

**WOODS CROSS CITY COUNCIL MEETING
OCTOBER 5, 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
Matt Terry
Ryan Westergard

STAFF PRESENT:

Gary, Uresk, Consultant
Bryce Haderlie, City Administrator
Sam Christiansen, Public Works Director
LaCee Bartholomew, Community Services Coordinator

Annette Hanson, City Recorder
Adam Osoro, Assistant Police Chief

PUBLIC ATTENDANCE:

LeGrande Blackley
Dale Nichols
Wayne Hinkley
Lois Uresk

Ashley Westergard
Doris Garner
Jim Grover
Julene Jenkins

Marilyn Lavender
Gary Sharp
Vicki Hinckley

INVOCATION:

Rick Earnshaw

PLEDGE OF ALLEGIANCE:

Wally Larrabee

CONSIDERATION TO APPROVE MINUTES

The Mayor called for the review of the minutes from the City Council meeting held September 21, 2021. Following the review of the minutes by the City Council, Council Member Larrabee made a motion to approve the minutes as written with Council Member Terry seconding 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 with the City Council for the time period of 9/11/21-9/24/21.

Following the review of the cash disbursements, Council Member Westergard made a motion to ratify the cash disbursements for the time period of 9/11/21-9/24/21. Council Member Checketts seconded the motion, and all voted in favor of the motion through a roll call vote.

SWEARING-IN OF BRYCE HADERLIE AS CITY ADMINISTRATOR

The Mayor noted it was very difficult for him to say goodbye to Gary Uresk who has served as the Woods Cross City Administrator for 28 years. The Mayor said Mr. Uresk was probably the best

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City Administrator in the state of Utah and the community had been very blessed to have him serve in this capacity over the past years. The Mayor said he and Mr. Uresk had gone through many things together over the years and he hoped that Mr. Uresk is going to enjoy retirement and thanked Mr. Uresk for the many years of service and personally thanked him for the good work he has done for the city over the years.

The Mayor then said he was also very excited to welcome the individual that has been hired to take over for Mr. Uresk as the new City Administrator for Woods Cross. The Mayor noted that Mr. Bryce Haderlie had many years of good experience and had also come highly recommended to take the position of Woods Cross City Administrator. He said he looked forward to working with him.

The Mayor then invited the City Recorder to swear-in Mr. Bryce Haderlie as the new Woods Cross City Administrator.

The Mayor and Council and those in attendance congratulated Mr. Haderlie on his new appointment as City Administrator.

Mr. Haderlie said he has some big shoes to fill but it is an honor to join Woods Cross team and to with be working with Mr. Uresk. He also thanked the Council for the warm welcome and also said the staff had been phenomenal. He said he was looking forward to this opportunity of helping Woods Cross City to continue to grow and prosper.

OPEN SESSION

The Mayor then opened the meeting to brief items from those present.

The Mayor gave the floor to Ms. LaCee Bartholomew who is the Community Services Coordinator for the City. She noted that she wanted to make everyone aware there is a party in the pavilion at the same time as the Pumpkins in the Park activity. As a result, the pickle ball courts, as well as the basketball courts, will need to be closed to accommodate the activities that would have been in the pavilion. With the private rental and the Pumpkins in the Park event, Hogan Park will be busy on Saturday. There was also discussion on possibly booking all city sponsored events in January so there would not be conflict with others using the park on the same nights the city would like to hold events. The Public Works director noted that clear signs would be posted the evening of Pumpkins in the Park to make sure people did not intrude upon the private party in the pavilion.

COUNCIL KUDOS

The Mayor gave the floor to Council Member Checketts who said there were two nominations for Council Kudos. She said the first nomination was by LaCee Bartholomew who said she wanted to recognize the Senior Lunch Bunch for the outstanding job they are doing for the senior citizens of Woods Cross City. She said they go above and beyond to make these lunches nice. She said there were five ladies who help with the Senior Lunch Bunch, and she introduced them as Marilyn Lavender, Doris Garner, Vicki Hinckley, Julene Jenkins, and Julie Christensen. She invited the

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ladies to come up to be congratulated by the Mayor and City Council. They were each given a gift card as a thank you in recognition of their hard work and dedication.

Council Member Checketts said the second nomination was also from LaCee Bartholomew and she wanted to thank the Woods Cross Public Works Department for their help on the Day of Service on 9/11. She said this crew did incredible work on that day, serving the public with great attitude and enduring long hours until all jobs were done. Council Member Checketts said the city would be holding a thank you lunch for the Public Works Department, and that the entire department is invited to come and enjoy lunch with the Council and the City Administration.

YOUTH CITY COUNCIL REPORT

The Mayor gave the floor to Ms. Ashley Westergard of the Youth City Council. She reported that the Youth City Council held their first meeting of the school year and enjoyed getting to know the members of the Council. She also noted the YCC had helped with the day of service on September 11th assisting with the breakfast at Hogan Park. She noted the next activity they would be helping with would be the Pumpkins in the Park Activity this Saturday, October 9th from 6-8 PM.

The Mayor asked when the Veteran's dinner would be held for Continue Mission. It was noted it would be held on the 12th at 6:30 PM.

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 September—4
- Water Leaks repaired September—1
- Blue stakes tickets September—114
- Storm Water Inspections/Plan review September –18
- GPS 3100 Meters. 200 more to GPS
- Culinary Water production on track to be the same as last year. (City has 95% coverage of secondary water). Weber estimates 30% reduction in secondary water usage this summer
- Weekly Culinary water use is down 1.7 Million gallons since September 20th (as of Sept 30)
- Water restrictions are in force. Contacted businesses and started issuing warnings.

STREETS

- Prep for tree removal in Sorrento
- Install new Yield to Pedestrians Signs in Cloverdale
- Concrete replacement throughout City
- Tree Trimming Farm Meadows

PARKS

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- Day of Service on September 11th
- Sanitizing boweries and bathrooms
- Water is shut off in Parks. Start to winterize sprinkler systems
- Hogan Park Design Ideas
- Help with Street Trees
- Clean out Flower Beds
- Replace Lights at Hogan Park

RESTROOMS AT PARKS

- Soccer Leagues, Baseball Leagues and Parents have asked for the restrooms to stay open later than October 15th
 - The City have never left the restrooms open that late, or opened early (other than this spring)
 - No heat to prevent frozen pipes (temporary heat not recommended, needs additional electrical outlets)
 - No cameras for security currently until Google Fiber is installed
 - Field Use Agreement they signed and said no restrooms available before April 15th and after October 15th
 - Porta Potties only option this fall
 - \$1,200 for 3 parks, Oct. 15 to Nov. 15 Who pays for them?
- Options for Future
 - Heat at 2 bathrooms, lower Mills and Mountain View, estimated \$20,000
 - Upper Mills not built for heat
 - Hogan will have heat due to the kitchen
 - Additional costs for labor, cleaning supplies
 - Require the Leagues to pay for Porta Potties in Field Use Agreements
 - Increase Field Use Agreements and Reservation fees to cover the costs of the Porta Potties
 - Continue with what has been done in the past and be firm with the leagues

There was some discussion on whether or not bathroom facilities should be provided after the time the leagues have agreed to through their Field Use Agreement. There was also discussion about the cost of porta potties and whether the bathrooms should be heated and whether it would be worth the cost.

The Mayor asked the Council what their opinion was on the porta potties versus the heating of the restrooms.

Council Member Larrabee said he felt like the porta potties would be a good permanent solution and that fees should be raised for the leagues to help cover those costs.

Council Member Terry said he would like a long term solution. He said he felt like the porta potties would be a good solution for now but their needs to be a long term solution.

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Council Member Checketts and Westergard said they felt the porta potties would be a good for the next few years. Council Member Dayley agreed that there needs to be bathrooms available for the sporting events, so the porta potties need to be available for use when the fields are in use.

The Public Works Director said he would look into ordering the porta potties for this fall and look into getting additional costs for what had been discussed.

Staff said they would move forward with that direction.

SPEED LIMIT

- A resident has brought to our attention the speed limit behind Woods Cross High is posted at 20 MPH on 575 West
 - This speed limit is not legal as part of the UTAH Code 41-6a-601 for any urban districts. The minimum speed allowed is 25 MPH.
 - This does not meet the requirements for a school zone. Reduced speed to 20 MPH is only allowed temporarily for signalized school zone.
 - With Council approval, we will change the signs to 25 MPH.

PICKLE BALL COURT RESERVATIONS

- From a previous Council discussion, the courts were made reservable for \$500 for all 6 courts and only reservable for 4 hours.
 - We have had requests for reservations for tournaments
 - In town and out of town leagues
 - They wanted reduced reservation fees
 - They don't want to rent all 6 courts
 - City League for residents?
- People have requested to reserve longer than 4 hours
- Currently no field use agreement for Pickle Ball courts
- Not in Fee Schedule
- Residents want to have free access to play whenever they want, reservations limit access
- Some residents are under the impression that the courts are not reservable
- Does it need to be tied to a Pavilion reservation?

PUBLIC WORKS ADMINISTRATIVE

PROJECTS

- West Legacy Trail-Bid awarded and waiting on preconstruction meeting
- 800 W and 1500 S Traffic Light funded, and engineering started
- 1100 W 3rd quarter funded road widening from 1733 S to 1750 S in design
- Parking and Pickle Ball options at Mills, contact property owner (on hold)
- Flashing Crossing Signs at Odyssey
 - Arrived, scheduled to be installed

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- Hogan Park Remodel—30% design done. Field trip today
- Mills Park Trail Overlay and 1500 S Trail Crossing Project
- 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)
 - Water Line Projects ARPA funded—Currently out to Bid
 - 1500 S: 675 W to 829 W
 - 1200 S: 1500 S to 1750 S

Council Member Checketts said she would like to have a 30 mph painted on the road near the UTA station. Staff said they would get that taken care of.

IN THE WORKS

- Development Review Committee
- Elements work orders and Asset set up
- ARPA Funding Project Planning
 - Redwood Road Technite
 - 1500 S: 829 W to 1060 W
- 800 W Street Rebuild 770 S to 1500 S in design
 - Concrete repairs will be added
 - Weber is replacing line this Winter/Spring
 - Road Repair will start July 2022
- Additional Capacity at Treatment Plant
- Fleet Replacement Program Update
- Prep for Google Fiber Installation
- Grant Applications

Council Member Westergard asked where Google Fiber might be starting their installation in Woods Cross. The Public Works Director said he was not sure, but he was hoping to get a plan from them, and they have said they would try to start working on the project in Woods Cross in November.

PUBLIC HEARING: PROPOSED AMENDMENT TO CITY ZONING CODE SECTION 12-32-160 (d)(1) TO ALLOW ELECTRONIC CHANGEABLE COPY SIGNS IN THE C-1 RESTRICTED COMMERCIAL ZONE

The Mayor gave the floor to the Community Development Director who not the following for the City Council:

“Several months ago, Dell Nichols, the owner of the property south and adjacent to the Fast Stop formerly know as the Apple Food Store, filed an application requesting an amendment to the city sign regulations. Specifically, he requested that the sign ordinance be amended to permit electronic changeable or LED signs in the C-1 Restricted Commercial Zone. The C-1 Zone extends from Mr. Nichols property to the convenience store and north beyond Sharm Smoots strip commercial development on the west side of 800 West. Presently our sign regulations permit LED signs in the

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form of pole signs, wall signs, monument signs in the C-2 General Commercial and I-1 Light Industrial/Business Park Zones. This amendment would permit installation of an electronic digital fuel price sign at the Fast Stop store to replace the manual changeable price sign.

“Mr. Nichols’ sign ordinance amendment application coincided with the Planning Commission’s review of the zoning ordinance update which includes the chapter on signs. The Commission reviewed Mr. Nichols request in light of updating the zoning ordinance and specifically the sign chapter. After a thorough review by the Planning Commission, it was decided that not only would the Commission recommend Mr. Nichols’s sign ordinance amendment but also included it as part of the upcoming zoning ordinance update recommendation from the Planning Commission.

“Given to the Council you will find a zoning amendment adoption ordinance which outlines the new language for LED signs and adds the C-1 Restricted Commercial Zone to the list of zones which will allow LED signs. The Planning Commission discussed the fact that the city has operated an LED sign at city hall for many years with no impact to the area. Furthermore, the Commission noted that there are in place regulations governing the operation of such signs particularly during nighttime hours. The Planning Commission has forwarded to the City Council a recommendation to amend the present sign regulations to allow LED or electronic changeable signs in the C-1 Restricted Commercial Zone.’

Following the information given by the Community Development Director, the Mayor opened the public hearing for public comment on this matter.

Mr. Dell Nicholas addressed the Council and said he has been a long time property owner in the city and has been committed to bringing nice projects to the area. He said there had been a several million-dollar investment to the Fast Stop business (formally known as Apple Food Store.) He said the owners of this property wanted to be able to use modern technology to put in a changeable copy sign to help with the convenience of changing the sign as well as letting the residents of the city know what gas prices are at the Fast Stop convenience store. He said it would be more legible and readable to have this type of sign. He said he appreciated all of the help from the staff and Planning Commission with this matter.

Mr. Stephens noted this is the only non-conforming pole sign in the zone. It was also noted that the content of the electronic sign cannot be controlled by state law. Additionally, Mr. Stephens said these types of signs must go through Planning Commission conditional use review and have restrictions placed on them regarding times of operation as well as the brightness of the sign.

Mr. Gary Sharp then addressed the Council and said that he and the Planning Commission members had looked carefully at this request and had some of the same concerns that the Council had mentioned. Mr. Sharp also said the City Attorney had given recommendation on the best direction to take in this sign ordinance. He encouraged the City Council to approve this ordinance as recommended by the Planning Commission and the City Attorney.

There were no further public comments, and the Mayor closed the public hearing.

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Council Member Westergard said as the ordinance is written electronic changeable copy signs are not allowed in the C-1 and CRT and the S-1 Zones. The Community Development Director said they are not allowed C-3 or the C-2-A as well. Council Member Westergard said he had some concern with the S-1 and CRT Zones being included in the ordinance as the CRT Zone could contain housing and if included there could be someone who might want to put up a changeable copy sign at a residence. He said he would like to move ahead tonight with amending the C-1 zone but would like to remove the CRT and the S-1 Zone from the amendment so the Council could talk about them in more detail for further review.

Council Member Dayley said she did not want to see a lot of the electronic changeable copy signs through the city due to potential of light pollution. She said lighting is a sensitive issue with residents and the city should be cautious about where they may be allowed.

Following the discussion Council Member Terry made a motion to approve ordinance 2021-602 amending zoning code section 12-32-160(d)(1) to permit electronic signs in the C-1 Restricted Commercial Zone with the caveat to remove the CRT and S-1 Zones from the amendment. Council Member Westergard seconded the motion, and all voted in favor of the motion through a roll call vote.

CONSIDERATION TO APPROVE PROSECUTOR SERVICES AGREEMENT WITH RYAN ROBINSON

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

The City Council approved a contract with Ryan Robinson to provide our City Prosecutor services back in 2020 for one year expiring on December 30, 2020. We have failed to officially extend the contract with Mr. Robinson. The Court and Police Department are pleased with the work that Mr. Robinson has done, and we would like to extend his contract. Mr. Robinson is willing to extend the contract for the remainder of 2021 and for an additional 2 years, at the current rate of \$2,200 per month.”

Council Member Checketts said there was concern from some of the officers about prosecution action not being taken. The Assistant City Administrator said it would be best for the officers to take that information to the Chief and then a discussion could take place on how matters may need be to be handled.

The Council discussed the matter and what the best course of action would be moving forward. They discussed how people are prosecuted. Assistant Chief Osoro said Mr. Robinson had been doing good to work and had been open with communication with the officers.

Following the information and discussion, Council Member Westergard made motion to approve the prosecutor services agreement with Ryan Robinson for \$2,200 per month for the remainder of 2021 and for an additional 2 years. Council Member Larrabee seconded the motion, and all voted in favor of the motion through a roll call vote.

CONSIDERATION TO APPROVE ORDINANCE 2021-601 LEVYING AN ASSESSMENT AGAINST CERTAIN PROPERTIES IN THE WOODS CROSS, UTAH 1960 SOUTH STREET ASSESSMENT AREA

The City Administrator noted the city attorney had been in contact with the attorney of the Alumatek subdivision. He said he felt like it would be in the best interest of the city to try to settle this matter before going to court. He said the city attorney had worked on settling with them and the City Administrator said he would like to see this item tabled for two weeks to see if the matter could be settled.

Council Member Westergard made a motion to table this item for two weeks to see if the matter could be settled with the attorneys. Council Member Terry seconded the motion, and all voted in favor of the motion through a roll call vote.

CONSIDERATION TO APPROVE AN AGREEMENT WITH LEWIS, YOUNG, ROBERTSON AND BURNINGHAM TO PROVIDE ASSESSMENT AREA ADMINISTRATION SERVICES FOR THE 1960 SOUTH STREET ASSESSMENT AREA

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

“Given to the Council is an agreement with Lewis, Young, Robertson and Burningham to provide for the administrator of the 1960 South Assessment Area. We will be collecting assessments from the property owners over the next 20 years. We do not have the staff or the expertise to do this in an effective manner. LYRB has considerable experience doing this and I think it would be beneficial to have them do it for us since it has been a little complex setting up this assessment area. They will charge .05 of a percent of the outstanding bond amount each year to provide service. I have given the Council a copy of the payment schedule for your review.”

Council Member Terry made a motion to table this item as it associated with the previous item. Council Member Checketts seconded the motion, and all voted in favor of the motion through a roll call vote.

CONSIDERATION TO APPROVE THE REQUEST OF SKYPARK AIRPORT TO DESIGNATE THE AREA PARALLEL TO THE WIDTH OF THEIR RUNWAY ON 1500 SOUTH AS “NO PARKING” ON BOTH SIDES OF THE STREET

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

“Given to the Council is a request by Steve Durtschi, the manager of Skypark Airport, to designate both sides of 1500 South adjacent to the runway as no parking. I believe there is justification for this since at various times people are parked at the ends of the runway watching planes takeoff and land.”

Council Member Dayley said she felt like there is a concern not only with the parking but with cars just driving by. She said this road will not be shut down from cars driving by, so the airport needs to address this problem and put in a blast wall to help mitigate potential problems as the airport gets

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busier. She said the airport needs to make changes since they are now allowing jets to use this airport. She said they had done nothing before the problem that had recently occurred with car windows being broken during the takeoff of a jet.

The Public Works Director said the airport does have blast wall materials ordered but they are back ordered as with so many other things.

It was noted that while not solving all concerns, making this area a “no parking” area eliminates one hazard by not allowing cars to park and watch the planes takeoff and land on the runway.

After the discussion, Council Member Checketts made a motion to approve the request of Skypark Airport to designate the area parallel to the width of their runway on 1500 South as “No Parking” on both sides of the street. Council Member Larrabee 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.

Mr. Uresk said he wanted to thank the Council and the staff for all of their support over the years. He said that Woods Cross is a wonderful place, noting he has stayed here for 28 years because of the people who live here. He said he will miss the relationships with the people he has worked with at the city. Mr. Uresk then recognized his wife, who was in attendance, and thanked her for her support over the years. He also said the city is in good hands with the new City Administrator and expressed confidence that things will continue to move forward in a good direction.

The Mayor thanked Mr. Uresk for his many years of service and said he would be missed.

Council Member Westergard said he did not think RB’s gas station ever got approval for their electronic changeable copy sign and the sign is not being regulated. He said it is very bright and should be addressed. Mr. Stephens said code enforcement could be contacted regarding the matter.

Council Member Terry asked about the update on the sound system for city hall. Mr. Uresk the city is waiting on a component, but it may be ready to hold the next Council meeting there.

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 they cancelled the trustee elections because there were only two people running for two available spots, so they saved money by not holding the elections. He reported there is a low-income assistance program that will soon be available for residents. He said there would be a new compressor installed to help make the waste to energy project work to its fullest potential.

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PLANNING COMMISSION REPORT

The Mayor gave the floor to Council Member Terry to report on the Planning Commission meeting held September 28, 2021. Please see the minutes of that meeting for the details of his report.

MAYOR'S REPORT

The Mayor reported that he was contacted by Legacy Prep School and said they were invited to an open house they will be holding on October 18th at 6:00 PM.

The Mayor asked about the Flip Your Strip Program to see if the ordinance had been changed so the city residents could participate in that program to help conserve water. The Community Development Director said it is part of the zoning changes that are in the works. The Community Development Director said he did not know of anything that prohibited residents from doing that at the present time. Mr. Uresk said he thought it would be best to send a copy of what the city ordinance is to Weber Basin and then they can tell the city what would be required to be qualified for the program.

CITY ADMINISTRATOR'S REPORT

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

He commended the Public Works Director and his crew for their hard work on the Hogan Park redesign plan. He noted the Council would have a field trip to Hogan Park for their input and recommendations immediately preceding the next City Council meeting. JUB representatives will be there to answer any questions. The time was tentatively set for 6 pm.

ADJOURNMENT

There being no further business before the City Council, Council Member Terry made a motion to adjourn the meeting at 8:39 P.M. with Council Member Westergard seconding the motion and all voted in favor of the motion through a roll call vote.

Rick Earnshaw, Mayor

Annette Hanson, City Recorder

Approved by City Council 10/19/21