

**WOODS CROSS CITY COUNCIL MEETING
OCTOBER 19, 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:

Bryce Haderlie, City Administrator
Sam Christiansen, Public Works Director
LaCee Bartholomew, Community Services Coordinator
Tim Stephens, Community Development Director

Annette Hanson, City Recorder
Mark Bell, City Attorney
Chad Soffe, Police Chief

PUBLIC ATTENDANCE:

LeGrande Blackley
Norene Riedle
Andrew Noorlander

Matt Newman
Gary Sharp
Joseph Rupp

Jim Grover
R. Neil Burnette

INVOCATION:

Ryan Westergard

PLEDGE OF ALLEGIANCE:

Bryce Haderlie

FOLLOW UP FROM WORK SESSION—HOGAN PARK DISCUSSION

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

“The Hogan Park Redesign Committee and JUB Engineers have reached the 30% plans completion benchmark. The overall layout of the park and the floor plans of the buildings and pavilions have been laid out. Some of the things that have changed are (see attached layout plans):

- Larger Pavilion reduced in size by 20 ft due to the increased size of the 2 other pavilions to the south and west and reduce impact to the Cabin and large trees. There are concerns that the park can be overwhelmed with reservations and not enough parking. We feel with the larger additional pavilions will make up for the reduced size in the Large Pavilion and still have adequate room for the Memorial Day Celebration to grow.
- Restroom/Kitchen building floor plan changed to reflect a better layout for events, food prep and summer recreation. Building will include heat, cameras for security and timed door locks for restrooms. Restroom to remained locked in the offseason, but opened for large city events (Christmas, Pumpkins in the park, etc...).
- The Amphitheater layout change to accommodate storage and access for stage prep for events.
- Large pavilions and Amphitheater will have cameras for security and public Wi-Fi.
- A continuous walking path around the entire park with resting areas and path lighting.
- Trees will be planted in anticipation of the large trees’ replacements.
- Additional drinking fountain located on the southwest corner of the pickle ball courts near the playground.

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“An architect and electrical engineer have been selected to design the restroom/kitchen exterior and amphitheater for an overall design aesthetics. The Veterans plaque will be relocated to make more room for names and be removed from the City Hall building wall.”

The Mayor noted he would like to move ahead on the discussion on the Hogan Park revisions.

The Public Works Director showed the concept drawings for the project and showed the details of some of the changes that are being proposed for the park. The Mayor suggested possibly adding some other activities as Bocce Ball or Shuffleboard. There was also mention of making the pavilion larger that would be located near the basketball courts.

Council Member Terry said he said not feel like the amphitheater was a good use of space and money. He said he would like to have the performance platform made a little larger instead. He said he felt like it was too far away from the large pavilion and people may not want to walk that far when there would be a larger activity.

Council Member Checketts said it would be used for Memorial Day for the speakers and all of the movies in the park and would have a drop down screen and a dedicated sound system for the movies, and the concerts in the park. It was also noted it may be used for Arts in the Park for plays and other types of arts activities.

The Mayor said he felt it would be used weekly in the summer. He said the Literacy Program would use it for their presentations weekly as well as the movies and concerts in the park. He said if they ever get back to a Farmer’s Market it could be used for dancers or performers. He said he felt it would be very well used in the summer. It was noted that Santa could also be located there at Christmas time.

Council Member Larrabee said it would be nice to use for concerts during the summer. He said he drives to Bountiful to see their concerts during the summer but he would like to be able to stay within our community.

Council Member Dayley said there would be no shade for the amphitheater. She said she would like to see the amphitheater be part of the large pavilion so there would be shade. She also said they needed to be mindful of the residents in the area and disrupting them with noise from activities at the amphitheater. She said she had some concern about that.

Council Member Checketts said they could possibly swap the playground with the amphitheater and there would be some shade.

Council Member Terry asked if it could move north along 720 facing west and it may decrease some of the noise to the neighbors. The Public Works Director said it would impact soccer for the smaller kids that come up and practice on the field if it were to be moved to that area. There was also some concerns on what direction the amphitheater would face and how the sun would affect the performers and the audience.

The consensus of the Council was to leave the amphitheater. The Public Works Director said he did not want to build the amphitheater and have to change things later so a decision should be made now. Council Member Terry said he still had concerns, but he said he would be okay with the

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amphitheater. The Public Works Director said they would have to manage where and when the events would happen.

The Mayor said they had shown movies in the park before in that area where the amphitheater would be located. He said he had not had any complaints when the movies were shown. He said the neighbors enjoyed the movies.

Council Member Checketts said there would be some need in the future for a new city hall and that should be taken into consideration while redesigning this park.

Council Member Terry said he did like the larger pavilion, but he said he would like to see two separate pavilions for rental purposes. He said if there were two medium size pavilions, they may be able to make more revenue. He said he would be curious cost wise if it would be beneficial. The Public Works Director said he thought it would cost more for building materials to have two pavilions. He also said he thought people renting pavilions would want privacy so having two pavilions located closed together would not provide the privacy groups may desire. He said the large pavilion would cost more to rent but a smaller group could rent the smaller pavilions that would also be located in the park.

Woods Cross City resident LeGrande Blackley said his daughter is a professional musician and he said if they built the amphitheater there would be musical groups who would come and utilize the amphitheater.

The Public Works Director showed cost estimates shown at the present time with a contingency fund but said with construction costs being so unknown at the present time, things may change either going up or possibly going down if grant money is acquired. He said donations may also be asked for the Veteran's Memorial and that may help reduce the costs.

The Public Works Director said he would take these comments back to the committee and would continue to talk about this project and take into consideration the comments that had been made.

CONSIDERATION TO APPROVE MINUTES FROM 10/5/21

The Mayor called for the review of the minutes of the City Council meeting held October 5, 2021.

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

FINANCIAL REPORT—SEPTEMBER

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

RATIFY CASH DISBURSEMENTS—9/25/21-10/07/21

The City Administrator continued with the floor and went over the cash disbursements with the City Council for the time period of 9/25/21-10/07-21.

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Following the review of the cash disbursements, Council Member Checketts made a motion to approve the cash disbursements for the time period of 9/25/21-10/07/21. Council Member Larrabee seconded the motion, and all voted in favor of the motion through a roll call vote.

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PUBLIC COMMENTS—BRIEF ITEMS

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

Ms. Norene Riedle addressed the Council and said she had a petition signed by her neighbors in her cul-de-sac. She said there is a neighbor, and his property is not kept up. She said the neighbors are tired of the continued mess. Mr. R Neil Burnette also said there are dogs that are not being cared for and he refuses to care for the yard. She said the neighbors would like something done to take care of the dogs that are not being cared for and the home that is not being taken care of.

The Council asked if the person living there is the homeowner. It was noted it was thought the home was still owned by his father but since he moved into the home he has not been cared for and the dogs are suffering. Mr. Burnette said this home is not being taken care of and it is affecting the whole neighborhood.

The Mayor noted he would like to pass this matter to the police chief. Mr. Burnette said the police had been involved previously and there has not been anything done and now it is even worse than it was before. He said that everyone in the cul-de-sac has taken the dogs home to take care of them at some point in time. He said his home is where he is going to retire, and he does not want to live in an area that is becoming so run down. The Mayor said he would leave the matter to the police chief and have the code enforcement officer look into the matter first thing in the morning.

COUNCIL/STAFF RESPONSE TO PUBLIC COMMENT

Council Member Checketts said there was some new graffiti that needed to be taken care of on 1100 West just north of 2600 South.

COMMUNITY OF PROMISE REPORT

The Mayor gave the floor to Ms. LaCee Bartholomew who serves as the Community Services Coordinator. She reported on the activities of the Community of Promise Committee.

- EVENT RECAPS—WX Elementary School –3rd Grade came to visit City Hall; They had the opportunity to visit with the Judge Memmott, Council Member Checketts, the Public Works Director, and the Police Department
- 7 names have been added to the Veterans Memorial. Partial cleaning has been done and the final cleaning will be done by Veterans Day
- Pumpkins at Public Works -it was a bigger success than expected. YCC did an amazing job with the Spook Alley and running the games. Attendance was between 500-550 people. The pivot to the Public Works building was the right call due to the weather

Review of Community Organizations

- CERT –will hold class at the Bountiful Fire Department; the Mock Drill is on November 6th.
- YCC –Pumpkins was a great event. The kids did an awesome job
- Recreation –looking at hosting a class during the winter break
- Seniors–hosted their famous soup fest;

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- ZUMBA –ZUMBA Gold and ZUMBA @ City Hall on November 13 10:30 –Noon
- Upcoming items:
 - Veterans Dinner hosted by YCC is November 12@ Public Works
 - Angel Tree –preparation has started and will be ready to go on November 2
 - Tree Lighting on December 6, 2021 @ City Hall

There was discussion if tree lighting and Santa would be two events or if tree lighting and Santa would be combined into one event. The Assistant City Administrator said she thought it would be nice to still have the tree lighting at city hall to show appreciation for all the hard work the public works department does to beautify that building. There was also some discussion on having a concert during the Christmas Celebration. Staff said Santa is confirmed to come. It was decided that there would just be one combined event at the park with Santa and the Tree Lighting.

POLICE REPORT

The Mayor gave the floor to Police Chief Soffe who the following:

<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—754	Aug—822	2013—8979
Sept— 767	Sept—804	2012—7347
Oct—	Oct—896	2011—6918
Nov—	Nov—985	
Dec—	Dec—852	
Running Total—6,845	Total-10,473	

ACTIVITY REPORT

July-Aug-Sept traffic citations

	<u>July</u>	<u>Aug</u>	<u>Sept</u>
Total Citations	102	125	68
Total Violations	162	182	101

271 New Cases opened in September

USE OF FORCE REVIEWS

9/21/2021—Pepper ball/Bean Bag Deployment/Rifle point: Assist Bountiful on a vehicle ramming other vehicles/vehicle pursuit.

9/24/2021—Taser Point: WXPDP Warrant Service (47 grams of Methamphetamine seized)

SWAT TEAM ACTIVITY

9/10/2021—Barricaded suspect in prior shooting took hostages in Farmington, Davis, Bountiful, Layton, SLC Swat Teams responded.

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DEPARTMENT ACTIVITY

- WX Elementary Lunch with the Chief
- Hosted Clandestine Lab Training
- Smart Sheet Training
- BCI Tac Conference
- UADVT Meeting
- Receiving Center Roundtable
- WXPDP All Call

WOODS CROSS HIGH SCHOOL ACTIVITIES

Lock out: 7	Medical: 1
Administration Assist: 18	Parking Problem: 0
Juvenile Problem: 8	Other Agency Assist: 3
Alcohol Violation: 2	Harassment: 0
Tobacco Violation: 3	Trespass: 2
Criminal Mischief: 12	Follow Up: 0
Citizen Assist: 8	Theft: 3

K-9 ACTIVITY

Ranger

9/6/21—Assist Bountiful on hit and run, suspect surrendered during track.

9/10/21—Assist Bountiful on suspects who fled on foot from vehicle. Track suspended.

9/27/21—Assist Bountiful on a criminal mischief, suspect arrested within containment.

Legend

9/20/21—Assist West Bountiful on a traffic stop/vehicle sniff. No indication

9/20/21—Assist Bountiful with a traffic stop/vehicle sniff. 3 marijuana pipes and marijuana found.

9/24/21—Alarm Drop, area search.

9/25/21—K-9 Demo at Benchmark (Cars for Canines)

Rex

Rex is currently training.

Flash

Chief said that Operation Underground Railroad is donating a Labrador Retriever to the Woods Cross Police Department to train with Detective Kimberly Burton. He said this dog would be trained to find electronic devices. He said Operation Underground Railroad will be donating everything from training costs, to dog food,

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to veterinarian care so it will be a good thing for the city to have this team working together.

DETECTIVE DIVISION

36 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 September

Sgt. Schultz is also currently assisting with Code Enforcement. We have streamlined the complaint process and case assignments.

SEX OFFENDER ENFORCEMENT

4—Sex Offender Registries

0—Home Compliance Checks conducted

ORDINANCE ENFORCEMENT

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

7—Cases resolved/closed successfully.

10—Ongoing cases from previous month.

US MARSHALS ACTIVITY

VFAST Officer has been on leave during September.

LPR ACTIVITY

LPR has been re-issued to a traffic officer and is up and running. October stats to follow. There are two officers that have passed the test to certify to check trucks.

CRIME SPOTLIGHT

On October 1, 2021, officers responded to 2400 South Redwood Road after a passerby located a male, later identified as Jeffrey Koncar, lying the road. The passerby stopped and asked Jeffrey if he was okay, and he got up, ran towards the passerby, and tackled him which injured the passerby's arm. The passerby ran to his vehicle and Jeffrey remained on the ground. When officers arrived, they located Jeffrey lying in the road. Jeffrey admitted to using acid and refused to move from the roadway, therefore, officers put him in handcuffs. Jeffrey kicked officers, spit on them, bit one of the officer's fingers, and LSD was found in his pocket. Jeffrey was ultimately transported to the hospital for evaluation. The Davis County Attorney's Office charged him with assault against a peace officer, propelling substance or object at a peace officer, possession of a controlled substance, assault, interference with arresting officer, and intoxication.

ZONING ORDINANCE UPDATE

The Mayor gave the floor to the Community Development Director who introduced to the City Council the process on the Zoning Ordinance rewrite and its update. He said it had been a long process but the city had worked with Mark Vlasic from Landmark Design and with Mark Bell who is the City Attorney to get this process completed. He said the Planning Commission had completed their review of the zoning ordinance chapters and now the City Council had the chance to review them and make any changes or suggestions regarding the zoning ordinance updates. He said tonight would be a good night for the review and that he and Mr. Bell could go over the highlights

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of the changes with the City Council before public hearings would be held in upcoming City Council meetings regarding the changes to the Zoning Ordinances.

Mr. Bell then went over the highlights of each of the Zoning Ordinance Chapters. The City Council asked questions and Mr. Bell answered those questions. Please refer to the audio minutes of this meeting for the details of this discussion.

The Mayor and Council thanked Mr. Bell for his help and hard work. They also thanked Mr. Stephens for his help and hard work on this matter as well.

Mr. Bell said that if any of the City Council had any questions they could give him a call.

SAFETY REPORT

The Mayor gave the floor to the Assistant City Administrator who went over the Safety Report with the City Council.

She noted there had been no incidents from any of the teams for this past quarter.

CITY ADMINISTRATOR REPORT

The Mayor gave the floor to the City Administrator.

The City Administrator asked how the City Council felt about the new City Council agenda format. The Council said they liked the format.

He also mentioned that the next City Council meeting will be on an election night. The Council said they would like to go ahead with a regular meeting on that night.

The City Administrator then noted the following:

- 1. Police Wages.** Staff has been working to prepare the new wages for police positions based on information we have collected from neighboring agencies and the Compensation Survey software that we have access to. The \$100,000 approved by the City Council in September has been allocated and all officers will receive an increase in the last pay period in October.
- 2. 1960 S Assessment Area.** Ongoing work on the Assessment Area to enact the required documents through council action. Construction continues to progress although material acquisition continues to be a challenge that we are working through.
- 3. Purchase Cards.** We are gathering information on Purchase Cards that provide new ways of managing and tracking expenditures. We are gathering policies from other agencies and will determine the best way to control who has cards and how they can be used. Purchase cards have the ability to improve spending controls, expenditure tracking, earn points for financial benefits to the City, and reduce administrative costs with cutting paper checks.
- 4. City Council Meeting Location.** We are having a challenge getting the sound components that need to be replaced in the City Hall sound system. We will let you know when City Hall is ready for use.

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5. **Out of the Office.** Prior to my hiring I had a family vacation planned for October 21-28. Jessica will be handling daily issues and I will monitor email, texts, and phone calls if something urgent comes up.

ACTION ITEM REPORT

The City Administrator went over the action item report with the City Council.

10-Oct.-21	Include mow strip provisions in zoning ordinance Tim indicated that these provisions are included in the new zoning ordinance	Tim Stephens
15-Sep-20	Welcome packet to include Emergency Information Working with Sam to get information to Cindee for the packet	Gary Uresk
6-Oct-20	Review streetlights in Argyle Acres Lights are being installed 19-Jan-21	Sam Christiansen
19-Jan-21	Have attorney provide legal remedies for drug houses Will continue to review in the next couple of weeks	Gary Uresk
12-Mar-21	Work with UDOT to widen Redwood Road UDOT has contacted Sam about re-painting the lines	Gary Uresk
6-Jul-21	Evaluate Construction of garage at 1559 South 580 West Property has been red tagged and construction stopped	Tim Stephens
6-Jul-21	Review zoning ordinance requirements for home occup. Will review ordinances to see if changes can be made.	Tim Stephens
7-Sep-21	Monitor Airport on Airport improvements for Jets They have laid down the asphalt at the ends of the runway	Gary Uresk

CONSIDERATION TO APPROVE PLANNING COMMISSION APPOINTMENT

The Mayor said he was unable to speak with the candidate being considered for the Planning Commission appointment, so he recommended tabling this item due to time constraints, along with the next two items for action tonight.

Council Member Checketts made a motion to table this item along with the next two agenda items until the November 2nd City Council meeting. Council Member Westergard seconded the motion, and all voted in favor of the motion through a roll call vote.

CONSIDERATION TO APPROVE ORDINANCE 2021-603 LEVYING AN ASSESSMENT AGAINST CERTAIN PROPERTIES IN WOODS CROSS, UTAH 1970 SOUTH STREET ASSESSMENT AREA

This item was tabled by the same motion above until the November 2nd City Council meeting.

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

This item was tabled by the same motion above until the November 2nd City Council meeting.

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CONSIDERATION TO AWARD BID FOR 1500 S AND 1200 W WATERLINE PROJECTS

The Mayor gave the floor to the Public Works who noted the following:

“Given to the Council is a copy of the bid showing Allied as the low bidder for the 1500 South Waterline Project. Also given to the Council is a tabulation sheet showing their bid is \$321,808.40 higher than the engineers estimate.

“We feel this is due to the ongoing labor and material shortages and inflation. Our concern is that these price increases will likely continue into the future, potentially driving the prices even higher.

“This project includes upgrading our waterlines on 1500 south and 1200 west. The 1500 South line needs to be upgraded prior to the installation of the traffic signal on the 1500 South 800 West intersection. The 1200 West portion of the project could be delayed and removed from this bid, but due to the number of repairs we have had to make on this line we are recommending we keep it in the project. Staff will be prepared to discuss how we cover the additional cost of the project.”

The Council discussed the costs and the benefits of the waterline project. They also noted they felt like the project that was going to be put on hold for now was a good choice. They discussed the costs of the waterline projects and how costs may affect future projects and what might be done to help keep costs down.

Following the information given, Council Member Terry made a motion to approve the waterline projects in the amount of \$933,581.40. Council Member Checketts seconded the motion, and all voted in favor of the motion through a roll call vote.

COUNCIL QUESTIONS AND REPORTS

The Council postponed Council questions and all Council reports due to the length of the meeting.

CLOSED SESSION

At 9:17 P.M. Council Member Westergard made a motion to go into closed session. Council Member Checketts seconded the motion, and all voted in favor of the motion through roll call vote.

RETURN TO OPEN SESSION

At 10:43 P.M. Council Member Terry made a motion to go into open session with Council Member Larrabee seconding the motion and all voted in favor of the motion through a roll call vote.

ADJOURNMENT

There being no further business before the City Council, Council Member Westergard made a motion to adjourn the meeting 10:46 P.M. with Council Member Dayley seconding the motion and all voted in favor of the motion through a roll call vote.

Rick Earnshaw, Mayor

Annette Hanson, City Recorder