

**WOODS CROSS CITY COUNCIL MEETING
JANUARY 12, 2022**

The minutes of the Woods Cross City Council meeting held January 12, 2022, at 4 P.M. at the Woods Cross City Hall located at 1555 South 800 West, Woods Cross, Utah.

CONDUCTING: Ryan Westergard, Mayor

COUNCIL MEMBERS PRESENT:

Ryan Westergard, Mayor	Wally Larrabee
Julie Checketts	Gary Sharp
Jessica Kelemen	Matt Terry

STAFF PRESENT:

Bryce Haderlie, City Administrator	Annette Hanson, City Recorder
Jessica Sims, Assistant City Administrator	Sam Christensen, Public Works Director

The Mayor thanked those in attendance for making time to meet for this special session of City Council.

CONSIDERATION TO APPROVE POLICY TO COMPLY WITH OSHA REQUIREMENTS THAT THE CITY ADOPT A POLICY RELATED TO VACCINATION OF EMPLOYEES

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

“Due to the OSHA Covid-19 Vaccination and Testing Emergency Temporary Standard (the “ETS”), it has become necessary for the City to implement a policy that complies with this standard where we fall under the Utah Occupational Safety and Health Division (“UOSH”).

Presented to the Mayor and Council is a proposed policy and Resolution 2022-756 adopting the policy to assure we are in compliance with Federal and State requirements.”

Discussion regarding the OSHA requirements ensued. It was noted that the policy was required to be in place by January 10, 2022, and if adopted, would be retroactive to that date. Employees will be given the option of choosing to be vaccinated OR choosing to forego vaccination by submitting a statement that they are unvaccinated along with an acknowledgement of the requirement that instead of vaccination, the employee will wear a mask AND must be tested for COVID-19 at least once every seven days. According to the policy the employee must then provide documentation of the most recent COVID-19 test result to the employee’s department head no later than the seventh day following the date on which the employee last provided a test result.

The Council discussed the possible definition of “fully vaccinated” and whether this meant one vaccine, two vaccines, and if it also required a booster be administered. Currently exact parameters are not clear. There was also discussion as to whether the City should reinstate some type of paid COVID leave as the previous COVID leave was terminated December 31, 2021, and if any approved resolution would end or sunset.

The City Attorney noted that there was no requirement to provide paid COVID leave. He also clarified that according to the language of the resolution, any approved resolution “shall be

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rescinded without further action of the City Council in the following events: (a) the United States Supreme Court rules that the ETS is unconstitutional or otherwise unlawful; (b) the United States Supreme Court imposes a stay of the enforcement of the ETS as it relates to the District; (c) the expiration of the ETS; and (d) the expiration any similar rule adopted by OSHA governing COVID-19 related testing and vaccination.”

The Council expressed support of the policy and associated resolution but determined to wait to move forward on the reinstatement of any type of COVID leave until more information and legal advice could be obtained.

Council Member Larrabee made a motion to adopt Resolution 2022-756 with removal of the five-day paid leave provision. Council Member Checketts seconded the motion, and all voted in favor of the motion through a roll call vote

MOTION TO GO INTO CLOSED SESSION

At 4:43P.M. Council Member Sharp made a motion to move into closed session. Council Member Larrabee seconded the motion, and all voted in favor of the motion through a roll call vote.

MOTION TO RETURN TO OPEN SESSION

At 5:15 P.M. Council Member Terry made a motion to return to open session. Council Member Kelemen seconded the motion, and all voted in favor of the motion through a roll call vote.

Consideration to Adopt Resolution 2022-757 Approving Purchase of Property Located at 1351 West 1500 South

Council Member Checketts made the motion to approve Resolution 2022-757 authorizing completing the purchase of the property located at 1351 West 1500 South. Council Member Sharp seconded 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 Larrabee made a motion to adjourn the meeting at 5:22 P.M. Council Member Sharp seconded the motion and all voted in favor of the motion through a roll call vote.

Ryan Westergard, Mayor

Annette Hanson, City Recorder

Approved by City Council 2/15/22