

**WOODS CROSS CITY COUNCIL MEETING
NOVEMBER 16, 2021**

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

CONDUCTING:

Rick Earnshaw, Mayor

COUNCIL MEMBERS PRESENT:

Rick Earnshaw, Mayor
Julie Checketts
Tamra Dayley

Wally Larrabee
Matt Terry
Ryan Westergard

STAFF PRESENT:

Bryce Haderlie, City Administrator
LaCee Bartholomew, Community Services Coordinator
Tim Stephens, Community Development Director
Jessica Sims, Assistant City Administrator

Annette Hanson, City Recorder
Chad Soffe, Chief of Police
Kim Burton, Police Dept.
Mark Bell, City Attorney

PUBLIC ATTENDANCE:

LeGrande Blackley Gary Sharp Johnny Filler Mark Vlasic

INVOCATION:

Wally Larrabee

PLEDGE OF ALLEGIANCE:

Matt Terry

MUNICIPAL GENERAL ELECTION CANVASS

The Mayor and Council convened 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.

It was noted that the Board of Canvassers for Woods Cross City, Davis County, State of Utah, certified that Jessica Kelemen and Gary Sharp were duly elected to the office of City Council, and Ryan Westergard was duly elected to the office of Mayor, in the municipal general election held for Woods Cross City on Tuesday, November 2, 2021, as appears on the official canvassed returns of the election as filed, and of record in the office of the City Recorder of Woods Cross City.

Following the information given, all of the City Council voted to accept the results of the election canvass as presented through a roll call vote.

CONSIDERATION TO APPROVE MINUTES

Mayor Earnshaw called for the review of the minutes for the City Council meeting held November 2, 2021.

Following the review of the minutes by the City Council, Council Member Checketts made a motion to approve the minutes as written with Council Member Westergard seconding the motion and all voted in favor of the motion through a roll call vote except for Council Members Terry and Larrabee who abstained as there were not in attendance at the meeting.

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FINANCIAL REPORT

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

RATIFY CASH DISBURSEMENTS

The Mayor called for the ratification of the cash disbursements for the time period of 10/26/21-11/9/21.

Council Member Terry made motion to ratify the cash disbursement for the time period of 10/26/21-11/9/21. Council Member Checketts seconded the motion, and all voted in favor of the motion through a roll call vote.

CONSIDERATION TO APPROVE PLANNING COMMISSION APPOINTMENT

The Mayor said he would like to recommend the appointment of Mr. Jim Grover to the Planning Commission to fill an empty seat on the Planning Commission. He noted that Mr. Grover would be a good addition to the Planning Commission.

Council Member Westergard made a motion to appoint Mr. Jim Grover to the Woods Cross Planning Commission with Council Member Checketts seconding the motion and all voted in favor of the motion through a roll call vote.

The Mayor and Council thanked Mr. Grover for his willingness to serve in this capacity.

PUBLIC COMMENT—BRIEF ITEMS

The Mayor then opened the meeting for public .

Mr. Gary Sharp said he wanted to thank Mr. Grover for his efforts in running for City Council. He also thanked the Mayor and Council Member Dayley for their service to the community.

Council Member Checketts said she was speaking on behalf of city resident Jean Mecham who had written a letter voicing her concerns. In the letter she said she is concerned about the deteriorating road on 1100 South. Ms. Mecham said the asphalt is degrading and it chunks off and the road really needs to be repaired; she said her gutter is also sinking in front of her home. Ms. Mecham submitted photos of the damaged road for review by the Council.

The Mayor said the Public Works Director was out of town right now, but he could address these problems when he got back.

COMMUNITY OF PROMISE REPORT

The Mayor gave the floor to Ms. LaCee Bartholomew who is the Community Services Coordinator who went over the following for the City Council:

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Event Review

- The Senior Lunch Bunch had a large turnout for lunch this month.
- The Veteran’s Dinner was a great success. The Mayor and Council said the dinner was nice, but they would like to see more veterans from our city included.
- The Angel Tree/Sub for Santa is well on its way. The online sign-up is going and is getting strong support. She said they only have a few angels left on the lobby tree. She said they were able to find a few more families to support.
- She noted the Tree Lighting activities will start at 6:00 P.M. There will be a children’s choir to sing a few carols before the lights are turned on. Santa has been confirmed.

Review of Community Organizations

- Zumba was held on Saturday and was well attended..

Upcoming items:

- WXHS—Turkey Trot November 20. Police and Public Works have signed on event
- Angel Tree—Now through December 10.
- Tree Lighting on December 6, at City Hall
- Book Club—December 16
- YCC Leadership Day—January 8—Pancake Breakfast cooked by the City Council

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—754	Aug—822	2013—8979
Sept—767	Sept—804	2012—7347
Oct—682	Oct—896	2011—6918
Nov—	Nov—985	
Dec—	Dec—852	

Running Total—7,527 Total-10,473

ACTIVITY REPORT

Aug-Sept-Oct traffic citations

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	<u>Aug</u>	<u>Sept</u>	<u>Oct</u>
Total Citations	125	68	89
Total Violations	182	101	136

274 New Cases opened in September

USE OF FORCE REVIEWS

10/01/2021 – Suspect on PCP, Disorderly Conduct – ACT
Officer bitten on his finger.

SWAT

Monthly NTOA Training

DEPARTMENT ACTIVITY

- Woods Cross Elementary Round Robin
- Dept. Firearms Qualification
- Church Group Tour
- WX Elementary Lunch with Chief Soffe
- Advanced FTO Training
- WXPDP Family Halloween party (Thank you Michelle)

WOODS CROSS HIGH SCHOOL ACTIVITIES

Admin Assist: 17	Drug Offense: 2
Parking Problems: 9	Accidents: 2
Juvenile Problem: 7	Harassment: 2
Lock Out: 6	Sex Offense: 2
Criminal Mischief: 6	Threats: 1
Theft: 3	Found Property: 1

NOVA Lessons at Odyssey Elementary: 3

K-9 ACTIVITY

Ranger	No deployments in October. He is undergoing physical training and therapy for some leg pain.
Legend	10/21/21—K9 Demo at WX Elementary 10/28/21—Vehicle search, no indication
Rex	Rex is currently in K9 school
Flash	No deployments

Detective Kim Burton introduced Flash who is the city's newest K-9 Officer. Detective Burton said Flash was two years old, and she and Flash had been in training for the past two weeks in Indiana

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where Flash was trained in finding electronic devices at crime scenes. Detective Burton had hidden some electronic devices in the Council chambers and Flash showed off his skills by finding the devices. It was noted Operation Underground Railroad is sponsoring this dog and it was noted how much the city appreciated this partnership with Flash and the importance of stopping human trafficking.

DETECTIVE DIVISION

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

31 Active Theft/Property/Fraud/Assault/Death cases for the month of October

Sgt. Schultz is overseeing Code Enforcement and Officer Timothy is handling cases. We have streamlined the compliant process and case assignments.

SEX OFFENDER ENFORCEMENT

4—Sex Offender Registries

0—Home Compliance Checks conducted

ORDINANCE ENFORCEMENT

6—New cases were received and opened from the public

5—Cases resolved/closed successfully

1—Ongoing cases from previous month

VFAST

Salt Lake, Weber, and Davis county teams had 24 felony arrests. Three (3) of which were in Woods Cross and had local involvements.

LPR ACTIVITY

LPR has been re-issued to a traffic officer and is up and running. November stats to follow.

CRIME SPOTLIGHT

On 10/28/21 we received information of an animal cruelty case that originated on the internet. An individual later identified as Samuel Webster had posted 17 videos depicting animal torture to YouTube.com. A subsequent search warrant was executed, and numerous items of evidence were found confirming Webster's involvement. 67 additional videos were found, and the case is currently being screened for federal charges.

Council Member Checketts asked if the city would be made aware of any bullying events that might happen at the elementary schools in light of the problem with a young girl being bullied in North Salt Lake with a tragic end. She asked if the elementary schools could let the police department be involved to help with bullying. Chief Soffe said he would be in contact with the elementary schools and let them know the police department is available to help with these types of matters.

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Council Member Westergard said he had been approached by several residents who had received parking tickets for being parked on the street after the winter parking deadline. He said he thought warning tickets could be issued at the beginning of the snow season. He said he felt like it might be a little more friendly to have a note reminding residents to not park on the street after the winter deadline. Chief Soffe said he would let the officers know it would be a good idea to give a warning, especially since there has not been any snow in the area yet.

SAFETY REPORT

The Mayor gave the floor to the Assistant City Administrator who gave the safety report. She said there had been one incident that involved an elbow injury. She said that injury was minor, and it was taken care of now.

CITY ADMINISTRATOR'S REPORT

The City Administrator noted the following for the City Council:

1. **Compensation Survey.** Values Survey was due back from the employees on November 12th. Process will move forward from there.
2. **1960 S. Special Assessment Area.** Ongoing work with landowners and city legal staff to determine a path forward.
3. **Meeting with Mayor and Council Members.** I have had several meetings set up for next week. Let me know when you want to meet if we have not set a date.
4. **Meetings on I-15 Widening.** Ongoing meetings with UDOT staff and contractors to discuss population densities and job centers to ensure that the models account for all contingencies.
5. **Google Fiber.** First set of drawings have been submitted for review. Construction is still anticipated to start the second week of December.
6. **Police Vehicle Lease.** Gary said he had updated you on the police department vehicle leases. We are having the Mayor sign the documents to transfer ownership from one leasing company to another.
7. **Fire Academy.** Chief Dane Stone with the South Davis Metro Fire District will be sending invitations to an upcoming training opportunity on December 4th.
8. **UCMA Conference.** I attended the UCMA conference November 4-5 and learned about cyber security, hiring challenges in police departments throughout the state.

PUBLIC HEARING—RECEIVE PUBLIC COMMENTS ON THE PROPOSED UPDATE TO THE LAND USE REGULATIONS OF THE CITY OF WOODS CROSS KNOWN AS THE “ZONING ORDINANCE OF WOODS CROSS CITY” CODIFIED AS TITLE 12 OF THE WOODS CROSS CITY CODE. PROPOSED UPDATE CONSISTS OF A GENERAL REVISION OF TITLE 12

The Mayor gave the floor to the Community Development Director. He noted the following for the City Council:

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“We have scheduled a 2nd public hearing to receive public comment on the proposed draft of the zoning ordinance. Again, Mark Bell, Marc Vlastic (Landmark Design) and I will participate in the hearing to answer any questions that the public or city council may have as we proceed through the hearing.

“In addition, Mr. Bell is preparing an adoption ordinance. The agenda will also include an item to consider adoption of the zoning ordinance if the city council feels inclined to do so at that time. The Planning Commission has recommended to the City Council adoption of the draft zoning ordinance.”

The Mayor then opened the public hearing on this matter.

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

There were no further comments from the City Council and the Mayor and Council thanked everyone for their hard work on this matter.

CONSIDERATION TO APPROVE UPDATED LAND USE REGULATIONS CODIFIED AS TITLE 12 AS DESCRIBED ABOVE

Following the public hearing above, Council Member Terry made a motion to approve the updated land use regulations codified as title 12 as written with the exclusion of all crematoriums within the city. Council Member Checketts seconded the motion, and all voted in favor of the motion through a roll call vote.

CONSIDERATION TO APPROVE RESOLUTION 2021-745 SUPPORTING DAVIS PRE-DISASTER PLAN

The Mayor gave the floor to the City Administrator who represented the Public Works Director., who had noted the following in a report to the City Council:

“Over the last nine months, we have been working with Chad Monroe, Davis County Emergency Manager, and representatives from all the cities and agencies within the County to update the Countywide Pre-disaster Mitigation Plan. This plan was created to identify, plan, and mitigate potential hazards within the communities in the County. By creating this plan, participating entities will have access to Federal money before and after natural and man-made hazards.

“This plan was submitted and approved with no corrections or recommendations by FEMA.

“As part of the approval process, it is suggested that all participating cities show their support by approving the resolution in their respective City Councils.”

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Following the information given, Council Member Larrabee made a motion to approve resolution 2021-745, a resolution supporting the Davis Pre-Disaster Plan. Council Member Checketts 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 1960 SOUTH STREET ASSESSMENT AREA

The Mayor noted the following for the City Council:

“Given to the Council is a finalized Assessment Ordinance. We have made the decision to not require payment of the full assessment if the property is sold. A number of the property owners have factored in the ability to make the payments over time and such a requirement would place a hardship on them.

“Mark Bell has been in discussion with the Alumatek lot owner’s attorney trying to come to a resolution prior to adoption of the ordinance. Their attorney has requested we postpone adoption of the ordinance for four weeks but has not given us a reason for the four-week extension. Mr. Bell has told the attorney that we would be willing to postpone for a couple of weeks if there was some guarantee that they were serious in coming to a resolution outside of court. We are waiting to hear back if there is any possibility of a resolution.”

Mr. Mark Bell, the City Attorney was at the meeting and went over some of the details of this matter. He recommended the City Council adopt this ordinance at tonight’s meeting.

Following the information given, Council Member Westergard made a motion to approve ordinance 2021-604 levying an assessment against certain properties in Woods Cross, Utah 1960 South Street Assessment Area. Council Member Checketts 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

Council Member Checketts then made a motion to approve an agreement with Lewis, Young, Robertson and Burningham to provide assessment area administration services for the 1960 South Street Assessment area. Council Member Larrabee seconded the motion, and all voted in favor of the motion through a roll call vote.

REVIEW OF FY2022 STRATEGIC PLANNING GOALS

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

“I have included the memo that Gary Uresk prepared in May and the FY2022 Priority Evaluation list that was created during the Strategic Planning Session for our discussion.

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“It is my understanding that the City is working on the security camera upgrades. I will work with the staff to determine what other projects are underway or finished before the Council meeting to facilitate the discussion.”

The City Administrator then noted the following:

“Given to the Council are the strategic planning goals that were formulated during our strategic planning session. I would like an opportunity to review it in detail with my staff to come up with a detailed implementation plan. From our discussion during the budget work session, I view the following as priorities:

- Update Impact Fees
- Implement a Disproportionate Service Fee
- Annexation of the Smith Property
- Realignment of Job Duties – Full time public works administrative assistant and help for Community Development
- Security Cameras for City Hall and the Public Works Facility

“If there are other priorities, please let me know and we will focus on them as well.”

There was discussion about the piercing of some of the homes in the city that were experiencing the subsidence problem and how deep the piers need to be. There was also discussion about the piercing companies and what their bids verses actual costs. It was noted some of the bids were very expensive depending on the depth the piers would need to be installed. There was also discussion on some ideas on what the city could do to help the residents with this issue.

There was also discussion on the strategic planning goals and the priorities the City Council had. They went over which items had been completed on their list and which items still needed to be worked on and may need further discussion. There was significant progress on most items.

There was additional discussion on what might happen in the event of a disaster in the city and what preparations the city could make in advance. The Council discussed some ideas for disaster planning they felt might be successful.

CITY COUNCIL OPEN COMMENT

Council Member Dayley said she had concern about the restriping of 2600 South and that the lane is not wide enough. She said she would like that addressed.

Council Member Checketts said she had a resident concerned about some horse property that is for sale and that it may be rezoned for high density housing. The Community Development Director said anyone can request a rezone, but they have to go through the process for rezoning which would include meeting with the Planning Commission and then the City Council for approval.

Chief Soffe said there was an opportunity to get an informative magazine that would contain helpful information to the citizens of Woods Cross and their children. He said the magazine would

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be a helpful and free to residents. The magazine will be soliciting businesses for advertising, so he wanted to make the City Council aware before he started working with the company.

WASATCH INTEGRATED REPORT

The Mayor gave the floor to Council Member Larrabee who reported on the activities of Wasatch Integrated Waste District. He said his WasteCon conference was very good, and he learned a lot at the conference. He said the district was presented with the favorable report of their. He also noted that there were new board members appointed to the board. Council Member Larrabee said he was voted in as the Vice Chair.

MOSQUITO ABATEMENT REPORT

The Mayor gave the floor to Council Member Terry who reported on the activities of the Mosquito Abatement District. He noted there was a death in Davis County from the West Nile Virus. He said they are still having trouble staffing the mosquito district. He also noted there would be a tax increase for residents for mosquito abatement services.

PLANNING COMMISSION REPORT

Council Member Terry continued with the floor and noted the Planning Commission meeting had been cancelled because of the lack of a quorum for their meeting.

SOUTH DAVIS RECREATION CENTER REPORT

The Mayor reported on the activities of the South Davis Recreation Center. He said they discussed sports the district sponsors. He also said they are working with Bountiful City to put in another 50-meter pool in the south area of the recreation center property. He said the goal is to hold the state championships for high swimming as well as other tournaments at the facility.

SOUTH DAVIS METRO FIRE DISTRICT REPORT

The Mayor then reported on the activities of the South Davis Metro Fire District. He said they voted on the meeting schedule for next year and approved the purchase of another ambulance.

MAYOR'S REPORT

The Mayor reported that the city currently has the highest number of Covid cases since the pandemic had begun. In the past the highest count had been 64 and now there are 103 people diagnosed and 10 people passed away from Covid over the past few weeks in Davis County. Covid continues to be a serious concern, and all should be careful during gatherings during the holidays.

CLOSED SESSION

Council Member Westergard made a motion to go into closed session at 9:03 P.M. Council Member Checketts seconded the motion, and all voted in favor of the motion through a roll call vote.

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ADJOURN CLOSED SESSION AND RETURN TO OPEN SESSION

At 9:47 P.M. Council Member Westergard made a motion to go into open session. Council Member Larrabee seconded the motion, and all voted in favor of the motion through a roll call vote.

ADJOURNMENT

At 9:48 P.M. Council Member Westergard made a motion to adjourn the City Council meeting. Council Member Larrabee seconded the motion, and all voted in favor of the motion through a roll call vote.

Rick Earnshaw, Mayor

Annette Hanson, City Recorder