

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

The minutes of the Woods Cross City Council meeting held at 6:30 P.M. at the 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

*Council Member Terry entered the meeting at 8:28 PM

STAFF PRESENT:

Bryce Haderlie, City Administrator
LaCee Bartholomew, Community Services Coordinator
Tim Stephens, Community Development Director
Jessica Sims, Assistant City Administrator
Cyndi Coomer-Smith Court Administrator
Gary Sharp, Planning Commission Chairman

Annette Hanson, City Recorder
Chad Soffe, Police Chief
Sam Christensen, Public Works Director
Sonia Kelley, Court Clerk
Marcus Arbuckle, Auditor

PUBLIC ATTENDANCE:

Johnny Filler
Mark Garza
Walker Wood
Dean Smith

James Sheldon
Grey Garza
Marly Ferrin
Jarom Bodell

LeGrande Blackley
Nick Meister
Taft Egan
Tori Simmons

INVOCATION:

Julie Checketts

PLEDGE OF ALLEGIANCE:

Rick Earnshaw

CONSIDERATION TO APPROVE MINUTES

Mayor Earnshaw called for the review of the minutes for the November 16 City Council Meeting.

Council Member Larrabee made a motion to approve the minutes with Council Member Westergard seconding the motion and all voted in favor of the motion through a roll call vote.

RATIFY CASH DISBURSEMENTS

The Mayor called for the ratification of the cash disbursements for 11//26/21-12/3/21.

Council Member Westergard made motion to ratify the cash disbursements for the time period of 11/26/21-12/3/21. Council Member Checketts seconded the motion, and all voted in favor of the motion through a roll call vote.

COUNCIL KUDOS

The Mayor gave the floor to Council Member Checketts who said there were two nominees for Council Kudos for tonight's meeting.

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Council Member Checketts read a letter from the Court Administrator, Cyndi Smith, who had nominated Sonia Kelley for Council Kudos, recounting that she had recently taken a two-week vacation and left Sonia in charge of all court matters. She said Sonia did a great job handling everything and went above and beyond her normal job duties. Ms. Smith said she thought she would come back to many things that would need attention, but that was not the case because Sonia had taken care of most everything while she was gone. Ms. Smith said Sonia is a hardworking and dedicated employee and deserved to be recognized for her hard work.

The Mayor and the Council, and those present, congratulated Sonia on her nomination, thanked her for her hard work and dedication to the city and presented her with a gift card as a thank you.

Council Member Checketts read a letter from Officer Corey Boyle who nominated Officer Aaron Bateman for Council Kudos recognition. Officer Boyle shared that on Halloween night Officer Bateman had made a valiant effort to be seen in the neighborhoods and interact with the children. Further, during the evening Officer Bateman noticed some commotion in Valentine Estates on a porch at one of the homes. Officer Bateman stopped and asked some of the kids walking down the steps from the porch what was going on and discovered there was a 10-year-old child choking on a gobstopper. Officer Bateman immediately relayed the information to dispatch to get the medics on their way. Officer Bateman did not hesitate to begin maneuvers to dislodge the candy and was able to dislodge it before anyone else arrived on scene and without a doubt saved this boy's life.

Officer Boyle said when he arrived on the scene with Station 85 and was able to see the layout where Officer Bateman was parked, he didn't know how Officer Bateman was able to see the incident. Officer Boyle expressed that 99 out of 100 cops, including himself, would never have seen this boy. Officer Boyle said it was hard to explain but considering the height and setback of the porch and the insufficient lighting, it would have been next to impossible to catch a glimpse of what was happening. Yet, Officer Bateman was able to do so. He said he felt Officer Bateman did something truly extraordinary and saved this boy's life.

Council Member Checketts presented Officer Bateman with a gift card and thanked him for his valiant efforts in saving this boy's life and for his hard work and dedication to his job as a police officer. The Mayor and Council and those present also congratulated and thanked Officer Bateman for his efforts on behalf of Woods Cross City.

REVIEW OF AUDIT—KEDDINGTON AND CHRISTENSEN

The Mayor then gave the floor to Mr. Marcus Arbuckle of Keddington and Christensen CPAs to report the recent audit to the City Council and said they found everything was in order.

PUBLIC COMMENT

The Mayor then opened the meeting for public comment. Sergeant Sheldon from the Police Department reported that due to diligent team efforts a Scion car that had been donated to the police department many years ago was being traded in for a new 2022 Corolla Apex SE at no cost to the department due to a nice donation from donation from Toyota of Bountiful. This vehicle will be wrapped for NOVA.

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YOUTH CITY COUNCIL REPORT

Ms. Tori Simmons reported the activities of the Youth City Council, noting that they had done their annual Christmas shopping trip to buy items for the Angel Tree families. She also said they had helped with the tree lighting activity with Santa. It was also noted the YCC leadership conference would be held in January and breakfast would be served by the City Council.

COMMUNITY OF PROMISE REPORT

Ms. LaCee Bartholomew, Community Services Coordinator, reported on the activities of the Community of Promise. She noted the Seniors were expecting a large crowd at their Christmas lunch at the public works building. She also noted the Angel Tree is in the process of receiving gifts and they will continue working on getting those gifts wrapped and delivered. She said winter recreation has already had 15 kids registered.

Council Member Checketts said that 30 families were helped for Christmas through the programs and donations throughout the city.

PUBLIC WORKS REPORT

The Mayor gave the floor to the Public Works Director who noted the following regarding the activities of the Public Works Department.

WATER/STORM

- After Hours callouts November—7
- Water Leaks repaired November—2
- Blue Stakes tickets November—194
- Storm Water Inspections/Plan reviews November—18
- Google Permits review—1
- Waterline Inspections
- Water tie-overs on 800 W

STREETS

- Street Sweeping
- Snowplow Preparations
- Sign Replacements
- Concrete Repairs

PARKS

- Playground research for Morningside, Towne Center, and Turn Around (Lower Mills)
- Leaves in the Parks
- Christmas Lights
- Hired Braeden Wilson to work in the Parks and Water full time

PUBLIC WORKS ADMINISTRATIVE (In the Works)

- COG Grant Awarded for 1100 W North Project \$1.25 Million

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- Development Review Committee
- Elements work orders and Asset set up
 - Go live in January
- ARPA Funding Project Planning
 - Redwood Road Techite
- 800 W Street Rebuild 770 S to 1500 S in design
 - Weber Basin Project out to bid
 - Road Repair will start in July 2022
- Parking and Pickleball options at Mills, contact property owner (on hold)
- Fleet Replacement Program Update
- Grant Applications

Projects

- West Legacy Trail—almost done
- 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
- Google Preconstruction Meeting scheduled for this week
 - Construction Starts Dec. 13 for Cloverdale and Field Crest neighborhoods
 - Permit submitted for Valentine, Mountain View and Shamrock Neighborhoods (HOA's to be contacted by Google)
- Hogan Park Remodel—30% design done
 - Funding Options
- Mills Park Trail Overlay and 1500 S Trail Crossing Project
 - 1500 S will be closed Dec 7-14 for concrete cure
- Streets/Water Projects
 - Overlays on Sorrento, 1500 S, 625, 750 S and 850 S
 - Asphalt Complete, Concrete in progress
- Water Line Projects ARPA funded—Awarded and materials ordered
 - Construction to start December 13th
 - 1500 S: 675 W to 829 W
 - 1200 W: 1500 S to 1750 S

Council Member Dayley asked about the widening of 1100 West and the Public Works Director gave her a few ideas they are thinking about for that area.

Council Member Checketts asked if the Public Works Director had spoken with Jean Mecham about the asphalt issue in front of her home. The Public Works Director said he would stop by and speak with her, but the streets department had been by her home to look at the problem.

CITY ADMINISTRATOR REPORT/ACTION ITEM REPORT

The Mayor gave the floor to the City Administrator who reported on Staff action items.

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In process items include the compensation survey, the 1960 South Special Assessment area and the police vehicle lease. He reported progress on these items and would have further information for the Council during the closed session.

CONSIDERATION TO APPROVE 2022 MEETING SCHEDULE

The Mayor noted state law requires municipalities to approve the regular meeting schedule each year. The schedule would remain the same with the City Council meetings being held the 1st and 3rd Tuesday evenings at 6:30 P.M. with Planning Commission meetings being held on the 2nd and 4th Tuesday evenings at 6:30 P.M. each month.

Council Member Larrabee made a motion to approve the 2022 meeting schedule as presented with Council Member Checketts seconding the motion and all voted in favor of the motion through a roll call vote.

CONSIDERATION TO APPROVE RESOLUTION APPOINTING BRYCE HADERLIE TO SCENIC BYWAY COMMITTEE

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

“In late October, several city managers from Davis County met to discuss the future activities of the Greater Salt Lake Legacy Parkway Scenic Byway Committee. We recognize the important role it plays in the future of the Legacy Highway and coordinating efforts of the neighboring communities to protect the scenic beauty along the corridor.

“One of the first actions needed is to appointment members to the committee in the month of December. If the Council agrees, I would be happy to sit on this committee to be the voice of Woods Cross.”

Following the information given, Council Member Checketts made a motion to approve resolution 2021-747, a resolution appointing Bryce Haderlie to the Greater Salt Lake Legacy Parkway Scenic Byway Committee. Council Member Westergard seconded the motion, and all voted in favor of the motion through a roll call vote.

CONSIDERATION TO APPROVE PLAYGROUND EQUIPMENT REPLACEMENTS

The Mayor gave the floor to the Public Works Director who noted there are 3 playgrounds with current safety issues. He noted that 2 of the parks have heat related damage and one of the parks is showing signs of material failure. He noted the safety issues are identified by the Trust’s inspection requirements. He noted the three parks needing repair are Towne Center Park, Morningside Park, and Turn Around Park (West of Mills Park).

The Public Works Director said the funding for these projects would be some budgeted improvements from the approved 2022 Capital Improvement Plan that are not being done this year or can be delayed. He noted those were:

Mills Park East Parking Lot--\$141,00
Shelter Placements--\$100,000

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The Public Works Director also said the Park Superintendent had gotten 5-6 quotes and drawings for each playground and prices ranged from \$22,000 to \$90,000. He said that all the quotes received are off of the State contacts list.

The Public Works Director noted with the review of all of the quotes and considerations that the following is recommended:

- Miracle Playground Option 6 for Towne Center Park from Garrett & Company, for \$75,094.00
- Playcraft Playground Option 1 for Morningside Park from Lucky Dog Recreation for \$69,711.55
- Playcraft Playground Option 1 for Turn Around Park for Lucky Dog Recreation for \$71,461.55

Following the information given, Council Member Westergard made a motion to approve the purchases as given above for the playground equipment. Council Member Checketts seconded the motion, and all voted in favor of the motion through a roll call vote.

**CONSIDERATION TO APPROVE WOODS CROSS INDUSTRIAL PARK
CONDOMINIUMS PLAT**

The Mayor gave the floor to the Community Development Director who noted the following:

“Mark and Grey Garza have been developing the office/warehouse buildings in the Woods Cross Industrial Park kiddy/corner from the Woods Public Works Facility. These buildings are nearing completion and the Garza’s have proposed to split these buildings into individual condominium units in which businesses can purchase and own their own unit or space within each building. Over the years, the city has approved a number of commercial, industrial, and aircraft hangar condominium conversion plats. Given to the Council is the condominium plat that divides each building into multiple units of ownership. The city engineer and surveyor have reviewed the plat and found it in compliance with standards for condominium plat recordation. Furthermore, the Planning Commission has reviewed this matter and has forwarded to the City Council a recommendation to approve the Woods Cross Industrial Park Condominium Plat.”

Council Member Checketts thanked the Garza’s for taking the time to make the buildings look nice. She said she liked the design of the buildings.

Following the information given, Council Member Checketts made a motion to approve the Woods Cross Industrial Park Condominium Plat. Council Member Larrabee seconded the motion, and all voted in favor of the motion through a roll call vote.

CONSIDERATION TO APPROVE THE AUDREY DEVELOPMENT MASTER PLAN

The Community Development Director continued with the floor and noted the following:

“Earlier this year, the city adopted new zoning in the northwest quadrant of the city. Several of these zones were residential in nature and permitted higher residential densities than had previously been permitted in the city. The Single-Family Residential Transition or SFRT Zone was one of several northwest quadrant zones in which property was rezoned in the northwest quadrant. One such area

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was the subject property along the north end of 1100 West on the east side of the street at approximately 800 South. This parcel contains 6.84 acres.

“CW Urban has purchased the property and is proposing a 61-unit townhome development. As you are aware, the zone permits a range of housing types from single-family to patio homes, green court homes, and townhomes. The proposed project will be the first application we have processed with the regulations of the SFRT Zone. The zoning regulations require a developer to first submit a development master plan or concept plan for review and recommendation by the Planning Commission. The development master plan then proceeds to the City Council for final consideration and approval. If approval is granted, the developer develops a detailed site plan and townhome subdivision plat for consideration by both the Planning Commission and City Council.

“The SFRT Zone outlines, the development standards for each of the housing types permitted in the zone including townhomes. As part of the developer’s submittal, he requested a waiver or reduction in the rear-yard setback for the townhomes. The SFRT Zone requires a rear-yard setback of 25-feet from the roadway or alleyways. However, it does permit the Planning Commission to reduce the rear-yard if it “finds it provides a more attractive and more efficient and safe use of the property and will not otherwise be detrimental for any reason.” The developer had requested that the entire 25-foot rear-yard setback be eliminated allowing the rear portion of their townhomes or garages to sit directly on the roadway between units. The Planning Commission held a long discussion regarding this matter and concluded that they were not willing to reduce the entire 25-foot rear-yard setback but would reduce it down to eight feet. They then tabled the matter requesting that the developer modify the development master pan with the eight-foot setbacks, thus widening out the roadways. The developer returned in a few weeks to the Planning Commission with a modified plan with the eight-foot width added to the roadways adjacent to garages. The Planning Commission also discussed the fact that the green courts open areas between the rows of townhouses had been reduced to accommodate the eight feet. The Commission was concerned that this would impact the front-yard or building separation setbacks. This depends on how this is interpreted-whether it is from center line or overall width of 25-feet between facing units. The Planning Commission, just to be safe, took a strict interpretation and also granted a reduction to the front-yard setback.

“Given to the Council is the proposed project master plan for the Audrey Townhome Development which also includes conceptual floor plans and architectural elevations for the project. There are 61 proposed units, 33 will consist of three-bedroom units and 28 will be four-bedroom units.

“The Planning Commission specifically reviewed the parking requirement for this project which states that three-bedroom multi-family units shall be provided 2.5 parking spaces. Any units exceeding 3 bedrooms shall be provided 2.5+ spaces. There will be 153 stalls provided for the units as required with the addition of 22 more stalls which is 15% greater than the required minimum. 122 of those stalls are garage stalls and 53 parking stalls will be open-surface stalls totaling 75 stalls. The Planning Commission reviewed the parking and determined that the proposed parking was acceptable.

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“Given to the Council are the architectural renderings of the buildings proposed for the project. The architectural elevations indicated the building materials will vary and involve stone, stucco, and cement fiberboard siding. The proposed architectural elevations are standard in appearance. The state legislature recently passed a bill that prohibits communities from dictating architectural features or materials for single-family, two-family, and townhome developments. The Planning Commission and City Council cannot require specific architectural features, appearance, or materials. However, you will note the side elevations of each structure indicate they have added windows and fiber cement siding panels to these elevations which, on similar projects, are sometimes just blank walls. The Planning Commission spent time reviewing the proposed master development plan for the Audrey Townhomes and has recommended the City Council approve the development master plan.”

Following the review by the Community Development Director, Council Member Checketts asked how deep the garages were. The developers of the project said depth varies depending on the units. He said they range from 20-22 feet garages, but he said he felt that minivans and trucks would still fit in the spaces. Council Member Checketts said she had concerns that only two small cars will fit in the garages and since larger cars would not fit into the garages, it could push people into parking in the extra stalls and create a parking problem. She said she liked the layout and design, but she is concerned about the parking and would like to see 50 units on the 6 acres.

The developer said if they had to reduce the unit counts, the project will not happen because of the current cost of building and materials.

Council Member Westergard said he liked the layout and the amenities, but he also had concerns about parking, the alleviation of some of the green space, the dumpster enclosure location.

There was discussion on the Council’s concerns about the setbacks, parking issues, the width of the alleys, trash enclosures on the south side, and the depth of the garages and the number of units.

The developer said there is almost an additional parking spot per unit with the two car garages and the additional parking spaces which are planned. He said if they were to add more parking, they would have to start eliminating more green space or amenities. The units are designed to sell to couples or small families rather than rental units.

The Council said there have been other projects that had been “for sale” homes but many of them had either turned into rentals or Air B&B units. The developer said they have stayed within the allowed number of units on the property that are allowed in this zone.

Following the discussion Council Member Larrabee made a motion to approve the Audrey Development Master Plan. Council Member Westergard seconded the motion and Council Members Larrabee, Westergard and the Mayor voted in favor of the project. Council Members Dayley and Checketts voted against the project. The motion passed with a vote of three votes to two.

EMPLOYEE APPRECIATION DINNER

The Mayor gave the floor to the Assistant City Administrator, and she said they would like to have an appreciation dinner. There was a discussion about the best date, and it was decided that the dinner would be held Friday January 21, 2022, at 6:00 P.M. at the public works building.

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FIELD USE AGREEMENT

The Mayor gave the floor to the Public Works Director who noted the following regarding the Field Use Agreement proposed changes:

Section 2-Application Requirements:

- (a) Requests to be submitted to the Community Services Coordinator instead of the Parks Superintendent.

Park Athletic Fields:

- Addition of Pickleball courts as a reservable option.
- (3) Omission of contact extension/hours for Public Works and directed to the city's main line.

Section 6 Notices:

- (a) Change Parks Superintendent to Community Service Coordinator as main point of contact.
- (h) "No Exceptions" added to the requirement of payment before scheduled games take place.
- (j) Clarification of responsibility of leagues to provide restrooms during should season.

Appendix B:

- (15) Addition of deadline for calling games due to weather to 12PM of the same day.
- (27) Replace Parks Superintendent with Community Services Coordinator.

New Additions:

- Appendix C—Fees and Charges for field and court rentals.

The Council discussed the changes and the benefits of the changes the Field Use Agreement. It was noted these changes would be considered for future agreements.

FEE SCHEDULE ADJUSTMENTS

The City Council continued with discussion on the proposed fee schedule adjustments and asked the various departments for their feedback and comments on the adjustments they would like to see in the future.

CITY COUNCIL OPEN COMMENTS

Council Member Terry asked about some city property that has seems to be being used for snowplow storage. Mr. Stephens said he would investigate it.

Council Member Checketts said there were some neighbors complaining about construction on 880 West. Mr. Stephens said he would be getting in contact with the city attorney to pursue that matter.

SOUTH DAVIS SEWER DISTRICT REPORT

The Mayor gave the floor to Council Member Westergard who reported on the South Davis Sewer District. He noted they are implementing new processes due to EPA requirements, one being the algae project and one being a Mixed Bed Bio Reactor process which is a new technology. He said these projects are expensive and they need to get some revenue for these projects as required by the federal government, so sewer district rates will be raised.

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PLANNING COMMISSION REPORT

The Mayor gave the floor to Council Member Terry who reported on the November 22, 2021 Planning Commission meeting. Please see the minutes of that meeting for the details of his report.

MAYOR'S REPORT

The Mayor reported that the recreation district had met on the proposed 2nd recreation center and they are looking at two proposed locations.

The Mayor also attended the fire department graduation for the new hires.

MOTION TO GO INTO CLOSED SESSION

At 10:00 P.M. Council Member Westergard made a motion to go into closed session. Council Member Terry seconded the motion, and all voted in favor of the motion.

MOTION TO RETURN TO OPEN SESSION FROM CLOSED SESSION

At 10:51 P.M. Council Member Westergard made a motion to go into open session with Council Member Terry seconding the motion and all voted in favor of the motion.

ADJOURNMENT

There being no further business before the City Council, Council Member Checketts made a motion to adjourn the meeting at 10:52 P.M. with Council Member Terry seconding the motion and all voted in favor of the motion.

Rick Earnshaw, Mayor

Annette Hanson, City Recorder

Approved by City Council December 21, 2021