WEST POINT CITY COUNCIL
MEETING MINUTES
3200 WEST 300 NORTH
WEST POINT CITY, UT 84015

Mayor
Erik Craythorne
Council
Gary Petersen, Mayor Pro Tem
Jerry Chatterton
Andy Dawson
R. Kent Henderson
Annette Judd

City Manager
Kyle Laws

January 21, 2020

Administrative Session
6:00 PM – Board Room

Minutes for the West Point City Council Administrative Session held at West Point City Hall, 3200 West 300 North, West Point City, Utah 84015 on January 21, 2020 at 6:00 pm with Mayor Pro Tem Gary Petersen presiding.

MAYOR AND COUNCIL MEMBERS PRESENT: Mayor Pro Tem Gary Petersen, Council Member Annette Judd, Council Member Kent Henderson, Council Member Andy Dawson, and Council Member Jerry Chatterton

EXCUSED: Mayor Erik Craythorne

CITY EMPLOYEES PRESENT: Kyle Laws, City Manager; Boyd Davis, Assistant City Manager; Ryan Harvey, Administrative Services Director; Paul Rochell, Public Works Director; and Casey Arnold, City Recorder

EXCUSED: None

VISITORS PRESENT: Brian Vincent, Peter Matson, Ryan Judd, Brad Frost, and Mark Sessions

1. **Discussion Regarding State-Wide Utility License Agreement with UDOT – Mr. Kyle Laws**
Mr. Laws stated that this agreement should have been in place for quite some time, and UDOT recently discovered that this agreement with West Point was never made. The agreement is in regards to City utilities that are in the State's right-of-way and is fairly straight forward. The City Attorney has reviewed and approved the agreement. The agreement also addresses the City's responsibilities regarding traffic control, excavation, backfill, compaction, and site restoration, emergency work, access, and maintenance. Mr. Laws noted that the City has always been following the regulations outlined, but UDOT has requested that the City agree to a formal license agreement as it does with all other cities.

   The Council understood the need for this license agreement and had no further discussion.

2. **Discussion Regarding Elected Officials' Pay – Mr. Kyle Laws**
Mr. Laws stated that this item was discussed at the last meeting and arose when a Utah Retirement System audit found that the Mayor position's pay had fallen below the minimum earnings requirement to qualify for URS benefits. Mr. Laws stated that it seems that the Mayor's pay was previously set at a level to be eligible for these retirement benefits. Currently, the Mayor receives $1,050 per month and the minimum requirement has increased to $1,064 per month. When the Council discussed this at the last meeting, there was a general consensus that the pay be adjusted so that the Mayor position qualifies for URS benefits, as well as the Council's and Planning Commission pay, as they have not been adjusted in over 13 years. Council Member Dawson stated that the Planning Commission's pay has not been adjusted in over 17 years.

   In the proposed Ordinance, Staff outlined some possible parameters on determining Mayor and Council pay each year, which are as follows:

   1. The Mayor's pay to increase each fiscal year to be at the "Minimum Earning Requirement" established by the Utah Retirement System (URS), plus 3%. This will help eliminate the need for back pay each year due to the February 1st date used by URS.
   2. The City Council pay to increase each fiscal year and be set at half the compensation amount of the Mayor
   3. Planning Commission pay to be evaluated as needed.

   The proposed Ordinance also outlines the following immediate changes for each of these positions:

1. Mayor: Change from $1,050 per month ($12,600 per year) to $1,100 per month ($13,200 per year) and to back pay for all of 2019 to ensure retirement eligibility for the year.
2. City Council: Change from $450 per month ($5,400 per year) to $550 per month ($6,600 per year), which is half the compensation amount of the Mayor
3. Planning Commission Chair: Change from $45 per meeting to $75 per meeting
4. Planning Commission: Change from $35 per meeting to $50 per meeting

Mr. Laws presented a summary of city council and mayor pay throughout Davis County and other surrounding cities, and these suggested amounts keep the Mayor and City Council either at or just below the average for the same positions throughout the area. Council Member Dawson noted that although the pay for Syracuse City Council Members appears low on the list, it does not include the amount Syracuse City pays to provide them with health insurance.

Mr. Laws asked the Council for their opinions on these suggested amounts and processes. Council Member Dawson stated that he is definitely in favor of raising the Planning Commissioner's pay, and is also in favor of the proposed compensation for the Mayor and Council positions. By adjusting the Mayor's compensation by 3% each year, the City will avoid the current situation of falling below and having to back-pay in order to qualify for URS benefits. Mr. Laws noted that the large majority of surrounding cities set the pay for these positions concurrent with Staff compensation schedules. Council Member Chatterton stated that if the Council pay was increased to $600 or $625, "we would still be in the middle of the pack" and there hasn't been an increase in over 13 years. He is concerned that with the 3% increase for the Mayor position, the Council's pay will also increase by 3%, but that 3% is much smaller and the pay for Council Members would fall behind again. Mayor Pro Tem Petersen stated that he would like the Council pay to be at 50% of the Mayor position, which Mr. Laws stated is how it is defined in the proposed Ordinance. He also explained that since the URS does not set the minimum earnings requirement until February of each year, setting the Mayor's pay each fiscal year at the previous year's rate plus 3% would hopefully ensure that that it would be above the rate set in February, which is halfway through each fiscal year. He also noted that this does not mean that the Mayor's pay is increasing by 3% each year, but rather that it is only 3% more than what URS sets its minimum rate at each year.

Council Member Chatterton commented that if the amount paid by the City each month for retirement benefits for the Mayor were included, $550 per month for Council Members is below 50% of the Mayor's total compensation. Mayor Pro Tem Petersen reaffirmed his belief that as Council Members, it should be done for the service to the City and not the compensation. That being said, the compensation does need to be "fair" when compared to surrounding cities, especially for those that come after us; it should not be evaluated according to each current Council Member's own situation and personal feelings, but rather on what is fair for the work that they do in their service. He agrees with how the pay schedules and amounts are outlined in the proposed Ordinance. Council Member Judd stated that as a new Member of the Council, she does not have the experience that the rest of the Council does on which to base her opinion on the matter, but agrees that these positions are done in service and whatever pay may come from that "is just a number."

Council Member Dawson stated that he agreed with Council Member Chatterton in that if the Council's compensation is going to be set at 50% of the Mayor's pay, it should be of his total compensation, including the amount the City pays for the Mayor's retirement benefits. Council Member Henderson stated that if the Council pay went from $450 to $650, although it has not been adjusted in several years, this is a "pretty hefty percentage." He would like to hear what the public has to say about the issue in tonight's General Session.

The Council was in agreeance that the Planning Commissioners do a lot of work for the City and we should make sure that their compensation is adjusted as needed with each market study, which is done every other year.

The Council will discuss the item further after the public hearing and consider possible action.

3. Discussion Regarding Ovation Homes Project Proposal for the Property at 4500 W 1200 S – Mr. Boyd Davis

Mr. Davis stated that the rezone of this property has been discussed in several meetings, and Ovation Homes has recently submitted a new rezone request for this property. The Planning Commission has reviewed and approved this rezone request, and Staff feels comfortable with recommending that the Council give final approval.

The Wade property is located at 4500 W 1200 S and consists of 64 acres, currently zoned A-40. The recently adopted General Plan shows the property as a 50/50 split of the R-1 and R-2 zones. This new request is to rezone 40% of the property as R-1 and 60% of the property as R-2, as well as a PRUD overlay zone on the whole property to allow for 188 lots. This is still the same number of lots that would be allowed under the current General Plan of a 50/50 split of the R-1 and R-2 zones (with a PRUD overlay).

The reason for requesting a 60/40 split is because the PRUD has a minimum lot width that would not allow for 188 lots if the property was split equally between the two zones, which reasoning Staff has reviewed and concurs with. Council Member Henderson inquired as to whether the line between the two zones has to be as specifically proposed, or if there can be any mixing of the zones. Mr. Davis stated that this is up to the Council, and noted that the developers have agreed (as outlined in the developer's agreement) that the project will not exceed 188 lots, regardless of how the property is split between the R-1 and R-2 zones.

Mr. Davis showed the proposed concept plan for the project, which is a mix of housing types that include large lot single family, smaller lot single family, and detached active adult homes, but with no attached units. The overall density shown is 2.94 units/acre.

Mayor Pro Tem Petersen stated his opinion that the City "is not looking for a lot more of the smaller, R-2 lots" as the City already has a lot of multi-family projects and other types of development that have been recently approved. The City "needs to be careful" about continuing that throughout the entire City. The problem with the original proposal was that there was too much density. Brad Frost, with Ovation Homes, commented that the homes in the R-2 zones are not multi-family or first-time buyer homes; they are slab-on-grade products that are between 1,800 and 2,000 sq. ft., which is not a home-type available in the City right now, and will most likely be a buyer's second-time home purchase or more.

Mr. Laws noted that this proposed project would match the density of the Bridgeway Island Subdivision on the opposite side of 1200 South in Syracuse. Council Member Judd inquired as to what the restrictions of the active adult homes will be, which Mr. Frost stated will be 55 years old and above.

Mr. Davis reviewed the amenities and bonus items that have been proposed in order to qualify for the PRUD overlay zone, and the corresponding percentage points Staff is recommending for each:

1. **Street Trees - 1 % (5% is the max)**
   - A landscaped entry corridor and streetscape from the main entrance on 4500 W leading the central open space area, including a landscaped strip behind the sidewalk and landscaped park strip with 2" caliper street trees
2. **Front Yard Landscaping - 3% (8% is the max)**
   - Front yard landscaping of at least 120 lots to include grass, shrubs and planning areas in front of the homes. 40% of the active-adult lots will also have completely landscaped front, rear and side-yard. Mr. Davis stated that the developers wanted the buyers of the larger lots be able to design their own backyards.
3. **Entrance Feature - 2% (2% is the max)**
   - The location of one entrance feature will be provided on the 4500 West entrance with a raised center median. Plans have been provided. Mr. Davis stated that full percentage points are recommended for this because it is a very nice design
4. **Park area - 3% (15% max)**
   - Landscaped centralized 1.5-acre park that includes shade trees and a pavilion. Council Member Petersen inquired as to whether a minimum sq. footage should be set for the pavilion. Mr. Frost stated that the pavilion will by similar to the one in their Layton development that is 16'x12', which they have found to be a good size. Mr. Frost committed to not install a pavilion smaller than 16'x12'.
5. **Architectural Theme -3% (5% is the max)**
   - The applicant states the "architectural details of homes to provide a unifying theme with common masonry building materials, varying elevations including options for active-adult homes with lofts and bonus rooms, Aspire Homes with available 3-car garages and varying elevations options."
6. **Recreational Amenities - 5% (15% is the max)**
   - Two pickle ball courts in a landscaped central open space.
7. **Improved Building Design – 2% (2% is max)**
   - All homes will have 100% approved materials including brick, stone, hardie-board and stucco. Mr. Davis clarified that this is an additional amenity above the Code because they will not be using any vinyl.
8. **Improved Open Space - 2% (10% is the max)**
   - Small open space areas throughout the subdivision that will be landscaped.
9. **Landscaped Detention Pond - 1 % (5% is the max)**
   - The detention area at the entrance to the subdivision will be landscaped with shade trees (5% max)

Mr. Davis stated that with the rezone approval, a Developer's Agreement outlining the agreed upon amenities and bonus percentages will also need to be approved. The actual design of the project and plat map will be submitted for approval later in the development process. Staff recommends that a motion to approve the rezone include clarification that there is to be a maximum of 188 lots.

4. Discussion Regarding Accessory Building Standards – Mr. Boyd Davis

Due to time restrictions, accessory building standards will be discussed at the next meeting.

5. Other Items

No other items were discussed.

The Administrative Session adjourned.

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January 21, 2020

General Session
7:00 PM - Council Chambers

Minutes for the General Session of the West Point City Council held at the West Point City Hall, 3200 West 300 North, West Point City, Utah 84015 on January 21, 2020 at approximately 7:00 pm with Mayor Pro Tem Gary Petersen presiding.

MAYOR AND COUNCIL MEMBERS PRESENT: Mayor Pro Tem Gary Petersen, Council Member Kent Henderson, Council Member Annette Judd, Council Member Andy Dawson, and Council Member Jerry Chatterton

EXCUSED: Mayor Erik Craythorne

CITY EMPLOYEES PRESENT: Kyle Laws, City Manager; Boyd Davis, Assistant City Manager; Ryan Harvey, Administrative Services Director; Paul Rochell, Public Workers Director; and Casey Arnold, City Recorder

EXCUSED: None

VISITORS PRESENT: Brian Vincent, Peter Matson, Ryan Judd, Brad Frost, and Mark Sessions

1. **Call to Order –** Mayor Pro Tem Petersen welcomed those in attendance and thanked them for coming.
2. **Pledge of Allegiance –** repeated by all
3. **Prayer –** Given by Council Member **
4. **Communications and Disclosures from City Council and Mayor**

   Council Member Chatterton – None

   Council Member Dawson – The North Davis Sewer District cancelled their regularly scheduled January meeting; Council Member Dawson will provide an update after the meeting in February

   Council Member Henderson – Wished to thank City Staff and the other Council Members for the City Council Visioning Session held the previous weekend; it was very beneficial and well put together

   Council Member Judd – None

   Mayor Pro Tem Petersen – Echoed Council Member Henderson's comments regarding the Visioning Session; there was good discussion in the meetings regarding strategy and planning for the coming year, and Staff was given some direction on items the City Council would like to focus on.

5. **Communications from Staff**
   Mr. Laws stated that there will be a Staff and Council Lunch on February 12th, but there are no other events or activities between now and then.

6. Citizen Comment

Mark Sessions – 430 N 3425 W: Mr. Sessions stated that he would first like to thank Casey Arnold for the wonderful job she did putting on the Child Remembrance Ceremony at the cemetery in December. At that event, she mentioned a new sound system and Mr. Sessions stated that he would like to support that suggestion, because there were issues with the current system at that event. Mr. Sessions also stated that he had hoped that the Council Member appointments to the North Davis Fire District Board would have changed at the first of this year, but hadn't seen anything indicating that they have been; he would like to see those appointments change regularly. Mayor Pro Tem Petersen noted that those were reappointed in December and sworn in at the North Davis Fire District Board of Trustees Meeting earlier this month.

7. Consideration of Approval of the Minutes from the December 17th, 2019 West Point City Council Meeting

Council Member Chatterton motioned to approve the December 17, 2019 West Point City Council Meeting Minutes
Council Member Dawson seconded the motion
The Council unanimously agreed

8. Consideration of Approval to Award the Bid for the 300 N Reconstruction Project – Mr. Boyd Davis

Mr. Davis stated that this project is regarding reconstruction of 300 N from 2000 W to 1000 W, which section is half in Clearfield and half in West Point. Mr. Davis noted that West Point is taking the lead on this project. Bids were received earlier today from qualified bidders. The amount of money received in the grant is only enough to replace the roadway and the gaps in the curb, gutter, and sidewalk. However, the bids received were under budget enough that there is a "little bit of cushion" to possibly replace some of the sidewalks as well; Staff will discuss the options for that when it is closer to that part of the project. Mr. Laws stated that when the City applied for the grant, it requested $3 million. However, only $2.5 million was granted, which reduced the budget for the project by $500,000 from the start. The City then swapped this federal grant money for State funds in order to avoid the exhaustive regulations and red-tape that comes with federal grants. This swap lowered the grant money to $1.9 million, but that amount allows for the same amount of work to be done as $2.5 million would have if federal funds were used.

Mr. Laws also noted that with the funds that are available, the widths of the current sidewalks will not be widened to the standard 5 ft. widths and some of the park strips are going to be 2 ft. to 2.5 ft. instead of the standard 4 ft. If the Council would like to add more funds to the project to bring all of the sidewalks and parkstrips to the standard size, they can choose to do so. Mr. Laws clarified that the road width will be consistent at the standard width. Mayor Pro Tem Petersen stated that he would like to know what it would cost to do that, to which Mr. Laws answered that the estimate was around $750,000, but noted that this amount includes relocating all of the water meters, utility lines, power poles, etc., that are not in the right spot and would need to be moved. That may be a high estimate, but Mr. Laws stated that it would likely cost at least $500,000; it is a good project to keep on the capital projects list to hopefully fund in the future through grants or an increased budget allocation. According to the project contract, Mr. Davis stated that all of the irrigation work must be done before the end of March and the project must be completed by the end of this fall.

Mr. Davis stated that although the City has not worked directly with Wardell Brothers Construction, who submitted the lowest bid, Staff has checked their references and talked with other cities who have had experience with them. The City Engineer for Clearfield City worked with Wardell Construction when he was with Weber County, and gave them a high recommendation. Mr. Davis stated that he also spoke with the owners of recent projects that they have done and received very good reviews on their work. Wardell is also using Granite Construction as their subcontractor for the asphalt, which the City has worked with before and knows that they are highly qualified. Lastly, Mr. Davis stated that all of the received bids "were very tight", which indicates that the project and contract is clear and specific. With all of this, Mr. Davis feels very comfortable recommending that this project be awarded to Wardell Brothers Construction.

Council Member Chatterton motioned to award the bid for the 300 N Reconstruction Project to Wardell Brothers Construction for the bid amount of $1,711,539

Council Member Henderson seconded the motion
The Council unanimously agreed

9. Consideration of Approval to Award a Land Use Consultant Contract to Mr. John Janson – Mr. Boyd Davis

Mr. Davis stated that one of Staff's goals for this year is to ensure that the City's Land Use Code is up-to-date with State Law and is both functional and beneficial for the City. To do such, hiring an outside land use consultant has been discussed with the Council and added to this year's budget. Staff has also asked that the consultant to provide land use training for the Planning Commission and the City Council, specifically on the General Plan, which all who submitted proposals were happy to do.

The City received three proposals as follows:

John Janson & Meg Ryan:	$39,000
Rural Community Consultants	$39,000
Epic Engineering	$8,500

Mr. Davis noted that although Epic Engineering's proposal was quite low, it was clear to Staff after reviewing their proposal that they didn't quite understand the scope of the project. Staff has discussed the proposals and recommends hiring John Janson and Meg Ryan, who work with the Utah League of Cities and Towns, as they are familiar to City Staff, highly qualified, and submitted the strongest proposal. The City Attorney has also reviewed and approved the contract. Mr. Laws noted that one thing Staff wanted to specifically focus on is making sure that the City's Code not only be in compliance with the plain-language legislation that recently went into effect, but that all of our Code's regulations are legally defensible. Mr. Janson and Mrs. Ryan have extensive experience with this.

The Council agreed that the City's Land Use Ordinances are some of the most important, detailed regulations that the City has and it is essential to make sure that they effective for the City.

Council Member Henderson motioned to approve the Land Use Consultant Contract with Mr. John Janson and Mrs. Meg Ryan for $39,000
Council Member Dawson seconded the motion
The Council unanimously agreed

10. Consideration of Approval of Resolution No. 01-21-2020A, Approving a State-Wide Utility License Agreement with the Utah Department of Transportation – Mr. Kyle Laws

Mr. Laws stated that this is an agreement with UDOT that will allow the City to have utilities in their right-of-ways and details how accessing those utilities is to be handled, especially in the case of emergency situations, traffic control, backfilling requirements, etc. UDOT discovered that a formal agreement with the City had never been approved, although the City has already been adhering to the regulations outlined in the agreement.

The Council had no further discussion.

Council Member Judd motioned to approve Resolution No. 01-21-2020A
Council Member Dawson seconded the motion
The Council unanimously agreed

11. Consideration of Approval of Approval of Resolution No. 01-21-2020B, Approving the Release of the West Davis Corridor Easements through the GlenDell Subdivision – Mr. Kyle Laws

Mr. Laws stated that the Council has discussed these easements in a previous meeting, summarizing that the City has received multiple requests throughout the years from homeowners wanting to remove the parts of the easement on their property that are no longer part of West Davis Corridor easement area. Some of those releases were done in 2013 and 2016, and a new request was received late last fall from homeowner Matt Taggart. As Staff discussed this request, it was suggested that the City consider releasing all of the portion of the easement that will not be needed for the Corridor on all the affected properties. Although their permission is not needed to do this, Staff has spoken with UDOT about releasing the easement and they were comfortable with that. UDOT also acknowledges that any property, whether in or out of the easement, that is ultimately needed for the Corridor will need to be properly compensated for.

The blue portion on the map included with the proposed Resolution indicates the area to be released. Mr. Laws stated that the easement was originally put in place to alert homeowners that the West Davis Corridor was coming in the future and may affect their property, and also to discourage them from building a structure in the easement that may end up having to be moved or demolished. It was reiterated that the remaining easement does not alleviate UDOT of the requirement to compensate property owners for all of the property needed when the Corridor is constructed.

As the route for the West Davis Corridor has been more specifically designated and the actual easements needed more narrowly designated, the Council had no further discussion on removing the indicated portions of the easements on these properties.

Council Member Dawson motioned to approve Resolution No. 01-21-2020B
Council Member Chatterton seconded the motion
The Council unanimously agreed

12. Public Hearing Regarding Rezone of Property Located at Approximately 4500 W 1200 S from A-40 to the R-1 and R-2 Zones with a PRUD Overlay Zone – Mr. Boyd Davis

Mr. Davis stated that Items 12, 13, & 14 are regarding property owned by the Glen Wade Family at 1200 S and 4500 w. The property is 64 acres, and Ovation Homes plans to purchase and develop the property. The General Plan was recently updated, showing the property as a split of the R-1 and R-2 zones at a 50/50 split. Ovation Homes is requesting to rezone the property 26 acres of the R-1 zone and 31 acres of the R-2. They are also requesting a PRUD overlay zone, which could give them a maximum of 20% increase density in exchange for additional amenities. The points awarded for each amenity are at the discretion of the City Council. The amenities being proposed by the developers and Staff's recommended bonus points are as follows:

PROPOSED AMENITIES	PROPOSED DENSITY BONUS
Street Trees – Landscape entry corridor and streetscape from main 4500 West entrance leading to central open space area including landscaped strip behind sidewalk and landscaped park strip with 2" caliper street trees (5% max)	1%
Landscaped Front Yards – Front yards of at least 120 lots to include grass with shrub and flower planting areas in front of homes; 40 active-adult lots will have completely landscaped front, rear and side yards (8% max)	3%
Entrance Feature, signage and landscaping – landscape entrance feature at 4500 West entrance with raised center median and signage (2% max)	2%
Park Area – Landscaped central open space area with shade trees and pavilion (15% max)	3%
Architectural details of all buildings with common, unifying theme – Architectural details provide a unifying theme with common masonry building materials, varying elevations including options for active-adult homes with lofts and bonus rooms, Aspire Homes with available 3-car garages and varying elevations options (5% max)	3%
Recreational Amenities – Two pickle ball courts located in landscaped central open space area (15% max)	5%
Improved Building Design – all homes built of 100% approved materials including brick, stone, cement (hardi) board and stucco (2% max)	2%
Improved Open Space – Small landscaped open space areas throughout the subdivision (10% max)	2%
Landscaped Detention Ponds – two of the neighborhood open space areas will function as stormwater detention facilities that will be landscaped with shade trees (5% max)	1%
TOTAL PROPOSED DENSITY BONUS	22% (20% max)

With these recommended percentage points, the 20% maximum bonus percentage would be met. Ovation Homes has also agreed in the Developer's Agreement to not install any attached units, although they would be allowed under the PRUD overlay. Staff also recommends including in the rezone motion that there is to be a maximum of 188 lots. Mr. Davis stated that a public hearing for the rezone must be held, and a Developers Agreement outlining these amenities and density maximums must also be approved before the rezone.

Mayor Pro Tem Petersen stated that this project has been discussed many times with both the Planning Commission and City Council, and he opened the item for public hearing.

- **Public Hearing**

  No comments

Council Member Henderson motioned to close the public hearing
Council Member Dawson seconded the motion
The Council unanimously agreed

13. Consideration of Approval of Approval of Resolution No. 01-21-2020C, Approving a Developers Agreement with Capital Reef Management, LLC – Mr. Boyd Davis

Mr. Davis stated that this is the Developer's Agreement with the developers for the 1200 S 4500 W property. Mr. Davis noted that there were some grammatical errors found in the copy of the agreement that was included with the Staff Report, which have been updated. The updated, final version has no change in content.

Council Member Chatterton motioned to approve Resolution No. 01-21-2020B, Approving the Developer's Agreement with the additional specification that there is a maximum of 188 lots allowed for the development.
Council Member Judd seconded the motion
The Council unanimously agreed

14. Consideration of Approval of Ordinance No. 01-21-2020A, Approving the Rezone of Property Located at Approximately 4500 W 1200 S from A-40 to the R-1 and R-2 Zones with a PRUD Overlay Zone – Mr. Boyd Davis

The Council had no further discussion on the property.

Council Member Dawson motioned to approve Ordinance No. 01-21-2020A, rezoning the property to the R-1 and R-2 zones with a maximum of 188 lots
Council Member Henderson seconded the motion
Roll Call:
Mayor Pro Tem Petersen – Aye
Council Member Chatterton – Aye
Council Member Dawson – Aye
Council Member Henderson – Aye
Council Member Judd – Aye
The Council unanimously agreed

15. Consideration of Approval of Ordinance No. 01-21-2020B, Amending Salary Schedules for Elected Officers – Mr. Kyle Laws

Mr. Laws stated this item was discussed in a previous meeting, as well as in tonight's Administrative Session. In summary, it was discovered through an audit by the Utah Retirement Systems that the pay for the Mayor position has dropped below the minimum earnings requirement to receive retirement benefits. As discussed, it seems clear that the compensation for the Mayor position was previously set so that it would qualify for those retirement benefits. Neither the Mayor or City Council compensation has been changed for almost 13 years, and it was discussed to analyze both as the Mayor position is considered to be adjusted.

The proposed ordinance outlines the specific changes, recommending that the Mayor position compensation be raised by $50 per month from $1, 050 to $1,100 and that the current Mayor be back-paid for 2019 to qualify for that year's retirement benefit. The proposed compensation for City Council Members is to be raised to half the salary amount of the Mayor position, setting it at $550 per month or $6,600 per year. It also proposes raising the Planning Commissioner Chair from $45 to $75 per meeting, and Planning Commissioners from $35 to $50. If these proposals are adopted, the City Council pay would be right at the average for Council pay throughout Davis County and surrounding cities. The Planning Commission pay would also be comparable to neighboring cities.

Moving forward, the proposed ordinance also outlines some guidelines and parameters to follow for future adjustment. It is proposed that the Mayor position's pay increase each year at the minimum earnings requirement amount set by the URS in February, plus 3%. This 3% is to eliminate any backpay that may be necessary in the last half of the fiscal year (February to June). The City Council pay would also be increased to continuously be at 50% of the Mayor's salary. Mr. Laws stated that in the Administrative Session it was debated on whether that 50% for the Council pay is half the salary amount of the Mayor, as written in the proposed ordinance, or half of that position's total compensation, which would include the City's retirement contribution of about $200 per month. Mr. Laws stated that any desired changes from the proposed ordinance need to be designated in a motion.

Mayor Pro Tem Petersen noted that although the pay listed for Syracuse City Council Members is low, it does not include the costs that are paid to provide them with health insurance benefits; if that were included, it would show that they have a much higher compensation. He wanted to note that West Point City does not desire to match that, but that they want the compensation for Council Members and the Mayor to be maintained at a reasonable pace. He then opened the item for public hearing.

a. Public Hearing

Mark Sessions – 430 N 3425 W: Mr. Sessions stated that he believes that there should be an equivalency (in reduction of pay) of when the Mayor Pro Tem has to preside over a meeting because the Mayor is absent. He stated that he has been to "quite a few meetings this year" where the Mayor has been absent, and feels that "any person that does not show up for his or her job for the City should not be paid and whoever is doing their job should get that money." He is specifically referring to missed City Council Meetings, where the public is able to voice their opinions.

Council Member Henderson motioned to close the public hearing
Council Member Chatterton seconded the motion
The Council unanimously agreed

b. Action

Mayor Pro Tem Petersen stated that there has been extensive discussion of this item, and feels that it is time for a motion to be made.

Council Member Chatterton motioned to approve Ordinance No. 01-21-2020A, Amending the Mayor Position salary as proposed, and changing the Council Member pay to 50% of the Mayor's total compensation (salary + retirement benefits paid), as well as increasing the pay for the Planning Commission as proposed ($75 per meeting for the Chair and $50 per meeting for Commissioners).

Mr. Laws asked for clarification if Council Member Chatterton's motion designates that the pay increase for the Council that becomes effective immediately with this ordinance not be the $550 as proposed (50% of the Mayor's salary) but rather that it be at 50% of the total compensation, which would be about $650. The exact compensation amount would have to be calculated with the exact amount that the City pays as a retirement benefit each month. Mr. Laws stated that his recommendation would be to clarify that the immediate increase to City Council pay be set at an even $650, because as the ordinance indicates, moving forward, the pay will be evaluated each fiscal year, and at that point the pay adjustment would be calculated to be an exact 50% of the Mayor's total compensation (salary + retirement benefits).

Council Member Dawson made a friendly amendment to Council Member Chatterton's motion to include that the immediate increase to Council pay be $650 per month and seconded the motion. Council Member Chatterton accepted that amendment to his motion. To make sure that the motion on the table is clear, Mr. Laws stated that the corresponding part of Section 1 of the proposed ordinance would be changed as follows: "The City Council pay shall change from $5,400 per year to ~~$6,600~~ $7,800 per year and the table in Section 1 be updated from $6,600 to $7,800 as well. Council Member Dawson reiterated that as part of the budget for the next fiscal year, beginning July 1, 2020, it would be reevaluated and adjusted to be an exact 50%.

Roll Call:
Mayor Pro Tem Petersen – Nay
Council Member Chatterton – Aye
Council Member Dawson – Aye
Council Member Henderson – Nay
Council Member Judd – Aye
Motion passed

16. Motion to Adjourn the General Session

Council Member Chatterton motioned to adjourn
Council Member Dawson seconded the motion
The Council unanimously agreed

MAYOR ERIK CRAYTHORNE — February 4th, 2020

CASEY ARNOLD, CITY RECORDER — February 4th, 2020