

**WOODS CROSS CITY COUNCIL MEETING
FEBRUARY 6, 2024**

The minutes of the Woods Cross City Council meeting held February 6, 2024, in the Woods Cross City Hall located at 1555 South 800 West, Woods Cross, Utah.

COUNCIL MEMBERS PRESENT:

Ryan Westergard, Mayor
Julie Checketts
Jessica Kelemen

Gary Sharp
Matt Terry

COUNCIL MEMBERS EXCUSED:

Wally Larrabee

STAFF PRESENT:

Bryce Haderlie, City Administrator
Jessica Sims, Assistant City Administrator
Sam Christiansen, Public Works Director

Scott Buchanan, Chief of Police
Annette Hanson, City Recorder

PUBLIC ATTENDANCE:

LeGrande Blackley
Don Schrader

Jaxon Dyreng
Howard

Angie Petty

INVOCATION:

PLEDGE OF ALLEGIANCE:

Julie Checketts
Jessica Kelemen

YOUTH CITY COUNCIL REPORT

The Mayor gave the floor to Youth Mayor Jaxon Dyreng, who reported on the activities of the Youth City Council(YCC), who noted they had gone shopping for a few students who needed help at Christmas time. He said it was a great experience for the YCC and they were excited to do it again next year. The YCC also enjoyed helping with the Santa Coming to Town. Youth Mayor Dyreng also said for the month of January some of the Youth Council got to go to the capital and attend a few of the classes held during the legislative meetings. He said it was a great learning experience.

Youth Mayor Dyreng said they are planning the Easter Extravaganza for March 23 at Mills Park. He also said they are planning on attending the Utah State Leadership Conference.

COUNCIL KUDOS

The Mayor gave the floor to Council Member Checketts who said she had received a letter from Bryce Haderlie, the City Administrator, complimenting Sam Christiansen the Public Works Director on his efforts to save money for the city. He said Sam had made changes to the mobile connections for the public works iPads which saved approximately \$100 per month and had also urged Google to install internet at both the city hall and public works buildings. It was noted this would save about \$350 per month per building over the current contract. The City Administrator said Sam pours his heart and soul into his job and works to provide excellent service to the city. He said this is just one of the many efforts that Sam makes to benefit the city of Woods Cross and he wanted to express his appreciation for the good work Sam continues to do.

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
FEBRUARY 6, 2024
PAGE 2**

The Public Works Director was given a gift card in appreciation for his good work and the Mayor and Council thanked him for the good work he has done, and continues to do, for the city.

CONSIDERATION TO APPROVE MINUTES

The Mayor called for the review of the minutes of the meetings held 01/16/24, 01/25/24 and 01/26/24. Following the review of the minutes, Council Member Sharp made a motion to approve the minutes as written. Council Member Terry seconded the motion, and all voted in favor of the motion via a roll call vote.

RATIFY CASH DISBURSEMENTS

The Mayor called for a review of the cash disbursements for the time period of 01/12/24-01/25/24.

Following the review by the City Council, Council Member Checketts made a motion to ratify the cash disbursements for the time period of 01/12/24-01/25/24. Council Member Kelemen seconded the motion, and all voted in favor of the motion through a roll call vote.

PUBLIC COMMENT

The Mayor then opened the meeting for public comments:

Ms. Angie Petty from South Weber City addressed the Council. She is currently serving on the City Council for South Weber and is seeking to be elected for Davis County Commission. She said she is visiting each city in Davis County to meet everyone and see how their cities work. She thanked the Council for their time.

Commissioner Checketts asked why Ms. Petty had decided to run for County Commission. Ms. Petty said she had been serving on the City Council for seven years and she enjoyed. She said she has learned a lot and wanted to take serving the community to the next level and serve more citizens. The Council wished her good luck with her pursuit.

There were no further public comments, and the Mayor closed the public comment portion of the meeting.

CONSIDERATION TO APPROVE RESOLUTION 2024-839 AFFIRMING REAPPOINTMENT OF WALLACE LARRABEE TO THE WASATCH INTEGRATED WASTE MANAGEMENT DISTRICT ADMINISTRATION BOARD

The Mayor noted the city appreciates the service that Council Member Larrabee has made to serve on the Administrative Control Board of the Wasatch Integrated Waste Management District. He said that Council Member Larrabee's term had expired, and it was necessary at this time to reappoint him by resolution to formalize his continued service on behalf of Woods Cross City.

Following the information given, Council Member Terry made a motion to approve resolution 2024-839 a resolution affirming the reappointment of Wallace Larrabee to the Wasatch Integrated Waste Management District board through 2027. Council Member Kelemen seconded the motion, and all voted in favor of the motion through a roll call vote.

CONSIDERATION TO APPROVE RESOLUTION 2024-840 AUTHORIZING AMENDMENTS TO THE 2022 ROAD TAX BOND EXPENDITURES

The Mayor gave the floor to the City Administrator who noted he was requesting the Council's authorization to reallocate \$29,164.16 from two projects/expenditures that were less than the budget estimates along with draw #2 from the 2022 Road Tax Bond Funds. He said the savings are from the bond issuance expenses (\$1,580.00) and the 800 W reconstruction (\$27,584.16) He said he was seeking Council's approval to authorize this \$29,164.16 to be appropriated to the 1100 W-1750 to 1975 S project and/or 500 S to 1200 S project to cover budget shortfalls.

The City Administrator noted during the October 4, 2022, City Council meeting, the City Council authorized the expenditure of the \$3,500,000 2022 Road Tax Bond Funds as described in the September 27, 2022, memo. Since that date, the first reimbursement of \$1,660,990.12 covered the bulk of the costs associated with the 800 W reconstruction and portions of the 1100 W reconstruction between 500 S and 1975 S.

The City Administrator noted the remaining \$1,414,447.22 will be used for the 800 W 1500 S traffic signal, 1100 W-2100 S to 2600 S widening, 2600 S traffic signal with North Salt Lake, and the 2600 S grade crossing with North Salt Lake. He said that any adjustment from these anticipated expenditures will be brought back to the City Council. for authorization.

The Public Works Director supplied the following for the City Council:

"With the closing of the \$3,500,000 Excise Tax Road Revenue Bond (2022 Road Tax Bond), I would like to confirm the projects that we have discussed and will be paid from that bond revenue. Having this as a council meeting agenda item will further solidify that the Council has reviewed and authorized these expenditures.

In an email sent to the Council on July 21, 2022, staff outlined the following projects and inflationary projections. The email also included the 800 West reconstruction projects as an additional cost that the 2022 Road Tax Bonds will cover. The projects/expenses include:

| | |
|---|--------------------|
| • Bond issuance expenses | \$ 28,000 |
| • 800 West Reconstruction (Area 3) Estimate | |
| ○ Approved Contracts | |
| ▪ Bowen | \$ 323,387 |
| ▪ Kilgore | \$ 669,232 |
| ○ Change Orders Year to Date | \$ 65,000 |
| ○ UTA land lease cost | \$ 9,500 |
| ○ Engineering Estimate | \$ 150,000 |
| 1. 800 W 1500 S Traffic Signal Estimate | \$ 390,197 |
| 2. 1100 W (500 S to 1200 S) Est. | \$ 566,182 |
| 3. 1100 W (1750 S to 1975 S) Est. | \$ 233,281 |
| 4. 1100 W (2100 S to 2600 S) WFRM/City Match Est. | \$ 499,732 |
| 5. 1100 W (2100 S to 2600 S) DC3Q/City Match Est. | <u>\$ 236,400</u> |
| Sub-total | \$3,170,911 |

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
FEBRUARY 6, 2024
PAGE 4**

Other Projects can include:

A. 2600 S Traffic Signal Match to NSL

\$ 80,000

B. 2600 S Grade Crossing Match to NSL

\$ 240,000

Sub-total

\$ 320,000

Grand Total

\$3,490,911

Following the information given, Council Member Sharp made a motion to approve resolution 2024-840, a resolution authorizing amendments to the 2022 Road Tax Bond Expenditures as given. Council Member Kelemen seconded the motion, and all voted in favor of the motion through a roll call vote.

CONSIDERATION TO APPROVE RESOLUTION 2024-841 AUTHORIZING A 1-YEAR EXTENSION TO THE MOWING CONTRACT WITH HUSKIE'Z FOR THE 2024 MOWING SEASON

The Mayor gave the floor to the Public Works Director who noted the following for the City Council regarding the mowing contract for the 2024 mowing season:

"Pursuant to the 2022 present mowing contract, which includes provisions for yearly extensions, this 2024 renewal price of \$139,516.33 includes the increase of \$19,054.23 (15.8%) to the 2023 mowing price of \$120,462.10. This is the second renewal with Huskie'z Landscaping INC, and they are exercising the price adjustment option in the mowing contract. Huskie'z has seen considerable price increases this year due to fuel and other O & M (operations and maintenance) inflationary costs and increased labor costs. As a result, Huskie'z has provided actual fuel costs from our 2023 mowing season, CPI-U data from January 11, 2024, and their Application for Prevailing Wage Determination (Determined September 1, 2023, to the US Dept of Labor) to support their price increase this year. These documents are required per the Price Schedule of the 2022 Lawn Care Services Agreement.

City staff requested Huskie'z to give another option based on fuel costs at the time of service. Huskie'z provided an example of using a fuel surcharge option. This option, which Herriman City uses with Huskie'z, has the base fuel costs set at the beginning of the mowing season to take advantage of potential lower fuel costs. This option has the potential to save Woods Cross up to \$6,000 compared to the regular bid based on the 2023 mowing season fuel pricing. This option has the potential to lower the increase to 10% rather than the 15.8% with the traditional option. But if pricing goes above the breaking point in the proposal, we will be charged a "Fuel Surcharge" of actual fuel costs above the bid pricing. If the Council chooses the traditional bid option, there is no fuel surcharge, but the base pricing is higher. City Staff has reviewed the supplied documents and verified the justification for the 15.8% increase and the fuel surcharge option. The increased price without the fuel surcharge option is still \$38,051.45 less than the nearest bidder in the original 2022 RFP for Mowing services. City staff has been impressed by the mowing quality, crew communication, and timely correction of problems."

Following the information given, there was a question about fuel increases and seasonal help wage increases. The Public Works Director explained why the increases were taking place with higher gas prices and work visa wages being increased.

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
FEBRUARY 6, 2024
PAGE 5**

Council Member Checketts expressed a concern about making sure the seasonal employment was being handled correctly by Huskie'z so there would be no concerns with that during the mowing season. The Public Works Director said the contract with Huskie'z follows government rules and regulations with labor laws and so there are no questions about the employees' requirements.

There were no further questions and Council Member Terry made a motion to approve resolution 2024-841, a resolution authorizing a 1-Year Extension to the mowing contract with Huskie'z for the 2024 mowing season with the fuel surcharge option. Council Member Checketts seconded the motion, and all voted in favor of the motion through a roll call vote.

CONSIDERATION TO APPROVE RESOLUTION 2024-842 APPOINTING A HEARING OFFICER FOR LAND USE DETERMINATION APPEALS

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

"The state law and our city code include provisions to appoint a hearing office for appeals to land use decisions. The Community Development Director noted the city has used attorney Richard Catten in the past through a verbal agreement.

"Mr. Stephens noted that this service is needed on a very infrequent basis, so the city does not see the need for a formal bidding process at this time. Mr. Stephens noted that the city attorney Mr. Mark Bell has advised him that the arrangement should be memorialized and so the resolution is being submitted to the City Council to accomplish this.

There were no questions and Council Member Checketts made a motion to approve resolution 2024-842, a resolution appointing a hearing officer for Land Use Determination Appeals. Council Member Sharp seconded the motion, and all voted in favor of the motion through a roll call vote.

PROPOSED AMENDMENTS TO EMPLOYEE MANUAL REGARDING THE POLICE DEPARTMENT

The Mayor gave the floor to Interim Chief of Police, Scott Buchanan. He noted for the Council that as part of a regular review of department practices, two areas for improvement have been identified in the employee manual. He said these proposed amendments to the City's employee manual seeks to resolve those deficiencies and corrects outdated practices or information.

Chief Buchanan said the first item that he would like to address was overtime pay and shift differential pay. He went over the details of the proposed changes and the reasons for them as follows:

"Adjustments to these sections resolve issues with the names of certain practices. The amendment to 10.3 eliminates the current practice of not paying police employees "time and a half" (hereafter 1.5) for the first four hours in excess of 80 for some activities. This practice began as a solution to instances in which officers would seek to collect overtime at the end of their shifts for frivolous activities. Our officers today work only approved overtime and there is no issue with officers seeking to work overtime for unapproved activities. This adjustment brings the department in line with standard industry practice and pays them properly for the extra work the department assigns them. FISCAL NOTE: This adjustment is estimated to

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
FEBRUARY 6, 2024
PAGE 6**

cost the city approximately \$5,000.00. This figure is based upon the extra amount the department would have paid police employees in 2023, based upon their overtime hours worked, if this amendment had been in effect. 2023 was a year in which officers worked more overtime due to staffing shortages.”

He then addressed the seconded item which was Field Training Officer (FTO) supervisory incentive pay. He noted the following regarding this matter:

"This amendment seeks to bring the police department up to regional standard in the compensation of field training officers (hereafter FTO's). The training of new police officers is one of the most challenging and involved tasks that a police officer chooses to participate in. The quality of this training and the police officer who emerges from the effort greatly influences the culture of the police department for years to come. FTO's are particularly critical in times of change for departments, as these FTO's are absolutely necessary to train newly hired officers in the event that tenured officers elect to depart. Without qualified FTO's during this time, a department faces significant challenges in maintaining a functioning patrol operation.

“Our FTO's are presently providing \$1.00 per hour as supplemental compensation while training our new officers. The most common practice across the state is to provide FTO's with an hour of guaranteed 1.5 pay per shift of training a new officer, which is roughly \$60.00 per shift and most frequently for a ten hour shift. This proposal boosts the FTO pay to \$5.00 per hour, or \$60.00 per 12 hour shift.

FISCAL NOTE: FTO pay is currently drawn from the general salary pool of funds assigned to the police department. We currently spend about \$1500.00 annually in FTO pay (2 new officers per year). This amendment would boost that cost to about \$5600.00 annually.

There was a question of how this would affect the overtime pay and it was noted it was unaffected.

The Council Member Checketts said she would also like to see some research done on the shift differential.

The Mayor and Council asked Chief Buchanan to do more research on these matters and return to Council.

**PROPOSED AMENDMENT TO WOODS CROSS CITY CODE TITLE 14, CHAPTER 21-CITY
IMPOUNDMENT**

The Chief continued with the floor and noted this matter was strictly procedural and made sure it met with the new parking ordinance. He said it made sure there was one code section not running against the another. He said he would add it as an action item on the next agenda if the Council had no questions about it.

The Mayor and Council said they would like him to move forward with these changes.

PUBLIC WORKS REPORT

The Public Works Director provided the following information for the City Council regarding the activities of the Public Works Department:

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
FEBRUARY 6, 2024
PAGE 7**

STREETS

- Snow plowing
- Truck repair/maintenance
- Yard/building maintenance
- Potholes
- Clearing storm drains
- Fixing/replacing street signs
- Assisting water department
- Daily garbage cans

PARKS

- Christmas décor removed.
- Equipment maintenance
- Building repairs (PD, City Hall, Shops)
 - Drywall repair and paint touch up in PW multipurpose room and Kitchen.
- Gopher baiting
- Tree Trimming
- Christmas tree pickup
- Snow removal (Parks & Streets)
- Salt buckets & walks
- Training (Playground Inspector-Braeden)
- Designing new landscaping-Morningside and tree buffer on 800 W

WATER

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- 4 water leaks
- 4 SWPPP Inspection sites
- 116 Bluestakes
- 7 callouts – not snowplow related
- Lead/copper inventory ongoing
- GPS mapping updates
- End of year water usage reports
- GAC vessel repair
- Well 3 pulled / camera-ed
- 1st quarter VOC/DBPs sampling
- Saline Intrusion Parameter sampling
- Meter verification for rate update

RAILROAD QUIET ZONE: Follow up with all road agencies on the deficiencies from summer inspection.

STREETS PROJECTS

- 1100 W-500 S to 1100 S is wrapping up. Waiting on fence repairs and new streetlight power up by RMP
- Traffic light is scheduled to bid out in March and construction to begin after Memorial Day and to be asphalted before August 15th.
- 675 W Mill/Overlay to occur in spring/summer.
- Transportation Master Plan Update Grant application for 80% of costs. City match will be part of costs. City match will be part of FY25 Budget

GOOGLE FIBER

- Have submitted another request for the neighborhoods East of I-15. They will be submitting a permit next month.

PUBLIC WORKS ADMINISTRATIVE

- 1100 W 2100 S to 2600 S Widening
 - In environmental plan phase. Working with property owners

**OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
FEBRUARY 6, 2024
PAGE 8**

- \$3.4 million in grants awarded.
- Parks and Recreation Master Plan update
 - Is at the Planning Commission level.
- Met with the South Davis Water Users and kicked off the planning grant application. We asked for commitments and financial commitments from the other cities and refineries.
- West Legacy Trail reimbursement waiting on JUB and post asphalt repair presentation.

IN THE WORKS

- Planning Spring Street Repair/Preservations
- Grant Applications
 - Part of the WFRC Safe Sidewalks for America Plan Development
 - Sitting in on the new Davis County Active Transportation Plan Group
- CDBG grants for ADA pedestrian ramps with money budgeted for match.
- BRIC and Earmarks grant applications for Aquifer concerns and subsidence assistance.
- Elements work orders in use, setting up building permitting and excavation permitting in citizen portal.
- Rate Study, IFFP, and Impact Fee Updates for Water and Storm Water approved. High residential water users and commercial user letter sent out this week. Thank you for your support.

The Public Works Director said UDOT is planning on replacing parts of the traffic light located on 1475 South and 2nd West. He said the ADA ramps would also be updated. He said UDOT asked if the Council would like the light to be powdered coated black for a fee. It was noted the Council said they did not care to do so.

CITY ADMINISTRATOR REPORT/ACTION ITEM REPORT

1. Responding to questions and inquiries on police chief job opening that closes on February 23, 2024.
2. Working to prepare job descriptions for finance and HR/risk management positions that we are considering with the upcoming departure of Assistant City Administrator, Jessica Sims.
3. Informational Technology RFP closed on Thursday, Feb. 1 with four proposals received.
4. The 2nd payment was made on the water purchase on January 16, and we received confirmation from Attorney Scott Martin that the State Engineer has approved the change application. The water 448 a.f. of water is in the City's ownership.
5. Staff spent considerable time working with the State Engineer and Representative Melisa Ballard to determine if legislation was beneficial with the current water reuse application on file with the State Engineer. It was determined that pursuing a rule change at this time is the best option and to wait to see if legislation is needed next year.
6. Prepared for Strategic Planning meeting on Thursday and Friday, January 25-26. It was a very successful meeting that will enable us to prepare a budget that reflects the goals and objectives of the City Council and staff.

QUESTIONS/DIRECTION TO CITY ADMINISTRATOR OR STAFF

Council Member Checketts asked how a resident from Shamrock could request a sound wall be put in on the Legacy path and highway. She said the resident had contacted here and is concerned about the very

OFFICIAL MINUTES
WOODS CROSS CITY COUNCIL MEETING
FEBRUARY 6, 2024
PAGE 9

busy highway running by her house and the possibility of a truck or car rolling into the path or her backyard. The Public Works Director said that UDOT is who would need to be contacted regarding that type of matter. The Mayor said there are cable barriers put in, but they will not put in a sound wall because it is a scenic byway. It was noted that the resident may be able to request a cable barrier to be placed near her home.

Council Member Checketts also said she would like to thank Officer Jones and Officer Salas for assisting in the apprehension of the mail truck in Centerville that had been speeding and causing issues.

COUNCIL REPORTS

Council Member Sharp reported that the Planning Commission had a standard meeting.

The Mayor said his various meetings would be held in the following weeks.

The Mayor noted there will be a meeting held soon concerning the recreation center and the continuing concerns over the ice rink.

The Mayor noted that COG has been talking about the winter task force for the homeless shelter and Code Blue. He said Kaysville City says there should not be a full time shelter open but should have a shelter bus that would have cots that fold down and locations where the homeless may be known to congregate. He said they would offer food and shelter during the coldest nights. He said the state is mandating that Code Blue be followed. He said there is also a mandate coming in the future that a shelter be available for cold winter nights.

CLOSED SESSION

The Mayor reported that there was no closed session held at this time.

ADJOURNMENT

There was no further business before the City Council and Council Member Sharp made a motion to adjourn the meeting at 7:43 P.M. with Council Member Kelemen seconding 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 3/19/24