

**WOODS CROSS CITY COUNCIL MEETING
SEPTEMBER 20, 2016**

The minutes of the Woods Cross City Council meeting held September 20, 2016 at 6:30 P.M. in the Woods Cross City Hall located at 1555 South 800 West, Woods Cross, Utah.

CONDUCTING:

Rick Earnshaw

COUNCIL MEMBERS PRESENT:

Rick Earnshaw, Mayor
Tamra Dayley
Jessica Gertsch

Wally Larrabee
James Sheldon
Ryan Westergard

STAFF PRESENT:

Gary Uresk, City Administrator
Tim Stephens, Community Development Director
Jessica Sims, Recorder

VISITORS:

Rachael Bodell
Jonah Gray
Rhett Cleverly
Michelle Rowley
Emily Terry
Josh Allmondinger
Joseph Slack
Nathan Chester
Troy Jeppsen
Becky Ginos
Caity Peters
Karen Kriegbaum
Mary Sue Smith
Janell Robinson
Linda Strunk
Susan Naroaney
Dallin Dyreng
Baxter Goble
Britney Gray
Michelle Wood
Kelsey Wood
Rachel Peterson
Brent Page
Lori Teo
Jamie Rawley
K. Castleberry
Mario Gonzales

Tilee Goble
LeGrande Blackley
Celeste Cleverly
LeRae Tauataina
Makenzi Robinson
Brittany McNair
Cynthia Slack
Hannah Chester
DeAnn Westergard
Sean Peters
Sharon Peters
Elayna Smith
Miles Robinson
Hailey Michaelson
Mia Strunk
Willie Salas
JaNan Dyreng
McKay Cleverly
Hailee Wood
Matt Terry
Wendy Gray
Jennifer Page
Charles Slack
Matt Wright
Jonathan Gray
Jimmy Larson
Stephanie Gonzales

Zander Goble
Patt Hutsell
D.L. Weeks
Marv Tautaina
Jonathan McNair
Bryson McNair
Audra Chester
Cathy Jeppsen
Emily Westergard
A.J. Peters
Syndie Rowland
Danny Smith
Lynn Robinson
Janell Michaelson
Justin Strunk
Rachel Dyreng
Langton family
Samantha Wright
Sydnie Wood
Jackie Terry
Timothy Ross
Melony Page
Todd Hansen
Lorie Wright
Nate Shipp
Tommy Holbrook

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INVOCATION:

Rick Earnshaw

PLEDGE OF ALLEGIANCE:

Jonah Gray

APPROVAL OF MINUTES

The City Council reviewed the minutes of the City Council meeting held September 6, 2016. After their review, Council Member Sheldon made a motion to approve the minutes as written with Council Member Larrabee seconding the motion and all voted for the motion through a roll call vote.

COMMUNITY OF PROMISE REPORT

The Mayor gave the floor to Ms. Rachael Bodell who serves as the chairperson for the Community of Promise Committee. She reported the following to the City Council:

Members in attendance: Mayor Rick Earnshaw, Alston Dart, Mary Sue Smith, Rachael Bodell

BOOK CLUB—The book for the month will be “Lemon Tart” by Josi Kilpack. There will be lemon tarts served for dessert.

SUMMER LITERACY-This past summer was the most attended summer ever. There were over 1000 books handed out to the children. Many of those books were donated which they were very excited about. We are looking forward to next year. Mrs. Z, a teacher at Woods Cross Elementary was cleaning out her classroom and has donated a couple hundred books. In looking for books, we found some as low as 30-75 cents.

Kim Staples will no longer be helping with summer literacy. Lori Wright will now be helping and will be in charge of the weekly activity/craft.

ARTS IN THE PARK—Pumpkins in the Park will be held on Oct. 22. We still need committee members for Arts in the Park committee.

We still are in need of someone to fill the historian vacancy.

The next meeting will be held October 13, at 7:00 P.M.

The Council thanked Ms. Bodell for her time and effort on behalf of the city.

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POLICE DEPARTMENT REPORT

The Mayor gave the floor to Officer Adam Osoro who was filling in for Chief Butler. He reported the following to the City Council:

DISPATCHED CALLS

<u>2016</u>	<u>2015</u>	<u>YEARLY</u>
Jan.--850	Jan.--1169	2016
Feb--911	Feb--1030	2015-12,819
March--1021	March--1065	2014—9495
April--1073	April—1010	2013—8979
May--1131	May —1070	2012—7347
June—1055	June—1131	2011--6918
July—1230		2010--6918
Aug.--1062	July—1180	
Running Total: 8333	August--1167	
	Sept.--1104	
	Oct.—1072	
	Nov.—905	
	Dec.—916	

OUTSIDE AGENCY ASSISTS

2016
Jan.—161
Feb.—183
March—194
April—211
May—236
June—158
July—198
August—226

Running Total—1567

ACTIVITY REPORT

- School Started August 24th
- Held Crossing Guard Meeting
- Dan Update
- Covered for BPD for their Summer BBQ
- Tour for Exchange Students from Chicago (Lois)
- Assisted on Protocol Team for Clearfield Shooting
- Assisted Eagle Scout Project (Suicide Prevention)
- Utah Terrorism Summit (General Michael Hayden, Former Director CIA and NSA)
- Attended Citizen CORP's training at WX High

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Held National Night Out Against Crime

Citizen Police Academy Started

Department is now Google Registered

Department has a new Scanner

USE OF FORCE REVIEWS

- None

SWAT TEAM ACTIVITY

- 7 Operations
- 3 barricaded subjects
- 4 search warrants
-

All SWAT operations are documented and reported to the state

WOODS CROSS SCHOOL ACTIVITIES

- School started August 24th
- Assault (suspect arrested and suspended)
- Two 10-50's
- Six thefts (cell phones and cash)
- Two medicals
- One fire alarm (basement flooding)
- Football Standing WX is 3-1

K-9 ACTIVITY

- 6 deployments this month
- Did one sniff for UHP. Bo indicated and found heroin and paraphernalia
- Did sniff for Layton PD and found marijuana
- Did sniff for Bountiful PD and found drug paraphernalia
- Did two sniffs for Davis Co. found nothing
- Did a sniff for X-15 found nothing

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LPR HIGHLIGHTS

- No activity with LPR it was in the shop

DETECTIVE DIVISION

- 30 active cases
- 20 cases in screenings

SWEARING IN OF NEW YOUTH CITY COUNCIL MEETING

The Mayor called forward the Youth City Council advisor who introduced the new theme for the year and also introduced the new Youth City Council leadership council.

The City Recorder then administered the Oath of Office to the new Youth City Council leadership and the Mayor and Council congratulated them on their new appointments. The new Youth City Council Mayor then called forward the rest of the Youth City Council to be sworn in. The City Recorder then administered the Oath of Office to the new incoming Youth City Council members. The Mayor and Council also congratulated them and shook their hands and said they were looking forward to working with them this upcoming year.

REVIEW OF FINANCIAL REPORT

The City Administrator then went over the financial report for August with the Council including cash position, sales tax report, transient room tax, public safety impact fees, RAP tax, energy use tax, court fines, general funds, water fund, water impact fee fund, and garbage fund.

APPROVAL OF CASH DISBURSEMENTS

The Mayor called for approval of the cash disbursements listing which the City Council had reviewed. Council Member Dayley made a motion to approve the cash disbursements for the period of 9/3/16-9/16/16 as presented with Council Member Larrabee seconding the motion and all voted for the motion through a roll call vote.

OPEN SESSION (BRIEF ITEMS)

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

Ms. Karen Kriegbaum living at 912 West 1935 South, said her home had been built in the 1970's and she has noticed some damage and cracking inside and outside of her home recently. She said she had seen an article in the Davis County Clipper about other homes in Woods Cross that have been experiencing some damage from subsidence and wanted to get more information. She

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also said she had really appreciated and enjoyed the Night Out Against Crime the police department had sponsored recently.

The City Administrator said the city is continuing to try and figure out what the problem is with some of the homes experiencing cracking and shifting. He said the city has done some drilling and taken soil samples to see if they can figure out what is causing it. He said they have also called in some experts to look at the situation as well. The City Administrator asked if the damage to her home was recent and Ms. Kriegbaum said she noticed it in the last year or so. The City Administrator said they are now going to speak with a geologist to see if they can get some further information. Ms. Kriegbaum asked how she might keep up on what would be happening and the City Administrator said to leave her contact information with the City Reorder and he would update her as he gets any new information.

Ms. Kellie Jo Castleberry living at 1029 West 1400 South, thanked the city staff and City Council for sending out the survey relating to the subsidence and the other things they are doing to try and figure out what is going on. She also said that Holly Refinery is also aware of some problems with some of their tanks that are dropping on their property. She said she had walked around her subdivision and she said she could see exterior damage on homes just from walking around the neighborhood. She did thank the city for their efforts in trying to help the residents find out what is going on with the subsidence.

Ms. Stephanie Gonzales who lives at 1489 South 950 West, also came before the Council and thanked the city staff for their help in this matter.

The City Administrator thanked the residents for helping the staff by giving them information and filling out the surveys and by staying involved in helping with what they can. He said the city is continuing to do their best to find the problem and see if there is any assistance available to help them.

The Mayor also expressed his concern with the condition of the homes and with concern for the families that are living in these homes and also said the city is doing as much as possible to help with what is going on in this area.

**CONSIDERATION TO ADOPT AN ORDINANCE AMENDING CHAPTER 32 OF
TITLE 12 REGARDING ELECTRONIC CHANGEABLE COPY SIGNS**

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

“During the last City Council meeting, the Council tabled the proposed electronic sign amendment. The Council instructed staff to modify the proposed amendment to leave the maximum sign size at 56 square feet but include the specific electronic sign regulations. Given to the Council is the adoption ordinance and exhibit to incorporate the Council’s desire to leave the maximum sign as presently permitted in the ordinance with the addition of regulations for

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such signs.” Those changes included are as follows: in Section 4 it will read “shall be reduced to 10% of its mid-day luminosity” and in Section 5 it will read “Beginning at 11:00 P.M. and continuing through 5:00 A.M....”

Council Member Dayley made a motion to adopt Ordinance 572, an ordinance amending chapter 32 of Title 12 regarding electronic changeable copy signs with the changes as mentioned above. Council Member Sheldon seconded the motion and all voted for the motion through a roll call vote.

**DISCUSSION OF PROPOSED RESIDENTIAL DEVELOPMENT OF PROPERTY
SURROUNDING ODYSSEY ELEMENTARY SCHOOL LOCATED AT
APPROXIMATELY 1950 SOUTH AND REDWOOD ROAD**

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

“It appears that UDOT and the school district are close to resolving the property purchase for the Odyssey elementary School. This would allow UDOT to sell the remaining property to Development Associates. The property is presently zoned A-1 and was planned to eventually be zoned R-1-8 Single Family, the same zoning which exists both north and south of the subject property.

“Recently, Nate Shipp and Jim Giles of Development Associates approached the staff with a development concept for the property involving single family homes. Their proposal includes a variety of lot sizes ranging from rather small lots up to quite large lots. In doing so, they would modify several of the street cross sections to provide for wide, linear walkways adjacent to some streets.

“Development Associates would like to present to the City Council their concept plan and housing types that would require the creation of a new residential zone or residential overlay. They will be seeking input from the City Council regarding this concept.”

The Mayor gave the floor to Mr. Nate Shipp and Mr. Joe Salisbury who are representing DAI Development Company and Candlelight Homes builders. They gave a presentation to the City Council on what their vision was on developing the property around the Odyssey Elementary School. They showed to the Council a point presentation with their ideas and vision for the project including different floor plans and sizes of homes that might be developed in the proposed area. Some of the homes were larger in scale, some smaller in scale, using a mixed variety of homes that could be developed in this area creating a unique type of neighborhood. Mr. Shipp said they are also concentrating on the lifestyle of people who might be interested in this type of diverse neighborhood. Mr. Salisbury said they are interested in making a sustainable long term community that is very nice and visually interesting.

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The City Council had some concerns regarding parking congestion on the streets in some of areas, width of some of the streets near the elementary school and keeping the development a single family development, drainage on the lots, and possible issues with basements and possible water problems. Mr. Shipp said they would take the concerns and input from the Council into consideration as they continue with the project and thanked the Council for their time.

SAFETY AND ACCOUNTABILITY REPORT

The City Administrator noted there were no incidents for the month of August and the departments are holding their safety meetings and training on safety topics. He said they had also completed a number of safety maintenance work orders that were on the list.

OPEN SESSION

The Mayor then opened the meeting to items from those present that they would like to bring before the City Council.

Ms. Dixie Weeks living at 1288 Governor's Way mobile home community asked for clarification on what the X-15 call meant in the police department report. The Mayor said it was a request for an officer whose call number was X-15 and they asked for the dog.

She also asked about the development that was just discussed and asked if they were allowed to put up a gate on their private drive. It was noted they would have to leave access for the fire department so they would have to look into it but it only would affect six homes as was shown in the discussion.

She also asked if there is subsidence going on within the city, is there concern for subsidence for this proposed subdivision. It was noted that it was a concern and there would have to be geotechnical studies done and other studies done.

She also asked about the water that is being pumped out near the refinery in connection with the EPA plume and she asked if the water pumping could be causing a vacuum that might be causing the subsidence. The Council and staff said they really did not know and they are continuing to pursue the issues and see what can be determined.

WASATCH INTEGRATED WASTE REPORT

The Mayor gave the floor to Council Member Larrabee who reported on the Wasatch Integrated Waste District activities. He noted at the last board meeting there was a public hearing and they took a poll vote from the executive board and they voted yes on the New Era landfill and will be moving forward with that. He also said they had been asked to send out a request to each city that uses the landfill, to add in their city newsletters for all residents going to the landfill to cover their loads so it will help with keeping debris from falling onto the roads from loads going to the dump. He also encouraged all to attend the upcoming Preparedness Fair and said it was going to

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be a great and informative event. He also asked if he could be excused from the next meeting as he will be out of town.

PLANNING COMMISSION REPORT.

Council Member Sheldon then reported on the Planning Commission Meeting held September 13, 2016. Please see the minutes of that meeting for the details of his report.

SOUTH DAVIS METRO FIRE AGENCY REPORT

The Mayor reported on the meeting held September 19, 2016. He said they approved the purchase of difibulator equipment and were pleased about that. He also said they hired a new fire marshal and hired a new inspector and are very pleased to have them on board and said they would be a very good addition to the agency.

SOUTH DAVIS RECREATION DISTRICT REPORT

The Mayor said Chevron is appealing their tax levy against Davis County. The settlement of about 2 million dollars is affecting all taxation districts.

MAYOR'S REPORT

The Mayor said there will be a Pumpkins in the Park activity but he said he does not have a committee right now so he needs help if the Council knows anyone who would be interested in helping.

The Mayor also asked about the planter boxes on 500 South and who was in charge of taking care of them. Staff said it was the city who was responsible for them. Staff said they would take a look at them and report back to the Council.

The Mayor noted the annual appreciation dinner would be held for the city and its employees on January 20, 2017. The Mayor said they would like input on where to hold the event. The Council gave their input on a few different options and the City Administrator said they would continue to look into where to hold the dinner after the suggestions from the Council.

CITY ADMINISTRATOR'S REPORT

1. CTC Trucking

“Mark Bell has received an update from David Kingston indicating that CTC has finalized the lease for the property on 2100 South as was discussed in the last meeting. It appears they are making the move to the new property since I have noticed the trucks are not parked on the property and they are not traveling in and out. We will verify that the move has been permanently made. We will continue

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working with United Fuels to ensure we do not get any more sub leases for trucking on this property.

2. Public Works Building

“The architect has put out the RFP for the General Construction Manager since this project will be a design build project. The construction manager will be brought on board and he, working with the architect, will oversee the construction of the facility. Given to the Council is a copy of the RFP and an outline Scott has prepared explaining the CMC process. The due date for the proposals is September 26th. The approval of the General Construction Manager will be on the October 4th City Council meeting agenda and I would like one or two Council Members and the Mayor if possible, to sit on the selection committee which will make the recommendation for approval to the City Council.

It was noted that Wally Larrabee and Jessica Gertsch and the Mayor will serve on the procurement committee.

3. The City Administrator said staff is working with Questar Gas and they need to relocate their high pressure gas line. He said they are putting together plans to do it at the Legacy trail. He said part of the Legacy trail would be closed from October to May while the gas line is replaced and he would keep the Council updated on this matter as well.

ADJOURNMENT

There being no further business before the City Council, Council Member Westergard made a motion to adjourn the meeting at 8:59 P.M. with Council Member Gertsch seconding the motion and all voted for the motion for the roll call vote.

Rick Earnshaw, Mayor

Jessica Sims, City Recorder