

WOODS CROSS CITY COUNCIL MEETING
JUNE 4, 2024

The minutes of the Woods Cross City Council meeting held June 4, 2024, at 6:30 P.M. in the Woods Cross City Hall located at 1555 South 800 West, Woods Cross, Utah.

COUNCIL MEMBERS PRESENT:

Matt Terry, Mayor Protem
Julie Checketts

Jessica Kelemen
Gary Sharp

COUNCIL MEMBERS EXCUSED:

Ryan Westergard
Wally Larrabee

STAFF PRESENT:

Bryce Haderlie, City Administrator
LaCee Bartholomew, Community Services Coordinator
Sam Christiansen, Public Works Director
Curtis Poole, Community Development Director
Mitch Salas, Police Department
Travis Timothy, Police Department
Jim Linton, Police Department

Annette Hanson, City Recorder
James Bigelow, Chief of Police
Johnny Filler, Public Works Dept
Adam Osoro, Police Department
Corey Boyle, Police Department
Sean Jones, Police Department
Michelle Rowley, Police Dept.

PUBLIC ATTENDANCE:

Don Schrader
Dennis Hooper
Breeann Wright

Lois Schrader
Rich Piggot

LeGrande Blackley
Paul Tanner

NOMINATION OF MAYOR PROTEM

It was noted that both the Mayor and Council Member Larrabee, who usually acts as the Mayor Protem, would not be in attendance at tonight's meeting, so the Council would need to nominate someone to act as Mayor Protem for the meeting.

Council Member Sharp nominated Council Member Terry to act as Mayor Protem at tonight's meeting and Council Member Checketts seconded the motion and all voted in favor of the motion through a roll call vote.

INVOCATION:

Julie Checketts

PLEDGE OF ALLEGIANCE:

Gary Sharp

COUNCIL KUDOS

The Mayor Protem gave the floor to Council Member Checketts who noted there had been a nomination for Council Kudos. She said Michelle Rowley had been nominated by the City Administrator, Bryce Haderlie who said he appreciated Michelle and members of the police department for owning the important assignment of taking care of the flags and wanted to acknowledge their efforts in helping Woods Cross City follow regulations/orders for flying the flags at city hall. LaCee Bartholomew also recognized Michelle for

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taking over the care of the flag poles at city hall. She said Michelle does an excellent job of managing this and ensuring the correct executive orders for the flags being at half-staff as evidenced by a call from a nearby neighbor who said he appreciates the care and attention that is being given to this important task.

The Mayor Protem and Council thanked Michelle and the police department for all they did in taking care of the flags as well as all of her other duties in the police department. The Mayor Protem and Council gave Michelle a gift card in appreciation of her good work. The members of the Police Department also received a gift card for a treat in thanks for all they do for the community.

CONSIDERATION TO APPROVE MINUTES

The Mayor Protem called for the review of the minutes of the City Council meeting held May 21, 2024.

Council Member Sharp made a motion to approve the minutes as written with the Council Member Checketts seconding the motion and all voted in favor of the motion, through a roll call vote, except for Council Member Kelemen who abstained as she was not at the last meeting.

RATIFY CASH DISBURSEMENTS

The Mayor Protem gave the floor to the City Administrator who went over the cash disbursements with the Council for the time period of 4/24/24-5/24/24.

Following the review of the cash disbursements, Council Member Kelemen made a motion to ratify the cash disbursements as presented with Council Member Checketts seconding the motion and all voted in favor of the motion through a roll call vote.

PUBLIC COMMENTS

The Mayor Protem then opened the meeting to items from those in attendance that they would like to bring before the City Council that would take less than two or three minutes.

Mr. Dennis Hooper said he lives on 1250 W., which is a cul de sac and when ball games are going on at Mills Park, he gets many cars who come into his circle thinking it is a through road to the park. He said he would like a “no outlet” sign put up on his street, so people understand it is not a through street. The Public Works Director said he would look into getting some sort of sign that says, “no park access” and that might be better to let people know there is no access to the park.

Mr. Hooper said he had another issue he wanted to address with the Council about Waste Management services. He said his park strip is grass and he has done all kinds of creative things to move his garbage cans, so they do not end up on his grass in the park strip. He said the waste management company picks up the garbage cans and when they put the cans back on the street, they fall over onto the park strip. He said he has called them many times and has also moved his garbage cans to try to avoid this problem, but it still keeps happening. He said he would like the Council to keep this in mind as they are considering renewing their contract with Waste Management at tonight’s meeting. The Council said they would take the comments into consideration.

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There were no further public comments, and the Mayor Pro tem closed the public comment period.

PUBLIC HEARING TO RECEIVE COMMENT REGARDING REQUEST BY MAVERIK TO ENLARGE THE EXISTING NON-CONFORMING TRUCK YARD

The Mayor Pro tem gave the floor to Mr. Curtis Poole, the Community Development Director, who reviewed this item with the City Council. Mr. Poole noted that Mr. Rich Piggot, on behalf of Maverik Inc., is requesting approval to expand the trucking terminal non-conforming use at this location. He said the existing trucking terminal is located at the north end of the Skypark Airport runway, and south of the new Portofino Industrial Subdivision, with the Rockwell property to the west and Maverik's vacant property to the east. He noted the non-conforming use is proposed on the vacant property, which is located to the north of an R-1-8 Residential Zone, east of the current facility, and east of existing uses in the I-1 zone. He said a trucking terminal facility is not an allowed use in the I-1 zone.

Mr. Poole went on to note that in 2017, Maverik Inc. requested an expansion to their existing non-conforming facility, which was reviewed by the Planning Commission on February 28, 2017. He said on April 18, 2017, the City Council reviewed and approved the expansion of the non-conforming use going through the Planning Commission and City Council for approval. He said the Council added a condition that no more than 40 trucks be on-site at one time.

Mr. Poole noted that city code outlines criteria for which a non-conforming use may be altered, expanded, or changed. Mr. Poole reviewed the eight criteria as follows:

1. The proposal will not adversely affect the purposes and objectives of the general plan.
2. The proposal will not adversely impact the adjacent properties and general vicinity more than the existing noncompliance or non-conformity.
3. The proposal will make the site of the non-conformity or noncompliance more compatible with existing and nearby uses.
4. Given existing site limitations the proposal meets all site use and development requirements to the extent physically possible.
5. The proposal will improve the general appearance and safety of the use or structure and the surrounding area.
6. The proposal will provide additional or modified parking and/or improved pedestrian vehicular traffic flows where required to mitigate the negative effects of the proposed alteration, expansion, or change.
7. The proposed alteration, expansion, or change will be adequately screened or buffered.
8. The proposal will not create any new non-conformities.

Mr. Poole said the applicant is proposing to make two expansions into the vacant area and existing areas of the property. He said additions would bring the total number of parking stalls to 260 and commercial truck stalls to 109. He said currently the facility has 142 parking stalls and 60 commercial truck stalls, in addition, the applicant is proposing a new 21,000 square foot addition to the existing building. He said as part of the new expansion, the site plan is showing an east-west public road from 1500 South which would align with 1600 West. He said the site plan indicates there would be four drive accesses to this new public

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road. He noted that although an alignment has not been finalized, it is the intention of the city as part of the Streets Master Plan, to have a public road which would connect 1500 South to 1650 West, located in the Portofino industrial subdivision to the north of the subject property.

Mr. Poole noted the city does allow for expansion of non-conforming uses of properties as long as they fit into eight criteria as noted above.

Mr. Poole said the General Plan does identify the future land use of the subject property to be Single Family Residential Transition and the current proposal does not align with the current objectives of the General Plan which anticipates residential development.

Mr. Poole said there would be some areas that would be improved with this site. He said the expansion would be done in two phases. He said phase one expansion would be the extension of 1600 West which would go north to connect to the Portofino subdivision to the north as 1650 W street. He said there would also be additional parking added. He said in phase two the existing building would be expanded and would double in size and more truck parking would be added as well as more employee parking. He said currently there are 142 vehicle stalls for employee parking, 60 commercial truck stalls. He said what is being proposed is to increase the employee parking to 260 stalls, and increase the truck stalls to 109, almost doubling the number of parking stalls. He said in addition they would extend the landscaping fencing along 1500 South and along the new public street going through the property. He said the additional landscaping would make the property better than the current vacant property.

Mr. Poole said staff did review this proposal and they needed to make sure the eight criteria were met. He said with the change to the General Plan, this new proposal does not meet #1 of the non-conforming use criteria because it does not meet the General Plan. He said the other concern for staff is the vehicle traffic coming from the site. He said some of the traffic will be going through the Portofino subdivision, and safety issues are met by fire department because of better circulation, but the truck traffic could be a problem, especially on 1500 South going to Redwood Road. He said at a minimum a traffic study is needed to see what the impacts of increased traffic would be. He said there would be some improvement, but staff finds this proposal does not meet the criteria outlined in the code found in Section 12-35-104.

Mr. Poole noted the Planning Commission had reviewed this item and had held a public hearing on the matter and has forwarded a negative recommendation to the City Council to deny the request to expand the non-conforming use based on the following:

1. The proposal to expand the non-conforming use does not align with the current objectives of the General Plan.
2. The proposal does not provide evidence that the increased vehicle and truck traffic will not negatively impact the surrounding properties.
3. An environmental study should be performed in order to determine whether the property to the east of the existing site is buildable considering its location on the old Cowboy Oil Refinery site.

Mr. Poole said that staff supports this recommendation by the Planning Commission.

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Mr. Rich Piggot, representing Maverik, addressed the Council. He noted Maverik had been trying to expand this use for the last while. He gave a presentation to the Council on the reasons Maverik feels like this is a good project for the use of this property. He said Maverik's moto is the make the experience a better one than is expected. He said they are continuing to expand into many states around the country. He said the Maverik's current logistics center is located in Woods Cross and is responsible for the repair of fleet vehicles and for the transfer of drivers. He explained how the truck drivers switch after a shift. He also noted this is a 24 hour center so the changing of drivers is staggered over time, so they are not all coming and going at the same time. Mr. Piggot did say they have the ability to control the hours the trucks are parked in the northeast corner which is closer to the residential area.

Mr. Piggot did say there was a question that came up during the Planning Commission meeting that he did not know the answer to at that time, but he was able to find out the answer for tonight's meeting. The Commission asked if the tankers that are stored at the logistics center are full of fuel as they are staged overnight. Mr. Piggot said he found out that very rarely are the tankers full when they are onsite. He said the only reason one would be full is if there was a long distance haul that was happening and the need to switch out the driver at a later time.

Mr. Piggot explained the two issues this expansion of a non-conforming use does not conform to city code which are, it does not fit within the General Plan for single family residential and vehicular and pedestrian traffic on 1500 South.

Mr. Piggot said they have tried to improve the area with landscaping and are trying to clean things up and if they are allowed to expand, they would make things even better and add a vinyl fence.

Mr. Piggot said the property is zoned Industrial use, but the General Plan allows for Single Family Transition in the future if someone wants to come in and do that. He said the property to the east could be improved for an industrial use because that is the current zoning. Mr. Piggot says Maverik deals with more than one zone on the property, which makes it a challenge. He said this does make it hard to develop the property as a landowner with one side industrial and one side single family residential. He said because the proposed site is a former oil refinery it has created a brown field site, and it is better to keep one landowner for that kind of property because they understand the risks associated with the property. He said the landowner could be able to cap the property, in this case with a parking lot. He said this would be a much better use for this property. He said they are working on a two phase environmental study and are in phase one currently which recommends a phase two study. He said they would move to phase two and see what remediation needs to happen for the property to make sure the use could be expanded. He also said the roadway that would be installed would be dedicated to the city.

Mr. Piggot went on to say that with the vehicular and pedestrian traffic there was a concern that it would increase onto 1500 south but he said with the new road that would be put in, the truck traffic would go along that road out onto 500 South. He said the city's access management plan shows the road and if there is an approval of the expansion of the use they would be doing a traffic study to see what would be needed to done to help with the traffic flow. He said they would be using the access management plan as part of the General Plan to provide a roadway and it will be used for the truck traffic. He said they would do a traffic study to make sure the roadway meets the demand of the truck traffic.

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Mr. Piggot thanked the Council for their time and hoped they could understand his position and come to a conclusion at the meeting tonight.

The Mayor Protem opened the public hearing for any comments from those in attendance at the meeting.

Mr. Dennis Hooper addressed the Council and said he lives nearby the Maverik property. He complimented Maverik on keeping their property nice and clean and said they were a good landowner, but he said he drives past that property every day on his way to and from work. He said the large trucks when they pull out of the current property block all lanes of traffic on 1500 South. He said the future expansion of 1600 West if he understands it correctly, would head towards 500 South. He said he understood the property owners on 500 South have no plans to develop their land at this time. He said anything that Maverik does now would still force the truck traffic onto 1500 South. He said he felt like all of the additional trucks and added employee parking would create a huge traffic problem on 1500 South. He said he is totally against the expansion of this non-conforming use. He said he lived here when the original expansion was proposed in 2017 and he said he did not remember any promises by the Council or the city to expand further into the city. He said he felt like the city should stay with the General Plan because as everyone knows there is a shortage of housing at this time. Mr. Hooper also reminded the Council that if they did expand as proposed, they would be right across from the church that is currently located on 1500 South just east of the Maverik property on the south side of the street. He said they would also be located near the residential subdivision in the area. He said he did not think it was a good idea for the expansion and that maybe someday, UDOT would improve the traffic light on Redwood Road, but right now the traffic is terrible. He said on his way home from work, he has to wait for three lights to get through to get home. He said he is against any expansion of Maverik. He thanked the Council for their time.

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

Council Member Sharp said he is concerned about the property and that it is not developable for housing. He also said the improvements for the road on 1600 West will possibly be years away. He said he thinks 1500 South would need to be widened and cement put in to accommodate the heavy trucks. He said he feels like there will have to be some sort of change in that area if the expansion were to go through.

Council Member Checketts asked Mr. Piggot if they would be willing to make those kinds of improvements. Mr. Piggot said as part of the traffic study they would have to adhere to what the traffic study recommendations are. He said they would study the traffic light to see what the signal timing is and to see if there were another left turn lane that would need to be added. Mr. Piggot also noted Maverik owns the property on the north side of 1500 South so they could accommodate whatever the traffic study shows. He said if they need to shift curb and gutter for a center turn lane, they could do that. He said they do that kind of thing with their stores when there are issues with roadways and traffic.

Mayor Protem Terry said there was some concern over the airport and that a plane may come down at or near the Maverik property. He asked if there were any plans for a Maverik gas station to be put in on that corner. He asked what Woods Cross would be gaining if the expansion were to come to the city. He said there would be a lot of trucks coming in and asked what this expansion would do to make Woods Cross a better place.

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Mr. Piggot said he said they did recently open two Maverik stores down the road in North Salt Lake. He said the building that is located on the corner in the existing old building is used by their environmental team. He said he had heard through casual conversation; it could be a place where a footprint could be looked at and changed for store locations. He said he did not know about a store there. He said taxes would go up for the city if there were an expansion and the new road would go in and the concerns for the oil refinery would be mitigated from the previous use as well as any improvements along 1500 South. He said they could widen 1500 S and help accommodate traffic.

Mayor Protem Terry said he might feel like he was driving through a parking lot instead of a city road if the new road is in between the two pieces of Maverik property. Mr. Piggot said they would not have to operate by moving their trucks across the roadway, he said once the road was in, the driver would come down the roadway in the middle of the property. He said they would put in a wall and landscaping as well, but that would be up to the city staff and Planning Commission to see what that landscaping would be. He said they want to be a good neighbor and make sure they keep their trucks safe as well.

Mayor Protem Terry said with the new proposal, the trucks would be coming further up 1500 South and would come into part of a residential neighborhood at that point.

Council Member Checketts asked if there are roads that are public or private near this property. The Public Works Director said 1350 South is private because they could not build it to meet city standards. Council Member Checketts said one of her concerns is that if 1650 West Street goes in the trucks will head north and go down 1250 and start bogging down that area to Redwood Road as well. She also said she does not feel good or that it would be responsible to add 100 more trucks to a residential area when small kids could be around and where 1600 West is one of two outlets for this area because it would cause a lot of problems. She said our roads are not built for semi-trucks and our small city is responsible for repairs for the roads if they are damaged, and a parking lot will not bring in much money to help offset those costs. She said she appreciated the presentation, but she did not feel like this was the appropriate spot for this type of business. She said she felt like a different use would be better in this area. She said we still like a small town feel in the city and it would be a disservice to the residents of the city to expand this use.

Mr. Piggot said the access of the current facility and the future road are not that far away from each other. He said if the Council would prefer the trucks to the east, they could go in on the north access and could go out of the same access. Mayor Protem Terry said all the trucks would then be coming in and cross our city road. Mr. Piggot said yes, they would but it was a suggestion.

Mayor Protem Terry said if the road is opened up it would encourage some of the other businesses to go out onto 1500 South. He said right now they have to go onto Redwood Road, he said he felt like there would be other traffic coming out onto 1500 South instead of leaving onto Redwood Road. He said having the road would do more damage and would encourage more trucks to come into our city instead of onto a state road.

The Public Works Director said there would be a traffic study that would show and how the roads would all tie in with the future development.

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Council Member Sharp said the northwest corner is not being considered for parking right now. He said the trucks coming in for repair need that area to make a turn. He said there was also an earlier proposal to put a building further south and the current building was moved when it was constructed to avoid debris and other problems in that area of the property. Council Member Sharp asked how that would be mitigated for the future use. Mr. Piggot said the site to the north was much cleaner. He said based on what they know now they are more acceptable to the risks and the clean up necessary for building and that is why this area has been chosen for the expansion.

Council Member Kelemen said she as a general rule likes to follow what the Planning Commission recommends. She did say that the city had worked hard on the General Plan, but the Council has not been consistent in following what the General Plan has laid out. She said there has been some developers who have asked for different things, she said regional commercial area is not realistic and residential is on one side. She said she is not as worried about following the GP. She said the impact on the neighborhood is something that needs to be taken seriously. She said she takes this interchange all of the time to get to her neighborhood, but she wondered if a traffic study could be done and would help the Council be better informed and could be useful in determining a decision on this property. She said she also agrees with the Planning Commission's thought about residential being allowed here. She said she would like to see the environmental study and the traffic study to have solid data to help make decisions. She said it might help to improve the traffic situation and UDOT might be more willing to help if they had solid data.

Mr. Piggot said they still need to have a traffic study done.

Council Member Sharp said the Council might like to agree with the Planning Commission, get the traffic study, and then come back again to review the proposal when there is more information. Mr. Piggot said he felt like the Planning Commission would give a negative recommendation because the proposal does not meet the General Plan. Council Member Sharp said Mr. Poole could go back through the Planning Commission and give them the new information.

Council Member Checketts said the Council is not saying no, but they are saying not right now so they can make an educated decision when more information is provided.

Council Member Kelemen said she would like to see Maverik expand because they keep up their property nicely and are good stewards.

Mr. Poole said he appreciated what Council Member Kelemen said, but the city code states the General Plan has to be followed. He said the only way for this to move forward is for the General Plan to be amended. Council Member Checketts said they have not gone against the General Plan in the past. Council Member Kelemen said it could be considered to amend the General Plan if the studies show traffic will not impact the area and also the environmental study is done and to see what it shows and if housing could be allowed on the property.

There were no further comments or questions.

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**CONSIDERATION TO APPROVE EXPANSION OF NON-CONFORMING USE FOR MAVERIK LOCATED
AT 1682 WEST 500 SOUTH**

Following the public hearing and the discussion by the City Council, Council Member Sharp made a motion to follow the Planning Commission's recommendation to deny this expansion of a non-conforming use for Maverik at this time. Council Member Kelemen seconded the motion, and all voted for the motion through a roll call vote.

**CONSIDERATION TO APPROVE SITE PLAN FOR THE CHOICE LEARNING CENTER LOCATED AT
1475 WEST 500 SOUTH**

The Community Development continued with the floor and noted that Mr. Paul Tanner is requesting site plan approval for a proposed private school at this location. He said this property is adjacent to 500 South and is located west of the Westwood Mobile Home Park, with Legacy Highway Self Storage to the north across from them on 500 South. He also said there is a single-family home located between the mobile home park and the subject property. He said to the south is vacant property which is in the SFRT (Single Family Residential Transition) Zone.

Mr. Poole noted that on February 27, 2024, the Planning Commission reviewed and recommended approval of the Development Master Plan for this item. He said the City Council approved the plan on March 19, 2024, with the conditions that the applicant submit a final site plan application and a signed development agreement. He noted the Council also added a condition that any modifications or changes to the Development Master Plan must be submitted to the Commission and Council for approval.

Mr. Poole went on to say since this Council approval was granted, the applicant has made some revisions to the plans. He said he has made several color changes to some of the building materials and is proposing some changes to the landscaping which include an artificial turf play area adjacent to 500 South, a garden area with a future plan for trees in the detention basin, and natural grasses on the east side of the property which would be used as feed for the agricultural program for the school. He noted that staff did have some concerns with having a garden area in the detention basin which could increase the likelihood of fertilizers and chemicals being introduced into the system. He also noted that natural grasses will be used as feed in the school's agricultural program, and he wanted the Commission to verify the extent of this program as agricultural uses are not permitted within the CRT zone. He noted the Commission would want to ensure that the natural grass area proposed by the applicant does not become a location for weeds to grow.

Mr. Poole said the biggest change that the applicant is proposing is the color of the metal going from brown to dark green to be more in line with their branding. He said that metal is an allowed material, but an industrial looking building is not desirable in this location. He also noted it would be required that the finish of the metal be a matte color. He also said the applicant is asking to change some of the landscaping and they would like to put in natural grass to use for feed through the agricultural program as part of the school curriculum and they also wanted to put in a garden.

Mr. Poole said staff is having a bit of a problem with the applicant asking for agricultural use, because it is not allowed in the CRT zone. He said staff wanted to make sure what the agricultural element looks like. He

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said the garden area is also a concern because it is shown to be located in the detention basin and he wanted to make sure it stays open so it can be used for the purpose of detention. He said the detention basin needs to be sod or gravel, so chemicals and other things do not get into the storm drain system.

Mr. Poole noted prior to and during the Planning Commission meeting, the applicant discussed that in addition to the garden areas, they wanted to have the ability to raise animals and chickens. Mr. Poole said it was explained during the meeting that raising animals or chickens would not be permitted in the zone. He said staff had discussed this with the applicant after the meeting and the applicant has decided not to pursue raising animals as part of their program.

Following the information given by the Community Development Director, Mr. Paul Tanner addressed the Council. He said he had nothing further to add. He did say they broke ground this week.

Mayor Protem Terry asked if he were okay with what the garden area decision was, and Mr. Tanner said he would like to try use that part of the property because it is a large piece. He said the basin in question was for a 100 year storm and is not for retention. He said if there was a 100 year event there would be a problem, but he felt like it would not be an issue currently. It was noted this basin would catch the water and then the water would be metered in the city's storm drain system. The Mayor Protem said there would be six inches of water in the bottom of that basin on a pretty consistent basis. It was suggested that grow boxes might be used if Mr. Tanner wanted to pursue gardening. The Public Works Director said the basin could be used as a play area, and his concern was the dirt would be washed away in the basin and that is expensive to have to replace.

Mayor Protem Terry said he liked turf, but turf does get hot. He said it might be a good place to put in grass instead of the hot turf. He said if there were grass and it was designed to be a play area, Mr. Tanner would be able to utilize it better. The Public Works Director said it would be a two foot basin so it is not too deep and could be used as a play area. Mr. Tanner asked if there could be a play structure in the basin. It was noted that if there was a hard surface in the basin it could work, but there would be debris in the area if there were a storm and the debris would collect in the area and possibly go down the storm drain.

The City Administrator did suggest a few other ways that may be possible for Mr. Tanner to make that piece of property more useful with a cistern system to drain water or make the drainage area larger and shallower to use for a play area. Mr. Tanner did say there was a well on his property that could be used for exterior landscaping and to sprinkle the turf if needed.

There were no further questions or discussion, and Council Member Kelemen made a motion to approve the site plan for Choice Learning Center with the following conditions:

1. The proposed building material changes meet the intent of the approved building materials outlined in section 12-15-111, (i), of the Woods Cross City Municipal Code.
2. The applicant removes all references to trees and garden areas within the detention basin.
3. The agricultural program proposed by the applicant does not violate city ordinances or the allowed uses within the CRT zone.

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4. The natural grass area proposed by the applicant on the east of the property is maintained so as not to become overrun with weeds.

Council Member Checketts seconded the motion, and all voted in favor of the motion through a roll call vote.

CONSIDERATION TO APPROVE RESOLUTION 2024-864 AUTHORIZING THE PURCHASE OF AXON BODY CAMERA SYSTEM

The Mayor Protem gave the floor Police Chief Bigelow who noted the following for the City Council:

"I am requesting that WXPD be given authorization to start the purchase process for Axon System for body cameras. The lead time is four months from the day Axon is told we are going to purchase their system to the day we receive all the equipment and training.

"Woods Cross Police Department is currently using the Watchguard System, which was recently purchased by Motorola and does not provide the police department with many of the amenities that Axon has. The purchase of Axon gives the police department access to redaction software, Axon citizen, unlimited storage of body camera footage, and storage for photographs and video from citizens and businesses. Axon also has a warranty covering all their products to include the cameras and docking stations."

Following the information given by Chief Bigelow, Council Member Checketts said the current system has had issues with personal matters being recorded because of continuous monitoring. Chief Bigelow said this new system has to be activated so that should not be an issue.

The City Administrator also noted this would be a much better system financially as well. He said it is a package deal and the warranty and replacement is very good.

There were no further questions and Council Member Checketts made a motion to approve resolution 2024-864, a resolution authorizing the purchase of Axon Body Camera System for the amount of \$78,917.02. Council Member Sharp seconded the motion, and all voted in favor of the motion through a roll call vote.

CONSIDERATION TO APPROVE RESOLUTION 2024-865 EXTENDING WASTE CONTRACT WITH WASTE MANAGEMENT FOR CURBSIDE WASTE PICKUP AND HAULING

The Mayor Protem gave the floor the Sam Christiansen, the Public Works Director, he noted the following for the City Council:

"Our negotiations with Blake Leonelli of Waste Management (WM) have resulted in WM agreeing to CPI increases only during the 3-year renewal period unless there are Extraordinary Adjustments warranted per the contract (see page 7 of contract), a 5.5% increase on July 1, per the CPI index, and enhanced service and communication. This increase can be absorbed with current utility rates.

The performance concerns forwarded to WM in January include:

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- Improve Communication with City staff about delayed pickup due to staffing or mechanical issues. Waste Management has improved communications to city staff which allows us to be more proactive. Residents can call WM directly to report missed cans.
- Starting no sooner than 7 AM. WM trucks have cameras and data collection equipment to verify performance. We have asked for these records to verify compliance. Over the past 6 months, I have routinely driven past the 7-Eleven on 1100 W at 6:45 a.m. and seen the trucks staged and waiting to start on time.
- Reduce missed cans. They are committed to improving service through driver training. Trucks are equipped with cameras to verify service delivery and if a can was truly missed or not put out.
 - o WM missed can statistics (from WM records). The majority of missed cans were picked up within 24 hours.
 - 3108 residences with 2-3 cans picked up a week
 - 95 Missed cans in 2023 that were picked up late
 - 45 Missed cans so far in 2024
 - 0.045% Missed cans percentage of total cans served in the time period
 - 99.955% success rate picked up on the day scheduled
 - Reduce the number of broken cans. WM has assigned all new trucks to Woods Cross to reduce can damage and improve reliability.
 - o City staff is charging WM for broken cans as per the agreement.

"This three year extension of the 2021 contract summarizes the adjustments. Section 35 of the contract allows the city to cancel the agreement if WM does not meet the established expectations and staff is committed to addressing issues with WM as we learn of them."

Following the information given, Council Member Checketts asked how the city could track what the complaints are when garbage cans are not picked up. She said there have been issues with residents and she feels like the numbers are not correct that have been provided by Waste Management. The Public Works Director said there was not really a way to monitor that, but residents have been calling Waste Management with their complaints. He also noted that Waste Management has 48 hours to pick up cans, and when the cans were recently missed, the city was reimbursed for those costs.

There was discussion on whether the Council would consider a one year or a three year contract. The City Administrator said they had spoken with Waste Management, and they said if the city contracted for three years, the costs would be lower and if at any time the city was unhappy with the performance, the contract could be terminated.

Council Member Checketts said she felt like Waste Management was not as visible in surrounding cities and she felt like there is a reason other cities have moved away from Waste Management. She said she felt like they should look at other options.

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Mr. Dennis Hooper said he has had Waste Management drop his cans in the truck, so it is completely gone. The Public Works Department said the city does not pay for the green can and Waste Management replaces those cans.

Council Member Checketts said she wants to do a one year contract and do an RFP in January to see who else they might be able to use for waste management.

The Public Works Director said the garbage fund could absorb 5.5% but he was not sure if the fund could absorb the 7.5% increase for one year without a rate increase.

The City Administrator said he was not sure what the rate would be for a one year contract. The Public Works Director said he would have to check if the garbage fund would be solvent to absorb the 7.5%.

The Mayor Protem said he thought it would be good to look at the option of a one year contract and a three year contract. He said he would like to have the Mayor and Council Member Larrabee present to be able to look over the proposal before the Council makes a final decision.

Mayor Protem Terry made a motion to table this item until the next meeting and have staff come back with a one year and a three year contract to be able to compare the two contracts. Council Member Checketts seconded the motion, and all voted in favor of the motion through a roll call vote. Staff said they would get back with Waste Management and talk with them. Staff also said the city might be able to partner with another city so they might get a lower rate with a partner city.

There was discussion on whether changing to another garbage service would be a better choice financially. Mayor Protem Terry said there is always a risk on whether the fees will be lower or higher because sometimes there are hidden fees.

There was a question about the possibility of having a recycle bin at Public Works. It was noted there may not be a good place to put that kind of container for public use. Council Member Checketts asked where the public works department puts the residents green waste. The Public Works Director said residents should take yard waste to the Bountiful Landfill for a small fee. He said the city covers that fee during spring and fall cleanup.

FY2025 CAPITAL PROJECTS AND PRIORITY INCREASES

The Mayor Protem gave the floor the City Administrator who went over the following with the City Council:

"The executive staff has met and prioritized the general capital project requests outlined on the sheet given to the Council in order for the Council and public to see what we believe are the most important priorities for the city.

"We are sharing with you now to start the discussion as we proceed into the FY25 budget adoption process. Increases in the tentative budget associated with inflation have not been included on this spread sheet.

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"Staff has highlighted the most critical projects that we feel, if go unfunded, may have detrimental impacts on performance of city services."

The City Administrator said he just wanted the Council to know what the staff has looked at and the priorities and the budget that may be available for the projects.

Council Member Checketts asked about the priority for a speed trailer and speed signs. The City Administrator said Chief Bigelow had other ideas that could be implemented for speeding problems in the city. Chief Bigelow said in his experience the radar trailers are ineffective. He said if he could be fully staffed and get his officers out doing enforcement for traffic it would go much further than speed trailers. Council Member Checketts asked about the flashing speed limit signs and if the Chief felt like those were very effective. The Chief said he does not feel like those are effective either. Council Member Checketts said she would prefer more officers than speed trailers but wanted to have something to help with traffic issues.

Council Member Sharp said he had seen the conversion of .com to .gov on the budget list and wanted to know if the website would be upgraded at that time. The City Administrator said they are planning to upgrade the website when they make the transition from .com to .gov. Mayor Protem Terry said he would like to make sure there is enough money so that the website is done right so it can be better utilized by city residents. Council Member Checketts said she would also like to see the website updated and upgraded and that needed to be a major priority. The City Administrator said they would make sure they look into that and see that needs are met.

PUBLIC WORKS REPORT

The Public Works Director who noted the following public works activities for the month of May:

PARKS-TASKS SUMMARY

- Memorial Day Prep
- Planted flowers
- Branch clean-up — Storm
- Tree trimming
- 11 playground inspections
- Ordered new playground — Argyle
- Sprinkler repairs
- Weed spraying
- 1 Vandalism repair at park restroom
- 2nd mowing athletic fields
- Gophers
- Spot spray dandelions
- Repaired flag poles
- A-1 drain, west of Mills, water main upgraded
- Removed trees @ Town Center • Dirt to Argyle — fence line

BEAUTIFICATION

- Flower planting at City Hall and Flagpole area.

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- Dandelion spot spraying (focus on Hogan/City Hall)
- City properties weeds spraying
- Weed removal and paint the median at the 1500 S RR Crossing
- Street Sweeping the entire city

STREETS-TAST SUMMARY

- 500 S. spraying and mowing
- Other roadside mowing/spraying
- Assisting water dept. w/leaks
- Serviced swamp coolers at Shops
- Asphalt repair
- Clearing storm drains
- Replacing street signs
- Trimming low street tree branches
- Painted 1500 S. railroad medians
- Working 2/JMR to replace sidewalks • Yard/building maintenance
- Garbage can repair/replacing

WATER-TASK SUMMARY

- 10 Water related call-outs
- 4 water leaks
- 6 SWPPP Inspections
- 141 Bluestakes
- On-going lead/copper inventory
- Mapping/GPIS updates
- 52 Non-read endpoints replaced
- Decant Basin Repair & Shops
- Finalized 1100 W project
- Weber Basin well UCMRS samples
- 4 Excavation permits / Row permits
- 10 Leak investigations with Residents/businesses
- Multiple bond release inspections
- Grounds maintenance @ reservoirs/basins

PROJECTS NOT LISTED ON PREVIOUS SLIDES

- 1425 W 2600 S Traffic Light to be awarded by North Salt Lake City
- Prepping Street Mill/Overlay bid opening May 30th
- Will be awarded June 18th
- Traffic Light at 1500 S 800 W UDOT Awarded- TAPP Construction of Pre-Construction Meeting June 15th
- 1100 W 2100 S to 2600 S Widening- In environmental plan phase. Working with property owners.
- Transportation Master Plan RFP prep-Required for grant applications for grants
- Parks and Recreation Master Plan Update-Is at the Planning Commission level.
- FRA inspections completed in April.
- Have put all agencies to complete repairs by June 16th.

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IN THE WORKS

- West Legacy Trail concerns
- Development Review Committee
- 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 road/utility repairs to continue.
- BRIC and Earmarks grant applications for Aquifer concerns and Subsidence assistance.
- Citizen Connect is up and running for Residents to submit work orders directly into Elements.

There was discussion on the new traffic light going in at 1500 South and 800 West and the timeline for the construction of the light by UDOT.

CITY ADMINISTRATOR REPORT/ACTION ITEM REPORT

The Mayor Pro tem gave the floor to the City Administrator who went over the following with the City Council:

1. I attended the Legislative Policy Committee meeting on May 20th and learned more about the upcoming legislative efforts to address homelessness, affordable housing, and other topics that will be addressed leading up to the 2025 Legislative session.
2. The open enrollment meeting with GBS and PEHP representatives was held on May 20th. Staff was informed of insurance and other benefit options available to them, rate contribution adjustments of 2.1%, and ways to improve their utilization of benefits and cost controls. All employees must complete the renewal process and benefit elections by May 31, 2024.
3. Staff met with our finance counsel regarding pre-payments of 1960 S Special Assessment Area. Some landowners have paid the entire assessment during land sales. However, the bond provisions do not allow early payments. The prepaid money will be invested in State and Local Government Series (SLUGS) that will earn enough interest to meet all of the future bond payment obligations.
4. The Memorial Day celebration had a great turnout and beautiful weather. Thanks to everyone who contributed to a wonderful event that served breakfast to approximately 1200 citizens, included a fun run, and a special message from former Mayor, Rick Earnshaw.
5. Staff gathered light readings at the Phelan project and delivered the correction list to the developer. The light readings have been brought into compliance on nearly all of the locations. Minor adjustments in about six locations should bring the project into compliance.
6. Executive staff met with Utah Local Government Trust staff to learn more about services that the Trust provides to the city and what we can do to improve safety, reduce liability, and manage the insurance costs to the city.

The City Administrator and Council thanked LaCee and the staff for their hard work and the success of the event on Memorial Day. There was some discussion on the cost of the event and the suggestion of a donation.

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QUESTIONS/DIRECTION TO CITY ADMINISTRATOR OR STAFF

Council Member Checketts asked how beautification efforts are going in the city, and it was noted there was an article in the newsletter addressing that issue. Council Member Checketts said she thought the article was good. There was also some discussion about the code enforcement officer and how using an police officer is hard because of their other duties. It was noted there has been discussion about getting a part time code enforcement person who would have that as his job.

The Public Works Director said public works has been focusing their beautification efforts around city hall right now and have added lots of flowers and have concentrated on getting rid of weeds in the parks. He said they are turning next to the athletic fields and moving to other areas and projects in the city that they will be focusing on.

Council Member Checketts said there are many weeds in the medians on 500 South that need to be addressed. It was noted those weeds are in the beds that West Bountiful has charge over. Staff said they would contact West Bountiful about taking care of those weeds. There were also weeds mentioned at Peak Asphalt that need to be addressed. Staff said they would look into problem spots and get those taken care of by contacting people with problem areas by letter.

The City Administrator asked if the City Council felt like they would need a work session on June 18, for the Council to address budget questions. The Council said they would like to look at a graduated tax rate scale to be able to make a decision on that, but did not feel like a work session would be necessary.

There was also a discussion about the Truth in Taxation meeting and when it might be held. The City Administrator said he had sent the County a proposed date of July 30, at 6:30 P.M. but the County would have to approve the date for that meeting. There was a question on whether that meeting could be held on the same night as a regular City Council meeting. Staff said they would look into the matter.

COUNCIL REPORTS

The Council said they had nothing further to report.

ADJOURNMENT

There being no further business before the City Council, Council Member Kelemen made a motion to adjourn the meeting at 8:40 P.M. with Council Member Checketts seconding the motion and all voted in favor of the motion through a roll call vote.

Matt Terry, Mayor Protem

Annette Hanson, City Recorder

Approved by Council 6/18/24