



3200 WEST 300 NORTH
WEST POINT CITY, UT 84015

WEST POINT CITY COUNCIL
MEETING MINUTES
WEST POINT CITY HALL
December 6, 2022

Mayor
Brian Vincent
City Council
Gary Petersen, Mayor Pro Tem
Jerry Chatterton
Annette Judd
Michele Swenson
Brad Lee
City Manager
Kyle Laws

Administrative Session
6:00 PM

Minutes for the West Point City Council Administrative Session held on December 6, 2022 at 6:00 PM with Mayor Brian Vincent presiding. This meeting was held at West Point City Hall and also electronically via Zoom. Zoom meeting was accessible to attendees by entering Meeting ID# 844 8627 9542 at <https://zoom.us/join> or by telephone at (669) 900-6833.

MAYOR AND COUNCIL MEMBERS PRESENT: Mayor Brian Vincent, Council Member Gary Peterson, Council Member Jerry Chatterton, Council Member Annette Judd, Council Member Michele Swenson, and Council Member Brad Lee.

EXCUSED: None

CITY EMPLOYEES PRESENT: Kyle Laws, City Manager; Boyd Davis, Assistant City Manager; Bryn MacDonald, Community Development Director; Ryan Harvey, Administrative Services Director; and Katie Hansen, Deputy City Recorder

EXCUSED: Paul Rochelle, Public Works Director; Casey Arnold, City Recorder

VISITORS PRESENT: No sign-in required for those attending virtually.

1. Discussion Regarding the 2023 City Council Meeting Schedule – Ms. Casey Arnold

Mr. Kyle Laws presented this item for the City Recorder, Casey Arnold, as she was at the Annual Child Remembrance Ceremony at the Cemetery. State Statute requires that the City Council approve by ordinance a meeting schedule for the coming year. City Council meetings are normally held the 1st and 3rd Tuesday of each month. The proposed 2023 Meeting Schedule continues that schedule, with an exception for the Planning and Visioning Session that will be held February 10 – 11, and the July 4th (Independence Day and Party at the Point events) meeting and November 7th (Election Day). Council Member Chatterton stated the Utah League of Cities and Towns annual conference will be held in April 19-22nd and would possibly conflict with the City Council meeting the night before. He asked if that meeting will need to be cancelled. Mr. Laws stated in past years, it has happened and the meeting is still held but it can be up to the City Council. Council Member Peterson stated Tuesday, April 18, is the tax deadline due to Washington DC having a holiday on the previous day and government offices closed. Mr. Laws stated a meeting may be cancelled if needed as long as proper noticing is followed. Mayor Vincent stated January 3rd will be the first meeting of the year but due to the holidays and closure dates, it does not allow Staff much time to prepare agenda items. Mayor Vincent proposed to cancel that meeting and several Council Members were in agreeance.

The Council had no further discussion and will consider approval of the Meeting Schedule for 2023 in tonight's General Session.

2. Discussion Regarding Subdivision Phases and Second Access – Mrs. Bryn MacDonald

Mrs. MacDonald stated this item has been discussed for the last several meetings and there are several proposed changes. The first proposed change is to move Items 7, 8, and 9 from West Point City Code (WPCC) 17.130.090(E) - *Natural Drainage and Other Easements* as they do not correlate to that section and move them to the appropriate section of WPCC 17.130.090(A) - *Relation to Adjoining Street System*. Also proposed is to add the following language in WPCC 17.130.090(A) regarding second accesses in subdivisions:

1. The arrangement of streets in new subdivisions shall make provisions for the continuation of the existing streets, curbs, gutters, and sidewalks in adjoining areas (or their proper protection where adjoining land is not subdivided) insofar as such may be deemed necessary by the planning commission for public requirements. The street

arrangement must be such as to cause no unnecessary hardship to owners of adjoining property when they plat their own land and seek to provide for convenient access to it.

2. Public streets or private roads shall approach the arterial or collector streets at an angle of not less than 80 degrees

3. A second access that connects to an existing public street shall be required for any development with more than:
a. 30 lots/units. This includes single family, two-family and townhouse developments; or
b. 100 multi-family units in a development. This includes development such as apartments or condominiums.

Council Member Swenson asked regarding the 30 lots/units, if a townhome is usually 2 townhomes per lot. Mrs. MacDonald stated each townhome is its own unit. Thirty units would be equivalent to 30 doors – i.e., one building could have five townhomes, which equals five units. Mrs. MacDonald confirmed that “units” applies to townhomes

Mrs. MacDonald stated that there are currently definitions in the Code for public street, private lane, and private road. It is being proposed to add a definition for “second access” to define it as a public street or private road that connects to and provides access to an existing public street. A second access shall not be gated for emergency access only. After the discussion from the last City Council meeting, the line stating, “but can be gated if accessible by all members living in the development” was removed. If a gated community is wanted by a developer, then it can be handled in a development agreement.

Council Member Peterson thanked Mrs. MacDonald for the hard work. He stated he remembers years ago when discussing how long a garbage can may be left on the street and Code stated an empty garbage can cannot be left on the street for 24 hours. This was changed to 48 hours. However, for a resident to be legal with his can out at the street, all anyone needed to do was put garbage in the can as the Code stated empty garbage. In relation to this, the definition stated a second access cannot be gated for emergency access implying it can be gated for anything else. He asked if it should state a second access shall not be gated at all or even add wording such as for any one reason. Mrs. MacDonald agreed with that suggestion.

Mrs. MacDonald stated the concept of phasing is similar to what has been in the Code and is helping clarify it. WPCC 17.130.090(G) states the division of a preliminary plat into two (2) or more phases must be approved by the Planning Commission as part of the preliminary plat approval. This means the developer needs to show all phases up front informing the Planning Commission how the development will be broken up. Single family, two-family and townhome developments over 30 lots/units shall be done in phases. The Planning Commission may impose such conditions upon the phases as it deems necessary to assure the orderly development of the preliminary plat. The planned development shall show the entire site with no phase consisting of more than 30 lots and the timing and sequencing of improvements to be completed with each phase, particularly amenities, open space and public improvements. It is important to have all this information up front to help with creating roads but also with amenities to make sure the developer is staying on task.

Council Member Chatterton asked if townhomes and condos should be in the same group and Mrs. MacDonald stated they are not in the same group. Townhomes are in the same group as single-family. Council Member Chatterton asked how would a condo be treated and Mrs. MacDonald stated they are considered multi-family and do not have the same phasing requirement as they could be on one lot and in one phase. If there is a big development such as 200 units, it could be broken up. Council Member Peterson stated as this is currently, apartments are eliminated from phasing and possibly might want to do similar phasing for apartments to help keep order. He states a building might typically have 100 apartments but is unsure if that is the correct number for phasing. Mrs. MacDonald stated 100 could be a good number as that is the number used to help determine a second access. Council Member Peterson agreed. Mrs. MacDonald stated she would add language into this Code section for multi-family units.

Council Member Peterson stated back to Council Member Chatterton’s question on condos and sought clarification where condos are listed. Mrs. MacDonald stated condos are found in the new proposed language in WPCC 17.130.090(3)(b) of 100 multi-family units in a development and includes developments such as apartments or condominiums. Council Member Chatterton stated the terminology for “condo” is changing as the term “condo” brings an ideology that it is better than an apartment but now they are looking like apartment buildings. Council Member Swenson stated condos are usually purchased and apartments are rented.

Mrs. MacDonald stated that in regards to proposed subdivision phasing code changes, she noticed the current Code did not mention when the first phase shall be recorded. She has changed the language slightly from the last meeting's discussion and it now reads, "When a subdivision has multiple phases, the first phase shall be recorded subject to section 17.130.050. The developer may not record the plat for the next sequential phase of the development until the following requirements have been met in the previous phase:

- a. The off-site improvements have been 100 percent completed and the final inspection has been approved by the City;
- b. The on-site improvements have been 70 percent completed, and the final inspection has been approved by the City; and
- c. Building permits have been issued on 50 percent of the total number of lots in all of the previously recorded phases."

The building permit section was added back in as the Planning Commission had recommended that it be removed. The question raised was in regards to the 50 percent of building permits and what does the 50 percent relate to, the previous phase or all the phases. The way it currently is written is 50 percent in all the previous recorded phases. The 50 percent does give a little more flexibility on the builder's side where it does not have to be on each phase individually, but still puts the building permit requirement back in as the City Council wanted. Council Member Chatterton stated this does give them a little bit of room and maybe it should be 50 percent of the previous recorded phase. Mrs. MacDonald stated that could be done or it could be all the previous recorded phases. Those options create a big difference. Mr. Laws stated this could be negatively impacted for a developer that has different products such as in Harvest Fields where there are single patio homes or adult living homes. A scenario of phases and numbers was gone through showing how impactful each option would be especially if a developer has different products in different phases. Council Member Chatterton understood how the 50 percent in all phases would work and stated he would be okay with this. Council Member Peterson stated he feels like it is heading in the right direction and will be very beneficial to the City. He asked if there is anything that would keep a developer with different products doing developments instead of phases. Mr. Laws stated they would have to go through the process with each one and the cost could be higher in fees and engineering. If they wanted to, the developer could but they also could do a development agreement. Council Member Judd stated there would not be advantages of doing different developments as each development would have to have the necessary amenities not needed when doing phases, so in theory separating them would not work.

Council Member Chatterton asked if there is a definition for on-site improvement as that is subjective to the inspector. Mrs. MacDonald stated that the Planning Commission also felt that the 70 percent on-site improvement does need to be clarified, which she also agrees with. Mr. Boyd Davis stated he views the 70 percent as the items completed on the escrow account. Mr. Laws asked what is the difference between off-site and on-site and Mr. Davis stated off-site is anything outside of the boundaries of the plat of the subdivision. For example, a road to the subdivision or water line outside of the boundary. Council Member Peterson asked if all sidewalks are considered on-site improvements and Mr. Davis stated in most cases yes. There may be a few special circumstances. Council Member Chatterton asked if the word escrow could be added into section b. Mr. Davis stated it is up to the City Council. He suggested to leave it as written to let the City Council have a little flexibility to determine the 70 percent. Council Member Peterson stated he is not sure if he would like it left to the City Council. Council Member Chatterton stated he is trying to think of this for future City Council Members in helping them understand what was done and why. Mr. Davis suggested to the Council adding the language of: "70 percent of the items included in the subdivision guarantee" as the term "subdivision guarantee" is language clarified and referred to in the current Code. The Council was in favor of that language.

The Council set a public hearing on the proposed changes for the December 20, 2022 meeting and will continue the discussion and possibly consider approval of the changes at that time.

3. Discussion Regarding a Code Text Change for Automotive Use Definitions – Mrs. Bryn MacDonald

Mrs. MacDonald stated that the City Council has had discussions regarding this item in previous meetings and recommended that it be sent back to Planning Commission to better separate and define the terms and each use. Currently in the Code, but not in the Table of Land Uses, is Automobile Service Station. It was proposed to separate "Automobile Service Station" into four different uses: Car Wash, Convenience Store, Gasoline Service Station, and Limited Vehicle Repair. Those uses are defined as:

"Car wash" means an establishment primarily engaged in cleaning or detailing motor vehicles, whether self-service, automatic, or by hand.

“Convenience Store” means an establishment, not exceeding five thousand (5,000) square feet of gross floor area, serving a limited market area and engaged in retail sales, from the premises, of gasoline, food, beverages, and frequently or recurrently needed items for household use.

“Gasoline Service Station” means an establishment engaged in retail sale of gasoline and petroleum products.

“Vehicle Repair, limited” means an establishment providing motor vehicle repair or maintenance services within a completely enclosed building. Limited vehicle repair excludes paint and body shops, general vehicle equipment and repair services, and storage of vehicles for more than ninety (90) days. Typical uses include businesses engaged in repair and/or replacement of brakes, air conditioning, generators, starters, and tires; motor tune-ups; front-end alignments; battery recharging; lubrication; and sales, repair, and installation of associated parts and accessories such as tires, batteries, windshield wipers, and hoses.

Mrs. MacDonald pointed out that the convenience store definition contains gasoline and then there is a stand-alone gasoline service station. Mr. Laws asked if gasoline service station should be kept. Mrs. MacDonald stated a gasoline service station is similar to a gas station for Walmart or the Fuel Center at Smith’s. Council Member Swenson asked if the definition needs to be changed to state gasoline/charging service station/natural gas station for future uses. Mayor Vincent stated Ogden has a few stand-alone natural gas stations and asked if all these uses can be included. Mrs. MacDonald stated yes.

Council Member Chatterton asked if a gasoline service station could have a few bays to do auto repair and Mrs. MacDonald stated both uses would have to be allowed in the requested zone and this is where the Table of Land Uses help. The Planning Commission recommended only the definitions and not to place these uses in the table at this time as they do want to spend time discussing suitable places for the uses. There are many commercial zones in the City and if it is stated that all of these uses are allowed in commercial zones, that opens it up for the same use on almost every corner. The Planning Commission only added the definitions for the time being so they could take the time to discuss where each use would be allowed. Council Member Peterson sought clarification stating only the definitions would be placed in the Code and not in the Table of Land Uses and Bryn MacDonald stated that is correct. Council Member Peterson agreed to that.

Mr. Laws stated in the current Code the convenience store with or without a car wash has been strike through, and if now a gas/convenience store with a single bay car wash came to the City, they would not be allowed. He asked if that is something that is wanted and is there a way to include a single bay car wash with a gas station into the definitions. All car washes would need to be allowed in the same zone, or are not allowed in commercial zones. Council Member Peterson asked if that could be listed in the definition and Mrs. MacDonald stated that in the definition of convenience store includes the service of gasoline and maybe what can be added in there is single bay car wash and then the convenience store would cover everything. Council Member Peterson stated if they are wanting to have this, that is the place to put it. He was under the impression single bay car washes was a thing of the past and this might be a good place to put it. He did ask if this language was not in there and a business came seeking it, would it be a zoning change or a General Plan change if that particular area does not allow it. Mrs. MacDonald stated if the uses are taken out of the Table and someone would like to place a use in one of the zones, they would have to ask to add that use into that particular zone and it would go through the code amendment process. Council Member Peterson stated it would then apply to all zones in the City and Mrs. MacDonald stated correct. Council Member Peterson asked what is the ability to change it just in that instant, such as through a development agreement. Mr. Laws stated that might be an instance where there are more particulars needed for “Neighborhood Commercial” versus “Community Commercial” zones. Council Member Peterson stated he would like to leave them all out and deal with each of them through a development agreement to better regulate. Mrs. MacDonald stated that can happen and in the development agreement, a use can be approved and the Planning Commission would approve it. Mayor Vincent clarified it does not need to be included in the Table and can be by itself and Mrs. MacDonald stated yes. Mr. Davis mentioned it would also need to have a public hearing as it is like a zone change. Council Member Swenson asked regarding the 5000 sq. ft designation in the convenience store use if that is large enough. Mrs. MacDonald stated a development agreement could help with the size or if the square footage is irrelevant, then it could be change. Mayor Vincent stated the development agreement would be the way to do it. Bryn MacDonald stated this item will need to hold a public hearing and that can be scheduled for next meeting.

The Council set a public hearing on the proposed changes for the December 20, 2022 meeting and will continue the discussion and possibly consider approval of the changes at that time.

4. Discussion Regarding a Real Estate Purchase Contract with UDOT for Property on 200 S – Mr. Kyle Laws

For the last two years, the City has been working with the Utah Department of Transportation (UDOT) to purchase surplus property for the purpose of relocating the Public Works Facility. There is an extensive signature gathering process that must take place through the UDOT Administration. The needed signatures have been acquired and a purchase agreement has been prepared and sent to the City. The subject property is located on 200 South near the Rocky Mountain Power substation and Davis & Weber Counties Canal Company secondary water pond. An appraisal was conducted for this property to determine the value of the land. The map shows the parcels outline in red:



The appraisal shows a value of \$120,000 per acre for a total purchase price of \$1,950,300.00. The total acreage for the site is 16.25 acres and includes 4 separate parcels. A purchase contract has been drafted and is included as an attachment with the Staff Report for this item. This is the planned location of the new public works facility, and will also include park space. A future discussion regarding cost estimates for development will take place at the Visioning Session in February. A needs assessment has been done for the facility along with pricing on the park space to include pickleball courts and other items. Part of this project will include extending Cold Springs Road down to the east side of the property and also paving 200 South to 4500 West and improving the roads on the property. The purchase contract is by resolution, and authorizes the Mayor to sign the contract and close on the property.

The financing will come from the Capital Funds Project and the City will be reimbursed through the bond to build the facility and amenities around it. Earlier in the year, a reimbursement resolution was passed that allowed the City to reimburse itself if a position to purchase land happened before a bond was acquired. Council Member Chatterton asked about the other property involved and Mr. Laws stated it was part of the surplus property from UDOT. It would be purchased but not part of the planned use; the land could be sold to develop, which would help recoup costs. Council Member Swenson asked if this is without water shares and Mr. Laws stated yes. More details and discussion of this property can happen at the February visioning session. Mr. Laws stated when the appraisal was completed in January, the price was \$115,000 an acre and last month the appraisal value increased to \$120,000 an acre.

The Council had no further questions and will continue the discussion as it considers approval of the purchase contract in tonight's General Session.

5. Discussion Regarding Business License Renewal Dates – Mrs. Bryn MacDonald

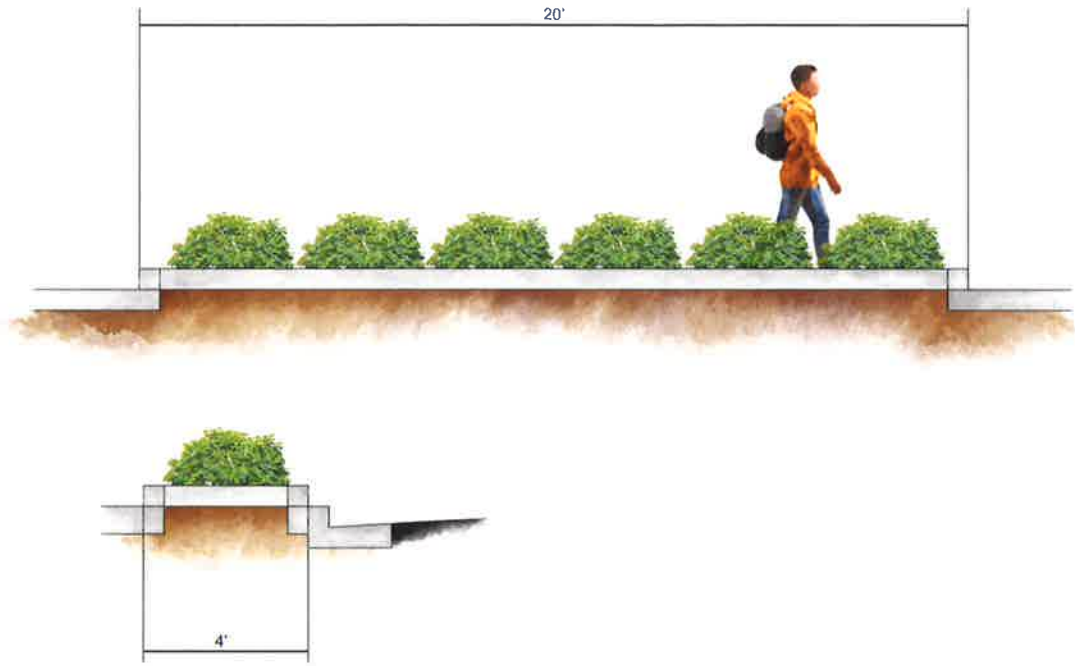
Mrs. MacDonald stated that the City Council discussed proposed changes to business license at the first meeting in November, and the feedback from the Council was favorable in changing the renewal dates from the end of the year for all licenses to the end of the month a business license was approved in. There was a question on how to handle the existing licenses, and it was decided that a policy needed to be set in place for existing businesses. Katie Hansen, who is designated as the Business Licensing Official in her role as Deputy City Recorder, created an Excel spreadsheet breaking down the businesses per month and assigning business expiration months in a logical fashion. If the business has an additional license, the business license would be renewed the following month to allow the business owner time to send in the new additional license. Preschools would renew in July when school would not be in session. Commercial business would not change as businesses close out their books on December 31st. Due to this item taking time to get placed back on the agenda, licenses for the 2023 year needed to be renewed and sent out making this process not be able to take in effect until the renewal period for 2024. Council Member Chatterton asked what would have to happen to start at the first of the year, not the total program, but the new businesses coming in. Mrs. MacDonald stated once the ordinance is adopted at the next meeting, starting in January of this year it would take effect for all new businesses. Council Member Swenson stated that existing businesses would need to be given noticed that the expiration date is changing. Mrs. Hansen stated a letter would be placed with the business license when mailed out informing them of the change and to note the month their license expires. There were no additional questions.

The Council set a public hearing on the proposed changes for the December 20, 2022 meeting and will continue the discussion and possibly consider approval of the changes at that time.

6. Discussion Regarding 2000 W Landscaping – Mr. Boyd Davis

Mr. Davis stated that earlier this year, the City Council reviewed the landscaping options for the next phase of the 2000 West widening project that will begin next year. The Council asked that trees be planted and stamped concrete done on the west side of the road. However, Staff has been informed that trees will not be allowed due to a secondary water line that will be in the same location. As such, UDOT has asked the City to consider other options. The designers of the project, JUB Engineers, has recommended planter boxes contain shrubs which would be compatible with the water line and easy to remove if repairs need to be completed. This concept would be consistent with the landscaping Clinton City will be doing. The proposal would be for curb and gutter, a park strip that is 4-1/2 feet wide, a raised curb around the park strip and then shrubs. The planter boxes are 20 feet in length and then a gap of 40 feet between each planter box. Mr. Davis is seeking comments from the City Council regarding this.

Mayor Vincent asked if there was any other option for trees to be installed and Mr. Davis stated there is not. Council Member Chatterton asked if there is a selection of shrubs to choose from to help create a distinction between Clinton City and West Point. Mr. Davis stated there were options given. Mayor Vincent asked if this is only on the west side of the road and Mr. Davis stated it is as the Council decided to do the east side all stamped concrete. Mayor Vincent stated the west side had planned to contain a wider sidewalk as part of a trail system and asked if this would impact that. Mr. Davis stated the west side has been designed to be 10 feet wide for the trail system and that does not include the park strip. Council Member Lee asked regarding the cost and Mr. Davis stated UDOT has not discussed cost and it was his own estimate. The planter boxes will be more expensive than the trees due to the concrete curb. If money becomes an issue, the concrete curb can be eliminated and do shrubs only.



Mayor Vincent asked which would be easier for maintenance. Mr. Davis stated that in regards to maintaining the plants, it would be about equal. However, if repairs were to take place on the secondary water line, it would be harder to replace the planter boxes and raised curb but that would fall on Davis and Weber Counties Canal Company as it is their line. The planter boxes do add an appeal versus a standard park strip. Council Member Peterson stated there is a benefit to making it look nice. However, shrubs do die or need to be watered and trimmed to actually stay looking nice. He asked if there would be a water system, which Mr. Davis confirmed there would be. Mayor Vincent asked if the care and maintenance of the shrubs would fall on the City and Mr. Davis stated correct. Council Member Peterson stated he has some concerns about that. Council Member Chatterton asked if the curb could be a high back curb and eliminate the cement above. Mr. Davis stated there has not been discussion about that and he doubts UDOT would allow it as they have very specific standards for curb and gutter on roads but he will inquire.

Council Member Swenson asked about the thickness of the concrete box and if it would be a safety issue; Mr. Davis stated he believes it is about 6 inches tall. Council Member Peterson stated regarding the side view of the drawing provided, there is curb with a top and then the rise of the box with a top. If a car was parked in this area, it could potentially create a tripping hazard and how one would go about going over that part. Mr. Davis stated the raised boxes are only 20 feet long so there is a gap for walking purposes.

Mr. Laws asked if this could be a plowing issue in the winter as the snow would pile on top of these shrubs or if the salt from the roads would adversely affect the shrubs. Mr. Davis stated that is a good thought and the designers brought up this point and are selecting specific shrubs that would be able to resist the salt. Due to this, it would not be possible to select any shrub, but only from those that have the ability to survive those conditions.

Council Member Peterson asked if there are other alternatives to avoid maintenance. Mr. Davis stated that xeriscaping can be done with colored rock or stamped concrete. Mayor Vincent asked when a decision needs to be made and Mr. Davis stated before construction starts, possibly this spring.

The Council will continue the discussion at a future meeting.

7. Other Items

No other items were discussed.



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Michele Swenson
Brad Lee
City Manager
Kyle Laws

General Session

7:00 PM

Minutes for the West Point City Council General Session held on December 6, 2022 at 7:00 PM with Mayor Brian Vincent presiding. This meeting was held at West Point City Hall and also electronically via Zoom. Zoom meeting was accessible to attendees by entering Meeting ID# 844 8627 9542 at <https://zoom.us/join> or by telephone at (669) 900-6833.

MAYOR AND COUNCIL MEMBERS PRESENT: Mayor Brian Vincent, Council Member Gary Peterson, Council Member Jerry Chatterton, Council Member Annette Judd, Council Member Michele Swenson, and Council Member Brad Lee

EXCUSED: None

CITY EMPLOYEES PRESENT: Kyle Laws, City Manager; Boyd Davis, Assistant City Manager; Bryn MacDonald, Community Development Director; Ryan Harvey, Administrative Services Director; and Katie Hansen, Deputy City Recorder

EXCUSED: Paul Rochelle, Public Works Director; and Casey Arnold, City Recorder

VISITORS PRESENT: Jacob Orton, Angelina Orton. No sign-in required for those attending virtually.

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Prayer or Inspirational Thought** – Given by Katie Hansen
4. **Communications and Disclosures from City Council and Mayor**

Council Member Swenson had no comments.

Council Member Judd expressed her appreciation to the Staff who post on social media as it gives residents a glimpse into some of the things they may not normally see. Additionally, she wanted to acknowledge and thank all the Staff in the many things they do that are not part of their job description. She also wanted to remind everyone that tomorrow is Pearl Harbor Day and the sacred remembrance for those who came before us and those families who sacrificed to have our country what it is today.

Council Member Peterson had no comments.

Council Member Chatterton had no comments.

Council Member Lee had no comments.

Mayor Vincent had no comments.

5. **Communications from Staff**

Mr. Laws stated the Child Remembrance ceremony is being held this evening and Ms. Arnold is down at the cemetery leading this Ceremony. The Cemetery Luminary will be held on Friday, December 23rd. They welcome all residents and volunteers to come help place sand and candles in bags and place them around the cemetery, which will start being done at 4 PM. The luminary bags create a very inspiring view when all completed, and he invited all to visit the cemetery that night to see it.

Senior lunch will be held the following Tuesday. Due to space, attendance is limited to 120 people and RSVP's are required; it is already very close to reaching that number.

Mr. Laws thanked all who came out to the City Christmas party held on Friday evening. It was a great turnout and a wonderful evening and he appreciated all who was there.

Mr. Laws sought feedback from the Council in regards to a request made from Ace Recycling & Disposal. They have approached the City with a request to switch up collection days. Currently they collect on Tuesday's on the east part of town and on Thursday's the west part of town. They would like to be in the City everyday and are proposing to split the City into 4 zones. There are pros and cons and he would like to get feedback from City Council. Staff feels there has been enough upheaval already and reluctant to change. In the contract signed with the City, it does state the schedule would not change, but there is an understanding for the change and if they were in the City every day, it might be easier to collect a trash can that might have been missed. Staff informed Ace they would speak with City Council and receive feedback. It seems like it would be a whole new schedule and communication would be key and they would need to be flexible in collection while residents adjust to the new schedule. The most recent change was with recycling that was split up into 4. Mr. Ryan Harvey clarified that the original proposal was to have the City split into 4 zones and they have now asked for 5 zones, so they would be in the City collecting trash 5 days of the week.

Mayor Vincent asked if Ace is having to come back to the City every day and Mr. Laws stated he did not think so. Mayor Vincent asked if they are not coming back every day and they would like to be here, what is the real reason to change and split. They want to be here every day as they are having a hard time getting the job done in the same day and would like to finish earlier in the day. Mayor Vincent asked if Econo Waste did the same thing and Mr. Harvey stated Econo Waste started earlier in the mornings and had more drivers where Ace only has 2-3 drivers. Mayor Vincent stated he thought Ace was one of the bigger companies. Mr. Laws stated they do have a lot of contracts but like many others, are having a difficult time finding drivers as well as trucks. When the bid went out for a new trash hauler, there were several companies who did not put a bid in due to staffing issues as well as garbage trucks are very hard to get in right now. Mayor Vincent stated if the Council said no, would this be an issue for the company. Mr. Laws stated it would not, but it is an all-day job. They would like to collect faster. Council Member Chatterton stated he would prefer to leave it as everyone is use to it, especially where a changed was just made, let them fulfill their end of the contract. Mayor Vincent asked how long the contract was for and Mr. Harvey stated he believes it was for 3 years. Mr. Laws stated he is unsure on that part of the contract and if it clearly specifies collection days. Ace agreed to honor the days already set in place. It does need to be acknowledged that as the City grows, it will be difficult for them to keep to 2 days and the City needs to be flexible in that regards. He does not feel it has gotten to that point yet. Council Member Peterson stated he agrees and disagrees with Council Member Chatterton. He would prefer for it to stay how it is currently, but in reality, he is unsure that the contract dictates times. There might have been some feelings at the signing of the contract that nothing would need to change or just not so quickly. Ace does need to run a business and the City has a contract for that service and it should be up to Ace on what would be most efficient for them. Mr. Laws stated for clarification, the change on recycling was a change Econo Waste made. This is the first request made by Ace.

Council Member Lee stated if a change is necessary, the change should be phased in and not effective immediately; he suggested that it not take effect for several months to allow adequate time for communication to get out to all residents. Mr. Laws stated they would certainly do that if the change was made and it would be Ace's responsibility to do what is needed to notify residents. Council Member Lee stated as long as it is phased in, that would be better than a short notice. Council Member Judd stated she does like what Council Member Peterson stated about they need to run their business efficiently and also had questions regarding messaging to all residents. Mr. Laws stated the majority would fall on Ace but the City would assist. Council Member Judd is not averse to switching it as long as the message gets out. Council Member Swenson stated she worries about noticing and notes there are families who are not use to having the garbage picked up until later in the day and pull the can back in not knowing it has not been emptied. She also worries about the elderly, but if the company needs to spread it out in the week, hopefully they would be willing to pick up those who might miss their garbage day. Mayor Vincent asked Mr. Laws if there are any other pros or cons and Mr. Laws stated the biggest con would be the disruption and change that all residents would have to get used to. Council Member Judd asked how would the holidays affect the schedule and Mr. Laws stated that is a good question that would need to be asked. Mayor Vincent stated that the Council is open to more consideration of the proposed change.

6. Citizen Comment

No comments.

7. Youth Council Update

Jacob Orton, Youth Council City Manager, and Angelina Orton, Youth Council City Treasure, presented an update on what the Youth Council has completed. Mr. Orton stated in November they placed flags on all the Veterans graves at the cemetery. They also had veteran, Boyd Kelly, come speak and inspire the youth. Ms. Orton stated they helped with the City Hall lightening ceremony and it was great to see so many Council Members in attendance. The youth council were able to carol and give out hot chocolate and help with line control while in the building. Mr. Orton stated in December, they will be helping with the cemetery luminary and filling the bags and placing candles. City Council stated they have done a great job and to pass on their thanks to all involved.

8. Consideration of Approval of Ordinance No. 12-06-2022 A, Approving the 2023 West Point City Council Meeting Schedule – Ms. Casey Arnold

Mr. Laws stated this ordinance is for adopting the meeting schedule for 2023, which is required by State Code to be adopted each year with the meeting dates for that year. The West Point City Council traditionally meets on the 1st and 3rd Tuesday of each month, with the Administrative Session beginning at 6 pm and the General Session beginning at 7 pm. Both sessions are open to the public. There are a few planned exceptions to this schedule in 2023: February 10th and 11th will be the annual Planning and Visioning Session, the July 4th meeting will be canceled for the Independence Day holiday, and the November 7th meeting will be canceled due to it being Election Day. The Council discussed in tonight's Administrative Session the suggestion that the January 3rd meeting be canceled as well, as the Christmas and New Year's holidays do not leave much office time for Staff to prepare the items for that meeting. Mr. Laws noted that all meetings can be canceled or adjusted as needed with proper noticing.

Council Member Chatterton made a motion to approve Ordinance No. 12-06-2022A, Approving the 2023 West Point City Council Meeting Schedule with the additional January 3, 2023, meeting be cancelled. Council Member Swenson seconded the motion.

Roll Call:

Council Member Lee - Aye

Council Member Judd - Aye

Council Member Swenson - Aye

Council Member Chatterton - Aye

Council Member Peterson – Aye

The Council unanimously agreed

9. Consideration of Approval of Resolution No. 12-06-2022A, Approving a Real Estate Purchase Contract with UDOT for Property on 200 S – Mr. Kyle Laws

Mr. Laws stated this was discussed earlier in tonight's Administrative Session, and provided a brief summary of the purchase contract. The property consists of 16 acres of surplus UDOT property below the bluff by the Rocky Mountain substation between 200 South and 25 South and near Cold Springs Road. Staff has been working with UDOT the last few years to purchase this property. Unfortunately for the City, it was pushed to the side when the West Davis Corridor project began ramping up. But now the required clearance and approvals have finally been granted by UDOT. An appraisal was done in January and amended about a month ago to show a value of \$120,000 per acre for 16.25 acres for a total price of \$1,950,300. Staff believes this property provides a significant benefit to the City to purchase as the intent will be to use part of the property as the location for the new public work facility and to add more park space. Details and discussion of those planned uses will come in the future, but the before the Council now is the resolution to allow the Mayor to sign the purchase contract and close on the property.

Council Member Swenson asked Mr. Laws if the purchase contract has been reviewed by the City Attorney and Mr. Laws stated yes. Mr. Laws stated there has been a title report completed and it looks good. There are several easements for the property but all of them are in the roadway and there is nothing that would prevent it from being developed as intended.

Council Member Lee motioned to approve Resolution 12-06-2022A, Approving a Real Estate Purchase Contract with UDOT for Property on 200 S

Council Member Judd seconded the motion

The Council unanimously agreed

10. Motion to Adjourn the General Session

Council Member Chatterton motioned to adjourn

Council Member Peterson seconded the motion

The Council unanimously agreed

APPROVED:



BRIAN VINCENT, MAYOR February 21st, 2023



CASEY ARNOLD, CITY RECORDER February 21st, 2023

