3200 W 300 N, West Point, UT 84015
801.776.0970

WEST POINT CITY COUNCIL
MEETING NOTICE & AGENDA

WEST POINT CITY HALL
3200 W 300 N, WEST POINT UT
June 16, 2020

Members of the public wishing to attend this meeting are encouraged to follow all health guidelines issued by the Utah Department of Health, including:

- *Avoid entering if they have a fever of 100.4 degrees Fahrenheit or above, cough, trouble breathing, sore throat, muscle aches and pains, sudden changes in smell or taste, or feel generally unwell*
- *Maintain 6-foot physical distancing*
- *Use of face coverings is encouraged and recommended*
- *Sneeze/cough into cloth, tissue, elbow or sleeve (not hands)*
- *Avoid hand shaking or unnecessary physical contact*
- *Wash hands often, and for at least 20 seconds*

The public may monitor or listen to the meeting electronically and provide public comment when appropriate by following the instructions below:

- **Join Zoom Meeting at**: https://us02web.zoom.us/j/83524273658 *or*
- **Connect via Telephone:** Dial 1(669) 900-6833 and enter **Meeting ID:** 835 2427 3658

Members of the public may also participate in the Citizen Comment item via email prior to the meeting
Comments must be received prior to the 7PM City Council Meeting

- **Email**: carnold@westpointcity.org
- **Subject Line:** Must be designated as "Citizen Comment – June 16, 2020 City Council Meeting"
- **Email Body**: **Must** include First & Last Name and Address and a succinct statement of your comment.

ADMINISTRATIVE SESSION

6:00 PM – OPEN TO THE PUBLIC

1. **Discussion Regarding the FY2021 Tentative Budget for West Point City and All Related Agencies –** Mr. Ryan Harvey pg. 5
2. **Discussion Regarding West Point City Fraud Risk Assessment** – Mr. Ryan Harvey pg. 39
3. **Discussion Regarding Trailer Parking in Front Yards** – Mr. Kyle Laws pg. 55
4. **Discussion Regarding the Law Enforcement Contract with Davis County** – Mr. Kyle Laws pg. 59
5. **Other Items**

COMMUNITY DEVELOPMENT & RENEWAL AGENCY OF WEST POINT CITY

7:00 PM – OPEN TO THE PUBLIC

1. **Call to Order**
2. **Consideration of Approval of Resolution No. R06-16-2020A, Adopting the FY2021 Final Budget for the CDRA of West Point City –** Mr. Ryan Harvey pg. 23
   a. **Public Hearing**
   b. **Action**
3. **Motion to Adjourn**

GENERAL SESSION OF THE WEST POINT CITY COUNCIL

FOLLOWING THE CDRA MEETING – OPEN TO THE PUBLIC

1. **Call to Order**
2. **Prayer** (Please contact the City Recorder to request meeting participation by offering a prayer or inspirational thought)
3. **Communications and Disclosures from City Council and Mayor**
4. **Communications from Staff**
5. **Citizen Comment** (If you wish to make comment to the Council, you are encouraged to email your comments prior to the meeting using the instructions above. If you have joined the electronic meeting, use the "raise hand" icon if on a computer or dial *9 to indicate that you would like to make a comment. When it is your turn, the meeting host will unmute you. If attending the meeting in-person, please approach the podium and clearly state your name and address, keeping your comments to a maximum of 2 ½ minutes. Please do not repeat positions already stated. Public comment is a time for the Council to receive new information and perspectives)
6. **Consideration of Approval of the Minutes from the May 19, 2020 West Point City Council Meeting** pg. 61
7. **Consideration of Approval of Resolution No. 06-16-2020A, Adopting the FY2021 Schedule of Fees for West Point City and All Related Agencies –** Mr. Ryan Harvey pg. 21
8. **Consideration of Approval of Resolution No. 06-16-2020B, Amending the Garbage Waste Collection Contract with Econo Waste, Inc. – Mr. Kyle Laws** pg. 75
9. **Motion to Move into a Closed Session**

CLOSED SESSION

1. **Motion to Open Closed Session**
2. **Call to Order and Roll Call**
3. **Discussion Regarding the Purchase of Real Property, Pursuant to UCA §52-4-205(1)(d)**
4. **Discussion Regarding Pending or Imminent Litigation, Pursuant to UCA §52-4-205(1)(c)**
5. **Discussion Regarding Personnel, Pursuant to UCA §52-4-205(1)(a)**
6. **Motion to Adjourn Closed Session and Enter General Session**

10. **Motion to Adjourn the General Session**

Posted this 12th day of June, 2020

Casey Arnold

CASEY ARNOLD, CITY RECORDER

If you plan to attend this meeting and, due to disability, will need assistance in understanding or participating therein, please notify the City at least twenty-four (24) hours prior to the meeting and we will seek to provide assistance.

TENTATIVE UPCOMING ITEMS

Date: TBD
JOINT MEETING w/ PLANNING COMMISSION – 5:00 PM

Date: 07/07/2020
Administrative Session – 6:00 pm

1. Discussion Regarding the Property Tax Rate for the 2020 Taxable Year for West Point City – Mr. Ryan Harvey
2. Discussion Regarding the West Lake Estates Subdivision Phase I – Mr. Boyd Davis
3. Discussion Regarding the Bennett Farms Subdivision Phase II – Mr. Boyd Davis

General Session – 7:00 pm

1. Approval of the June 2, 2020 Minutes
2. Consideration of Approval of Resolution No. 07-07-2020A, Renewing Existing Interlocal Agreement for Law Enforcement Services with Davis County for 2 Years – Mr. Kyle Laws

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Date: 07/21/2020
Administrative Session – 6:00 pm

1. Discussion Regarding the Property Tax Rate for the 2020 Taxable Year for West Point City – Mr. Ryan Harvey

General Session – 7:00 pm

1. Consideration of Final Approval of the West Lake Estates Subdivision Phase I – Mr. Boyd Davis
2. Consideration of Approval of the Bennett Farms Subdivision – Mr. Boyd Davis

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Date: 08/04/2020
Administrative Session – 6:00 pm

1. Discussion Regarding the Property Tax Rate for the 2020 Taxable Year for West Point City and the FY2021 Final Budget for West Point City and All Related Agencies – Mr. Ryan Harvey

Special Budget Meeting of the West Point City Council – 7:00 pm

1. Call to Order
2. Pledge
3. Prayer
4. Communications/Disclosures Council
5. Communications Staff
6. Consideration of Approval of Resolution No. 08-04-2020A, Adopting the Property Tax Rate for the 2020 Taxable Year for West Point City – Mr. Ryan Harvey
   a. Public Hearing
   b. Adoption
7. Consideration of Approval of Ordinance No. 08-04-2020A, Adoption of the FU2021 Final Budget for West Point City and All Related Agencies
8. Motion to Adjourn Special Meeting

General Session

1. Call to Order
2. Citizen Comment

Date: 08/18/2020
Administrative Session – 6:00 pm

1. Quarterly Financial Report – Mr. Ryan Harvey

General Session – 7:00 pm

1. Swearing-In Ceremony of the 2020-2021 West Point City Youth Council Members – Mayor Erik Craythorne

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Date: 09/01/2020
Administrative Session – 6:00 pm

WEST POINT CITY 2020 CALENDAR

2020

JANUARY

SUN	MON	TUE	WED	THU	FRI	SAT
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
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26	27	28	29	30	31	

FEBRUARY

SUN	MON	TUE	WED	THU	FRI	SAT
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MARCH

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APRIL

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MAY

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31						

JUNE

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JULY

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AUGUST

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30	31					

SEPTEMBER

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27	28	29	30			

OCTOBER

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18	19	20	21	22	23	24
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NOVEMBER

SUN	MON	TUE	WED	THU	FRI	SAT
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29	30					

DECEMBER

SUN	MON	TUE	WED	THU	FRI	SAT
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27	28	29	30	31		

*UPDATED AS OF May 19, 2020

IMPORTANT DATES

JANUARY

- 1 New Year's Day - CLOSED
- 9 Planning Commission - 6 PM
- 10-11 City Council Planning & Visioning Session
- 13 Senior Lunch - 11:30 AM
- 20 MLK Jr. Day - CLOSED
- 21 City Council - 6 PM
- 23 Planning Commission - 6 PM

FEBRUARY

- 4 City Council - 6 PM
- 10 Senior Lunch - 11:30 AM
- 12 Council/Staff Lunch - 11:30 AM
- 13 Planning Commission - 6 PM
- 17 President's Day - CLOSED
- 18 City Council - 6 PM
- 27 Planning Commission - 6 PM

MARCH

- 3 City Council - 6 PM
- 3 PRESIDENTIAL PRIMARY ELECTION
- 12 Planning Commission - 6 PM
- 16 Senior Lunch - 11:30 AM
- 17 City Council - 6 PM
- 26 Planning Commission - 6 PM

APRIL

- 7 City Council - 6 PM
- 9 Planning Commission - 6 PM
- 11 EASTER EGG HUNT - 10 AM
- 13 Senior Lunch - 11:30 AM
- 21 City Council - 6 PM
- 23 Planning Commission - 6 PM

MAY

- 5 City Council - 6 PM
- 7 CEMETERY CLEANING
- 8-9 SPRING CLEAN UP
- 8-9 TAKE PRIDE IN WEST POINT
- 14 Planning Commission - 6 PM
- 18 Senior Lunch - CANCELED
- 19 City Council - 6 PM
- 25 Memorial Day - CLOSED
- 28 Planning Commission - 6 PM

JUNE

- 2 City Council - 6 PM
- 6 MISS WEST POINT ONLINE PAGEANT
- 11 Planning Commission - 6 PM
- 15 Senior Lunch - 11:30 AM
- 16 City Council - 6 PM
- 25 Planning Commission - 6 PM
- 30 GENERAL PRIMARY ELECTION

JULY

- 3-4 PARTY AT THE POINT EVENTS
- 6 Independence Holiday - CLOSED
- 7 City Council - 6 PM
- 9 Planning Commission - 6 PM
- 13 Senior Lunch - 11:30 AM
- 17 MOVIE IN THE PARK - 7PM
- 21 City Council - 6 PM
- 23 Planning Commission - 6 PM
- 24 Pioneer Day - CLOSED

AUGUST

- 4 City Council - 6 PM
- TBD Summer Party - 6:30 PM
- 13 Planning Commission - 6 PM
- 14 Senior Dinner - 5 PM
- 14 MOVIE IN THE PARK - 7PM
- 18 City Council - 6 PM
- 27 Planning Commission - 6 PM

SEPTEMBER

- 1 City Council - 6 PM
- 7 Labor Day - CLOSED
- 10 Planning Commission - 6 PM
- 11 MOVIE IN THE PARK - 7 PM
- 14 Senior Lunch - 11:30 AM
- 15 City Council - 6 PM
- 24 Planning Commission - 6 PM

OCTOBER

- 1 CEMETERY CLEANING
- 6 City Council - 6 PM
- 8 Planning Commission - 6 PM
- 12 Employee Training - CLOSED
- 14 Council/Staff Lunch - 11:30 AM
- 16 HALLOWEEN CARNIVAL - 7 PM
- 19 Senior Lunch - 11:30 AM
- 20 City Council - 6 PM
- 22 Planning Commission - 6 PM

NOVEMBER

- 3 ELECTION DAY
- 9 FLAGS ON VETERANS' GRAVES
- 11 Veterans Day - CLOSED
- 12 Planning Commission - 6 PM
- 16 Senior Lunch - 11:30 AM
- 17 City Council - 6 PM
- 26-27 Thanksgiving - CLOSED
- 30 CITY HALL LIGHTING - 6 PM

DECEMBER

- 1 City Council - 6 PM
- 4 Christmas Party - 7 PM
- 6 CHILD REMEMBRANCE - 7 PM
- 10 Planning Commission - 6 PM
- 14 Senior Lunch - 11:30 AM
- 15 City Council - 6 PM
- 16 Staff Christmas Party
- 18 CEMETERY LUMINARY - 4 PM
- 24-25 Christmas - CLOSED

City Council Staff Report

Subject: FY2021 Budget and Schedule of Fees
Author: Ryan Harvey
Department: Administrative Services
Date: June 16, 2020

WEST POINT
U T A H

BACKGROUND

Cities in the State of Utah are required to adopt a balanced budget for the upcoming fiscal year (July 1- June 30) on or before the 22nd of June, unless a Truth-in-Taxation (TNT) hearing is held. The Council adopted the Tentative Budget at the June 2nd Council Meeting. The final Budget will need to be adopted either at the June 16th Council Meeting, or, if the Council decides to hold a Truth-in-Taxation Hearing, then the final Budget will be adopted in August. The Council will also need to adopt the FY2021 Schedule of Fees and the FY2021 CDRA Final Budget at the June 16th Council Meeting.

ANALYSIS

CDRA Fund

This year the City received $157,890 from tax increment revenues, which is $8,000 more than last year's revenues. The CDRA continues to have a debt obligation of $140,000 per year. For FY2021, the only difference in the CDRA budget is that the interest expense will be $4,000 less, and the debt expense will be $4,000 more.

Fee Schedule

There are a couple of changes to the fee schedule from last year. The first is the increase in the charge for the first black can fee from $11.50 to $11.80, pending the Council's approval of the updated contract with Econo Waste, Inc. The second change is adding the charges to the field use at the City Parks. This is something that was previously approved by the Council, but not added to the fee schedule. They are as follows:

FIELD RENTALS	
Field Rental	$20 per hour
Field Preparation	$50 per day
Field Rental – Non-Profit	$10 per hour
Field Preparation – Non-Profit	$25 per day
Deposit (League, Tournament, etc.)	$50 per event
Unauthorized Field Use Fine	$100

Property Tax Rate

As talked about last meeting, due to the COVID-19 situation and its impact on City revenues, and in accordance with the revenue and taxation policy, Staff suggests the Council consider TNT, if for no other reason than to allow us to have a better idea where the budget sits in August. Staff needs direction from the Council and a motion is required if we are to pursue TNT this year. The certified tax rate for 2020 is .000877. That is down from the rate that the Council adopted last year of .000917. The Council needs to decide what rate to declare for the TNT, and it cannot adopt anything above that rate.

Proposed Rate	**Projected Revenue**	**Amount over Certified Rate**
0.000917 – 2019 Rate	$548,672	$23,934
0.000910	$544,484	$19,746
0.000900	$538,500	$13,762
0.000890	$532,517	$7,779
0.000880	$526,533	$1,795
0.000878	$525,337	$599
0.000877 – 2020 Certified Rate	$524,738	$0

Below is a chart showing the Certified and Adopted Rates since 2006, the year that North Davis Fire District was formed. The Highlighted numbers are the years the Council adopted a rate above the certified rate:

Year	**Certified Rate**	**Adopted Rate**	**Revenue**
2020	0.000877	TBD	TBD
2019	0.000859	0.000917	509,283
2018	0.000881	0.000917	459,924
2017	0.000902	0.000945	434,260
2016	0.000984	0.000984	400,443
2015	0.001005	0.001036	376,649
2014	0.000996	0.001036	356,700
2013	0.001041	0.001111	337,970
2012	0.001111	0.001111	313,495
2011	0.001008	0.001008	308,326
2010	0.000910	0.000936	302,867
2009	0.000876	0.000876	281,926
2008	0.000773	0.000895	281,925
2007	0.000834	0.000834	228,710
2006	0.000909	0.000909	199,212

FY2021 Budget Review

At the May 5th meeting we discussed the changes to the Budget related to the General Fund. At the May 19th meeting we discussed changes to the Budget related to Capital Projects. The following is the amount of those changes:

- 2% Increase ($22,539)
- Benefits Increase ($13,047)
- Public Works Inspector ($91,164)
- Public Works Position ($71,813)
- City Planner Position ($97,213)
- Youth Court ($3,000)
- Public Safety ($25,000)
- Recreation ($2,000)
- Transfers (-$594,879)
- New Capital Projects ($869,630)
- Water Purchase ($18,455)

RECOMMENDATION

Staff would like Council to discuss and provide direction on the rate for the Truth-in-Taxation Hearing

SIGNIFICANT IMPACTS

Financial impacts as outlined in the FY2021 Budget

ATTACHMENTS

FY2020 Fee Schedule
Proposed Budget FY2021
Resolution – Fee Schedule
Resolution - FY2021 CDRA Budget

West Point City Fee Schedule
Fiscal Year 2021

Effective July 1, 2020

DESCRIPTION	Amount
ADMINISTRATIVE and BUSINESS LICENSE FEES	
Election Filing Fee	$25
Returned Check Fee	$45
Beer licenses (Class A)	$250
Beer licenses (Class B)	$300
Beer licenses (Class C)	$350
Business Regulatory Fee	$35
Nurseries	$85
Agriculture Equipment and Repair	$85
Veterinary Services	$85
Agriculture Supplies and Support	$85
Landscaping Services and Supplies	$85
Sporting Equipment and Supplies	$85
Firearms	$85
Construction Services and Supplies	$85
Manufacturing Equipment and Supplies	$85
Industrial	$85
Industrial and Manufacturing Support	$85
Trucking	$85
Public Transportation	$85
Telecommunication Services	$85
Telephone	$85
Power/Natural Gas	$85
Auto Wash and Detail	$85

Towing	$85
Electrical	$85
Plumbing	$85
Parking Services and Facilities	$85
Storage/Warehouse	$85
Wholesale Processing and Support	$85
Shipping and Goods Transportation	$85
Restaurant	$85
Restaurant with Alcohol	$85
Private Club or Bar	$85
Fast Food or Cafe	$85
Commercial Shopping Center/Retail Store	$50 per 1,000 sq. ft.
Office/Institutional	$45 per 1,000 sq. ft.
Business Park	$35 per 1,000 sq. ft.
Light Industrial	$35 per 1,000 sq. ft.
Manufacturing	$35 per 1,000 sq. ft.
Grocery	$85
Gas Station	$85
Pawn Broker	$85
Auto Sales	$85
Auto Repair and Service	$85
Subscriptions/Coupons/Tickets	$85
Auctions	$85
Insurance Sales	$85
Broker	$85
Real Estate	$85
Financial Planning	$85
Business Support Services	$85
Bank/Credit Union	$85
Salons/Barber/Beauty	$85

Funeral	$85
Medical/Dental/Therapy	$85
Fitness	$85
Entertainment and Amusement	$85
Legal Services	$85
Dry Cleaning and Clothing Repair	$85
Upholstery	$85
Copy and Supplies	$85
Apartment/Multi-family/Trailer Park	$85
Bed and Breakfast	$85
Hotel	$85
Motel	$85
Extended Stay	$85
Bowling	$85
Hospital/Care Center	$85
Daycare/Preschool	$85
Sexually Oriented Business	$85
Sexually Oriented Business applications and businesses - nonrefundable initial application and investigation fee (all applications)	$100
Home Occupation - all	$50
Contractors	$50
Duplicate License	$15
Business License late fee	$25
Christmas tree sales license (not prorated)	$30 w/ $70 deposit
Fireworks stands (not prorated)	$85
Home occupation license late fee (after February 1st)	$25
Solicitor's License	$50
<u>Disproportionate Fees</u>:	
Gas Station	$250/Year

Grocery w/ Beer	$350/Year
Bar/Private Club	$300/year
Bowling with Alcohol	$500/Year
Pawn Shop	$900/Year
Arcade	$350/Year
Entertainment/Theater	$200/Year
Restaurant with Alcohol	$200/Year
Hotel/Motel/Extended Stay/Inn/Bed & Breakfast	$400/Year
Apartments	$15/Unit/Year
Temporary Permits	$250/Year
Sexually Oriented Business	$250/Year
Warehouse	$250/Year
COPIES & PUBLICATIONS	
Photocopies	$.10 each copy
Fax	$.10 per page
Budget	$20
Audit (CAFR)	$10
Administrative Code	$10
General Plan	$10
Special reports or compilations (GRAMA) (Produced with managerial discretion)	$25 per hour + copy or reproduction charges
BUILDING RENTAL	
Council Chamber Rental	$25/hr. (2 hour min.)
Multi-purpose Area Rental	$25/hr. (2 hour min.)
City Hall - Security Deposit	$100
PLANNING AND ZONING FEES	
Board of Adjustment Hearing	$200
Conditional Use Permit - Staff approved	$50
Conditional Use Permit - Planning Commission	$75 $150 if notices must be sent out
Permanent Sign Permit	$75

Temporary Sign Permit	$10/sign
Recording	$50 to City and applicable fees to Davis County Recorder
Rezone application	$250
Annexation application	$300
Subdivision Plat Amendment	$300
Agricultural Protection Zone application	$450 ($100 refunded if protection zone is not approved)
Telecommunications Right of Way Application	$500
SITE DEVELOPMENT REVIEW	
Construction guarantee bond (commercial)	$30 per linear ft. (curb, gutter, sidewalk)
Construction inspection fee for all utilities	$150 per lot
Final plat fee	$600/plat, plus $50 per lot
Preliminary plat fee	$300/plat, plus $25 per lot
Single Lot Plat (preliminary & final)	$300
Final Site Plan Review Fee (Commercial)	$600/site plan
CODE VIOLATION FEES	
Code Violations	See West Point City Code
CEMETERY	
Resident	
Adult Burial Plot	$450
Adult Interment Fee	$300
Perpetual care - Adult	$100 if lot purchased before 9/1990
Child Burial Plot (full size plot)	$450
Child Interment Fee	$300
Perpetual care - Child	$100 if lot purchased before 9/1990
Infant/Urn – Burial Plot (½ plot)	$225
Infant/Urn – Internment Fee	$200
Perpetual care – Infant (½ plot)	$50 if lot purchased before 9/1990
Disinterment	$300

Transfer lot fee	$15
After Business Hours Fee	$100
<u>Non-Resident</u>	
Adult Burial Plot	$600
Adult Interment Fee	$700
Perpetual care - Adult	$300 if lot purchased before 9/1990
Child Burial Plot (full size plot)	$600
Child Interment Fee	$700
Perpetual care - Child	$250 if lot purchased before 9/1990
Infant/Urn – Burial Plot (½ plot)	$300
Infant/Urn – Internment Fee	$400
Perpetual care – Infant (½ plot)	$250 before 9/1990
Disinterment	$400
Transfer lot fee	$15
After Business Hours Fee	$100
MUSKRAT SPRINGS CAMPGROUND	
Davis County Scout Troops, Youth Groups, & residents	$25
Non- Davis County Scout Troops, Youth Groups, & residents	$50
Refundable Security Deposit	$50
PARKS	
Large pavilion (Per time period: 8AM-4PM or 4PM-10PM	$15 (residents) $25 (non-residents)
Small pavilions (Per time period: 8AM-4PM or 4PM-10PM	$10 (residents) $20 (non-residents)
Volleyball rental	$5 rental fee $15 ball deposit, if applicable (deposit refundable if returned by next business day)
Horseshoes	$5 rental fee $35 horseshoe set deposit, if applicable (deposit refundable if returned by next business day)

RECREATION **Program Registration Fees:** (Students at West Point Schools are charged the resident rate.)	
Coed T-Ball	$40 resident $50 non-resident
Coed Machine Pitch 1st – 2nd Grade	$40 resident $50 non-resident
Boys Baseball 3rd – 4th Grade	$50 resident $60 non-resident
Boys Baseball 5th – 6th Grade	$50 resident $60 non-resident
Boys Baseball Jr. High	$50 resident $60 non-resident
Girls Elementary Softball	$50 resident $60 non-resident
Girls Junior High Softball	$50 resident $60 non-resident
Basketball - 6th Grade and younger	$50 resident $60 non-resident
Basketball - 7th Grade and older	$60 resident $70 non-resident
Football	$130 $150 Equipment Charge for unreturned equipment.
Soccer (Spring)	$40 resident $50 non-resident
Soccer (Fall)	$40 resident $50 non-resident
Volleyball	$40
Football Camp	$20
Basketball Camp	$20
Recreation Late Fee	$10
FIELD RENTALS	
Field Rental	$20 per hour
Field Preparation	$50 per day
Field Rental – Non-Profit	$10 per hour
Field Preparation – Non-Profit	$25 per day
Deposit (League, Tournament, etc.)	$50 per event
Unauthorized Field Use Fine	$100

DEVELOPMENT IMPACT FEES (Residential)	
West Point City Impact Fees:	
Park, Trails, and Recreation Impact Fee (Single Family)	$2380.86
Park, Trails, and Recreation Impact Fee (Multi- Family)	$1780
Road Impact Fee (Single Family)	$1,529
Road Impact Fee (Multi-Family)	$1,063
Storm Drain Impact Fee	$4,204 per acre
Sewer Impact Fee	$827/ERU
Water Impact Fee	$1,112/ERU
Non-City Impact Fees:	
North Davis Sewer Impact Fee (Residential)	$3,256
North Davis Fire District Impact Fee (Single Family)	$138.68
North Davis Fire District Impact Fee (Multi-Family)	$287.80
DEVELOPMENT IMPACT FEES (Commercial)	
West Point City Impact Fees:	
Road Impact Fees (General Commercial)	$4,529per 1,000 sq. ft of building space
Road Impact Fees (Professional Office)	$1,759 per 1,000 sq. ft of building space
Road Impact Fees (Manufacturing/Industrial)	$1,114 per 1,000 sq. ft of building space
Water Impact Fees	$1,112/ERU
Storm Water Impact Fees	$4,204 per acre
Sewer Impact Fees	$827/ERU
Non-City Impact Fees:	
North Davis Fire District Impact Fee (Commercial)	Determined by North Davis Fire District
North Davis Sewer Impact Fee (Commercial)	Determined by North Davis Sewer District
SAFETY / INSPECTION FEES	
Building Permit Fee	Based on building valuation and square footage
Residential plan review and inspection fee	25% of permit fee

Re-inspection fee	$50
One-time inspection fee	$25
Commercial plan review and inspection fee	60% of building permit fees
Demolition Permit	$150
Small Asphalt Excavation Permit (less than 360 sq. ft.)	$3 per sq. ft. excavated and $500 bond. Bond returned after asphalt is replaced and inspected.
Large Asphalt Excavation Permit (greater than 360 sq. ft.)	$0.55 per sq. ft. and $4.20 per sq. ft. bond. Upon positive inspection, bond returned 1 yr. after permit holder replaces asphalt.
New Street Excavation Permit (less than 2 years since last treatment) – in addition to other fees and applies only to large excavation permits	$0.22 per sq. ft.
Curb, Gutter, or Sidewalk Excavation Permit	$20.00 per ft. bond. Bond returned after concrete is replaced and inspected.
CONNECTION FEES	
Water Connection Fees:	
Meter installation/water connection (residential)	$350 - 3/4 inch $450 - 1 inch
Meter installation/water connection (commercial)	$450 - 1 inch $500 - 1.5 inch $700 - 2 inches Cost+$100 (2+inches)
Secondary water hook-up fee (3/4 inch)	Paid to D&W Canal Company
Secondary water hook-up fee (1 inch)	Paid to D&W Canal Company
City stock of culinary water	$3,800/acre foot.
Fire Hydrant Connection Fees:	
Fire Hydrant Meter Set-up Fee	$50 + water usage fee
Short Term Meter Rental (3 days or less)	$10 + water usage fee
Long Term Meter Rental (4 days or more)	$40 per month + water usage fee

Water Usage Fee	$1.60 per 1,000 gallons greater than 10,000 gal.
Sewer Connection Fees:	
North Davis Sewer subdivision connection review fee	$250
North Davis Sewer subdivision construction inspection fee	$375
North Davis Sewer service connection review fee	$125
North Davis Sewer service connection construction inspection fee	$240
UTILITIES	
Garbage Can – New & Replacement (new can fee is charged with Building Permit)	$85
Garbage can (monthly - 1st can) Garbage (monthly – additional can)	$11.80~~$11.50~~ ~~-~~$10.00
Green Waste can (monthly) Green Waste (monthly – additional can)	$6.00 $6.00
Green Waste Can – New & Replacement (new can fee is charged with Building Permit)	$85
Green Waste Service Cancellation Fee	$12.00
General Curbside Recycling Replacement can	$85
General Curbside Recycling can (monthly) General Recycling (monthly-additional can)	$4.75 $4.75
Secondary water (monthly 3/4 inch) Up to one-third acre	$21.58
Secondary water (monthly 3/4 inch) Greater than one-third acre	$23.58
Secondary water (monthly 1 inch) Greater than one-half acre	$27.50
Secondary water (monthly 1 inch) Greater than three-quarters acre	$30.05
Secondary Water (monthly) Greater than one acre	Determined by D&W Counties Canal Co.
Sewer (residential monthly)	$28.20
Sewer (commercial monthly base)	$28.20
10,000 gallons +	$2.25/1,000 gallons
Sewer (multi-family)	$28.20 per unit
Water (monthly base: 6,000 gallons)	$23.75
6,001 – 10,000 gallons	$1.40/1,000 gallons
10,000 gallons +	$1.65/1,000 gallons

Storm System Maintenance and Construction Fee (Monthly Residential)	$4.00
Storm System Maintenance and Construction Fee (Commercial)	Determined by residential equivalent (2,500 sq. ft.) of impervious area.
Utility deposit	$60 utility deposit, refundable upon moving.
Meter tampering penalty	$50 first occurrence, $100 per occurrence thereafter
Utility Billing Shut-off Fee	$25first occurrence, $45 per occurrence within 12 months of previous occurrence
Utility Billing Late Fee	$15

RESOLUTION NO. 06-16-2020A

A RESOLUTION ADOPTING A SCHEDULE OF FEES FOR WEST POINT CITY FISCAL YEAR 2021

WHEREAS, the City provides various services to the public which benefit those consuming said services; and

WHEREAS, the City seeks to support the provision of these services in part or in full by levying or establishing certain fees associated with the provision of said services; and

WHEREAS, the City Manager has prepared a schedule of fees for Fiscal Year 2021 which suggest various amendments to the current fee schedule; and

WHEREAS, these proposed fees are delineated and attached hereto;

NOW, THEREFORE, BE IT RESOLVED, FOUND AND ORDERED AS FOLLOWS:

SECTION ONE: FEE SCHEDULE ADOPTED

The Fee Schedule for West Point City for Fiscal Year 2021 as attached hereto, stands adopted and becomes effective July 1, 2020 or as otherwise stated in the Fee Schedule.

PASSED AND ADOPTED this 16th day of June, 2020.

WEST POINT CITY,
A Municipal Corporation

By:_________________________________
Erik Craythorne, Mayor

ATTEST:

____
Casey Arnold, City Recorder

RESOLUTION NO. R06-16-2020A

A RESOLUTION ADOPTING A BUDGET FOR THE COMMUNITY DEVELOPMENT AND RENEWAL AGENCY OF WEST POINT CITY FOR FISCAL YEAR 2021

WHEREAS, the Community Development and Renewal Agency of West Point City was created to transact the business of a redevelopment agency and to exercise all of the powers provided for in the Limited Purpose Local Government Entities Act – Community Development and Renewal Agencies Act, § 17C-1-101 et. seq., Utah Code Annotated (1953, as amended) and any successor law or act; and,

WHEREAS, Utah Code § 17C-1-601 prescribes the form and methodology set forth by the Legislature and the State Auditor's Office relative to CDRA budgets; and,

WHEREAS, the Executive Director of the Agency has prepared and presented to the Board an annual budget for Fiscal Year 2021; and,

WHEREAS, a public hearing was held and notification served according to law pertaining to the CDRA 2021 annual budget;

NOW, THEREFORE, BE IT RESOLVED, FOUND AND ORDERED, by the CDRA Board of West Point City that the hereto attached CDRA Budget is hereby adopted for Fiscal Year 2021.

IT IS FURTHER ORDERED, that a copy of the Budget be made available to the public for review and inspection at West Point City Hall during regular business hours.

PASSED AND ADOPTED this 16th day of June, 2020.

WEST POINT CITY,
A Municipal Corporation

By:____________________________________
Erik Craythorne, CDRA Chair

ATTEST:

____
Kyle Laws, Executive Director

____
Casey Arnold, Secretary

Account Number	Account Title	2018 Actual	2019 Actual	2020 Original Budget	2020 Amended Budget	2021 Tentative Budget
GENERAL FUND						
TAXES						
10-31-10	Property Taxes	459,634.03	495,866.69	509,283.00	509,283.00	509,283.00
10-31-25	Vehicle - In lieu of prop. tax	37,440.70	36,583.04	35,000.00	35,000.00	35,000.00
10-31-30	General Sales and Use Taxes	1,407,589.25	1,467,655.77	1,400,000.00	1,400,000.00	1,300,000.00
10-31-40	Cable TV	56,971.87	52,314.28	30,000.00	30,000.00	30,000.00
10-31-50	Energy Sales and Use	385,973.57	352,054.17	365,000.00	365,000.00	365,000.00
10-31-60	Telecommunications	82,098.38	52,351.97	60,000.00	60,000.00	60,000.00
	Total TAXES:	2,429,707.80	2,456,825.92	2,399,283.00	2,399,283.00	2,299,283.00
LICENSES AND PERMITS						
10-32-10	Bus. License/Cond. Use Permits	8,302.81	2,801.50	4,000.00	4,000.00	2,000.00
10-32-21	Building Permits	244,005.76	187,027.83	310,000.00	310,000.00	200,000.00
	Total LICENSES AND PERMITS:	252,308.57	189,829.33	314,000.00	314,000.00	202,000.00
INTERGOVERNMENTAL REVENUE						
10-33-56	Class C Roads	390,211.84	417,261.81	375,000.00	375,000.00	200,000.00
	Total INTERGOVERNMENTAL REVENUE:	390,211.84	417,261.81	375,000.00	375,000.00	200,000.00
CHARGES FOR SERVICES						
10-34-10	Zoning and Subdivision Fees	7,858.00	25,775.00	8,000.00	8,000.00	8,000.00
10-34-60	Recreation Fees	93,227.00	95,184.00	90,000.00	90,000.00	90,000.00
10-34-78	Park & City Hall Reservations	8,745.00	7,645.00	7,000.00	7,000.00	7,000.00
10-34-79	City Celeb. & Sponsorships	9,564.11	10,684.00	9,000.00	9,000.00	9,000.00
10-34-82	Cemetery Interment	17,950.00	22,700.00	17,000.00	17,000.00	15,000.00
10-34-90	Misc. Income & Concessions	2,206.16	216,051.18	2,000.00	2,000.00	2,000.00
	Total CHARGES FOR SERVICES:	139,550.27	378,039.18	133,000.00	133,000.00	131,000.00
MISCELLANEOUS REVENUE						
10-36-10	Interest Earnings	20,098.76	42,527.22	20,000.00	20,000.00	5,000.00
10-36-20	Donations	2,790.00	6,490.00	2,000.00	2,000.00	2,000.00
10-36-25	Military Memorial Donations	115.00	.00	.00	.00	.00
10-36-90	Miscellaneous	5,257.30	20,081.04	1,000.00	1,000.00	1,000.00
	Total MISCELLANEOUS REVENUE:	28,261.06	69,098.26	23,000.00	23,000.00	8,000.00
CONTRIBUTIONS & TRANSFERS						
10-39-10	Beginning Balance	.00	.00	800,000.00	800,000.00	800,000.00
	Total CONTRIBUTIONS & TRANSFERS:	.00	.00	800,000.00	800,000.00	800,000.00
GENERAL GOVERNMENT						
10-41-10	Mayor and Council Wages	39,558.69	39,813.53	39,600.00	39,600.00	46,200.00
10-41-13	Employee Benefits	5,522.12	5,391.62	6,423.00	6,423.00	7,186.00
10-41-33	Training and Education	9,882.77	9,198.82	9,000.00	9,000.00	9,000.00
10-41-35	Community Service Contracts	500.00	776.63	3,000.00	3,000.00	3,000.00
	Total GENERAL GOVERNMENT:	55,463.58	55,180.60	58,023.00	58,023.00	65,386.00
ADMINISTRATIVE SERVICES						
10-44-11	Salaries and Wages	94,877.70	95,596.45	109,374.00	109,374.00	111,562.00

Account Number	Account Title	2018 Actual	2019 Actual	2020 Original Budget	2020 Amended Budget	2021 Tentative Budget
10-44-13	Employee Benefits	37,504.66	39,902.14	47,830.00	47,830.00	48,638.00
10-44-20	Mileage Reimbursement	965.35	467.21	800.00	800.00	800.00
10-44-21	Books, Subscrip. & Memberships	891.12	906.71	1,000.00	1,000.00	1,000.00
10-44-24	Postage	3,249.51	3,234.33	5,000.00	5,000.00	5,000.00
10-44-25	Equipment & Supplies	734.91	465.55	1,000.00	1,000.00	1,000.00
10-44-26	Equipment Lease & Maintenance	9,216.57	8,527.74	16,500.00	16,500.00	16,500.00
10-44-33	Training & Education	4,102.50	3,332.44	4,000.00	4,000.00	4,000.00
10-44-38	Auditor & Accounting Support	14,539.25	13,090.00	16,500.00	16,500.00	16,500.00
10-44-63	IT Support & Contracts	3,453.76	6,144.74	7,100.00	7,100.00	7,100.00
10-44-65	Emergency Management	1,920.00	.00	2,000.00	2,000.00	2,000.00
10-44-69	Office Supplies & Expense	1,983.01	4,461.66	4,000.00	4,000.00	4,000.00
10-44-75	Risk Management	40,953.76	20,358.18	40,000.00	40,000.00	40,000.00
10-44-95	Credit Card Processing Fees	1,044.36	1,121.24	1,000.00	1,000.00	1,000.00
10-44-98	Bank Service Charges	661.05	779.20	1,000.00	1,000.00	1,000.00
	Total ADMINISTRATIVE SERVICES:	216,097.51	198,387.59	257,104.00	257,104.00	260,100.00
PUBLIC WORKS						
10-48-11	Salaries and Wages	99,117.12	111,372.95	140,154.00	140,154.00	158,708.00
10-48-13	Employee Benefits & Retirement	55,443.66	65,740.66	97,544.00	97,544.00	108,687.00
10-48-15	On call pay	5,411.19	5,804.44	5,950.00	5,950.00	5,950.00
10-48-20	Overtime	12,616.13	21,610.42	14,000.00	14,000.00	14,000.00
10-48-23	Travel and Education	.00	103.85	360.00	360.00	360.00
10-48-25	Equipment, Supplies & Maint.	8,996.74	7,222.96	9,000.00	9,000.00	9,000.00
10-48-26	Municipal Bldgs. Oper. & Maint	17,130.93	15,502.13	24,260.00	24,260.00	24,260.00
10-48-54	Prot. Clothing & Equipment	1,359.96	1,975.04	3,000.00	3,000.00	3,000.00
10-48-65	Fleet Operations & Maintenance	8,651.48	6,060.52	4,250.00	4,250.00	4,250.00
10-48-67	Fleet Fuel	7,707.16	9,032.74	12,865.00	12,865.00	12,865.00
10-48-69	Office Supplies & Expense	288.86	555.59	1,300.00	1,300.00	1,300.00
10-48-70	Fleet Leases	.00	.00	10,000.00	10,000.00	10,000.00
10-48-75	Crosswalk Power	543.22	543.47	900.00	900.00	900.00
10-48-77	Public Facilities Heating	5,260.74	4,475.40	5,000.00	5,000.00	5,000.00
10-48-82	Public Facilities Power	17,737.39	20,443.32	14,000.00	14,000.00	14,000.00
10-48-84	Street Lighting Pwr & Mnt.	48,480.48	44,109.91	52,000.00	52,000.00	52,000.00
	Total PUBLIC WORKS:	288,745.06	314,553.40	394,583.00	394,583.00	424,280.00
EXECUTIVE						
10-49-11	Salaries and Wages	139,670.17	161,421.93	179,688.00	179,688.00	183,282.00
10-49-13	Employee Benefits	66,044.98	76,213.46	108,299.00	108,299.00	109,999.00
10-49-20	Mileage Reimbursements	.00	702.59	750.00	750.00	750.00
10-49-21	Books, Subscrip. & Memberships	1,141.90	3,334.01	3,000.00	3,000.00	3,000.00
10-49-23	Travel and Education	5,578.25	7,707.10	6,000.00	6,000.00	6,000.00
10-49-24	Postage	.00	.00	320.00	320.00	320.00
10-49-25	New Equipment Purchase	15,016.23	13,825.92	17,000.00	17,000.00	17,000.00
10-49-37	Attorney	32,461.00	52,490.88	33,000.00	33,000.00	33,000.00
10-49-62	Miscellaneous	3,908.28	3,676.65	12,000.00	12,000.00	12,000.00
10-49-63	IT Support & Contracts	21,287.98	20,260.55	36,000.00	36,000.00	36,000.00
10-49-65	Emp. Awards, Rec. & Events	12,141.19	11,824.37	13,000.00	13,000.00	13,000.00
10-49-66	Education Reimb. Program	.00	2,000.00	6,000.00	6,000.00	6,000.00
10-49-67	Emp. Benefits & Bonus Program	.00	.00	13,000.00	13,000.00	13,000.00
10-49-68	Wellness Program	3,643.39	871.26	2,000.00	2,000.00	2,000.00
10-49-69	Office Supplies & Expense	3,124.68	3,935.49	5,000.00	5,000.00	5,000.00
10-49-70	Cellular & Radio Serv. & Equip	9,595.09	9,325.80	12,000.00	12,000.00	12,000.00
10-49-72	Legal Advertising	4,130.00	4,331.75	9,000.00	9,000.00	9,000.00
10-49-80	Utah League Membership	4,715.14	5,112.94	5,500.00	5,500.00	5,500.00

Account Number	Account Title	2018 Actual	2019 Actual	2020 Original Budget	2020 Amended Budget	2021 Tentative Budget
10-49-82	City Newsletter	4,305.60	4,305.60	4,500.00	4,500.00	4,500.00
10-49-83	Economic Development	.00	.00	5,000.00	5,000.00	5,000.00
10-49-85	Volunteerism Program	12.50	.00	2,000.00	2,000.00	2,000.00
10-49-88	Recorders Office	5,527.22	6,433.78	8,000.00	8,000.00	8,000.00
10-49-89	Elections	7,942.11	.00	20,000.00	20,000.00	20,000.00
10-49-90	City Celebrations & Events	66,339.41	75,543.28	73,500.00	73,500.00	73,500.00
10-49-91	Youth Council	5,891.39	4,063.44	8,000.00	8,000.00	8,000.00
10-49-92	Miss West Point Pageant	11,318.82	21,257.14	18,900.00	18,900.00	18,900.00
10-49-93	Senior Program	2,316.89	1,716.17	2,500.00	2,500.00	2,500.00
10-49-94	Community Garden	.00	.00	300.00	300.00	300.00
10-49-96	Youth Court	.00	.00	.00	.00	3,000.00
	Total EXECUTIVE:	426,112.22	490,354.11	604,257.00	604,257.00	612,551.00
COMMUNITY DEVELOPMENT						
10-52-11	Salaries and Wages	164,099.88	173,739.51	182,693.00	182,693.00	251,889.00
10-52-13	Employee Benefits & Retirement	69,197.23	71,824.70	93,701.00	93,701.00	132,895.00
10-52-21	Books, Subscrip. & Memberships	135.00	433.00	750.00	750.00	750.00
10-52-23	Travel, Education & Certificat	5,549.44	3,578.11	4,000.00	4,000.00	4,000.00
10-52-25	Equipment & Supplies	2,703.39	5,178.24	6,500.00	6,500.00	6,500.00
10-52-51	GIS	1,402.00	1,850.00	4,000.00	4,000.00	4,000.00
10-52-61	Miscellaneous Supplies	35.03	.00	500.00	500.00	500.00
10-52-62	Contract Planning & Insp Serv	3,800.95	1,575.00	34,000.00	34,000.00	34,000.00
10-52-63	IT Support & Contracts	283.25	.00	10,400.00	10,400.00	10,400.00
10-52-65	State Building Surcharge	1,686.99	1,562.81	1,000.00	1,000.00	1,000.00
10-52-68	Planning Comm/Board of Adj.	1,634.38	1,025.00	3,000.00	3,000.00	3,000.00
10-52-69	Office Supplies & Expense	202.58	394.88	500.00	500.00	500.00
10-52-85	Code Enforcement	632.00	.00	4,000.00	4,000.00	4,000.00
	Total COMMUNITY DEVELOPMENT:	251,362.12	261,161.25	345,044.00	345,044.00	453,434.00
PUBLIC SAFETY & EMERGENCY PLAN						
10-54-11	Crossing Guards	30,543.92	31,865.60	45,882.00	45,882.00	47,240.00
10-54-13	Employee Benefits & Retirement	3,370.57	3,192.65	4,549.00	4,549.00	4,680.00
10-54-15	Crossing Guard Supplies/Equip.	719.17	775.83	1,000.00	1,000.00	1,000.00
10-54-60	Animal Control	36,969.40	36,311.00	43,000.00	43,000.00	55,000.00
10-54-62	Police Services	115,903.56	134,882.83	262,000.00	262,000.00	275,000.00
10-54-65	Narcotics Strike Force	8,743.68	8,743.68	8,800.00	8,800.00	8,800.00
10-54-75	Hometown Security (EPRT)	.00	.00	4,000.00	4,000.00	4,000.00
	Total PUBLIC SAFETY & EMERGENCY PLAN:	196,250.30	215,771.59	369,231.00	369,231.00	395,720.00
PARKS AND CEMETERY						
10-70-11	Salaries and Wages	64,746.67	52,690.87	103,766.00	103,766.00	104,008.00
10-70-13	Employee Benefits & Retirement	9,470.44	5,079.16	10,281.00	10,281.00	10,305.00
10-70-20	Uniforms	.00	.00	600.00	600.00	600.00
10-70-25	Equipment & Supplies	10,813.71	13,266.45	14,000.00	14,000.00	14,000.00
10-70-26	Building and Grounds	35,110.40	85,314.23	68,600.00	68,600.00	68,600.00
10-70-29	Park & Cemetery Lights	4,658.72	4,498.95	3,400.00	3,400.00	3,400.00
10-70-61	Misc. Services and Supplies	71.96	1,355.49	1,200.00	1,200.00	1,200.00
10-70-69	Office Supplies & Expense	.00	.00	500.00	500.00	500.00
10-70-70	Gateways & Public Properties	350.00	1,950.00	4,000.00	4,000.00	4,000.00
	Total PARKS AND CEMETERY:	125,221.90	164,155.15	206,347.00	206,347.00	206,613.00

Account Number	Account Title	2018 Actual	2019 Actual	2020 Original Budget	2020 Amended Budget	2021 Tentative Budget
RECREATION						
10-71-11	Salaries and Wages	128,325.27	129,930.37	143,794.00	143,794.00	147,871.00
10-71-13	Employee Benefits & Retirement	55,677.80	56,421.21	76,168.00	76,168.00	77,475.00
10-71-20	Recreation Program Marketing	.00	1,071.60	1,000.00	1,000.00	1,000.00
10-71-23	Travel & Education	.00	103.85	400.00	400.00	2,400.00
10-71-26	Building and Grounds	1,294.76	2,059.52	2,300.00	2,300.00	2,300.00
10-71-30	Background Checks	919.40	616.85	2,000.00	2,000.00	2,000.00
10-71-60	Soccer	15,020.26	16,617.24	12,000.00	12,000.00	12,000.00
10-71-67	Junior Jazz	21,240.97	22,034.30	18,000.00	18,000.00	18,000.00
10-71-68	Football	26,755.43	25,866.67	34,500.00	34,500.00	34,500.00
10-71-69	Office Supplies & Expense	333.44	769.86	250.00	250.00	250.00
10-71-71	Baseball/Softball	27,420.20	11,101.09	20,500.00	20,500.00	20,500.00
10-71-73	Volleyball	730.50	1,472.31	3,000.00	3,000.00	3,000.00
10-71-74	Tennis	.00	.00	5,000.00	5,000.00	5,000.00
	Total RECREATION:	277,718.03	268,064.87	318,912.00	318,912.00	326,296.00
TRANSFERS, CONT. & OTHER USES						
10-90-63	Class C Trans. to Special Rev.	415,913.14	400,562.23	375,000.00	375,000.00	200,000.00
10-90-70	Trans. Debt. Serv. City Hall	107,153.37	107,000.00	107,000.00	107,000.00	107,000.00
10-90-86	TRANSFER TO CAP. PROJ. FUND	615,000.00	956,911.00	1,008,782.00	1,008,782.00	588,903.00
10-90-95	Transfer Out to CDRA	140,000.00	.00	.00	.00	.00
	Total TRANSFERS, CONT. & OTHER USES:	1,278,066.51	1,464,473.23	1,490,782.00	1,490,782.00	895,903.00
	GENERAL FUND Revenue Total:	3,240,039.54	3,511,054.50	4,044,283.00	4,044,283.00	3,640,283.00
	GENERAL FUND Expenditure Total:	3,115,037.23	3,432,101.79	4,044,283.00	4,044,283.00	3,640,283.00
	Net Total GENERAL FUND:	125,002.31	78,952.71	.00	.00	.00

Account Number	Account Title	2018 Actual	2019 Actual	2020 Original Budget	2020 Amended Budget	2021 Tentative Budget
SPECIAL REVENUE FUND						
DEVELOPMENT FEES						
45-30-57	Road Impact Fees	168,914.00	96,516.00	114,675.00	114,675.00	114,675.00
45-30-70	Park and Trails Impact Fees	175,334.82	152,298.48	178,565.00	178,565.00	178,565.00
45-30-75	North Davis Sewer Impact Fees	305,216.00	246,908.00	244,200.00	244,200.00	244,200.00
45-30-80	N.D. Fire Impact Fees	28,276.00	9,376.24	10,401.00	10,401.00	10,401.00
45-30-99	Beginning Balance	.00	.00	195,190.00	195,190.00	132,940.00
	Total DEVELOPMENT FEES:	677,740.82	505,098.72	743,031.00	743,031.00	680,781.00
OTHER FINANCING SOURCES						
45-33-46	Grants (Road Projects)	.00	39,236.63	1,912,500.00	1,912,500.00	1,912,500.00
45-33-90	Transfer from Other Funds	415,913.14	400,562.23	375,000.00	375,000.00	200,000.00
45-33-93	Local Option Roads	105,652.04	100,719.17	100,000.00	100,000.00	100,000.00
	Total OTHER FINANCING SOURCES:	521,565.18	540,518.03	2,387,500.00	2,387,500.00	2,212,500.00
Source: 36						
45-36-10	Interest Income	32,434.54	57,587.97	.00	.00	.00
	Total Source: 36:	32,434.54	57,587.97	.00	.00	.00
SPECIAL FUND PROJECTS						
45-51-15	Parks/Trails Impact Fee Proj.	135,271.64	.00	1,648.00	1,648.00	1,648.00
45-51-71	Roads/Ped. Walkways Impact Fee	.00	.00	40,000.00	40,000.00	40,000.00
45-51-80	N.D. Sewer Impact Fees	305,163.00	249,220.00	244,200.00	244,200.00	244,200.00
45-51-85	N.D. Fire Impact Fees	25,297.36	8,889.78	10,401.00	10,401.00	10,401.00
45-51-93	Local Option Roads	.00	.00	384,372.00	384,372.00	392,396.00
45-51-95	Class C Road Expenditures	508,785.01	508,059.85	484,624.00	484,624.00	519,155.00
45-51-97	Road & Sidewalk Grant Projects	.00	51,334.89	1,965,286.00	1,965,286.00	1,685,481.00
	Total SPECIAL FUND PROJECTS:	974,517.01	817,504.52	3,130,531.00	3,130,531.00	2,893,281.00
	SPECIAL REVENUE FUND Revenue Total:	1,231,740.54	1,103,204.72	3,130,531.00	3,130,531.00	2,893,281.00
	SPECIAL REVENUE FUND Expenditure Total:	974,517.01	817,504.52	3,130,531.00	3,130,531.00	2,893,281.00
	Net Total SPECIAL REVENUE FUND:	257,223.53	285,700.20	.00	.00	.00

Account Number	Account Title	2018 Actual	2019 Actual	2020 Original Budget	2020 Amended Budget	2021 Tentative Budget
CAPITAL PROJECTS FUND						
REVENUE						
48-30-28	Sale of Equipment	13,313.50	.00	.00	.00	.00
48-30-39	Misc. revenue	.00	3,250.52	.00	.00	.00
48-30-45	Cemetery Permit & Perpet. Care	47,435.00	60,520.00	166,752.00	166,752.00	200,282.00
48-30-90	Beginning Balance	.00	.00	1,234,370.00	1,234,370.00	1,538,297.00
	Total REVENUE:	60,748.50	63,770.52	1,401,122.00	1,401,122.00	1,738,579.00
OTHER FINANCING SOURCES						
48-33-10	Transfer from General Fund	615,000.00	956,911.00	1,008,782.00	1,008,782.00	588,903.00
48-33-35	Interest	32,507.04	68,528.21	.00	.00	.00
	Total OTHER FINANCING SOURCES:	647,507.04	1,025,439.21	1,008,782.00	1,008,782.00	588,903.00
CAP. PROJ. FUND FINANCING USES						
48-51-15	Buildings	8,990.57	40,449.90	103,165.00	103,165.00	100,663.00
48-51-20	Road Projects	6,157.47	148,897.68	962,357.00	962,357.00	746,889.00
48-51-25	Park Improvement Projects	93,872.27	337,318.00	722,515.00	722,515.00	841,201.00
48-51-28	Military Memorial Projects	170.00	.00	.00	.00	.00
48-51-43	Capital Equipment Replacement	14,600.24	9,062.42	52,337.00	52,337.00	1,174.00
48-51-44	Vehicle Replacement	8,123.55	7,221.97	42,778.00	42,778.00	27,273.00
48-51-53	5 Year CIP	.00	.00	360,000.00	360,000.00	410,000.00
48-51-70	Cemetery Perpetual Care	219,914.49	.00	166,752.00	166,752.00	200,282.00
	Total CAP. PROJ. FUND FINANCING USES:	351,828.59	542,949.97	2,409,904.00	2,409,904.00	2,327,482.00
	CAPITAL PROJECTS FUND Revenue Total:	708,255.54	1,089,209.73	2,409,904.00	2,409,904.00	2,327,482.00
	CAPITAL PROJECTS FUND Expenditure Total:	351,828.59	542,949.97	2,409,904.00	2,409,904.00	2,327,482.00
	Net Total CAPITAL PROJECTS FUND:	356,426.95	546,259.76	.00	.00	.00

Account Number	Account Title	2018 Actual	2019 Actual	2020 Original Budget	2020 Amended Budget	2021 Tentative Budget
WASTE FUND						
OPERATING REVENUE						
51-37-17	Penalties	21,795.00	24,532.50	20,000.00	20,000.00	20,000.00
51-37-26	Sewer Fees	1,042,095.87	1,048,396.43	1,000,000.00	1,000,000.00	1,000,000.00
51-37-50	Garbage Collection Fees	482,715.36	496,079.14	480,000.00	480,000.00	480,000.00
51-37-60	Greenwaste Collection Fees	103,719.35	106,625.16	100,000.00	100,000.00	100,000.00
51-37-70	Recycle Collection Fees	114,921.98	122,246.07	120,000.00	120,000.00	120,000.00
	Total OPERATING REVENUE:	1,765,247.56	1,797,879.30	1,720,000.00	1,720,000.00	1,720,000.00
OTHER FINANCING SOURCES						
51-38-05	Sewer Impact Fees	29,095.33	41,861.86	62,025.00	62,025.00	62,025.00
51-38-15	Can Purchase	10,465.00	11,560.00	5,000.00	5,000.00	5,000.00
51-38-21	Gain/Loss on Capital Assets	.00	30,076.15-	.00	.00	.00
51-38-80	Interest Earnings	13,845.99	16,465.02	10,000.00	10,000.00	10,000.00
51-38-90	MISCELLANEOUS	.00	15.00	.00	.00	.00
51-38-91	DEVELOPER CONTRIBUTIONS	259,190.00	329,795.04	.00	.00	.00
51-38-99	Pension	.00	.00	20,000.00	20,000.00	20,000.00
	Total OTHER FINANCING SOURCES:	312,596.32	369,620.77	97,025.00	97,025.00	97,025.00
TRANSFERS						
51-39-95	Beginning Fund Balance	.00	.00	155,756.00	155,756.00	97,921.00
51-39-96	Sewer Impact Fee Balance	.00	.00	86,560.00	86,560.00	186,560.00
	Total TRANSFERS:	.00	.00	242,316.00	242,316.00	284,481.00
PRIMARY OPERATING EXPENSES						
51-81-11	Salaries and Wages	145,831.14	159,972.91	167,491.00	167,491.00	202,198.00
51-81-13	Benefits and Bonus	63,683.75	75,089.31	97,898.00	97,898.00	122,849.00
51-81-15	On call pay	773.02	829.21	850.00	850.00	850.00
51-81-20	Overtime	58.56	253.82	2,000.00	2,000.00	2,000.00
51-81-27	Lift Station Pumps	1,579.91	1,656.05	2,400.00	2,400.00	2,400.00
51-81-42	Garbage	394,179.83	374,358.87	363,000.00	363,000.00	363,000.00
51-81-43	Greenwaste	107,867.21	102,368.87	98,000.00	98,000.00	98,000.00
51-81-44	Recycling	108,803.45	109,825.45	88,000.00	88,000.00	88,000.00
51-81-49	Sewer Collection and Disposal	789,961.85	813,468.22	668,000.00	668,000.00	668,000.00
51-81-55	Sewer Maintenance and Repair	13,232.94	21,431.76	30,000.00	30,000.00	30,000.00
51-81-63	IT Support & Contracts	14,887.99	18,581.21	23,825.00	23,825.00	23,825.00
51-81-65	Utility Refunds	.00	.00	1,500.00	1,500.00	1,500.00
	Total PRIMARY OPERATING EXPENSES:	1,640,859.65	1,677,835.68	1,542,964.00	1,542,964.00	1,602,622.00
MATERIALS AND SUPPLIES						
51-82-24	Utility Bills - Postage/Equip.	8,269.24	8,454.82	11,000.00	11,000.00	11,000.00
51-82-47	Can Purchase	8,665.00	26,550.00	27,000.00	27,000.00	27,000.00
51-82-60	Travel and Education	100.00	689.08	1,500.00	1,500.00	1,500.00
51-82-61	Misc. Supplies & Deposit Slips	.00	.00	1,000.00	1,000.00	1,000.00
	Total MATERIALS AND SUPPLIES:	17,034.24	35,693.90	40,500.00	40,500.00	40,500.00
WASTE - OTHER EXPENSES						
51-84-05	Sewer Impact Fee Projects	30,248.37	1,531.87	148,585.00	148,585.00	248,585.00
51-84-20	Risk Management	9,307.68	5,380.24	10,000.00	10,000.00	10,000.00
51-84-30	Depreciation	94,352.50	87,565.00	85,000.00	85,000.00	85,000.00

Account Number	Account Title	2018 Actual	2019 Actual	2020 Original Budget	2020 Amended Budget	2021 Tentative Budget
51-84-35	Credit Card Processing Fees	8,981.39	9,642.70	8,100.00	8,100.00	8,100.00
51-84-39	Auditor & Accounting Support	5,287.00	4,760.00	6,000.00	6,000.00	6,000.00
51-84-44	Vehicle Replacement	.00	.00	3,677.00	3,677.00	11,000.00
51-84-81	IT	.00	.00	4,000.00	4,000.00	4,000.00
51-84-83	Capital Improvements	608,979.17	2,497.64	181,515.00	181,515.00	56,699.00
51-84-84	Blue Stakes	1,080.51	1,057.08	1,000.00	1,000.00	1,000.00
51-84-90	Fleet	3,853.54	4,516.35	8,000.00	8,000.00	8,000.00
	Total WASTE - OTHER EXPENSES:	762,090.16	116,950.88	455,877.00	455,877.00	438,384.00
TRANSFERS & CONTINGENCIES						
51-90-99	Pension	.00	.00	20,000.00	20,000.00	20,000.00
	Total TRANSFERS & CONTINGENCIES:	.00	.00	20,000.00	20,000.00	20,000.00
	WASTE FUND Revenue Total:	2,077,843.88	2,167,500.07	2,059,341.00	2,059,341.00	2,101,506.00
	WASTE FUND Expenditure Total:	2,419,984.05	1,830,480.46	2,059,341.00	2,059,341.00	2,101,506.00
	Net Total WASTE FUND:	342,140.17-	337,019.61	.00	.00	.00

Account Number	Account Title	2018 Actual	2019 Actual	2020 Original Budget	2020 Amended Budget	2021 Tentative Budget
WATER FUND						
OPERATING REVENUE						
55-37-11	Metered Water Sales	749,113.83	766,723.60	750,000.00	750,000.00	750,000.00
55-37-13	Secondary Water Sales	793,531.49	806,615.66	790,000.00	790,000.00	790,000.00
55-37-14	Connection Fees - Water	26,050.00	20,400.00	15,000.00	15,000.00	15,000.00
55-37-17	Penalties	19,372.50	22,079.25	18,500.00	18,500.00	18,500.00
	Total OPERATING REVENUE:	1,588,067.82	1,615,818.51	1,573,500.00	1,573,500.00	1,573,500.00
OTHER FINANCING SOURCES						
55-38-05	Water Impact Fees	39,226.00	41,371.00	83,400.00	83,400.00	83,400.00
55-38-20	Gain/Loss on Capital Assets	.00	23,964.73-	.00	.00	.00
55-38-55	Miscellaneous Revenue	.00	32.39-	.00	.00	.00
55-38-80	Interest Earnings	24,733.80	37,375.34	20,000.00	20,000.00	20,000.00
55-38-91	DEVELOPER CONTRIBUTIONS	234,653.00	300,560.66	.00	.00	.00
55-38-95	Fund Reserves	.00	.00	94,687.00	94,687.00	776,963.00
55-38-96	Water Impact Fee Balance	.00	.00	717,030.00	717,030.00	176,779.00
55-38-99	Pension	.00	.00	20,000.00	20,000.00	20,000.00
	Total OTHER FINANCING SOURCES:	298,612.80	355,309.88	935,117.00	935,117.00	1,077,142.00
PRIMARY OPERATING EXPENSES						
55-81-11	Salaries and Wages	169,398.24	185,368.07	192,698.00	192,698.00	238,474.00
55-81-13	Benefits and Bonus	76,042.10	89,031.48	114,511.00	114,511.00	147,691.00
55-81-15	On call pay	1,546.06	1,658.41	1,700.00	1,700.00	1,700.00
55-81-20	Overtime	2,728.58	891.03	4,000.00	4,000.00	4,000.00
55-81-28	Wells & Water Tank Power	7,382.74	7,040.31	11,500.00	11,500.00	11,500.00
55-81-35	Hooper Water District	1,400.00	1,610.00	1,500.00	1,500.00	1,500.00
55-81-41	Water Maintenance	26,811.12	26,692.96	18,000.00	18,000.00	18,000.00
55-81-42	Water Sample Testing	2,968.77	1,893.54	5,000.00	5,000.00	5,000.00
55-81-43	Secondary Water	800,614.63	775,983.57	770,000.00	770,000.00	770,000.00
55-81-45	Registration & Other Expenses	658.80	160.00	1,000.00	1,000.00	1,000.00
55-81-60	Travel and Education	610.00	2,245.78	4,140.00	4,140.00	4,140.00
55-81-63	IT Support & Contracts	12,076.97	15,887.93	24,000.00	24,000.00	24,000.00
	Total PRIMARY OPERATING EXPENSES:	1,102,238.01	1,108,463.08	1,148,049.00	1,148,049.00	1,227,005.00
WATER - MATERIALS AND SUPPLIES						
55-82-24	Utility Bills - Postage/Equip	8,614.26	8,454.76	8,250.00	8,250.00	8,250.00
55-82-47	Misc. Supplies & Deposit Slips	68.79	500.00	750.00	750.00	750.00
55-82-50	Water Meters	110,000.00	87,708.65	115,000.00	115,000.00	115,000.00
	Total WATER - MATERIALS AND SUPPLIES:	118,683.05	96,663.41	124,000.00	124,000.00	124,000.00
WATER - OTHER EXPENSES						
55-84-05	Water System Impact Fee Proj.	21,877.49	1,447.63	800,430.00	800,430.00	800,430.00
55-84-20	Risk Management	9,075.92	4,938.95	10,000.00	10,000.00	10,000.00
55-84-30	Depreciation	91,408.81	100,658.77	80,000.00	80,000.00	80,000.00
55-84-33	Capital Projects & Expenditure	32,912.53	5,937.24	80,916.00	80,916.00	119,042.00
55-84-35	Credit Card Processing Fees	9,607.98	10,315.46	8,800.00	8,800.00	8,800.00
55-84-38	Auditor & Accounting Support	5,287.00	4,760.00	6,000.00	6,000.00	6,000.00
55-84-40	Water Purchase - Weber Basin	156,757.00	167,922.00	187,410.00	187,410.00	205,865.00
55-84-44	Vehicle Replacement	.00	.00	4,512.00	4,512.00	11,000.00
55-84-82	Blue Stakes	826.60	1,272.58	1,500.00	1,500.00	1,500.00
55-84-83	IT	.00	.00	2,000.00	2,000.00	2,000.00

Account Number	Account Title	2018 Actual	2019 Actual	2020 Original Budget	2020 Amended Budget	2021 Tentative Budget
55-84-85	Engineering Studies & Planning	.00	520.00	20,000.00	20,000.00	20,000.00
55-84-90	Fleet	6,743.77	7,903.65	15,000.00	15,000.00	15,000.00
	Total WATER - OTHER EXPENSES:	334,497.10	305,676.28	1,216,568.00	1,216,568.00	1,279,637.00
TRANSFERS & CONTINGENCIES						
55-90-99	Pension	.00	.00	20,000.00	20,000.00	20,000.00
	Total TRANSFERS & CONTINGENCIES:	.00	.00	20,000.00	20,000.00	20,000.00
	WATER FUND Revenue Total:	1,886,680.62	1,971,128.39	2,508,617.00	2,508,617.00	2,650,642.00
	WATER FUND Expenditure Total:	1,555,418.16	1,510,802.77	2,508,617.00	2,508,617.00	2,650,642.00
	Net Total WATER FUND:	331,262.46	460,325.62	.00	.00	.00

Account Number	Account Title	2018 Actual	2019 Actual	2020 Original Budget	2020 Amended Budget	2021 Tentative Budget
STORM WATER UTILITY FUND						
OPERATING REVENUE						
58-37-11	Storm Sys. Maint. & Const. Fee	176,584.32	180,925.40	180,000.00	180,000.00	180,000.00
58-37-13	Miscellaneous Revenue	160.00	.00	.00	.00	.00
58-37-17	Penalties	2,152.50	2,453.25	2,000.00	2,000.00	2,000.00
58-37-90	Fund Balance	.00	.00	385,926.00	385,926.00	182,927.00
58-37-91	Storm Water Impact Fee Balance	.00	.00	173,490.00	173,490.00	37,500.00
	Total OPERATING REVENUE:	178,896.82	183,378.65	741,416.00	741,416.00	402,427.00
OTHER FINANCING SOURCES						
58-38-05	Storm Water Impact Fees	79,875.96	81,566.75	97,500.00	97,500.00	97,500.00
58-38-70	Interest Earnings	22,742.18	39,275.43	20,000.00	20,000.00	20,000.00
58-38-91	DEVELOPER CONTRIBUTIONS	373,263.00	669,378.93	.00	.00	.00
58-38-99	Pension	.00	.00	20,000.00	20,000.00	20,000.00
	Total OTHER FINANCING SOURCES:	475,881.14	790,221.11	137,500.00	137,500.00	137,500.00
PRIMARY OPERATING EXPENSES						
58-81-11	Salaries and Wages	55,230.31	63,564.73	67,757.00	67,757.00	74,791.00
58-81-13	Benefits	24,925.72	28,587.08	39,530.00	39,530.00	44,036.00
58-81-20	Overtime	.00	66.69	.00	.00	.00
58-81-27	Storm Sys. Maint. & Repair	3,419.43	11,005.57	11,000.00	11,000.00	11,000.00
58-81-28	Construction	.00	.00	10,000.00	10,000.00	10,000.00
58-81-34	Credit Card Fees	1,253.23	1,345.50	1,100.00	1,100.00	1,100.00
58-81-40	Sweeping & Preventative Care	6,400.51	13,033.20	12,000.00	12,000.00	12,000.00
58-81-42	Strm Sys Maint & Phs II Comp.	2,000.00	1,815.00	2,500.00	2,500.00	2,500.00
58-81-43	Secondary Water	941.13	.00	5,000.00	5,000.00	5,000.00
	Total PRIMARY OPERATING EXPENSES:	94,170.33	119,417.77	148,887.00	148,887.00	160,427.00
STORM WTR UTILITY - OTHER EXP.						
58-84-05	Storm System Impact Fee Proj.	.00	.00	270,990.00	270,990.00	135,000.00
58-84-20	Risk Management	2,713.76	2,206.00	3,500.00	3,500.00	3,500.00
58-84-30	Depreciation	83,612.95	93,960.61	64,000.00	64,000.00	64,000.00
58-84-38	Auditor & Accounting Support	1,321.75	1,190.00	1,500.00	1,500.00	1,500.00
58-84-44	Vehicle Replacement	.00	.00	7,149.00	7,149.00	11,000.00
58-84-83	Capital Projects	.00	.00	360,390.00	360,390.00	142,000.00
58-84-90	Fleet Expense	963.37	1,129.09	2,500.00	2,500.00	2,500.00
	Total STORM WTR UTILITY - OTHER EXP.:	88,611.83	98,485.70	710,029.00	710,029.00	359,500.00
Department: 90						
58-90-99	Pension	.00	.00	20,000.00	20,000.00	20,000.00
	Total Department: 90:	.00	.00	20,000.00	20,000.00	20,000.00
	STORM WATER UTILITY FUND Revenue Total:	654,777.96	973,599.76	878,916.00	878,916.00	539,927.00
	STORM WATER UTILITY FUND Expenditure Total:	182,782.16	217,903.47	878,916.00	878,916.00	539,927.00
	Net Total STORM WATER UTILITY FUND:	471,995.80	755,696.29	.00	.00	.00

Account Number	Account Title	2018 Actual	2019 Actual	2020 Original Budget	2020 Amended Budget	2021 Tentative Budget
DEBT SERVICE						
MISCELLANEOUS REVENUE						
70-36-10	Interest Earnings	930.48	250.89	.00	.00	.00
	Total MISCELLANEOUS REVENUE:	930.48	250.89	.00	.00	.00
TRANSFERS AND CONTRIBUTIONS						
70-39-20	General Fund Transfer	107,153.37	107,000.00	107,000.00	107,000.00	107,000.00
	Total TRANSFERS AND CONTRIBUTIONS:	107,153.37	107,000.00	107,000.00	107,000.00	107,000.00
FUNDING USES						
70-84-10	Debt Service - City Hall	97,000.00	99,000.00	101,000.00	101,000.00	103,000.00
70-84-15	Interest on Bonds	9,093.52	7,137.63	6,000.00	6,000.00	4,000.00
	Total FUNDING USES:	106,093.52	106,137.63	107,000.00	107,000.00	107,000.00
	DEBT SERVICE Revenue Total:	108,083.85	107,250.89	107,000.00	107,000.00	107,000.00
	DEBT SERVICE Expenditure Total:	106,093.52	106,137.63	107,000.00	107,000.00	107,000.00
	Net Total DEBT SERVICE:	1,990.33	1,113.26	.00	.00	.00

Account Number	Account Title	2018 Actual	2019 Actual	2020 Original Budget	2020 Amended Budget	2021 Tentative Budget
CDRA FUND						
REVENUE						
85-31-10	Property Tax Increment	.00	149,462.00	140,000.00	140,000.00	140,000.00
	Total REVENUE:	.00	149,462.00	140,000.00	140,000.00	140,000.00
Source: 37						
85-37-95	Transfers In	140,000.00	.00	.00	.00	.00
	Total Source: 37:	140,000.00	.00	.00	.00	.00
Source: 38						
85-38-80	Interest Earnings	1,168.99	135.93	.00	.00	.00
	Total Source: 38:	1,168.99	135.93	.00	.00	.00
EXPENDITURES						
85-44-62	Project Expenses	.00	1,402.00	.00	.00	.00
85-44-63	Administration	.00	50.00	.00	.00	.00
85-44-65	Long-term Debt Expense	100,000.00	103,000.00	107,000.00	107,000.00	111,000.00
	Total EXPENDITURES:	100,000.00	104,452.00	107,000.00	107,000.00	111,000.00
Department: 84						
85-84-15	Interest Expense	37,264.20	33,674.20	33,000.00	33,000.00	29,000.00
	Total Department: 84:	37,264.20	33,674.20	33,000.00	33,000.00	29,000.00
	CDRA FUND Revenue Total:	141,168.99	149,597.93	140,000.00	140,000.00	140,000.00
	CDRA FUND Expenditure Total:	137,264.20	138,126.20	140,000.00	140,000.00	140,000.00
	Net Total CDRA FUND:	3,904.79	11,471.73	.00	.00	.00
	Net Grand Totals:	1,205,666.00	2,476,539.18	.00	.00	.00

City Council Staff Report

Subject: Fraud Risk Assessment
Author: Ryan Harvey
Department: Administrative Services
Date: June 16, 2020

BACKGROUND

The Office of the State Auditor has created a new requirement that Cities in Utah present to their elected officials the results of the Fraud Risk Assessment at least once per year. According to the State Auditor, "the program outlined in this guide is designed to help measure and reduce the risk of undetected fraud, abuse, and noncompliance in local governments of all types and sizes."

ANALYSIS

The Assessment can be found on page 11 of the attached implementation guide. It is broken out into 9 parts, with the points possible listed for each part.

1. **Separation of Duties (200)**
   More information about this can be found on page 12 of the Implementation Guide. The City was able to answer yes on questions 1, and 5-12. Because we are a small City with very few employees, we answered those 3 question as Mitigating Control (MC). We do allow Megan, the Treasurer to take credit card and check payments, but not cash payments.
2. **Policies (45)**
   The City has written policies for all of the areas listed.
3. **Licensed Expert (30)**
   Marcus Arbuckle, our hired accountant has a CPA, and a bachelor's degree in accounting.
4. **Statement of Ethical Behavior (20)**
   We sent this out to all employees and Council Members and asked that they be returned before the end of the Fiscal Year.
5. **State Auditor Training (20)**
   This training was sent out to Council Members to complete.
6. **Yearly Training (20)**
   The Administrative Services Director meets this requirement through conferences and online training.
7. **Fraud Hotline (20)**
   The City has set up an email address, fraud@westpointcity.org for employees to report any fraud that they see. That email goes to the City Manager and the Administrative Services Director.
8. **Internal Audit Function (20)**

In talking to our Accountant, he has informed us that he can perform this function for the City. The Audit Committee will provide direction on where to focus this on an annual basis.

9. **Audit Committee (20)**
   The Audit Committee will consist of the City Manager, the Administrative Services Director, and the hired Accountant. We will meet on at least an annual basis.

ATTACHMENTS

Fraud Risk Assessment Implementation Guide

OFFICE OF THE
STATE AUDITOR

Implementation Guide

Revised March 2020

Fraud Risk Assessment

Background

The Office of the State Auditor (Office) regularly receives complaints of fraud or abuse by local government officials. The Office is also aware of internal investigations performed by local governments of their own officials and employees. Some of these situations receive significant media coverage, while others are resolved with less publicity. In either case, the level of concern by the public and local and state officials is significant. Many have asked the Office for more direction on how to prevent such occurrences in the future. The program outlined in this guide is designed to help measure and reduce the risk of undetected fraud, abuse, and noncompliance in local governments of all types and sizes. This assessment is a starting point, it is the hope of the Office that local governments will add to and adapt this form to improve how they manage their internal controls and the risk of fraud, waste and abuse.

Internal Controls as a Discipline

Professional literature, as well as our own experience, indicates that the solution to the reduction of fraud risk lies in effective internal controls. Internal controls are the policies, practices, and processes that ensure the operations of an organization are performed effectively and efficiently. Internal Controls are also intended to deter or prevent the misuse of public funds. Since internal controls require time and resources, entities should seek to reduce risk to an acceptable level, not eliminate risk altogether. In other words, a lock should never cost more than the item it is intended to protect.

The Committee of Sponsoring Organizations of the Treadway Commission (COSO) is a group of organizations dedicated to providing frameworks and guidance on risk management, internal control, and fraud deterrence. COSO publishes a document "Internal Control – Integrated Framework" (the COSO Framework). The COSO Framework is noted as the gold standard for designing and implementing an entity-wide internal control program for all organizations including governments. The Government Accountability Office (GAO) publishes its own guidance for proper internal controls in government entities known as the Green Book. The Green Book follows the COSO Framework, but adds some specific context that is unique to the government environment. We used both of these publications as resources for this project.

The COSO Framework includes five principles:

- Tone at the Top
- Risk Assessment
- Control Activities
- Communication

- Monitoring

Incorporating these five principles into an organization is a recommended but complex endeavor. Most accountants and auditors have been trained on these principles, but full implementation requires additional training and a commitment throughout the organization to be effective. We recommend every organization with the resources use COSO, GAO, GFOA, or any other reputable source as an aid to implementing a comprehensive internal control program.

Due to the expense, most local governments in Utah lack the resources necessary to completely implement the COSO Framework. Our goal is to take the concepts of the COSO Framework and boil them down to specific measures that every local government can incorporate at minimal cost. If properly implemented, we believe these measures will reduce the risk of undetected fraud, abuse, and noncompliance. We have also developed a risk assessment model that provides a basic evaluation of an entity's fraud risk, based upon required separation of duties and our recommended measures.

Recommended Measures

1. Separate Duties over Cash Accounts (Crucial)

Widely recognized as a crucial internal control, separation of duties includes separating the powers of the treasurer and clerk (the person who performs the accounting function, regardless of title), as required by state law. If the roles and responsibilities of treasurer and clerk are *not* 1) separate, 2) independent, and 3) monitored by the governing board, the risk of financial fraud and abuse increases.

In general, the treasurer is responsible for the collection and custody of funds while the clerk validates payment requests, ensures compliance with policy and budgetary restrictions, prepares checks, and records all financial transactions. In situations where proper separation of duties are not maintained, mitigating controls must be implemented. Because of the extreme importance of this control, we have developed a separate questionnaire (see attached) to help determine if basic separation of duties or mitigating controls are in place.

2. Require a Commitment of Ethical Behavior

Purpose

A critical, fundamental, and far-reaching problem facing government today is the lack of public trust and confidence. Government officials are expected to perform their government duties without using their position for personal benefit. A written statement on ethical behavior will provide clarity and serve as a physical reminder of the aspirations of the organization.

Overview

Maintaining an ethical environment requires setting an example and communicating proper expectations at every level of the organization. Training and re-enforcement of ethical standards must be continuous and applicable. Expectations must point to the highest standards and not excuse bad behavior by anyone for any reason.

Implementation

We recommend the entity set clear expectations and exercise consistent enforcement. We recommend instilling a culture rewarding high ethical standards, rather than rewarding cutting corners or engaging in questionable or self-serving behavior. We recommend that every entity have a written policy and strong practices that address a standard of ethical behavior, including prohibited activities, required disclosures, and clear directions on how and to whom disclosures should be submitted and reviewed. We also recommend that the entity require elected or appointed officials and employees to annually commit in writing to abide by the entity's standards of ethical behavior. This practice will provide an opportunity to review the policy and identify any potential or actual conflicts of interest. Requiring periodic confirmation will deter individuals from acting unethically and identify issues before they become problematic.

3. Adopt and Put Into Practice Written Policies

Overview

The governing body should evaluate policies to make sure they establish proper oversight and direct the organization toward the desired outcomes. The following are key policies along with certain elements that we have identified that are either required by law or best practices to improve the internal control system. As a matter of practical implementation, template policies that contain these elements are available on the Office's website at resources.auditor.utah.gov.

a. Conflict of Interest
   1. Specifies who is required to declare conflicts.
   2. States that if a new conflict arises during course of business it must be reported.
   3. Requires each public official/employee to complete a disclosure form on an at least an annual basis.
   4. Identifies the individual/position responsible to gather disclosure forms.
   5. Disclosure forms provide the user a way to disclose conflicts or indicate that they have no conflicts.
   6. Disclosure forms must list the name and position of the public official/employee.
   7. Disclosure forms must list the name of the business entity and ownership interest or position for a business regulated by the entity for which there is a conflict.
   8. Disclosure forms must list the name of the business entity and ownership interest or position for businesses doing business with the entity.
   9. Disclosure forms must list any investments that may create a conflict with the entity.
   10. The disclosure shall be made in a sworn statement filed with the entity's governing body.

b. Procurement

Seek the best value for the entity and promote a competitive purchasing process.

1. Specifies a small item threshold allowing employee or department discretion.
2. Specifies documentation required for each level of purchasing (e.g. small purchases, medium purchases and purchases requiring competitive bid).
3. Specifies purchasing procedures (e.g. advertising methods and time frames, rejection of bids, appeals) for items requiring competitive bid.
4. Lists exemptions and documentation needed for not following regular bidding requirements (e.g. sole source provider, emergency purchases etc.).
5. Addresses improper or illegal conduct:
   a) Prohibits dividing a procurement to avoid following policy (Utah Code 63G-6a-2404.3)
   b) Prohibits kickbacks (Utah Code 63G-6a-2404)
   c) Requires disclosure of conflicts of interest (Utah Code 63G-6a-2406)
   d) Prohibits cost-plus-a-percentage-of-cost contracts (Utah Code 63G-6a-1205)
   e) Lists other specific activities that are not allowed (Utah Code 67-16 applies to the state and all political subdivisions)
6. Designates a purchasing agent, specify who may sign contracts including requirement for contracts that must go before the governing body.
7. Has an ethics provision and/or reference Utah Code 67-16.
8. Documents consequences of violating the policy (e.g. formal reprimand, suspension, termination or criminal prosecution).

c. Ethical Behavior

1. Prohibits participation in decisions or actions in which the employee or official has real or reasonably perceived conflict (see conflict of interest policy).
2. Prohibits use of authority for personal gain or that of close friends, family, or business associates.
3. Prohibits receiving gifts, loans or bribes.
4. Requires confidentiality regarding any information not subject to GRAMA.
5. Prohibits violation of nepotism laws (Utah Code 52-3).
6. Prohibits misuse of public resources or property (Utah Code 76-8-4).
7. References the Utah Public Officer and Employee Ethics Act (Utah Code 67-16).
8. Establishes individual accountability, including consequences for noncompliance (e.g. suspension, termination).

d. Reporting Fraud and Abuse

1. Requires the reporting of inappropriate actions or behavior.
2. Provides reporting structure, including alternatives if the employee's normal supervisor is involved.
3. Provides guidance on the type of actions and behaviors which must be reported.
4. Provides guidance on the information to be provided (e.g. names, dates, times, descriptions, effects) when reporting fraud or abuse.
5. Provides whistleblower protection or referrers to Utah Code 67-21-3.
6. Provides for the evaluation, investigation and possible consequences of the alleged action or behavior.

7. Provides for feedback to the employee reporting the action and the governing body.

e. Travel
   1. Establishes a process to authorize travel expenditures (i.e. preauthorization).
   2. Defines what constitutes allowable and unallowable travel and clearly establishes reasonable limits.
   3. Establishes a reporting structure with senior management reporting to the governing body.
   4. Establishes individual accountability, including consequences for noncompliance (e.g. suspension, termination, recovery of funds, inability to travel).
   5. Requires adequate record keeping (documentation of time, place, business purpose, and authorization).
   6. Communicates the public nature of purchase records.
   7. Ensures enough information is gathered and communicated to maintain accountability and measure performance.
   8. Has a provision to comply with external reporting requirements (e.g. IRS, Utah Public Finance Website reporting).

f. Credit/Purchasing Cards
   1. Credit/purchase card issuance should be approved by governing body.
   2. Establishes procedures for independent review and reconciliation of each card.
   3. Establishes card holder accountability including consequences for noncompliance (e.g. suspension, termination, recovery of funds, or loss of card privileges).
   4. Establishes required practices to ensure the security of the card (e.g. signing, storing, and who can use the card).
   5. Establishes procedures for card use (e.g. documentation required, timelines, reconciliations, restrictions).

g. Personal Use of Entity Assets
   1. Establishes allowable uses, or disallows use, of entity assets and rates if applicable (e.g. making photocopies, use of heavy equipment).
   2. Establishes individual accountability, including consequences for noncompliance (e.g. suspension, termination, recovery of funds or loss of privileges).

h. IT & Computer Security
   1. Establishes allowable uses of information systems, computer equipment, and the internet.
   2. Discloses to the user that the entity has the right to monitor and limit the activities on entity IT systems.
   3. Establishes individual accountability, including consequences for noncompliance (e.g. suspension, termination, recovery of funds, or loss of privileges).

i. Cash Receipting and Deposit
   1. Establishes a timeline for entering receipts into the accounting system.
   2. Establishes a timeline for depositing funds in the bank that complies with the Utah Money Management Act (3 days).

3. Establishes security measures for holding funds before deposit (e.g. safe, vault).
4. Establishes a receipting process for giving the customer documentation of the transaction and also provide sufficient information to understand the purpose of the transaction for management review or audit.
5. Establishes a procedure for entering credit card and ACH transactions into the accounting system.
6. Establishes a separation of duties between the person receiving payments and the person making deposits (smaller entities may require dual sign-off on deposits).
7. Establishes required documentation for voiding or altering a cash receipt, including that it be reviewed by someone that didn't make the correction.
8. Requires system-generated or sequentially-numbered receipts to allow for a review of completeness.
9. Requires cash deposits and receipts to be reconciled and/or reviewed by someone not receiving cash.

4. Hire and Train Qualified Staff

Purpose

In order to ensure the effective and efficient delivery of government services, each entity should identify the knowledge, skills, and abilities (KSA) needed by its management and employees. In technical areas, KSA often align with formal credentials, such as a degree or license. Accounting is an area where degrees and professional designations usually indicate a level of proficiency.

Overview

A licensed Certified Public Accountant (CPA) is the most common designation of a person who possesses the KSA needed to oversee the day-to-day financial operations of an entity. There are several other designations that may indicate similar KSA, such as Certified Government Financial Manager (CGFM), Certified Management Accountant (CMA), Certified Internal Auditor (CIA), Certified Fraud Examiner (CFE), Certified Government Auditing Professional (CGAP), and Certified Public Finance Officer (CPFO). At a minimum, we recommend that every entity have someone with a bachelor's degree in accounting as part of its staff.

Implementation

While not every local government entity needs a full-time CPA, every entity should utilize a qualified accountant to ensure that its finances are protected and accurately reported. Most accounting firms and professional bookkeeping services provide a variety of services on an as-needed basis. We recommend every local government evaluate the level of KSA possessed by its accounting staff and consider contracting with an accounting professional. The accounting professional could perform some or all of the accounting and ensure that the entity has effectively implemented internal controls and meets reporting requirements.

To aid local government entities in identifying and procuring the services of qualified accounting professionals, the Office maintains a qualified vendor list included on the Office's website at resources.auditor.utah.gov. The firms on this list have met the requirements set forth by the Office to provide bookkeeping, compliance reporting, or financial statement preparation for local governments.

5. Provide Effective Training

Overview

Training is vital to any organization, especially governments, where services are essential to economic prosperity and basic human needs. Public officials and key employees need to possess at least a basic understanding of the legal requirements of their entity. We encourage entities to consider the KSA needed to support the services provided by their entity, then determine the appropriate level of training that is needed to maintain those KSA. The entity should provide resources to attend sufficient and appropriate training on an ongoing basis.

Implementation

The Office provides comprehensive but basic training on financial topics for local government board members and finance officers. However, this training serves only as an introduction for those who are new or previously untrained in local government financial matters. We recommend board members and finance officers identify and participate in organizations that provide more advanced training. These organizations may be specific to the government type (e.g. counties, charter schools), a specific type of operation (e.g. sewer, water), or a specific job within the organization (e.g. treasurer, finance officer).

At a minimum, board members should view our online basic but comprehensive training every four years (see training.auditor.utah.gov). Also, at least one member of the finance team, preferably the chief finance officer, should have 40 hours of financial training each year. Financial training includes: auditing, accounting, budgeting, reporting, internal controls, fraud prevention and detection, software, and any other topic that is related to the management of finances.

6. Implement a Hotline

Definition

A hotline is a means by which the public and employees can anonymously report concerns about improper behavior of an entity's officers or employees or concerning practices of the entity.

Overview

Fraud losses are 50% smaller at organizations with hotlines than those without hotlines. According to the Association of Certified Fraud Examiners, 40% of reported instances of fraud are discovered through a tip. More than half of these tips were provided by an employee of the organization and 46% of fraud cases detected by tip were reported through a hotline.

Implementation

An effective hotline can be implemented at virtually no cost and can be as simple as providing an email address or phone number. Hotline submissions should be sent directly to a person who has the resources and objectivity to evaluate the concern and investigate if warranted. All complaints and the results of investigations should be presented to the audit committee of the entity in a timely fashion.

Hotlines should be promoted and easy to access (most entities put a link to their hotline on the main page of their website). Every entity should have a written policy that includes the following:

1. Methods for receiving complaints (e.g. email, phone number).
2. A provision for anonymous complaints.
3. Sufficient direction to ensure complaints are given adequate treatment as follows:
    a. An initial screening of complaints to be performed by an office not involved in the complaint (this could be accomplished by having it performed by more than one office if an independent internal audit function does not exist or it could be sent directly to the audit committee).
    b. Audit committee:
        i. Reviews available evidence.
        ii. Determines if further investigation is merited. If so;
            - Sets the scope of audit
            - Sets a budget
            - Sets a timeline
            - Provides resources
    c. Audit results are reported to the audit committee.
    d. Audit committee approves findings and recommendations.
    e. Audit committee ensures that findings and recommendations are addressed by the appropriate officers or employees.
    f. Feedback provided to the complainant, if requested.

7. Implement an Internal Audit Function

Definition

An internal audit function is an organizational initiative to monitor and analyze the entity's own operations in order to determine how well it conforms to a set of specific criteria, such as laws, policies, or best practices. Internal auditors are independent of the work they audit, but are very familiar with it so as to allow them to determine compliance with the requirements for that work.

Overview

An internal audit may focus on financial operations, systems, processes, or compliance. As part of the internal audit plan, auditors try to find discrepancies between operational design and operational reality. Internal audits also help uncover evidence of fraud, waste, or abuse. If internal auditors find discrepancies or inappropriate activities, they document and report them to entity leadership who can prioritize and direct corrective action.

The frequency of internal audits will depend on the department or process being examined. Some types of operations may require daily audits for quality control, others may require only an annual audit of records.

Internal audit plans act as a pre-emptive step in maintaining operational efficiency and financial reliability, as well as safeguarding assets.

Implementation

An internal audit function should be formalized by the adoption of an Internal Audit Charter which identifies who is responsible to oversee the internal audit function and who will perform the internal audits.

Those responsible for internal audits should adopt an audit plan which identifies what will be audited and when it will be audited. The audit plan should be reviewed regularly, usually once per year.

Adaptation for small entities

Only the largest of our local governments can justify a full-time internal auditor. Most local governments can execute an effective internal audit program by contracting with an audit professional to work a few days a year. To eliminate added costs entirely, some entities may coordinate with peer entities and utilize each other's financial staff to act as internal auditors. Keep in mind, internal auditors need a solid understanding of audit principles and should use work programs that are designed to effectively identify violations of the laws or policies they are auditing.

8. Use an Audit Committee

Purpose

An audit committee assists the governing body in its financial oversight responsibilities.

Membership

We recommend that members of the audit committee are a subset of the governing body. An audit committee should have a financial expert who is not a member of management. This can be achieved by having a governing body member who is a financial expert, or acquiring the assistance of a volunteer or paid professional financial expert. Finance officers from other local governments should be considered when looking for a financial expert, as they are independent and have a working knowledge of government accounting issues.

Functions

An audit committee must ensure the following:

1. Management develops and enforces systems that ensure the entity accomplishes its mission effectively and efficiently while complying with laws and regulations.
2. The internal audit function objectively assesses the effectiveness of management's internal control program.
3. Financial statement audits are performed by a qualified, independent accounting firm and issues identified during those audits are reviewed and resolved as appropriate.
4. Hotline complaints are investigated and findings are addressed by the governing body.

Risk Score

We have developed a five-level assessment score that is intended to communicate the entity's risk of undetected fraud, abuse, or noncompliance. The levels are based upon points assigned to each of the recommended measures. Since some measures are more effective than others, the most effective measures are assigned the most points. As more measures are adopted the score improves. The higher the score, the lower the risk.

The scale and corresponding levels are as follows:

- Very Low
- Low
- Moderate
- High
- Very High

See the *Fraud Risk Assessment Questionnaire* (attached) for specific points assigned to each measure and how point totals correspond to the risk scale.

OFFICE OF THE STATE AUDITOR

Questionnaire

Revised March 2020

Fraud Risk Assessment

INSTRUCTIONS:

- Reference the *Fraud Risk Assessment Implementation Guide* to determine which of the following recommended measures have been implemented.
- Indicate successful implementation by marking "Yes" on each of the questions below.
- Total the points of the questions marked "Yes" and put on the "Total Points Earned" line below.
- Using the points earned, circle the risk level on the "Risk Level" line below.

Total Points Earned: ________ Risk Level:

Very Low	Low	Moderate	High	Very High
> 355	316-355	276-315	200-275	< 200

	Yes	Pts
1. Does the entity have adequate basic separation of duties or mitigating controls as outlined in the attached Basic Separation of Duties Questionnaire?		200
2. Does the entity have written policies in the following areas:		
a. Conflict of interest?		5
b. Procurement?		5
c. Ethical behavior?		5
d. Reporting fraud and abuse?		5
e. Travel?		5
f. Credit/Purchasing cards (where applicable)?		5
g. Personal use of entity assets?		5
h. IT and computer security?		5
i. Cash receipting and deposits?		5
3. Does the entity have a licensed or certified expert as part of its management team? (CPA, CGFM, CMA, CIA, CFE, CGAP, CPFO)		20
a. Do any members of the management team have at least a bachelor's degree in accounting?		10
4. Are employees and elected officials required to annually commit in writing to abide by a statement of ethical behavior?		20
5. Have all of the board members completed the State Auditor online training at least once in the last four years?		20
6. Regardless of license or formal education, does at least one member of the management team receive at least 40 hours of formal training related to accounting, budgeting, or other financial areas each year?		20
7. Does the entity have or promote a fraud hotline?		20
8. Does the entity have a formal internal audit function?		20
9. Does the entity have a formal audit committee?		20

Certified By: ______________________________ Certified By: ______________________________

* MC = Mitigating Control

Basic Separation of Duties

See page 2 of this questionnaire for instructions and definitions.

	Yes	No	MC*	N/A
1. Does the entity have a board chair, clerk, and treasurer who are three separate people?				
2. Are all the people who are able to receive cash or check payments different from all of the people who are able to make general ledger entries?				
3. Are all the people who are able to collect cash or check payments different from all the people who are able to adjust customer accounts? If no customer accounts, check "N/A".				
4. Are all the people who have access to blank checks different from those who are authorized signers?				
5. Does someone other than the clerk and treasurer reconcile all bank accounts OR are original bank statements reviewed by a person other than the clerk to detect unauthorized disbursements?				
6. Does someone other than the clerk review periodic reports of all general ledger accounts to identify unauthorized payments recorded in those accounts?				
7. Are original credit/purchase card statements received directly from the card company by someone other than the card holder? If no credit/purchase cards, check "N/A".				
8. Does someone other than the credit/purchase card holder ensure that all card purchases are supported with receipts or other supporting documentation? If no credit/purchase cards, check "N/A".				
9. Does someone who is not a subordinate of the credit/purchase card holder review all card purchases for appropriateness (including the chief administrative officer and board members if they have a card)? If no credit/purchase cards, check "N/A".				
10. Does the person who authorizes payment for goods or services, who is not the clerk, verify the receipt of goods or services?				
11. Does someone authorize payroll payments who is separate from the person who prepares payroll payments? If no W-2 employees, check "N/A".				
12. Does someone review all payroll payments who is separate from the person who prepares payroll payments? If no W-2 employees, check "N/A".				

Office of the State Auditor

Questionnaire

Revised March 2020

Basic Separation of Duties

Continued

Instructions: Answer questions 1-12 on the Basic Separation of Duties Questionnaire using the definitions provided below.

☺ If all of the questions were answered “Yes” or “No” with mitigating controls (“MC”) in place, or “N/A,” the entity has achieved adequate basic separation of duties.

☹ If any of the questions were answered “No,” and mitigating controls are not in place, the entity has not achieved adequate basic separation of duties.

Definitions:

Board Chair is the elected or appointed chairperson of an entity’s governing body, e.g. Mayor, Commissioner, Councilmember or Trustee. The official title will vary depending on the entity type and form of governments.

Clerk is the bookkeeper for the entity, e.g. Controller, Accountant, Auditor or Finance Director. Though the title for this position may vary, they validate payment requests, ensure compliance with policy and budgetary restrictions, prepare checks, and record all financial transactions.

Chief Administrative Officer (CAO) is the person who directs the day-to-day operations of the entity. The CAO of most cities and towns is the mayor, except where the city has a city manager. The CAO of most local and special districts is the board chair, except where the district has an appointed director. In school districts, the CAO is the superintendent. In counties, the CAO is the commission or council chair, except where there is an elected or appointed manager or executive.

General Ledger is a general term for accounting books. A general ledger contains all financial transactions of an organization and may include sub-ledgers that are more detailed. A general ledger may be electronic or paper based. Financial records such as invoices, purchase orders, or depreciation schedules are not part of the general ledger, but rather support the transaction in the general ledger.

Mitigating Controls are systems or procedures that effectively mitigate a risk in lieu of separation of duties.

Original Bank Statement means a document that has been received directly from the bank. Direct receipt of the document could mean having the statement 1) mailed to an address or PO Box separate from the entity’s place of business, 2) remain in an unopened envelope at the entity offices, or 3) electronically downloaded from the bank website by the intended recipient. The key risk is that a treasurer or clerk who is intending to conceal an unauthorized transaction may be able to physically or electronically alter the statement before the independent reviewer sees it.

Treasurer is the custodian of all cash accounts and is responsible for overseeing the receipt of all payments made to the entity. A treasurer is always an authorized signer of all entity checks and is responsible for ensuring cash balances are adequate to cover all payments issued by the entity.

City Council Staff Report

Subject: Discussion of Trailer Parking Ordinance
Author: Kyle Laws
Department: Executive
Date: June 16, 2020

Background

At the Council Visioning and Strategy Session in January there was a brief discussion about the City Code regarding trailer parking in front yards. There were a couple of specific issues that brought forth the discussion and the Council expressed interest in looking at the Code to provide more clarity.

Analysis

Staff has been researching other city codes and have a better grasp on our own code and what is required. As Code Enforcement has been out, it has been observed that there is a city-wide problem with violations of this code. The code has not been enforced over the years, mostly due to a lack of knowledge that it existed. Before opening up a project to start educating, staff would like to have a discussion with the Council to determine the best path forward.

West Point City Code

The City Code states,

> **10.05.050 Unlawful parking.**
> **L. Boats and Trailers.** Boats, boat trailers, or travel trailers may not be placed, kept, or maintained within the *front yard areas* of any residential (R-) zones, except that such boats or trailers may be located anywhere on the lot except in a clear vision zone of a corner lot for a temporary period not to exceed 24 hours for loading and unloading purposes, or for temporary storage not to exceed seven days if such facility is owned by a bona fide guest of the occupants of the premises. [Code 2000 § 6-2-5]. (*italics added for emphasis*)
>
> **17.10.020 Definitions.**
> "Driveway" means a private road, the use of which is limited to persons residing, employed, or otherwise using or visiting the parcel on which it is located.
> "Yard, front" means an open, unoccupied area *extending across the full width of the lot* and measured perpendicularly from the front lot line and having, at no point, a depth of less than the minimum required setback distance. (*italics added for emphasis*)

There is nothing in the code that excludes "driveways" from front yards. So Staff's interpretation of the code is that these types of vehicles must be parked behind the setback for the home on the property and that they cannot be parked in the front yard area, including the driveway.

There was a discussion at the Visioning & Strategy Session about motor homes or other Recreational Vehicles and whether those should be listed with "boats, boat trailers, or travel trailers". There is also the question of other trailers (i.e., toy haulers, flatbed, construction, dumpbed, cargo or enclosed trailer, livestock trailers, etc.)

The Code further states,

> **17.80.240 Recreational vehicles.**
> A. No recreational vehicle shall be located, placed, used, or occupied for residential purposes in West Point City except within approved and licensed recreational vehicle parks.
>
> B. Recreational vehicles may be stored, but not used for living quarters, anywhere within the city in accordance with the following provisions:
>
> 1. Two recreational vehicles may be placed within a structure lawfully existing on the premises; or
>
> *a.* *2. One recreational vehicle may be placed on a lot in an R district; provided, that on corner lots it shall not be located within 10 feet of the side property line adjacent to the street; and provided, that it shall not be used for residential purposes. (Italics added for emphasis)*

According to this code only one Recreation Vehicle can be placed on any lot and addresses corner lot location.

Finally, the code also prohibits parking of any vehicles in an area required to be landscaped by city ordinance. [8.15.030(B)(32)]

As we have explored the codes of neighboring cities, it appears we have the most restrictive code of any of them. Below is a summary of what we found in other cities:

Clinton City:
There do not appear to be regulations on private property.

Layton City:

> **10.62.030 Parking Restrictions**
> In addition to other parking restrictions in this Code, it shall be unlawful:
>
> 2. To park any vehicle over, above, on, or across the public easement between the sidewalk and curbing abutting any public street;
> 3. To park any vehicle over, above, on, or across any sidewalk or portion thereof, or to otherwise park a vehicle in such a manner so as to obstruct access upon, or use of, the entire surface of any sidewalk;

4. To park a vehicle upon any street, or publicly owned or controlled property or right-of-way for the principal purpose of performing maintenance or repairing such vehicle except as is necessitated by an emergency;
5. To park upon any street, public right-of-way, or publicly owned or controlled property a vehicle that is mechanically inoperable or cannot be lawfully operated on public streets. For purposes of this Subsection, "mechanically inoperable" includes, but is not limited to, flat tire, dead battery, any mechanical problem that would prohibit the immediate starting of the engine and proceeding in a normal manner, or any physical condition, such as missing or inoperable lighting, prohibiting lawful operation. "Lawfully operated" includes, but is not limited to, having current registration, inspection, and required equipment;
6. *To park a recreation vehicle, trailer, boat, or similar apparatus, in a manner proscribed above, or to park such an item on any public street except for the immediate loading or unloading and never longer than twenty-four (24) consecutive hours;*
7. *To park any vehicle, trailer, etc. in any fire lane or to otherwise block or obstruct any fire lane established by the City;*
8. *To park any vehicle, trailer, etc. on any public property, other than in designated parking or obvious parking areas or as legally permissible on roadways; or*
9. *To park any vehicle in any location that interferes with the delivery and monitoring of essential services, such as utilities, postal services, and refuse collection.*
10. *To park any vehicle, trailer, boat, or similar apparatus upon any developed parcel at a location other than that designed for parking.*
    a. *Areas designed for parking must be concrete, asphalt, or similar solid surface of sufficient size to house the entire vehicle.*
    b. *Exception. This Subsection shall not apply to vehicles parked so as to facilitate the immediate loading or unloading thereof or service vehicles actively involved in the construction, repair, or servicing of the premises. (Italics added for emphasis)*
11. To park any commercial trailer or semi-trailer, without motive power that is free-standing or disconnected from a truck tractor, upon any public roadway or public property.

Syracuse City:

11.20.070 Parking of trailers, recreational vehicles.

(A) It shall be unlawful for any person or business to park, place, store, or otherwise leave standing on any public street, public roadway, public alley or City property any unattached trailer of any type, whether for the occupancy of people, storage of items or for towing purposes; any boat, whether the same is loaded or not on an unattached trailer or otherwise; any camper not mounted on a vehicle; any motor home or mini motor home of any length; and any combination of a pulling or towing vehicle with an attached trailer for a period longer than 24 hours.

(B) Such vehicle shall be considered to be in violation of this section if parked in any one location for longer than 24 hours, or if the vehicle has been parked in public right-of-way or streets in one or more locations within Syracuse City for longer than 24 hours, except that a permit may be obtained from the Police Department for a period not to exceed seven days for out-of-town visitors.

(C) Parking of any such trailer or recreational vehicle on private property must not impede visibility of sidewalks and streets from adjacent driveways, nor impede vision on a corner lot for a distance of 40 feet from each of the intersecting streets.

(D) No trailer or recreational vehicle may be used as a place of sleep or habitation while it is parked on a public right-of-way. Recreational vehicles or trailers with a "bump-out" feature, by which the sides of the trailer expand to the left or right in order to increase the space within the trailer, may not have that feature activated while parked on the public right-of-way.

(E) Trailers used in the course of business shall be stored off of the public right-of-way, and may not be parked overnight on any right-of-way in any residential zone. (Italics added for emphasis)

(F) This section does not prohibit the parking of construction trailers on public right-of-way, so long as those trailers are associated with an active building permit. [Ord. 17-19 (Exh. A); Ord. 16-22 § 1 (Exh. A); Ord. 06-08 § 1; Code 1971 § 11-4-3. Formerly 11.20.040.]

With the City Code outlined above and a brief summary of some of the neighboring city codes, Staff would like to know what direction the Council would like to take regarding the Code and the enforcement of the Code. There is a parking problem of even just boats, boat trailers, and travel trailers, not to mention if the code is expanded to capture more trailer types or recreational vehicles. That's not to say we need to change the code, but the enforcement of the code will likely stir up some controversy. For this reason, we would like direction from the Council.

Recommendation

This is for discussion purposes only. Staff would like feedback from the Council on this code and any direction for changing or updating the code.

Significant Impacts

No significant impacts at this time.

Attachments

None

City Council Staff Report

Subject: Law Enforcement Contract/Interlocal Agreement
Author: Kyle Laws
Department: Executive
Date: June 16, 2020

WEST POINT
U T A H

Background

Law enforcement services in West Point City are provided by the Davis County Sheriff's Office (DCSO). The scope of services the City receives and the City's obligations are determined through an Interlocal agreement. The current Interlocal Agreement with Davis County expires on June 30, 2020.

Staff has been in contact with the Davis County Sheriff's Office and have discussed the renewal of the existing contract.

Analysis

Based on discussion with the County, there is no increase proposed for this year and we have agreed to extend the existing contract with the current pricing for the next year. As a result, the only changes to the contract are the termination dates.

Staff has established a great relationship with DCSO and communication is strong. We appreciate the County's willingness to extend the current contract for the next year. At the County's request, we will re-evaluate the hours spent in the City and discuss the possibility of a multi-year contract next year.

Recommendation

No action required. This is for discussion only.

Significant Impacts

No significant impacts at this time.

Attachments

- None

3200 WEST 300 NORTH
WEST POINT CITY, UT 84015

WEST POINT CITY COUNCIL MEETING MINUTES

ELECTRONIC MEETING
NO PHYSICAL MEETING LOCATION

May 19, 2020

Administrative Session

6:00 PM

Minutes for the West Point City Council Administrative Session held via electronic Zoom Meeting, accessible to attendees by entering Meeting ID #87093242763 at https://zoom.us/join or by telephone at (669) 900-6833, on May 19, 2020 at 6:00 pm with Mayor Erik Craythorne presiding.

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

EXCUSED: None

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: Visitors able to attend electronically, no sign-in required.

1. **Discussion Regarding the FY2021 Tentative Budget for West Point City & All Related Agencies – Mr. Ryan Harvey**
Mr. Harvey stated that this budget discussion will focus on the Capital Projects Matrix, which was provided in the staff report. The spreadsheet outlines a recommended 5-year plan for construction and improvements in the City. The matrix also includes a column for "FY2020 Carryforward" which represents amounts that were budgeted but not expended during Fiscal Year 2020. Mr. Harvey explained that unless the project is canceled and the funds reallocated, the amount will also be included in the FY2021 budget. This is so that the intended project can still be completed even though the fiscal year has ended. The following projects are those proposed to be funded for FY2021 (some of which have carryforward balances from previous fiscal years in addition to the amounts listed here):

   - *006 – Power Installation East Park & Bingham Park - $20,000 –* This project has been unfunded in past years, but Staff recommends funding it in FY2021.
   - *012 – Street Maintenance –$200,000 –* This is the normal, yearly amount. Mr. Laws stated that this project is a Class C Roads funded, and in a townhall meeting the previous with the ULCT, economist Ken C. Gardner with the U of U shared some analysis of Class B & C Road funds for cities. From March 2019 to March 2020, there has been a 13% decrease in revenue, and it expect an even larger decrease from April 2019 to April 2020. They do however, expect that with the move into the Yellow and Green Phases, those funds will eventually start to increase, but this information provides some preliminary insight into how the COVID-19 pandemic has affected the economy. Mr. Harvey stated that for the last few years, the City has been budgeting about $375,000 per fiscal year, and just over $395,000 was collected in FY2019. With a large part of the current fiscal year (FY2020) over, it was looking like the City was going to receive about that same amount, but these last few months of the pandemic will likely change that projection. For FY2021, Staff is proposing to budget just $200,000 for Class C Roads Fund revenue in order to conservatively budget for the uncertainty in the economy.
   - *015 – Salt and Street Materials – $30,000 –* Historically, the City has funded this at $10,000. Last year we increased that to $15,000, but it still was not enough. Staff is proposing $30,000 this year to catch up, and then $20,000 going forward.
   - *021 – Sewer Master Plan/Impact Fee Analysis - $40,000 –* This amount is for the Annexation Study Area.
   - *031 – Source Protection Plan - $20,000 –* The current plan was completed in 2016, so it is time to update the plan.
   - *043 – Cemetery Perpetual Care – $29,590 –* This is the amount that the City has received so far this year. This amount will be updated on July 1 and included in the final budget.

- *057 – Rebuild PRVs - $18,500 –* This is the amount needed to bring the total budgeted amount to $25,000 to complete this project.
- *059 – Vehicle Replacement – $28,516 –* This is the amount needed to be added to the carryforward amount to replace the 2016 Chevrolet 3500 Crew Cab ($55,000).
- *060 – Equipment Replacement - $25,000 –* This project was overspent by this amount in FY2020 due to the Vacuum Truck tank replacement.
- *068 – City Hall Maintenance and Repair - $50,000 –* This amount is the estimated cost for a new roof replacement for City Hall as well as general maintenance and upkeep of the building. Mr. Laws explained that City Hall does not need an entirely new roof, but the flat parts of the roof have a membrane layer that has begun leaking and needs to be replaced; the metal roofing is still in good shape. Mr. Laws also noted that City Hall was constructed about 18 years ago, and the current membrane has a 15-year warranty and the metal roofing a 20-year warranty.
- *073 – 5 Year CIP – $50,000 –* This is the normal, yearly amount.
- *075 – Park Improvements – $135,000 –* This is the normal, yearly amount.
- *080 – Storm Water Management Plan - $30,000 -* The current plan was completed in 2016, so it is time to update the plan.
- *089 – Local Option Sales Tax – $83,024 –* This is the amount that the City has received so far this year. This amount will be updated on July 1 and included in the final budget.
- *096 – 200 South 12" Sewer Line (3000 W to 2500 W) - $100,000 –* This is the yearly amount the City is projecting to receive, and which will be paid back to the developer for construction of the line.

  Total - $869,630

Mr. Harvey stated the only other change to the budget not related to Capital Projects or the Personnel Changes discussed in the last meeting is the water purchase from Weber Basin Water Conservancy District. The amount for FY2021 is $205,865, which is an increase of $18,455. Mr. Davis clarified for the Council that the amount of water being purchased is the same each year, it is just the fees for that water that varies from year to year.

At the next meeting, Mr. Harvey stated that the budget discussions will cover the CDRA Fund, the Fee Schedule, Compensation Schedule, Property Tax Rate, and any other outstanding issues that need to be covered. At that meeting the Council will also consider adoption of both the FY2021 Tentative Budget and the CDRA FY2021 Tentative Budget.

The Council thanked Mr. Harvey and Staff for their work in the budget and will continue this discussion into future meetings.

2. Discussion Regarding a Requested Amendment to the Garbage Collection Contract with Econo Waste, Inc. – Mr. Kyle Laws

Mr. Laws stated that in the discussion regarding the fee increase requested by Econo Waste at the last Council meeting, Staff was asked to research the costs other cities are paying for the first garbage can. That information was presented as follows:

City	1st Can 2017	1st Can Current	1st Can 7/1/2020
Clearfield	$4.38	$4.97	$4.97
Clinton	$3.95	$4.13	$4.34
Fruit Heights	$5.20		
Kaysville	$4.05	$4.25	
Layton	$4.83	$5.69	
Sunset		$3.70	
Syracuse	$3.73	$3.96	$4.07
West Point	***$3.20***	***$3.20***	***$3.50****
*Assuming a $0.30 increase as requested			

In looking at the prices, Mr. Laws stated that even with the $.30 increase being requested, the City is still receiving a great price. Since the last meeting, Staff has continued discussing the request with Val Sanders at Econo Waste and would like to propose that the current contract be extended for an additional three years, beginning July 1, 2020 and ending June 30, 2025. In 2020, the rate of the 1st can would increase by $.30, with no increase in year 2, and then increase by 2% each of the remaining three years. This proposal is summarized as follows:

Proposed 1st Can Rate Structure - West Point City					
Date	July 1, 2020	July 1, 2021	July 1, 2022	July 1, 2023	July 1, 2024
Rate	$3.50	$3.50	$3.57	$3.64	$3.71
% Increase		0%	2%	2%	2%

The Council felt that Econo Waste has provided a good service to the City and is still offering a great price. With that, the Council agreed with this proposal and would consider approval of the contract at a future meeting. The $.30 fee increase beginning July 1, 2020 will also be included in the City's Fee Schedule for FY2021, which is scheduled to be approved at the meeting on June 16th.

3. Discussion Regarding the Sunview Estates Subdivision Phase I – Mr. Boyd Davis

Mr. Davis stated that this subdivision was discussed at the last City Council meeting and gave a quick recap of the project for the Council. The Sunview Estates Subdivision is located at 1100 N 5000 W and is owned and being developed by Mark Thayne. The property was formally known as "The Sod Farm." The property was recently rezoned to the R-1 PRUD zone and Mr. Thayne is now requesting final approval for Phase I of the Subdivision. This first phase consists of 1.6 acres and contains 6 lots, ranging in size from 10,140 sq. ft. to 12,749 sq. ft. All of these 6 lots are able to connect directly to the gravity sewer line and therefore not require a lift station. Phase I has received final approval by the Planning Commission, subject to the storm water drainage issue being resolved.

The plan calls for the storm water to drain to the west, eventually draining across Lynn Kirkman's property. There is disagreement between Mr. Kirkman and Mr. Thayne about the drainage plan, as Mr. Kirkman is concerned that the water quality will be changed and could potentially harm his cattle. The City has been working with both parties for several months, hoping that they could resolve the issue between themselves. Davis stated that since the last meeting, there still has been no resolution. The City has also reached out to the Utah Department of Agriculture and the Utah Division of Water Quality, neither of which were able to able to provide clear standards on which to base whether or not the water would be safe for cattle. Mr. Davis stated that the City's Code requires that a storm drain plan be submitted, which includes a water quality component, and as the City Engineer, he has reviewed the submitted storm drain plan and it addresses both the water quantity and water quality requirements. The plan calls for a detention pond to control the quantity of the water flow and also to help aid in controlling the water quality. This detention pond will have the capacity to hold drainage from a "100-year storm" which is the City's standard requirement. Additionally, the plan calls for two "Snouts", which is a brand name of an oil and water separator mechanism and filtering system. Generally, only one Snout is included in a storm drain plan, but this storm drain plan calls for a Snout at both the entrance to the pond to prevent oil and debris from reaching the pond and another at the outlet of the pond to further filter the water before reaching Kirkman's property. Mr. Davis stated that this is a typical, widely accepted plan, which the Division of Water Quality also agreed with, and even goes a little beyond with the second Snout.

Mr. Davis shared the City Attorney's (Felshaw King) opinion with the Council again, which is that this is a natural drainage channel which Mr. Thayne has a right to discharge water into as long as he takes reasonable measures to control the quality and quantity of the water. Based upon the storm drain plan submitted, Mr. Davis stated that he believes Mr. Thayne has met this standard and Staff's position is that this subdivision should be approved. Council Member Dawson expressed his reservations with relying on Mr. King's opinion, as he is not a specialized land-use attorney. Mr. Laws noted that even so, Mr. King's response was consistent with the communication given by the State Ombudsman to Mark Thayne. Mr. Davis added that the City also received a letter from the attorney for Psion Homes who is developing the property to the south of this, who is also claiming a drainage right to this natural drain. The Kirkman's attorney responded to that letter, explaining their concern about the quality of the water and asking that if they use the drain channel, that they install a detention pond in the subdivision and that the Kirkman's have a right to the well water on the Stoddard property.

Mr. Davis clarified for Council Member Petersen that the City will maintain the Snouts and have an easement to use the detention pond. Council Member Judd asked for more information about the easement issue the Utah Division of Water Quality raised that was in the staff report. Mr. Davis explained that Jeanne Riley of the Division was concerned about whether Mr. Thayne had the right to access the drainage easement across the Kirkman property, but Mr. Davis stated that she acknowledged she was not familiar with 'prescriptive easements', which is a historical easement that is not recorded, but the rights to it are assumed by a long period of use. Mr. King's opinion is that this is a natural drainage channel and neither a written or prescriptive easement exists.

Council Member Chatterton inquired as to whether any funds are being collected in the development process to contribute to the City's cost of maintaining the storm drain system. Mr. Davis stated that just as in all subdivisions within the City, the City will take on the maintenance and liability of all the utilities built for the project. The funding comes from the subdivision's residents, who pay a storm water impact fee as part of the building permit, and also a storm water fee each month as part of their utility bill. Mayor Craythorne clarified that the City will not maintain the detention pond itself (landscaping, etc.), but rather the drainage infrastructure.

The Council will consider approval Phase I of the Sunview Estates Subdivision in tonight's General Session and will have further discussion at that time.

4. Discussion Regarding a Request to Develop Multiple Phases of the Wade Farms Subdivision – Mr. Boyd Davis

Mayor Craythorne prefaced this item, stating that some years ago, an ordinance was approved that set a 30-lot maximum in each phase of a subdivision, and 50% of those lots had to have building permits taken out on them before the next phase could begin to be developed. Since that time, developments have become larger and developers are wanting to be able to develop more than one phase at a time. As a developer himself, the Mayor stated that he is unaware of any other city that has a maximum lot number like West Point does and expressed his opinion that it may be time to consider revising or removing that restriction.

Mr. Davis stated that the developers of the Wade Farms Subdivision, Ovation Homes, submitted a request to the City that they may be allowed to develop the first four phases of their development simultaneously. The submitted phasing plan designates eight different phases across the 60-acre development. The Planning Commission considered the request, and was concerned about the timing of the development of the open-space amenity which is shown in the Phasing Plan to be part of Phase 6. Ovation Homes has agreed that if granted their request to develop Phases 1-4 concurrently, they will also include development of the open-space.

As Mayor Craythorne explained, Mr. Davis stated that the City Code does not allow for more than two phases to be developed consecutively. However, the Code also states that "the city council may grant exceptions to these rules if deemed appropriate." (WPCC 16.05.090(D)). Staff is not entirely sure why this language was put in the Code, but speculates that it was to prevent a developer from overextending and becoming unable to complete a project. Examples of situations where this has occurred are the Cold Springs Subdivision and the Fairways Beyond the Bluff Phase 2. However, there are also examples in the City of completed subdivisions with more than 30 lots in each phase, such as the Paice Farms Subdivision, which was developed with over 100 lots in the first phase.

In their request letter, Ovation Homes outlined their reasons for wanting to develop Phases 1-4 concurrently, which Mr. Davis shared with the Council:

- *The existing ordinance limiting phases and approval thereof to 30 lots seems a bit out of date and perhaps originated at a time when homes were not being constructed at the pace they are today.*
- *Final plat approval and construction of the first four phases allows for the extension of infrastructure throughout the project and to the park area at the center of the subdivision.*
- *Additional homes up front will allow the HOA to become established in a timely manner for the overall sustainability of the PRUD and associated amenities.*
- *With approval to move forward with the first four phases at the same time, we are able to construct three different housing types:*
    - *Phases 1 and 2 – larger homes with basements on larger lots,*
    - *Phase 3 – Aspire Homes catering to younger buyers who may be purchasing their first home, and*
    - *Phase 4 – Ovation Homes - single family homes for active-adult residents.*

Mayor Craythorne stated that it takes a substantial amount of money to develop a subdivision and with the lending regulations progressing to where they are currently, "not just any" developer will be approved to borrow those kinds of funds. With that, the "vetting out" of developers who could get to the point of not being able to a complete their project is done through other means and really doesn't need to be regulated through City Code. Council Member Chatterton agreed.

Council Member Henderson questioned whether Staff has any reservations regarding granting this request. Mr. Laws stated that Staff's recommendation would be that if the Council motioned to approve the concurrent development of Phases 1-4, that part of that motion include the development of Parcel D, which would include the open-space amenities and detention basin. Brad Frost, with Ovation Homes, was in electronic attendance at the meeting and commented that the plat included with the staff report has been revised to reflect the direction received from the Planning Commission that Parcel D be included with these first phases, and Parcel D is now part of Phase 1. Council Member Chatterton inquired as to whether that map is available for the Council to view before approval. Mr. Laws clarified that the Council is not being asked to consider final approval of the plat for Phases 1-4 at this time, but just the request to develop multiple phases simultaneously. Mayor Craythorne added that if the Council chooses to approve the request, the final plat for these phases will be submitted to the City and considered by the Planning Commission before coming to the City Council for final approval.

Council Member Judd inquired as to what the harm would be in keeping the 30-lot maximum per phase in the Code as an extra protection for the City, and exceptions be granted by the Council when they felt comfortable doing so. Additionally, she wondered how the development of so many lots at once would affect our Public Works and Community Development Staff in keeping up with inspections, permits, etc. Lastly, (as a realtor), her experience is that most subdivisions are developed in phases, with each phase "creating more buzz" for buyers to purchase lots. Mayor Craythorne stated that because this development has three different types of homes (single-family, town-homes, and active adult), their intent is likely to be able to develop some of each product in the initial development of the project. He also agrees that her concern about the extra burden on Staff is valid, but hopes that with the personnel changes and additional positions being discussed as part of the budget will help the City ensure it has the resources to handle the increase in development that West Point is experiencing. The Mayor also agreed that most subdivisions are done in phases, but usually in larger phases with more lots and, like he mentioned earlier, a developer has to go through other steps (like securing funding) before being able to start a new phase and that whole process serves as checkpoints even before the City is involved. Council Member Petersen commented that he had some of the same thoughts as Council Member Judd and would be in favor of "relaxing" the Code, but not removing the maximum lot restriction entirely. He would like to have more information on what other cities have in their codes, their experiences, etc., and discuss the matter further. He added that in regards to this project, he is comfortable with development of multiple phases as requested, but another development may come along where the City would be glad to have some sort of regulation in the Code. The Mayor agreed that gathering more information about phasing sizes and practices in other cities is a good idea and directed Staff to start researching that data, noting that if the Council was in favor of considering a modification to the Code, that process would start with the Planning Commission and they would discuss that information before making a recommendation to the City Council.

The Council was in agreeance to consider a modification to the Code and approved of the Mayor's direction to Staff. The Council also agreed that this was a type of development that they would be in favor of granting an exception to the Code and allow multiple phases to be developed simultaneously. Consideration of approval of Ovation Homes' request is on the agenda in tonight's General Session. Final approval of the actual plat for Phases 1-4 will be on an agenda after approval by the Planning Commission.

5. Other Items

No other items were discussed.

The Administrative Session adjourned.

3200 WEST 300 NORTH
WEST POINT CITY, UT 84015

WEST POINT CITY COUNCIL MEETING MINUTES

ELECTRONIC MEETING
NO PHYSICAL MEETING LOCATION

May 19, 2020

General Session

7:00 PM

Minutes for the General Session of the West Point City Council held via electronic Zoom Meeting, accessible to attendees by entering Meeting ID #87093242763 at https://zoom.us/join or by telephone at (669) 900-6833, on May 19, 2020 at 7:00 pm with Mayor Erik Craythorne presiding.

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

EXCUSED: None

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: Visitors able to attend electronically, no sign-in required.

1. **Call to Order –** Mayor Craythorne welcomed those attending the electronic meeting.
2. **Prayer –** *Offered by Rajan Zed, Hindu Prayer Leader*
3. **Communications and Disclosures from City Council and Mayor**

Council Member Chatterton – No comments

Council Member Kent Henderson – The Mosquito Abatement District Davis is open and at work preparing for this year's mosquito season. They have already had over 90 spray requests submitted that they are getting completed and are working on getting all their abatement strategies into place.

Council Member Judd – Would like to thank Mr. Laws and Mr. Davis and all of Staff for all of the extra work they have been doing for the City in the present climate and for their communication with the Council. As the new Planning Commission liaison for the Council, she would also like to recognize the Commissioners for the hard work that they do for the City; it has been a bit of an eye-opener for her as she has attended the meetings to see the extent of effort they put into serving and expressed her appreciation for them.

Council Member Petersen – No comments

Council Member Dawson – As his residence is in a section of the City that UTOPIA has completed, his family has signed up for the fiber internet service and are very excited to have installed to his home on June 2nd.
In regards to the North Davis Sewer District, the Board had a presentation on the nutrient problems that are being flowed into the Great Salt Lake. Because the salinity of the water is so much lower, the system is starting to fall under the water quality regulations for the removal of nitrogen and phosphates. He would like to show the Council a presentation at a future meeting to detail what is being done to resolve the problem. He noted that the pipeline will likely have to be extended across a sandbar out into Gilbert Bay, but the Utah Department of Water Quality is in favor of the plan and it is estimated to save about $100-million as opposed to redesigning the sewer plant to chemically treat the problem. Mayor Craythorne was in favor of having this

presentation, and because of the number of items on the tentative agenda for the next meeting, asked Mr. Laws to place the presentation on the agenda for the following meeting.

Mayor Craythorne – Wasatch Integrated Waste Management was able to make its first waste transfer this week from the new transfer station that was recently completed to replace the waste energy facility. This is an exciting program as it will hopefully be able to transfer as much waste as they were previously burning.

The Mayor also stated that both he and Mr. Laws continue to meet with the Davis County Health Department and officials from other cities in the County every Monday to discuss the COVID-19 situation, receive updates, ask questions, coordinate planning, brainstorm strategies, etc. He stated that it has been a great help and benefit to have such a collaborative effort throughout the County to help all navigate through the difficult situation and make decisions based on the best interest of residents.

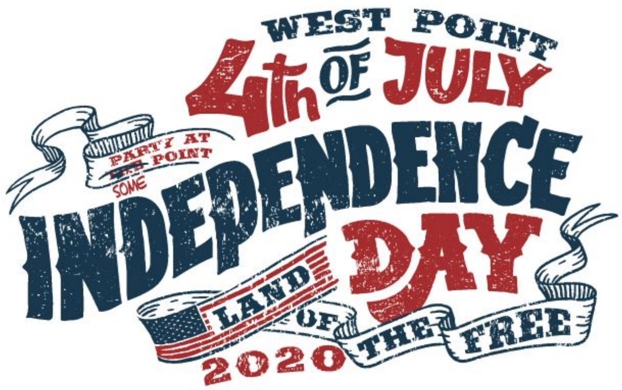
4. Communications from Staff

Mr. Laws shared the Davis County Health Department's COVID-19 Data Dashboard with the Council (which is available to the public online). He stated that the Health Department focuses a lot on the week-by-week case counts to judge the situation, and have stated that it is good news that the number of cases is beginning to plateau. In regards to West Point, there have been 5 confirmed cases, although that only reflects actually tested and confirmed individuals. There is currently only one active case in West Point and commended residents for being proactive and following the health guidelines in place to keep the City's numbers very low. Mayor Craythorne commented that the percent of people tested being positive is declining, which is also a positive indicator. Mr. Laws added that there was a ULCT meeting this week about the effects on tourism in Utah; as a majority of the tourism in the State comes from international travel, the industry has really been impacted by the pandemic. The State has come out with some new videos thanking visitors for being cautious and restricting travel, while also promoting our parks and encouraging people to visit when the time comes for restrictions and guidelines to be lifted. They expect that it won't be until the 3rd quarter of 2021 that numbers will return to 2019 levels.

In regards to UTOPIA, City Hall was connected earlier in the day and Staff is excited for the fiber internet as well. The east side of the City is now eligible to sign-up and hopefully the rest of the City will be ready for residents to sign-up by the end of summer.

Mr. Laws also informed the Council that the 4th of July Committee met the previous week and plan to announce the cancelation of the annual Party at the Point Celebration to residents this week. The Committee discussed different ideas and options for events that could still be offered to help residents honor Independence Day, some of which involve the Council's participation. Mr. Laws was asked to gauge the Council's interest of having two 'mini' parades, with one being led by the North Davis Fire District and including half of the Council Members and the other half being led by the Davis County Sheriff's Office. These would be more 'waving parades' that would travel down multiple streets in the City to avoid congregation of residents along a main route.

The Baby Contest is usually judged by the West Point Pageant Royalty at the celebration, and the Committee felt that this could still be held virtually; parents would submit videos (not available to the public) to be judged the Royalty and the prizes/awards would be announced. The Committee also decided that the Art Contest could still be held, with the voting done virtually or judged by the Committee. The idea of a chalk-art festival was also discussed, which could also possibly be a judged event where neighborhoods or streets would submit their locations as wanting to participate. Matt Drake also suggested a City-wide scavenger hunt and was going to put some ideas together for how that would work and bring those back to discuss with the Committee. Lastly, the design for this year's t-shirts had already been completed, and the Committee came up with the idea to still sell the t-shirts for residents to purchase, but instead of the words "Party at the Point", they would say "Party at ~~the~~ SOME Point." The thought was thought offering the t-shirts would be a fun way to still celebrate the holiday and also make sure residents know that we may not be able to have the event this year, but that it will be back next year just as it always has. Mr. Laws shared the modified design with the Council:



The Council liked the t-shirts and agreed that it would be a fun way to still recognize the event in spite of the current situation. Mr. Laws verified that the year 2020 will be printed on the shirts and they would be pre-ordered by residents and shipped directly to their home.

Mayor Craythorne expressed his stance that if the City was not going to be able to hold its regular celebration, he would rather be able to join his family this year on the vacation they regularly take over the holiday. Council Member Chatterton commented that he feels the same way as the Mayor and may also go on vacation. He also worries that even if the City publishes the route and modified parade, people will still gather together on the streets. Council Member Petersen shared his opinion that the parade is not usually attended each year just because City Council is in it – it is likely some of the entries that draw the attention, and for kids especially, things like the fire engines and patrol car sirens. He felt that if the NDFD and DCSO were willing to participate, it might be an option to include some other popular entries, but would also be concerned about the crowds of people that might bring. Council Member Judd stated that although she was looking forward to participating in the parade this year for the first time as a Council Member, she also leans towards wanting to spend the holiday with her family. She also commented that many residents probably attend the parade because they have family or friends participating in it, and would think that many families would also choose to go out of town or plan some other activity to celebrate the holiday. Council Member Dawson agreed with all the comments and is also concerned about the potential of crowds gathering. In all, both the Mayor and Council agreed not to hold a parade this year and instead focus on making next year's celebration even better. Mr. Laws also added that there is planning in the works for a special fly-over by Hill Air Force Base in collaboration with surrounding cities to help signify the importance of the Independence Day holiday.

Mr. Davis also updated the Council on how the meetings with the Land Use Consultants have been going, stating that Staff has really enjoyed working with both Meg Ryan and John Janson and have spent hours with them in reviewing the City's Land Use Code. The original plan was to hold a joint meeting with the City Council and the Planning Commission to introduce them before starting on the project, but that was not able to happen given the current situation and they have moved forward. Mr. Davis encouraged the Council to ask Staff any questions or raise any concerns that they may have about the City's Land Use Code while this review is taking place. All changes that may be recommended will come to the Council for consideration and approval.

In regards to the citizen comment received by Mr. Richard Wood regarding accessory building setback requirements, Mr. Laws stated that he sent an email to the Council for their direction on Mr. Wood's request to modify the Code. There was no objection to considering the request, with those who responded stating that they were in favor of having the issue discussed by the Planning Commission for a recommendation. The item will be discussed by the Planning Commission in a meeting in the near future.

Mr. Laws made one last comment that using the Chat feature available with Zoom meetings should probably be avoided, as the threads cannot be seen by attendees and may violate the Utah Open and Public Meetings Act.

5. Citizen Comment

Mr. Kirkman – 3633 W 1300 N: Mr. Kirkman wanted to express that, (in regards to the drainage issue with Mr. Thayne's and Psion Homes planned developments) he is not trying to "shut their projects down", but is just concerned about the quality and quantity of the drainage water. He feels that it is an issue that can be worked out without having attorneys involved. Mr. Kirkman added his stance that there *is* some land value with the easement of the drainage channel across his property.

Mark Thayne – 704 N 3500 W: Mr. Thayne stated that, (also in regards to the drainage issue with his development and the Kirkman's property) he agrees with Mr. Kirkman in that involving attorneys to resolve the issue is not desirable for either party. However, he would like to explain that he has worked closely with Staff on this issue, met with the Kirkman's on multiple occasions, reached out for opinions with multiple entities, received the City Attorney's opinion and also the opinions of other attorneys, and feels that the plan he has submitted meets all City and State Code. Mr. Thayne added that City Staff, "the professionals of the City Code", has given their recommendation to the Council and confirmed that the plan meets all necessary requirements. With all of that, Mr. Thayne asked that the Council approve his subdivision (on the agenda for consideration later in this meeting) and allow him to move forward with the project. He also asked that he be allowed to respond to any questions the Council may have during that discussion. Mayor Craythorne stated that it is a normal practice for a developer to be available for questions when the Council is considering approval of a subdivision and that Mr. Thayne would likewise be allowed to participate.

6. Public Hearing Regarding the FY2021 Tentative Budget for West Point City and All Related Agencies – Mr. Ryan Harvey

Mr. Harvey stated that the proposed budget for FY2021 has been presented to the Council, with the proposed Personnel budget changes, General Fund Department budget requests, Capital Projects funding, and Enterprise Funds changes all having been discussed. Mr. Harvey reviewed the General Fund Revenues for the Council, stating that with the uncertainty of the economy and in light of recent events caused by the COVID-19 pandemic, Staff wants to be conservative in budgeting of revenues in FY2021. As such, there are no General Fund revenue line items that Staff is proposing to increase, and the following are the significant revenue sources that Staff is proposing to decrease:

- Sales Tax – $1,300,000 (a decrease of $100,000)
- Class C Road Revenue - $200,000 (a decrease of $175,000)
- Building Permits - $200,000 (a decrease of $110,000)

Mr. Harvey reviewed the proposed Personnel Budget changes, which include the following:

- 2% Merit Increase –*$22,539*
- Benefits Increase – *$13,047*
- Public Works Inspector Position – *$91,164*
- Public Works Position – *$71,813*
- City Planner Position – *$97,213*

The Mayor confirmed that the proposed budget is available online with the agenda for this meeting, or by contacting City Hall for any residents wishing to review it.

The Mayor opened the item for public hearing, noting that the Council is not considering action on the budget at this meeting. There will be a second public hearing at the next meeting, after which the Council will consider approval of the proposed FY2021 Tentative Budget.

No Comments

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

7. **Consideration of Approval of Ordinance No. 05-19-2020A, Amending Chapter 17.25.080 of the West Point City Code Regarding the Minimum Front Yard Setbacks in the R-4 Zone – Mr. Boyd Davis**

Mayor Craythorne informed the Council and those in attendance that at their meeting the previous week, the Planning Commission voted to table consideration of approval of this item. Although the Planning Commission has not yet made a recommendation to the Council, a public hearing was noticed for this meeting and will still be held for the City Council to receive any public input.

Mr. Davis summarized this item, explaining that the Planning Commission received a request from Jake Shepherd to consider changing the front yard setback in the R-4 zone from 25 ft. to 20 ft. Mr. Shepherd is planning a development that will include townhouses and feels that 20 ft. is appropriate. There are currently three existing townhouse projects in the City that have setbacks of 20 ft. and some even ranging down to 9 ft. Those projects are the Yalecrest Towns, which has a variety of setbacks ranging from 9 ft. to 25 ft; the Lakepoint Village project includes townhouses ranging from 19 ft. to 23 ft.; and the Sandy Point Townhouse project has setbacks from 20 ft. to 25 ft. In the Council's last discussion on the issue, Staff was directed to research the history on these projects and why they were allowed exceptions to the 25 ft. setback requirement.

Mr. Davis stated that there are four different sections in the Code that address front yard setbacks:

Section	Standard
17.25.080 (Zoning Chart)	25'
17.35.080 (PRUD)	20'
15.20.165 (Multifamily/Townhouse Standards)	20'
Old PUD Code	20'

In regards to the Lakepoint Village, the project was granted a PUD overlay zone under the old PUD Code, which stated:
"*Garages with entrances facing directly on the street, whether in a front or side yard, shall be set back at least 20 feet from the property line.* "

As for Sandy Point and Yalecrest Towns, the specific language in Section 15.20.165 states:
"*Driveways can be used to meet the parking requirement provided there is at least 20 feet from the garage to the sidewalk or street.*"

As Mayor Craythorne mentioned, Mr. Davis stated that the Planning Commission had a lengthy discussion but was not able to come to a consensus and tabled taking action on this item. Several of the Commissioners were concerned about a potential safety issue if a vehicle was longer than 20 ft. and blocked the sidewalk, which some Council Members had also expressed during the last discussion. Staff was asked to look into code enforcement records to see if and how many code violations had been issued in these existing subdivisions where a vehicle was blocking the street. Staff was also asked to review other cities' code to see what other cities allow. Mr. Davis stated that Staff is currently gathering that information and would recommend that the City Council also table consideration of this item until the Planning Commission makes their recommendation.

One comment was received at the Planning Commission's public hearing, made by a representative from Nilson Homes, who was in favor of the 20 ft. setback. The reasoning explained was that it is difficult, and maybe even impossible, to fit 8 units to the acre and maintain the 30% open space required with 25 ft. setbacks. He also commented that the blocking of sidewalks can and does happen even in longer driveways, and so is not solely due to the actual driveway length.

Mayor Craythorne opened the item for public hearing.

a. **Public Hearing**

Jake Shepherd – 522 N 3650 W: Mr. Shepherd thanked Mr. Davis for his explanation of the issue, reiterating that 20 ft. front yard setbacks are already allowed within City Code in various situations, noting specifically that the PRUD overlay zone in both the R-2 and R-3 zones allows for 20 ft. setbacks. Further, Mr. Shepherd stated that an R-3 PRUD zone has a potential for 4.3 units per acre and the R-4 allows for 8 units per acre, but with the 30% open space requirement, it is difficult to reach the density the R-4 zone allows for without compromising the size of the units. He also stated that the City has an ordinance that prohibits blocking the sidewalks, which still occurs throughout the City regardless of the length of the driveway. Lastly, the Planning Commission had made a comment that a resident with a large vehicle would not be able to park in the driveway, but Mr. Shepherd stated that there are obviously other homes in the City with longer driveways, and a potential buyer would likely take the driveway length into consideration before purchasing a home in the R-4 zone. IN summary, he feels that this is a higher density project and accommodations should be made for this zone as they are already allowed in other zones with even less density. He also noted that just because a front yard setback is 25 ft. does not necessarily mean that the driveway will actually be that length in some types of home designs.

Brian Bayles – 1656 Equestrian Parkway, Kaysville UT: Mr. Bayles stated that he was the representative of Nilson Homes that had commented during the public hearing at the Planning Commission meeting and in addition to what was mentioned by Mr. Shepherd, he would like to reiterate that there are probably some "unintended consequences" that result in a development that reaches the density allowed in the zone (8 units per acre) and has the 30% open space when 25 ft. front yard setbacks are required. Namely, the size of a unit is negatively impacted. Having to reduce the depth of a home by 5 ft. to meet the 25 ft. setback could realistically result in the loss of a whole bedroom; which for those already not in favor of high-density projects in the City, likely makes the development even more undesirable because of the small size of the homes. Another impact is on the number of attached units in a project. To meet the density allowed, a developer is incentivized to construct more attached units in the development to maximize profit. While attached units create more "affordable homes" for buyers, a subdivision full of attached units may not be the vision the Council has for the City. Lastly, Mr. Bayles stated that again, there are already developments within West Point with 20 ft. front yard setbacks and he hopes that the Council will consider reducing the 25 ft. setback requirement to be consistent throughout these types of developments in the City.

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

b. Action

Mayor Craythorne thanked the individuals for their comments in the public hearing and encouraged the Council to reach out to Staff with any questions they may have. For now, it may be best to postpone a discussion until the Planning Commission makes its recommendation unless Council Members had any comments that they would like to make at this time. No further comments were made by the Council.

Council Member Chatterton motioned to table approval of this item at this time
Council Member Petersen seconded the motion
The Council unanimously agreed

8. Consideration of Final Approval of the Sunview Estates Subdivision Phase I – Mr. Boyd Davis

Mr. Davis stated that the Sunview Estate Subdivision is located on 5000 W and approximately 1100 N, owned and being developed by Mark Thayne. The first phase of the subdivision contains 1.6 acres and 6 lots ranging in size from 10,140 sq. ft. to 12,749 sq. ft. This first phase includes those lots along 5000 W that can connect directly to the gravity sewer line and will not require a lift station. There is an existing home on lot 105 that they plan to remodel or rebuild, which required the lots to face 5000 W. Four of the six lots will face 5000 W, while lots 102 and 103 will face the interior street. Staff has reviewed the plans and approvals have been received from the Hooper Water Improvement District, Davis & Weber Counties Canal Co., and the North Davis Fire District.

As has been previously discussed, the outstanding issue is the storm drain of the development, which calls for the storm water to drain to the west across the Stoddard property and onto the Lynn Kirkman's property. To summarize the issue, Mr. Kirkman feels that Mr. Thayne does not have a right to the storm drain channel on his property, is concerned about the increased quantity of water that will flow on his property, and worries about the quality of the water remaining safe for his cattle. Conversely, Mr. Thayne feels that this is a channel that water has always drained through and he therefore has a historic right to it.

The City Attorney's opinion is that this is a natural drainage channel that Mr. Thayne has a right to use, and Staff has confirmed that the storm drain plan meets all requirements. With that, Mr. Davis stated that Staff recommends approval of the subdivision but strongly encourages the two parties to come to a resolution on the storm drain issue.

Mayor Craythorne agreed that this issue has been discussed in depth and asked the Council for any further comments or questions that they may have. Council Member Chatterton commented that with this first phase, four of the six lots face 5000 W, which will serve as the storm drain for most of this phase. He inquired as to why there may be an issue with approving this first phase and consider the storm drain issue with approval of future phases, giving the two parties time to hopefully come to an agreement. Mr. Davis confirmed that the storm drain plan will not actually come into use until the development of Phase 2, but Staff felt that Mr. Kirkman's concerns should be discussed with approval of Phase 1 because those homes will also eventually contribute to the storm drainage system.

Council Member Petersen stated that Staff has done a good job in trying to vet through the situation and has thoroughly considered all the information. While the parties may not be in agreeance with each other at this time, the City has received its legal counsel and Staff's recommendation. With that, Council Member Petersen motioned to approve the Sunview Estates Subdivision Phase I.
Council Member Chatterton seconded the motion
  Council Member Judd – Aye
  Council Member Chatterton – Aye
  Council Member Petersen – Aye
  Council Member Dawson – Nay
  Council Member Henderson – Aye
Motion was approved

9. Consideration of Approval of a Request to Develop Multiple Phases of the Wade Farms Subdivision – Mr. Boyd Davis
Mayor Craythorne stated that this item has also been discussed in depth by the Council and asked Mr. Davis to provide a quick summary. Mr. Davis stated that Ovation Homes is the developer of this subdivision and has requested that they be allowed to develop Phases 1-4 of the project simultaneously. City Code states that no more than two phases shall be developed at one time, but does allow for the City Council to grant an exception to the rule. Mr. Davis stated that Staff has no recommendation regarding this request.

Mayor Craythorne added that from discussions about this request, the Council has considered the separate issue of the reasons this language was put in the City's Code and directed Staff to review the subdivision phasing regulations in other cities. It was agreed that the City's phasing restrictions should be further reviewed for possible modifications.

Mayor Craythorne reiterated that approval of this request is not granting final approval of Phases 1-4, but just the request to simultaneously develop the four phases. Plans for Phases 1-4 will be submitted to the City and go through the normal approval process, ending with the Council's final approval.

Council Member Dawson motioned to approve the request to develop multiple phases of the Wade Farms Subdivision
Council Member Henderson seconded the motion

Council Member Judd suggested that the motion to approve the request should include the condition that the open space be part of these first four phases as the Council had agreed.

Council Member Dawson revised his motion to include Council Member Judd's friendly amendment to approve the simultaneous development of the first four phases with the condition that the open space be included as part of those phases.
Council Member Henderson revised his second

The Council unanimously agreed

10. Motion to Adjourn the General Session

Council Member Chatterton motioned to adjourn the General Session
Council Member Petersen seconded the motion
The Council unanimously agreed

______________________________ June 19th, 2020
ERIK R. CRAYTHORNE, MAYOR

______________________________ June 19th, 2020
CASEY ARNOLD, CITY RECORDER

City Council Staff Report

Subject: Discussion of Econo Waste's Request to Amend Contract
Author: Kyle Laws
Department: Executive
Date: June 16, 2020

Background

Over the last 2 months there have been extensive discussions regarding the request for Econo Waste, Inc. to increase the price of the 1st black garbage can by $0.30 per month per residence.

Analysis

New to this Staff Report

Based on the previous discussions regarding the request to increase the fee for the 1st black can by Econo Waste, Inc., the City Council agreed at the last meeting that we would grant the $0.30 increase as requested for the remainder of the contract. The current contract expires in February of 2022. Attached to this report is the Resolution governing this decision and the amendment to the contract outlining this change. This new fee will be effective July 1, 2020.

June 2nd City Council Meeting

Staff would like to discuss the most recent letter with the Council and determine a course of action. While we would like to hold Econo Waste to the agreement and contract we have, we recognize that costs have increased for them yet our payment has not increased. We believe that our costs will increase in two years regardless of who becomes our hauler, and possibly in a significant way. By moving forward with the requested $0.30 increase on each black can we can hopefully ease into that increase for our residents so they don't see a significant increase in 2 years that may be more difficult for them to accept all at once. Staff is open to the Council's decision on this item.

May 19th City Council Meeting

During the discussion at the last City Council Meeting, the Council asked staff to verify the pricing of 1st cans in other cities. Below is the data that was found:

City	1st Can 2017	1st Can Current	1st Can 7/1/2020
Clearfield	$4.38	$4.97	$4.97
Clinton	$3.95	$4.13	$4.34
Fruit Heights	$5.20		
Kaysville	$4.05	$4.25	
Layton	$4.83	$5.69	
Sunset		$3.70	
Syracuse	$3.73	$3.96	$4.07
West Point	***$3.20***	***$3.20***	***$3.50****
*Assuming a $0.30 increase as requested			

After the last meeting, Staff has communicated with Val Sanders at Econo Waste and this is the new proposal that we would put before the City Council:

Extending the contract for three additional years, five years from now. Beginning July 1, 2020 and ending June 30, 2025. This year the rate of the 1st can would increase by $0.30. There would be no increase in year 2 and the final three years there would be a 2% increase each year on July 1st. The table below summarizes this request

Proposed 1st Can Rate Structure - West Point City					
Date	July 1, 2020	July 1, 2021	July 1, 2022	July 1, 2023	July 1, 2024
Rate	$3.50	$3.50	$3.57	$3.64	$3.71
% Increase		0%	2%	2%	2%

After gathering the data and knowing where are rate stands compared to other neighboring cities, Staff supports this proposal. This gives us a great rate for an additional 3 years beyond our current contract.

If the City Council is in favor of this proposal, we will create a formal amendment to the contract and bring this back to the Council for approval in June.

May 5th City Council Meeting

The current contract with Econo Waste began on February 21, 2017 and lasts for 5 years. The agreement states that the "City agrees to pay the Collector the sum of $3.20 per month per residence for the first trash can and $1.50 per month per residence for any additional trash can. Collector further guarantees these fees for the period covering the duration of the agreement as stipulated in Section 6 below." (Section 5(A))

Staff has discussed with Econo Waste this "guarantee" in the contract, however Econo Waste is still requesting an increase. The agreement does allow for changes to the agreement and states in Section 6(B) that "this agreement may be modified via the mutual cooperation of both the City and the Collector."

Econo Waste states, in their letter dated April 24, 2020, the following as reasons for their request:

- The Consumer Price Index has risen 4.2% from 2017 to the end of 2019
- The average wage for a qualified driver has risen from approximately $18.00/hr to $25.00/hr. Drivers are one of our most valuable assets, and as such, we pay these higher wages to ensure we are providing the best quality service to your City.
- We have been using Poulton Insurance for our insurance needs for the last 8 years, and in that time we have never had to file a claim. However, our insurance premiums have increase by $22,000 per year.
- We wish to continue providing West Point with the best service possible and believe that this small increase will allow us to do so.

We recognize the great price we received in 2017 upon renewal of our contract, this was a main factor in renewing with Econo Waste. We also recognize that changes in the economy make an impact on the cost of doing business. While this isn't a large request, we struggle with the fact that the contract “guarantees” a price for 5 years, but three years in we are being asked to increase that price. Perhaps, rather than increasing $0.30 this year we can suggest a lower amount this year with the remainder next year.

Another option to consider would be to renegotiate a new 5-year agreement, allowing us to lock in an agreeable price for an additional 3 years. We, of course, want to support our garbage collector as they have provided a great service to the City over the years with few issues. However, we also want to protect our residents and be sensitive to their costs, particularly during this difficult time dealing with the COVID-19 pandemic.

Recommendation

Staff recommends Council approve Resolution No. 06-16-2020B, amending the contract with Econo Waste for the remainder of the contract.

Significant Impacts

The impacts do not appear to be significant, although this decision does result in a $0.30 increase for each household.

Attachments

Resolution No. 06-16-2020B
Amendment to the existing contract

RESOLUTION NO. 06-16-2020B

A RESOLUTION APPROVING FIRST AMENDMENT TO WEST POINT CITY AUTOMATED GARBAGE AND RECYCLING COLLECTION AND DISPOSAL AGREEMENT WITH ECONO WASTE, INC. AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, West Point City entered into an Agreement entitled "West Point City Automated Garbage and Recycling Collection and Disposal Agreement" ("Agreement"); and,

WHEREAS, paragraph 6.B of the Agreement provides that certain terms of the Agreement may be modified; and,

WHEREAS, the City and the Collector now desire to enter into the First Amendment to said Agreement,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF WEST POINTY CITY, UTAH, as follows:

SECTION ONE: APPROVAL OF AMENDMENT

The First Amendment to West Point City Automated Garbage and Recycling Collection and Disposal Agreement attached hereto is hereby approved and adopted.

SECTION TWO: EFFECTIVE DATE OF AMENDMENT

The First Amendment to the Agreement shall become effective on and after July 1, 2020.

SECTION THREE: EFFECTIVE DATE OF RESOLUTION

This Resolution shall become effective immediately upon passage and adoption.

PASSED AND ADOPTED by the West Point City Council this 16th day of June, 2020.

WEST POINT CITY,
A Municipal Corporation

____

ERIK CRAYTHORNE
Mayor

ATTEST:

____

CASEY ARNOLD
City Recorder

FIRST AMENDMENT TO WEST POINT CITY AUTOMATED GARBAGE AND RECYCLING COLLECTION AND DISPOSAL AGREEMENT

THIS AGREEMENT is made and entered into as of the 16th day of June, 2020 by and between West Point City, hereinafter referred to as "City," a Municipal Corporation of the State of Utah, and Econo Waste, Inc., a Utah Corporation, hereinafter referred to as "Collector," as follows:

RECITALS

1. The City and Collector entered into an agreement with an effective date commencing February 21, 2017, which agreement is entitled "West Point City Automated Garbage and Recycling Collection and Disposal Agreement" ("Agreement").

2. In accordance with paragraph 6.B of the Agreement the parties now desire to enter into this First Amendment, as follows:

FIRST AMENDMENT

SECTION ONE: FIRST AMENDMENT TO AGREEMENT

Paragraph 5.A of the Agreement entitled "Trash" is hereby replaced and amended to read as follows:

"A. Trash: City agrees to pay the Collector the sum of $3.50 per month per residence for the first trash can and $1.50 per month per residence for any additional trash can. Collector further guarantees these fees for the period covering the duration of the Agreement as stipulated in Section 6 below."

SECTION TWO: EFFECTIVE DATE

This Agreement shall be effective on and after July 1, 2020.

SECTION THREE: AFFIRMATION OF AGREEMENT

Except as modified in Section One hereof all of the terms and provisions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this First Amendment to Agreement.

Dated: June 16, 2020.

WEST POINT CITY CORPORATION

By:__________________________________
ERIK CRAYTHORNE, Mayor

ATTEST:

____
CASEY ARNOLD, City Recorder

Dated: June 16, 2020.

ECONO WASTE, INC.

By: Val Sanders
VAL SANDERS

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