

**WOODS CROSS CITY COUNCIL MEETING
SEPTEMBER 7, 2021**

The minutes of the Woods Cross City Council meeting held at 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

Wally Larrabee
Ryan Westergard

COUNCIL MEMBERS EXCUSED:

Matt Terry

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, Police Chief
Jessica Sims, Assistant City Administrator

PUBLIC ATTENDANCE:

LeGrande Blackley
Gary Sharp
Kirk
Marly Ferrin
Willie Salas
Nancy Salas
Dylan Salas
Kyle Salas
Brook Hardy
Chris Hardy
John Hardy
Jonathan Hart
Dallin Hart
Jaime Chidester
Brandon Chidester
Ashlyn Chidester
Sydney Sims
Corban Sims
Rachel Sims

Erin Sims
Sharon Peters
Emmalee Peters
Ashley Westergard
William Ahluwalia
Brooke Corob
Lilly Corob
William Anderson
Bobbie Anderson
Jaxon Dyreng
JanNan Dyreng
Eric Dart
Allison Dart
Boyd Dart
Kera Keeler
Eva Keeler
Leslie Keeler
Bran Keeler
Micah Gillespie

Wendy Gillespie
Mary Sue Smith
Danny Smith
Conner Smith
Jaren Dyreng
Ava Judd
Eldon Judd
Ellen Rasmussen
Susannah
Rasmussen
Tori Simmons
Amanda Chester
Haline Schaff
Avery Schaff
Stephen Schaff
Jesse Salas
Kayelin Salas
Abby Olson
Lily Mann

Ben Mann
Erin Sims
Deann Westergard
Push Walia
Lana Dahle
Mark Dahle
Caleb Dahle
Benjamin Dahle
Andrew Dahle
Amy VanderLinden
Ryan VanderLinden
Kobi Vanderlinden
Ashlyn Checketts
Cole Checketts
Andrew Israelsen

INVOCATION:

Julie Checketts

PLEDGE OF ALLEGIANCE:

Ryan Westergard

APPROVAL OF MINUTES

The Mayor called for the review of the minutes for the City Council meetings held August 17, 2021, August 23, 2021, and August 31, 2021.

Following the review of the minutes by the City Council, Council Member Westergard made a motion to approve the minutes as written with Council Member Larrabee seconding the motion and all voted in favor of the motion through a roll call vote.

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APPROVAL OF CASH DISBURSEMENTS

The Mayor gave the floor to the City Administrator who went over the cash disbursements for the time period of 8/14/21-8/30/21. Following the review by the Council, Council Member Checketts made a motion to approve the cash disbursements for 8/14/21-8/30-21. Council Member Westergard seconded the motion, and all voted in favor of the motion through a roll call vote.

SWEARING IN OF YOUTH CITY COUNCIL

The Mayor welcomed those in attendance who were in attendance supporting the new Youth City Council Members for the upcoming year. He then called Sharon Peters forward who is one of the Youth City Council advisors. She announced the new leadership for the upcoming year. She announced that the Mayor will be Eldon Judd, the Mayor Protem is Tori Simmons, Ambassador is Ashley Westergard, Photographer/ Social Media is Ava Judd, Music Master is Sydnie Simms, Service Recorder is William Anderson, Communications/Photographer Historian is Amanda Chester, Treasurer is William Ahluwalia.

The City Recorder then did the swearing-in of the new Youth City Council leadership and new Youth City Council for the upcoming year.

Following the swearing-in of the new Youth City Council, the Mayor and Council congratulated all the new members and said it was a good group and that the City looked forward to having them serve the community of Woods Cross.

YOUTH CITY COUNCIL REPORT

The new Youth City Mayor, Mayor Eldon Judd then reported on the activities of the Youth City Council. He noted that the YCC participated in the Coats for Kids drive and it went well. He said they will be doing a get-to-know-you-activity as well as starting to work on Pumpkins in the Park activity.

The Mayor thanked Mayor Judd for his report and excused the Youth City Council and their parents.

SWEARING IN OF OFFICER SALAS

The Mayor then gave the floor to Chief Soffe who the introduced Woods Cross City's newest police officer, Officer Mitch Salas following which at the City Recorder then administered the Oath of Office to Officer Salas. Officer Salas's wife then pinned on his badge and Officer Salas introduced his family to the Mayor and Council.

The Mayor and Council congratulated Officer Salas on his new appointment to the Woods Cross Police Department. Chief Soffe also said he was very glad to have him on the police force and is looking forward to working with him.

OPEN SESSION (BRIEF ITEMS)

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

Ms. LaCee Bartholomew introduced Andrew Israelson, a student officer for Woods Cross High School. Ms. Bartholomew noted that Woods Cross High School would be having a homecoming parade on Saturday, September 18, at 10:00 A.M. Mr. Israelson said he would be happy to answer any questions the Council may have regarding the parade. He said it had been quite sometime since there had been a homecoming parade for Woods Cross High and they were looking forward to having one this year.

The Council asked what the route of the parade would be, and Mr. Israelson explained where the route would be going throughout the city ending at Woods Cross High School.

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PUBLIC WORKS REPORT

The Mayor gave the floor to the Public Works Director, Mr. Sam Christiansen. He reported on the following activities of the public works department.

WATER/STORM WATER

- After Hours callouts August-9
- Water Leaks repaired August-2
- Blue Stakes tickets August-135—He noted there would be many Blue Stakes with Google fiber going in
- Storm Water Inspections/Plan reviews June-18
- GPS 2600 Meters, 800 more to GPS
- Culinary Water production on track to be same as last year. (City has 95% coverage of secondary water.)
- Water restrictions start September 21, It will be posted on the reader board, website, signs, and sent out in September newsletter.
- Backflow assembly testing letters

STREETS

- Striping and Crosswalk painting
- Street Sweeping
- Honey Locust Bore affecting street trees due to drought stress (800+ street trees)

PARKS

- Prepare for Day of Service on September 11th
- Sanitizing boweries and bathrooms
- Mills Park Merry Go Round parts ordered
- Restroom back open at Mills Park
- Water will be shut off September 20th
- Parks lights repairs
- Hogan Park Design Ideas
- Help with Street Trees
- Dog Park Maintenance

PUBLIC WORKS ADMINISTRATIVE

Projects:

- 800 W and 1500 S Traffic Light funded, and engineering started
- 1100 W 3rd quarter funded road widening from 1733 S to 1750 S
- Parking and Pickleball options at Mills, contact property owner
- Flashing Crossing Signs at Odyssey
 - Ordered—hopefully, come in this month
- Hogan Park Remodel—in design, almost 30% complete
- Mills Park Trail Overlay and 1500 S Trail Crossing Project started
- Streets/Water Projects
 - Overlays on Sorrento, 1500 S, 625 S, 750 S and 850 S
 - Concrete added to project (focus on gutters and sidewalk hazards)
- 800 W rebuild/overlay
 - Road work design
 - Weber Basin Line—waiting on update
 - Culinary Water Lateral Line change overs

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IN THE WORKS

- Development Review Committee
- Elements work orders and asset set up
- ARPA Funding Project Planning
 - 1500 S Water Line Phase 1
 - 1200 W Water Line
- Davis County Pre-Disaster Mitigation Plan Update
- Fleet Replacement Program Update
- Prep for Google Fiber Installation
- Hazzard Assessment by BYU Students

The Mayor thanked the Public Works Director for his report.

DISCUSSION OF CITY LOGO

The Mayor noted that Mr. Feller was not feeling well so he would be unable to be at tonight's meeting to discuss the city logo. The Council tabled this item to a future meeting when Mr. Feller could be present.

CONSIDERATION TO APPOINT JESSICA KELEMEN AS A MEMBER OF THE PLANNING COMMISSION

The Mayor noted that Ms. Jessica Kelemen's term on the Planning Commission would be expiring, and the City Council would need to reappoint her to the Planning Commission if they would like to do so. He also noted that both Ryan Larsen and Curtis Poole had tendered their letters of resignation. The Mayor said they would need to look for people to fill those two positions

Council Member Westergard made a motion to reappoint Jessica Kelemen to the Planning Commission with Council Member Larrabee seconding the motion and all voted in favor of the motion through a roll call vote.

CONSIDERATION TO APPROVE RESOLUTION 2021-744 APPROVING AN INTERLOCAL AGREEMENT BETWEEN DAVIS COUNTY CITIES AND DAVIS COUNTY FOR UPDES GENERAL PERMIT

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

"Given to the Council is a resolution approving the storm water agreement. This is essentially the same agreement approved 5 years ago with a few minor changes.

"Davis County and all the cities in the County agree and approve a UPDES (Utah Pollutant Discharge Elimination System) General Permit, agreeing to work cooperatively regarding the following:

- a. Distribution of educational and training materials
- b. Training
- c. Jointly prepare and promote model ordinances, updates and standards that address illicit discharges, construction storm water runoff and long-term storm water management.

Following the information given, Council Member Westergard made a motion to approve resolution 2021-744 approving an interlocal agreement between Davis County cities and Davis County for UPDES General Permit. Council Member Checketts seconded the motion, and all voted in favor of the motion through a roll call vote.

CONSIDERATION TO APPROVE AN AMERICAN RESCUE PLAN ACT (ARPA) SUBSCRIPT AGREEMENT WITH SOUTH DAVIS SEWER DISTRICT

The City Administrator continued with the floor and noted the following for the City Council: "Given to the Council is a subrecipient agreement with the South Davis Sewer District for the \$42,000 we are providing to them for their nutrient

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removal project. This agreement much like the agreements we entered into for the CARES ACT funding, outlines the Sewer Districts responsibilities for the funds. They need to report to us the spending of the funds and show that it was used for an authorized use for ARPA funds, maintaining records of the expenditures for at least 6 years.”

Following the information given by the City Administrator Council Member Westergard made a motion to approve an American Rescue Plan Act Subscript agreement with South Davis Sewer District. Council Member Checketts seconded the motion, and all voted in favor of the motion through a roll call vote.

CONSIDERATION TO APPROVE THE ROAD DEDICATION PLAT OF 1200 WEST AND 1970 SOUTH

The City Administrator continued with the floor the explained the following to the City Council:

“With the construction of the second access into the Woods Cross Industrial Park we need to officially dedicate the roads, to assure they are shown on the County Land Plats as dedicated streets. Given to the Council is a copy of the dedication plat and the Community Development Director’s memo to the Planning Commission. The Planning Commission at their August 24th meeting recommended approval and forwarded it on for your approval.”

Following the information given by the City Administrator, Council Member Larrabee made a motion to approve the road dedication plat of 1200 West and 1970 South. Council Member Checketts seconded the motion, and all voted in favor of the motion through a roll call vote.

CONSIDERATION TO GRANT CONDITIONAL ACCEPTANCE FOR OLDE TOWNE CENTER LOCATED AT 800 WEST 1500 SOUTH

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

“Public Works, Engineering and Community Development have reviewed the Olde Towne Center development located at 1500 S & 800 W, for conditional acceptance and entering the warranty period. We recommend Conditional Acceptance of this development to start the warranty period and authorize the release of the appropriate bond amounts down to the \$183,326.17 contingency/warranty amount.”

Following the information given by the City Administrator, Council Member Westergard made a motion to grant conditional acceptance for Olde Towne Center located at 800 West 1500 South. Council Member Larrabee seconded the motion, and all voted in favor of the motion through a roll call vote.

CONSIDERATION TO AWARD THE BID FOR THE CONSTRUCTION OF THE WEST LEGACY TRAIL PAVING PROJECT

The Mayor gave the floor to the City Administrator who noted a bid opening had been held for the construction of the West Legacy Trail Paving project. He said informed Council that the low bid was from Post Construction at \$202,310. He shared that staff was recommending the bid be awarded to Post Construction.

Council Member Westergard made a motion to award the bid for the construction of the West Legacy Trail Paving project to Post Construction for the amount of \$202,310. Council Member Larrabee seconded the motion, and all voted in favor of the motion through a roll call vote.

BUDGET DISCUSSION-POLICE DEPARTMENT SALARIES AND SICK LEAVE BUY OUT

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

“There are two budget issues that need to be addressed that will increase the budget.

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1. Police Salaries. "As you are aware police salaries in the State have been increasing rapidly, with first Salt Lake City making significant salary increases and then other cities following suit. Increases have been as much as 20%. Ultimately, we will need to be in that range to be competitive, otherwise we will lose officers and not be able to recruit good officers.
2. "To remain competitive, I suggest a two-step process. First, we immediately need to increase our police officer salaries to show officers that we are sincere in our effort to remain competitive with our salaries. I suggest we increase our starting salary for Police Officer by 7% with a smaller percentage increase for those higher in the pay scale. Given to the Council is an exhibit showing how this will be scaled out. Currently our largest concern is with the entry level positions so I would like to give them the biggest percentage increase. This increase will give us time to review salaries in more detail, with step two occurring after the first of the year when a final adjustment can be made modifying all police salaries to where they are competitive in the market."

The City Administrator noted the salary increase amount would equate to about \$60,000 for this year and next year it would be about \$200,000 for the budget increase. He said if this was approved by the Council it would likely be committing to a tax increase next year.

The Mayor asked Chief Soffe for his input. Chief Soffe said he hoped that the offer would be enough to keep police officers here. He said there are several communities that are offering higher salaries and actively pursuing police officers to move to positions in their cities. He said he is concerned about losing officers to other cities. There was discussion on how much the increase might be for the officers and when it may take place.

The Assistant City Administrator said she would like to have a pay study done for each position in the city to make sure all positions in the city are being paid what they should be. She also said she hoped to continue to have good communication and talk with all city departments to understand the needs for each department to be effective.

Council Member Larrabee said he felt like it would be good to go with the City Administrator's immediate recommendation tonight and look at possible additional increases the first of the year.

Council Member Dayley said she would also like to see something done right away to make sure the officers will stay on with the city. She said she also felt like a salary study would also be important to be done soon as the study will guide future decisions.

Council Member Westergard said he was comfortable to start the new hires at a 10% increase and then be adjusted down through the other officers and start on a salary survey right away. He also recommended that benefits discussions should happen early in the fiscal year.

The Mayor said he agreed with the 10% and adjusting down the pay scale. He said he hoped that would be enough to keep our officers and he would like to do as much as can be done right now to help retain our current officers.

There was additional discussion on the likely needed tax increase and the critical need for public education in the process. It was discussed that benefits discussions need to happen early in the fiscal year.

The City Council said they would like to move forward with the immediate increase discussed. Staff said they would move forward with that direction.

The City Administrator said the second part of this discussion concerns sick leave conversion for retirees. He and the Assistant City Administrator reviewed the way this conversion is currently handled and the challenge it is to fund this

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process as is. Both are recommending moving to funding this sick leave conversion via an HRA immediately upon retirement and to move from managing this process internally to having a professional company handle it, like our HSA process. The City Administrator went on to say this change would result in a one-shot cost and then money would need to be put in for fiscal year 2023 to cover those who would be using it.

The Council said they would support the sick leave conversion that would be funded at retirement using an HRA fund with the professional company taking over the administration.

The Assistant City Administrator said she would move forward with council's direction.

SECOND OPEN SESSION

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

Ms. Bartholomew reported on putting up the flags on 9/11. She had worked many different options and had not been able to find anyone interested in putting up and taking down the flags on that day and asked for other ideas. There was a suggestion that the city could offer the boy scouts to use the multi-purpose room in exchange for putting up the flags. The Council liked the idea and directed staff to offer the scouts to meet at city hall twice a month in exchange for putting up and taking down the flags for the remainder of the holidays until the end of the year. If this agreement works well, the city could consider continuing the arrangement for the next year to include 9 days of flag service.

The Council discussed the upcoming Day of Service and what was going to be involved in that day.

The Mayor asked about the Flip-the-Strip program with Weber Basin and wanted more information in regard to it being utilized in the city. Staff said they would look into that matter.

Council Member Checketts asked for an update on the radar signs. The Chief said he would look into the matter.

SOUTH DAVIS SEWER DISTRICT REPORT

The Mayor gave the floor to Council Member Westergard who reported on the activities of the South Davis Sewer District. He noted the district was going to lease another piece of land near the north plant to a company who would use the parcel to mix topsoil. He said this would be a good lease for the company and for the district. He also reported that a sewer rate study showed rates and taxes need to be raised over the next 10 to 15 years because of the tightening regulations being required by the EPA. The north and south plant rehabilitation has been going well. The waste to energy program is making money but is not quite self-sufficient. The district had also participated in a low-income water program. He said they also gave an update on the ARPA funds and his meeting and most of the surrounding cities did participate in donating ARPA funds to the sewer district for the nutrient removal project.

PLANNING COMMISSION REPORT

Mr. Tim Stephens, the Community Development Director, reported on the Planning Commission meeting held August 24, 2021. Please see the minutes for that meeting for the details of his report.

MAYOR'S REPORT

The Mayor noted there had been an incident that happened near the Skypark the airport where a larger jet that was taking off caused a significant wind blast and that resultant debris damaged two cars, shattering the windows. The City Administrator reported that he had been in contact with the airport manager and that the airport is taking financial responsibility for this unfortunate event and are actively working to prevent future incidents. Chief Soffe reported

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reaching out to the airport to offer PD assistance to manage traffic when these larger airplanes need to take off, indicating that it would be a small thing for officers to stop traffic. The airport is also having the runways cleaned of all debris. These efforts should help prevent these types of issues in the future. Staff will continue to monitor this situation.

CITY ADMINISTRATOR'S REPORT

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

1. **Special Assessment Area.** "The Board of Equalization will need to meet one more time on September 14th. After this meeting they will finalize their report and submit it to the Council at the September 21st City Council meeting. At that meeting the Council can move forward and put the assessment ordinance into place.
2. **1200 West 1970 South Street Construction.** "As part of this project, we have included a 6-foot vinyl fence on the north and west sides of the street on the boundary of the adjoining property owners. As per our ordinance, since this is an area where industrial property is adjoining residential property, we have created a fifteen foot buffer strip and will plant trees on fifteen foot centers in the buffer strip to provide a buffer between the street and the residential neighbors.

"An issue has risen with one of the property owners to the west of the 1200 West Street. He is concerned that since the street is higher than his property that people walking on the sidewalk will be able to look into his backyard. The reason he has this concern is because his neighbors to the north of him have fences on top of a retaining wall. He and his neighbor to the immediate north do not have a retaining wall. The solution to this concern is to continue the retaining wall along these two properties and place the six-foot fence uniformly across the retaining wall. Given to the Council is an exhibit showing where this is located. Also given to the Council is a cross section showing the fence on the wall. This will increase the cost of the project by about \$10,000 but will take care of his concern plus make a uniform look across the west side of the project. Also given to the Council is a drawing showing the relative elevations of the top of the fence and the sidewalk, which shows that a six foot person walking on the sidewalk will not be able to look down into the neighboring properties.

"This property owner may be at the Council meeting to discuss his concerns and I wanted to give you a heads up regarding our proposed solution."

The City Administrator said he would meet with this property owner and discuss this matter.

3. Action Item Report

September 20	Welcome packet to include Emergency Information is working with Sam to get information to Cindee for the packet	Gary
October 20	Review Street Lights in Argyle Acres Lights are being installed	Sam
January 21	Have Attorney Provide legal remedies for drug houses Will continue to review in the next couple of weeks	Gary
March 21	Work with UDOT to widen Redwood Road UDOT has contacted Sam about re-painting the lines	Gary
July 21	Evaluate Construction of garage at 1559 South 580 West Property has been red tagged and construction stopped	Tim

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July 21 Review zoning ordinance requirements for home occupation Tim
 Will review ordinance to see if changes can be made.

The Assistant City Administrator said an individual has accepted an offer for the City Administrator's position and will be starting on October 4th.

She also said she would like to know who would be going to the League conference.

ADJOURNMENT

There being no further business before the City Council, Council Member Checketts made a motion to adjourn the meeting at 9:14 P.M. with Council Member Westergard seconding the motion and all voting in favor of the motion through a roll call vote.

Rick Earnshaw, Mayor

Annette Hanson, City Recorder

Approved by City Council 9/21/21