tax increase of 0000585%, which is about a \$43 increase for a \$440,000 home.

MAYOR'S REPORT

The Mayor said he was sorry that he was unable to attend the Community of Promise meeting or the Night out Against Crime as he had been out of town. He greatly appreciates the efforts by all involved.

CITY ADMINISTRATOR'S REPORT

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

1. 1970 South Street Project. "The Board of Equalization met last Tuesday and finalized their work on making adjustments. Mark Bell is working on the findings report for the Board. This should be finalized next week. The Board will need to hold one more hearing to notify other property owners that their assessment has increased due to their adjustments. They should have their final report and recommendations to the Council by the first meeting in September. Once this report is submitted to the Council the assessment ordinance can be adopted.

"Construction on the road is slated to start on the 17th of this month.

2. Smith Property. "Scratch Development, located in North Salt Lake, has purchased the Smith Property and plans on submitting an annexation plat within the next couple of months. They have indicated they would like to proceed with the same type of plan the Smith's submitted. I indicated to them the current General Plan identifies the property for commercial/industrial development. Over the next couple of months, we need to work on determining if the area can support that much commercial/industrial development or if the General Plan needs to be modified to reflect current economic conditions. We are currently reviewing the Lewis Youngs draft market study of the area. When the study is finalized, we can discuss its recommendations and make any adjustments to the General Plan that you feel are justified by the study".

3. Action Item Report

MOTION TO RECESS THE CITY COUNCIL MEETING AND GO INTO THE RDA MEETING

At 8:17 P.M. Council Member Checketts made a motion to recess the City Council meeting and go into the RDA meeting. Council Member Westergard seconded the motion, and all voted in favor of the motion through a roll call vote.

MOTION TO GO BACK INTO CITY COUNCIL MEETING FROM THE RDA MEETING

At 8:20 Council Member Westergard made a motion to go back into open City Council meeting with Council Member Checketts seconding the motion and all voted in favor of the motion through a roll call vote.

CLOSED SESSION TO DISCUSS PERSONNEL MATTERS PURSUANT TO UTAH CODE §52-4-205

At 8:21 P.M. Council Member Westergard made a motion to go into closed session with Council Member Terry seconding the motion and all voted in favor of the motion through a roll call vote.

MOVE FROM CLOSED SESSION INTO OPEN CITY COUNCIL MEETING

At 10:00 P.M. the Council moved from closed session into open City Council meeting.

ADJOURNMENT

There being no further business before the City Council, the Council adjourned the meeting at 10:00 P.M.

Rick Earnshaw, Mayor

Annette Hanson, City Recorder

Approved by City Council 9/7/2021