3200 WEST 300 NORTH
WEST POINT CITY, UT 84015

WEST POINT CITY COUNCIL
MEETING MINUTES
WEST POINT CITY HALL
May 3rd, 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 May 3rd, 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# 840 0201 8048 at https://zoom.us/join or by telephone at (669) 900-6833.

MAYOR AND COUNCIL MEMBERS PRESENT: Mayor Brian Vincent, Council Member Gary Petersen, 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 (attending virtually); Boyd Davis, Assistant City Manager; Bryn MacDonald, Community Development Director; Ryan Harvey, Administrative Services Director; Paul Rochell, Public Works Director; Troy Moyes, City Planner; and Casey Arnold, City Recorder

EXCUSED: None

VISITORS PRESENT: Rick Scadden, Allen Clemons, Lee Wells, Brent and Kitty Stoddard. No sign-in required for those attending virtually.

1. **Discussion Regarding Wage Study – *Mr. Kyle Laws***

Mr. Laws stated that for the decade or so, the employee pay plan process has included a 2% merit increase every year and a 2% cost of living adjustment every other year. In the years that do not include the COLA increase, a market wage study is done in order to evaluate whether compensation rates are keeping up with the current market. Similarly-sized cities within close proximity are considered, as well "next step" cities (those that employees would move to as a career step) are also considered. Mr. Laws stated that the City's approach has not been to lead the market in wages, but to benchmark in the mid-range so as not to trail the market either. Mr. Laws noted that this methodology is open for discussion and can be changed if the Council desires.

In beginning this year' study, Staff learned that many cities recently conducted mid-year market studies of their own and have already adjusted wages according to those results. Additionally, as most have all likely noticed and seen, inflation has been extremely high – in our region, the CPI for March was 9.1% and for April it was over 10%. Based on all of these factors, Staff expected to find that the City's wages were below the market, and in completing the study and analyzing the data, it became very clear that there were likely two adjustments that would need to be made to effectively keep up with market conditions: a market adjustment (based on current wages) and a cost of living adjustment (COLA), which is more of an inflationary adjustment. Mr. Laws explained both of these proposed adjustments and their impacts on the City's budget:

Market Adjustment

The wage study takes into account the current conditions in our benchmark group. The City pays an annual membership to the Wasatch Compensation Group to allow us the ability to conduct these types of studies. This system is commonly referred to as "TechNet." This software includes all of the data need to effectively study the market, including the dates that the information was last updated by each participating entity, so that only the most recent data can be considered. Staff reviewed every position of the City with the data available and set the new minimum of the range to the average, or 50%, of the market. A range band of 40% (minimum to maximum) was then established. Next, Staff calculated the wage point that would keep employees at the same place within their current range to that placement in the new range (i.e., if an employee's wage was at 10% of their current range, what their wage at 10% of the new range would be). The total cost to do this would be over $200,000 in wages only. Benefits tied to wages would be on top of that. As a note, the percentage increase for this adjustment for each position ranged from 1% to 21%, meaning some were close to the market wage and some were really far off. Rather than just accepting this as the only option, we then looked at several other scenarios. In the end, the option being proposed to the Council is to cap increases at 12% for all hourly employees. Each position would be given an increase determined by the market for that position, up to a maximum of 12%. The Department Head level positions would be capped at 10%. Doing this has a budget impact, with benefits included, of $187,603.64 across all funds. It is important to note that this will not bring all positions up to market. Limiting the increases to 12% means there are several that still fall below the market average, however it is Staff's recommendation to try and bring those positions the rest of the way up in the FY2024 Budget. The table below details the costs, with benefits, across each fund:

General Fund	$122,243.86
Waste	$25,577.84
Water	$30,224.93
Storm Water	$9,557.02
Total	$187,603.64

COLA

If wage increases were only increased according to the market study, Mr. Laws stated that the City would then start the new fiscal year on July 1st behind the market again due to inflationary adjustments (or Cost of Living Adjustments) that are being given by most, if not all, other cities. In a survey of 40 cities, the average COLA being considered is around 5.5%, ranging from 3% to 15%. After discussing this with the Mayor, and going over the survey data and the inflation in the market, Mr. Laws stated that it was determined together that a 6% COLA be proposed for FY2023. The total cost for this is $84,745 plus benefits, across all funds. This percentage would keep the wages at least closer in line with the market conditions as the new fiscal year starts. The table below details the costs, with benefits included, across each fund:

General Fund	$66,623.78
Waste	$15,865.35
Water	$18,581.36
Storm Water	$5,996.98
Total	$107,067.47

Mr. Laws explained that the combined increase from both the market study and the cost of living adjustment is about 16.5%, with a total budget impact of just under $300,000. As can be seen, the data clearly indicates that the City is behind the market in employee wages, and this is also evidenced by the high turnover in some departments, particularly in Public Works, over the last year. However, Mr. Laws acknowledged the substantial costs and recognizes the decision the Council has to make regarding the budget impacts these increases will have, and expressed his appreciation to the Council for their willingness to look at the data and consider the findings.

Mayor Vincent stated that he and Mr. Laws have had several discussions over this issue, and he assured the Council that the methodology and analyzation of the data was extensive and immense. He added that he has spoken with mayors from several other cities and each are considering wage increases anywhere between 15% - 17%. If the

The combined budgetary impact across all funds is nearly $300,000 as shown in the following table:

General Fund	$188,867.63
Waste	$41,443.19
Water	$48,806.29
Storm Water	$15,554.00
Total	$294,671.10

The Council asked for suggestions on how to avoid the problem of falling behind the market in wages in future years. Mr. Laws stated that rather than providing a 2% COLA every other year, one method to consider would be to implement annual COLA adjustments, and tie the adjustment amounts to the CPI for our area. Through his discussions with officials from other cities, he has learned that this is a fairly common practice.

Mr. Laws proposed to the Council for consideration implementing the market study adjustments now, and then the 6% COLA on July 1st when the new fiscal year starts. This would require an amendment to the FY2022 budget, but there are funds available to support the increase. His first reason for proposing this is that the market study was based off of current data, and it would make sense to pay employees at the current market wages. Second, splitting the increases makes it clearer to the public (and employees) that there are two separate objectives – one is to bring current wages into the current market range that they should already be in, and the second is an appropriate cost of living adjustment for the coming year.

The Council discussed the proposal and were comfortable with implementing the wage increases for the market study (to the maximum 12%) and then approving the 6% COLA to be effective at the start of FY2023 (July 1). The Council will consider final approval of the FY2022 Amended Budget at the next meeting.

2. **Discussion Regarding the FY2022 Amended Budget and FY2023 Tentative Budget for West Point City and All Related Agencies – *Mr. Ryan Harvey***

Mr. Harvey stated that tentative budget must be presented to the City Council at or before the first meeting in May, and will be discussed over the next several meetings. The tentative schedule of items that will be presented and discussed is as follows:

May 3, 2022
- General Fund Revenues
- FY2023 Personnel Changes
- FY2023 General Fund Budget Requests

May 17, 2022
- Special Revenue Fund
- Capital Projects Fund
- Enterprise Funds
- Capital Projects Matrix

June 7, 2022
- CDRA Fund
- Fee Schedule
- Compensation Schedule
- Property Tax Rate
- Outstanding Issues
- Adoption of FY2023 Tentative Budget
- Adoption of FY2023 CDRA Tentative Budget

June 21, 2022
- Adoption of FY2023 Final Budget (If no Truth in Taxation)
- Adoption of FY2023 CDRA Final Budget
- Adoption of Fee Schedule

In accordance with the schedule, Mr. Harvey presented the following report:

General Fund Revenues

Revenues throughout the City continue to increase, especially in the Sales Tax that the City is collecting. The following areas of the General Fund are where City Staff proposes changes to Revenues for the FY2023 Budget:

- Sales Tax - $2,000,000 (increase of $500,000 over last year's budget)
- Vehicle Tax - $40,000 (Increase of $5,000 over last year's budget)
- Energy Sales and Use - $380,000 (Increase of $15,000 over last year's budget)
- Telecommunications - $25,000 (Decrease of $5,000 over last year's budget)
- Interest Earnings - $5,000 (Decrease of $15,000 over last year's budget)
- Building Permits - $500,000 (Increase of $100,000 over last year's budget)
- Class C Roads - $450,000 (Increase of $50,000 over last year's budget)
- Zoning and Subdivision Fees - $50,000 (Increase of $30,000 over last year's budget)
- Park and City Hall Reservations - $4,000 (Increase of $500 over last year's budget)
- Miscellaneous Income and Concessions - $4,000 (Increase of $2,000 over last year's budget)

As can be seen, sales tax revenue is the largest increase and continues to be historically high, largely due to online sales that is now collected and passed onto the city from which the online purchase was made. With this, sales tax revenue is likely to be well over $2 million, however, Staff agreed that in order to budget conservatively, a revenue project amount of $2 million was appropriate. Also, the City's Property Tax Revenue projection will not be received from Davis County for a few more weeks, however, with all of the new growth in the City, that number should be significantly higher as well.

Personnel Budget Changes

Health Insurance Increase – The City's health insurance plan renewed January 1, 2022. The proposed budget includes a 12% increase to health premiums beginning January 1, 2023.

URS Rate Decrease – Utah Retirement Systems (URS) had a 0.5% decrease in their rates this year. This translates to a savings of $8,494.36, which is split out between funds as follows:

General Fund -	$5,304.35
Waste Fund -	$1,259.29

Water Fund - $1,474.85
Storm Water - $455.87

Rate Study – City Staff performed a rate study to keep employee salaries within market range. For more details on this study, see the staff report that addresses this issue. The overall impact of the rate study to the budget is $187,603.64 ($151,285.13 in Salaries and $36,318.51 in benefits), which is split out between funds in the following way:

General Fund - $122,243.86
Waste Fund - $25,577.84
Water Fund - $30,224.93
Storm Water - $9,557.02

6% COLA – In order to keep up with inflation, Staff recommends applying a 6% Cost of Living Adjustment (COLA) to all of the regular employees in the City. The overall impact of the COLA to the budget is $107,067.46 ($84,745.32 in Salaries and $22,322.14 in benefits), which is split out between funds in the following way:

General Fund - $66,623.87
Waste Fund - $15,865.35
Water Fund - $18,581.36
Storm Water - $5,996.98

Deputy City Recorder - Staff discussed this new, full-time position with the Council earlier this year and feels that this position will really help with the workload in the office and relieve the growing pressure that is building up. The job description is still being created, but this position will assist the City Recorder, Casey Arnold, in many of her functions and will also potentially take on some of the functions currently performed by the Community Development Assistant. Staff decided not to fill the position of Communications Specialist that was funded last year due to skillsets of other newly hired employees, and so the funding for that position ($40,000) will be put towards this new position. The additional funding to be added to the budget for the Deputy City Recorder position is $41,524.29, which consists of $33,270.00 in Salaries, and $8,254.29 in Benefits, and will be funded entirely from the General Fund.

Utility Billing Clerk – Full-Time – This is a position that Staff recently hired for because of the departure of an employee who was working as a part-time Utility Billing Clerk. The position was funded using the $40,000 that Council allocated to the Communications Specialist but was never hired. Staff proposes that the two currently funded Utility Billing Clerk positions be re-classified as Customer Service Representatives. By doing this, and setting each of those up at 20 hours per week, Staff is able to offset some of the cost of the new full-time position. The total increase to the Budget for this position will be $55,829.54 ($27,338.00 in Salaries and $28,491.54 in Benefits) which is split out between funds in the following way:

General Fund - $25,649.98
Waste Fund - $11,659.38
Water Fund - $15,728.70
Storm Water - $2,791.48

General Fund Department Budget Requests

This section contains an explanation of General Fund Department budget requests that are not related to regular personnel expenses.

Community Development

- Create a separate line item for all of the county recording fees. These are currently coming out of Equipment and Supplies. ($4,000)
- Increase the Planning Commission budget from $3,000 to $3,500. This line is used for Planning Commission training, shirts, and occasional dinners for a Planning Commission work meeting. ($500)
- Increase to Books/Subscriptions/Memberships from $1,000 to $1,500. Brent needs to purchase a new set of code books this year, which will be $600. ($500)
- Increase Travel/Education from $4,000 to $5,000 to accommodate training and conferences for the department. ($1,000)
- Reduce Contract Planning from $5,000 to $4,000. (-$1,000)
- Reduce IT Support from $5,000 to $3,000. (-$2,000)

Recreation

- Quickscores is a new system that the Recreation Department is using to setup schedules and communicate them to residents. It will cost approximately $500 per sport. ($3,000)
- Recreation would like to provide food (snacks & drinks) for our rec aides, throughout the year. ($800)

- Recreation will need to add $2,000 to Volleyball for the 4th of July Tournament. ($2,000)

IT

The following IT items are needed for the City:

- Servers ($15,000) The existing server at City Hall is out of warranty and should be replaced. The main purpose of the server at this point is file storage and hosting the Caselle software. Other uses on the server have been moved to online applications.
- SharePoint ($4,000) This is Microsoft's cloud system for file storage. This will also allow access of files from anywhere employees have internet access without the use of a VPN. This cloud service also has the option of adding the Microsoft Office software as a subscription which would eliminate the need to purchase individual licenses for each computer.
- Back-up software for SharePoint ($550) This would be necessary for security purposes if we go with the SharePoint System.
- Anti-Virus ($2,200) This is for enhanced anti-virus software.
- Cemetery Software web version ($15,000) The current version of the cemetery software is a stand-alone license hosted on our server. This version is obsolete and no longer supported. We can continue to use it, but no updates are available and will eventually become unusable. The newest version of this same software is a web-based program that must be purchased.
- New Computers ($3,500) This is for routine replacement of computers as they age.

Executive

- HR Employee Background Checks: ($500)

Public Safety

- Police Contract – Staff has a meeting scheduled with the Sheriff's Office on May 5, so if anything changes after that meeting, staff will adjust the budget. As of now, a 3% increase to the contract is what is included in the Tentative Budget. ($8,500)

Mr. Harvey stated that the City's Enterprise Funds and Capital Projects Matrix for FY2023 will be presented and discussed with the Council at the next meeting. At the June 7th meeting, the Council will need to adopt the Tentative Budget, and then either approve the Final Budget at the June 21st or choose to go through the Truth in Taxation process. If the Council chooses to go through the TNT process in order to consider increasing the property tax rate, the City will operate on the Tentative Budget until August, when a property tax rate is set by the Council and the Final Budget for FY2023 is approved. The Council agreed that it is likely they will decide to go through the TNT process, but would wait to make an official decision until all of the proposed budget has been presented and discussed.

The Council thanked Mr. Harvey for the information and had no further discussion at this time.

3. Discussion Regarding a General Plan Amendment for Property Located at 1800 N 4500 W to Change the Zoning Designation from Public to R-5 – *Mrs. Bryn MacDonald*

Mrs. MacDonald stated that the City Planner, Troy Moyes, would present this item to the Council for discussion. Mr. Moyes stated that the applicant, Rick Scadden, (who has received approval from the Davis School District to act as the agent on their property) is requesting to change the General Plan designation on the property located at 1800 N 4500 W (16.5 acres) from Public/Institutional to R-5 (Multi-Family Residential). The applicant is requesting R-5, which allows up to 20 units an acre. However, the plan they have submitted is showing townhomes at approximately 10 units per acre. The R-4 zone only allows 8 units per acre, so the applicant has asked for R-5 to accommodate their proposed plan.

The Planning Commission held a public hearing and voted to recommend that the request be denied. Their reason for denying the zoning designation change was due to the future of this particular piece of property and surrounding area being uncertain, and feeling it best that the City continue its practice of keeping to the General Plan. However, if the Council did want to approve the request, Mr. Moyes stated that Staff's proposal would be to change the zoning designation to R-4, rather than R-5 as requested, with a density of 8 units per acre, and during the rezoning process, a development agreement with the developers could be approved that would allow greater density for this project of 10 units per acre.

The Council discussed the property and surrounding area, specifically what type of development is best suited for this future intersection of the West Davis Corridor. The Council agreed that the General Plan should be a comprehensive vision of what is desired for this entire area – changing the zoning designation of this one property contrary to what is shown on the General Plan sets a precedent for development of the northern part of the city and into the unincorporated area that the General Plan is not a major factor in guiding that development. It was also noted that the studies currently in progress of the sewer system and transportation plan use what is shown on the current General Plan to calculate future density; increasing the density of a property would create more users and the system capability needs determined from the studies may not be sufficient. The Council also discussed the importance of development agreements in the rezoning process and that they need to be carefully drafted to make sure that the resulting product is what was expected.

A public hearing was set for the following meeting on May 17th, after which the Council will consider approval of the request.

Due to time, Items 4 and 6 of the Administrative Session were discussed after Item 17 of the General Session.
(Item 4 was discussed following Item 6)

4. Discussion Regarding Drought Conditions – *Mr. Boyd Davis*

Mr. Davis stated that as the Council is aware, and have already been discussing the issue, Utah is in an extreme drought situation. Due to this, certain restrictions and guidelines have been put into place by both Weber Basin and the Davis & Weber Canal Co. Staff was asked to come back with more information on the parks and possible strategies on how to manage the parks this year. With that direction, Staff would like to present the information that has been gathered for the Council to consider.

As a recap of the previous discussion, based upon the amount of storage and the "extreme" drought designation, previously agreed upon restrictions have been triggered. These restrictions and the trigger levels are outlined in a document called the "Drought Contingency Plan" prepared by Weber Basin. That document shows that in the "extreme" condition the following reductions will be implemented:

	Reduction
Secondary Water	60%
Agriculture Water	40%
Culinary Water	10%

Weber Basin supplies all the culinary water to West Point City and our contract will be reduced by 10%. The City currently has 700 AF contracted and that will be reduced to 623 AF. On a typical year, water usage in West Point between 550 to 600 AF. However, with severe restrictions on the secondary water, Staff expects that our culinary water usage will increase as residents water lawns and gardens with culinary water. There is a very real concern that the City may exceed our contracted amount, which will result in penalties. Every Acre-ft over our contracted amount will be charged at 200% of normal rate, or roughly $600 per AF. The Council agreed that it is certain culinary water usage will increase, not only because of the drought but because of all the growth and new homes on the system. Mr. Davis noted that each subdivision development must bring additional water shares that are adequate enough to service the new homes, which adds acre feet of water to the contract amount. He also noted that the typical water usage does not exceed the reduced amount of 623 AF, so there is some cushion for increased water usage before that threshold is met.

With a real chance of exceeding our contract, Staff believes it would be wise to explore some other options for water supply. The City has a culinary water well that could be used to supplement the supply. The well is good working order, is flushed weekly, and tested regularly so that it is ready to go, however, there will need to be some research done for any regulations that may need to be addressed prior to use. Additionally, the City owns several water shares that could be converted to culinary water, but there is a process to make that happen, plus the fees for treating and delivering the water. Staff feels both options should be considered.

Another option to consider is to impose a higher fee to residents who use more than 6,000 gallons per month. There is already an existing tiered system in place, but it may be prudent to consider a fee increase for the tiered rates to encourage residents to conserve water this year. The current culinary water rate structure is as follows:

Base Amount (up to 6,000 gallons):	$23.75
Additional charge for 6,001 to 10,000 gallons:	$1.40/per thousand
Additional charge for 10,001 gallons and higher:	$1.65/per thousand

The Council discussed the fee increase or structure change options and were in favor of considering it further, as it is logical to charge the residents using more water if the City is having to pay more for that water. However, more information was needed regarding average resident usage, how many homes are regularly above 6,000 or 10,000 gallons used, if water used in some months is more than used in others, and so on.

Mr. Davis stated that the Council also needs to make a decision on the Splash Pad for this year. The Splash Pad uses culinary water but was designed to be adjusted in many ways. For example, it can be programmed to be limited to the number of days it will turn on and also the timeframe each day that it will operate. The first question to consider is whether the Splash Pad should operate at all during this extreme drought year, and if so, how many days per week and how many hours per day. One suggestion made during the last discussion was to only turn it on for the 4th of July celebration, or later in the season as a reward for reduced water usage by residents. The decision was made to leave the Splash Pad off for now and reevaluate the situation in a few months.

In regards to secondary water, the Davis and Weber Counties Canal Company, who owns and operates the secondary water system in West Point City, has also announced restrictions this year as follows:

- Delayed start to May 2nd
- Limited to one day per week until Memorial Day
- Limited to two days per week from Memorial Day to Labor Day
- Limited to one day per week after Labor Day until the end of the season

- They do not recommend new landscaping

DWCC has asked the City to consider prohibiting landscaping, but regardless even new landscaping will be subject to the restrictions which would make it difficult to install new sod. The Council's direction was to not prohibit landscaping, but to discourage it.

Staff has met with DWCC and they have clarified that there is not an exception to these restrictions for parks and public spaces. Paul Rochell, the City's Public Works Director, recommends that an entire park be watered one day per week, rather than in portions or stations over multiple days. The Council agreed with this recommendation.

In regards to landscaping requirements that have been set by the City for parks and open spaces through development agreements, Staff would like direction from the Council on whether those requirements should still be enforced, or if the Council is willing to consider alternative landscaping to grass. The Council had a lengthy discussion as it considered what options there are that would be acceptable (zero-scape, turf, etc.), how long the drought is expected to last, concerns with unfinished landscaping, resident expectations and landscaping that has already been paid for, warranty periods and ability to keep escrow funds to finish landscape in the future, etc.

The Council agreed that proposals for alternative landscaping should be submitted by developers and reviewed by the Council for approval, and that whatever amenities or material proposed should be similar in cost and quality to what homeowners have already paid for. A permit should also continue to be required for any landscape that is 100% zero-scape. A developer could also provide proof that escrow funds have been put aside for landscaping to be completed in the future and that would be considered as meeting the landscaping requirement needed to be released from warranty. Staff will proceed with this direction from the Council.

The drought situation will continue to be monitored and addressed by the Council as needed.

Due to time, Item 5 was discussed after Item 6 of the General Session

5. Discussion Regarding a Request to Develop Phase 8 of the Harvest Fields Subdivision Simultaneously with other Phases – *Mr. Troy Moyes*

Mr. Moyes stated that the developers of this subdivision are seeking an exception from the City Council to begin construction of Phase 8 of the Harvest Fields PRUD subdivision located at approximately 1200 South 4500 West. They have previously received approval to construct Phases 2-7, and City Code does not allow multiple phases to be developed at the same time, unless an exception is granted by the City Council. If no exception is granted, at least 50% of the lots in a phase must have building permits issued before construction of another phase can begin.

The City Council granted an exception in February 2021 to allow Phases 3-6 be submitted and constructed at the same time, and another exception to allow Phases 2 and 7 to be constructed in May 2021. The current status of building permits issued in relation to the number of available lots in each phase is as follows:

Phase	Number of lots	Permits issued
1	30	0
2	29	5
3	20	20
4	22	22
5	22	20
6	19	19
7	28	16
8	16	0

The Council discussed the request and various concerns were raised, including the effect rapid population growth would have on schools in the area, the capability of the developer to keep up with building demand, building supply limitations, etc. Consideration of approval of the request was set for the next meeting, and the Council will continue discussing their concerns at that time.

Due to time, Items 4 and 6 of the Administrative Session were discussed after Item 17 of the General Session.
(Item 4 was discussed following Item 6)

6. Discussion Regarding the North Davis County Active Transportation Plan – *Mr. Troy Moyes*

Mr. Moyes stated that in March 2019, West Point City in partnership with, Syracuse, Clearfield, Clinton, and Sunset were awarded $100,000 from the Wasatch Front Regional Council (WFRC) as part of the Transportation and Land Use Connection (TLC) grant program, to complete an active transportation plan. This joint effort has been undertaken with Clearfield City as the lead municipality for this project. Together, the local communities matched the WFRC funds with $10,000 split between the communities. The plan was undertaken as a joint effort with the five North Davis communities to be more competitive in the selection process as well as to have a unified active transportation plan that serves this northwest section of Davis County. The project was intended to be completed by Summer 2020, but due to the COVID-19 pandemic as well as challenges with UDOT the project did not get to near completion until late Spring 2021.

Mr. Moyes noted that the adoption of an active transportation implementation plan will provide greater opportunities for grant funding of trail and active transportation infrastructure in the involved communities.

Public participation in creating the plan was done in various ways. In-person outreach took place in the Fall of 2019 with booths at the North Davis Fire District and Clinton City Fire Stations during Fire Prevention Week. A web-based public comment map was used throughout the project to receive initial input and feedback regarding proposed active transportation routes. The project team received valuable input from the public on social media platforms, the web-based project map, and with in-person workshops. Additionally, key stakeholder meetings were held with UTA, Military Installation Development Authority (MIDA)/Hill AFB, Davis School District, Freeport Center Associates and UDOT to receive initial input and feedback on the proposed plan. A review of these stakeholder meetings and the public outreach is included in the draft Active Transportation Implementation Plan (ATIP).

Staff and Council discussed the proposed plan and areas in West Point that are either not addressed or are lacking, such as 300 N, the trailhead on 1300 N, 3000 W by the elementary school, and others. Mr. Moyes informed the Council that this joint plan is not a final and only plan for West Point – the City can address these areas and other current and future needs in its own Transportation Master Plan and Parks & Trails Master Plan. But by joining and approving this plan and including it in the City's own master plans, there is more opportunity for grant funds to be received to complete the projects that *are* in it.

The Council thanked Mr. Moyes for the information and will continue the discussion when they consider approval of the proposed North Davis County Active Transportation Plan at the next meeting.

7. **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
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May 3rd, 2022

Mayor
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Kyle Laws

General Session
7:00 PM

Minutes for the West Point City Council General Session held on May 3rd, 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# 840 0201 8048 at https://zoom.us/join or by telephone at (669) 900-6833.

MAYOR AND COUNCIL MEMBERS PRESENT: Mayor Brian Vincent, Council Member Gary Petersen, 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; Paul Rochell, Public Works Director; and Casey Arnold, City Recorder

VISITORS PRESENT: Rick Scadden, Allen Clemons, Lee Wells, Brent and Kitty Stoddard, Angelina Orton, Jacob Orton, Rocky Boone, Robert Stuart, Mike Flood, and Representative Karen Peterson. No sign-in required for those attending virtually.

1. **Call to Order –** Mayor Vincent welcomed those attending the meeting.
2. **Pledge of Allegiance**
3. **Prayer or Inspirational Thought –** Given by Council Member Chatterton
4. **Communications and Disclosures from City Council and Mayor**

Council Member Lee – None

Council Member Chatterton – The Utah League of Cities and Town' recent Mid-Year Conference was very informative and he was grateful to attend. He feels that the information presented and discussed will greatly benefit the Council as it considers current and future needs of the City.

Council Member Petersen – None

Council Member Judd – Publicly congratulated the City Manager, Kyle Laws, for being elected as President of the Utah City Managers' Association. She thanked him for the great job he does in representing the City and stated that West Point is lucky to have him.

Council Member Swenson – Thanked Mayor Vincent for appointing her as the Council Liaison to the Planning Commission; she has learned a great deal just from attending their meetings that has helped her in her role on the City Council, and she encouraged residents to attend or listen in on the meetings as a lot of important information is discussed.

Mayor Vincent – None

5. **Communications from Staff**

Mr. Laws stated that the bi-annual Complete Cemetery Cleaning will be done this Thursday, May 5th. He informed the public that any items they may have at the cemetery need to be collected prior to Thursday or they will be discarded. This month's Senior Lunch will be held on Monday, May 9th, at 11:30. The following day, May 10th, is the quarterly Staff/Council lunch and he encouraged the Council to attend if they were able to do so.

Mr. Laws also discussed with the Council the outstanding issue of what the City should distribute to residents at this year's Party at the Point Celebration on July 4th. The Council had previously decided not to resume the resident dinner that was not offered the last two years due to the pandemic, but had not settled on what to provide in its place. The Council discussed different options, and ultimately decided that a pre-packaged ice cream dessert of some type would be most efficient and would avoid the need for a food handler's permit, extra sanitation, set-up work, volunteers, etc.

6. **Citizen Comment**

No comments.

Due to time, Item 5 of tonight's Administrative Session was discussed at this time

7. **Presentation by Representative Karen Peterson**

Representative Peterson thanked the Council for the opportunity to come to the meeting and introduce herself and share some of her background. Philosophically, she wants the Council to know that she is someone that values the work of local city governments; as a previous city council member herself, understands what they do and how important their jobs are. And as much as possible, feels that the State should "stay out of your way." The Council appreciated this perspective, feeling that a background in local government is an important quality to have in her role, as oftentimes legislation is passed on the state level that is overpowering to local government and in conflict with what cities need to address their own unique issues and problems.

Rep. Peterson shared some information about the recent Legislative Session and highlighted a few of the bills that were passed that will impact our community. These bills were in regards to secondary water metering, budget increases due to the rapid growth the State is experiencing, tax cuts, infrastructure funding, water supply and drought conditions, increased education funding per pupil, and transportation. The Council thanked Rep. Peterson for her desire to come to the meeting and introduce herself, and for her willingness to answer questions and share information. She reiterated her view of the importance of local government and all that they do.

8. **Youth Council Update – *Angelina Orton, City Manager and Jacob Orton, Mayor***

Angelina introduced herself to the Council and stated that the Youth Council spent the last few months preparing for and gathering donations from local businesses for the Easter Egg Hunt that was held in April. On the day of the event, the members were busy setting up the fields, laying out prizes, and directing the public. The event was successful and they Youth Council enjoyed being able to participate. Over the next few months, the Youth Council will be helping with the Take Pride in West Point Service Day and the Party at the Point Celebration on July 4th.

The Council expressed their appreciation to the Youth Council for the work and time they put into serving our community, and the positive and important impact they have on residents.

9. **Consideration of Approval of the Minutes from the December 7th, 2021 West Point City Council Meeting**

Council Member Chatterton motioned to approve the minutes
Council Member Lee seconded the motion
The Council unanimously agreed

10. **Consideration of Approval of the Final Site Plan for the Deseret First Credit Union – *Mr. Troy Moyes***

Mr. Moyes stated that the applicant, Spencer Park, (representing Deseret First Credit Union) is seeking site plan approval to construct a credit union on property located at 267 North 2000 West, within The Point development. The lot is located just south of Culver's, along 2000 West and is recorded as Lot 10 of The Point Subdivision. The proposed site plan sits on .69 acres of land that is currently zoned C-C (Community Commercial). It will consist of a 2,714 sq. ft. building, a drive-thru with canopies, parking located in front and rear of the building, a small accessory building, and a dumpster enclosure. The Planning Commission reviewed the site plan and had a lengthy discussion with the applicant about the proposed accesses, and were very appreciative of their willingness and efforts to reconfigure some of their traffic patterns. A revised site plan showing the removal of access next to 2000 West has been submitted, which was approved by the Planning Commission. The following are a few of the standards and requirements that were reviewed, as highlighted in the staff report:

Zoning: "Financial Institutions" are required to obtain a conditional use from the Planning Commission. The PC approved the conditional use on April 14, 2022. The setbacks meet the standard.

Parking: The proposed parking calculation is 11 total parking stalls with 1 being reserved for ADA compliance. With a total area of 2,714 square feet of building space 6 parking stalls are required for this use (see WPCC 17.100.040). One additional parking stall is required for each employee per shift. The applicant has confirmed that no more than 5 employees will be working at once in the building.

Landscaping: The site is required to have 15% landscaping. Landscaping requirements have all been satisfied as found in WPCC 17.60.140(C)(4-5).

Architecture: West Point City Code has architectural standards that apply to newly constructed commercial buildings. These requirements are outlined in WPCC 17.60.140. Additionally, West Point City and The Point Development entered into a Developers Agreement that uses the same language that was in the previous version of the code that addressed masonry standards in commercial developments. The building complies with these requirements.

Lighting: All lighting meets the ordinance as outlined in WPCC 17.120.

Access: This site plan is proposing 4 access points. WPCC does not have any specific regulations on spacing distance or locations for those access points.

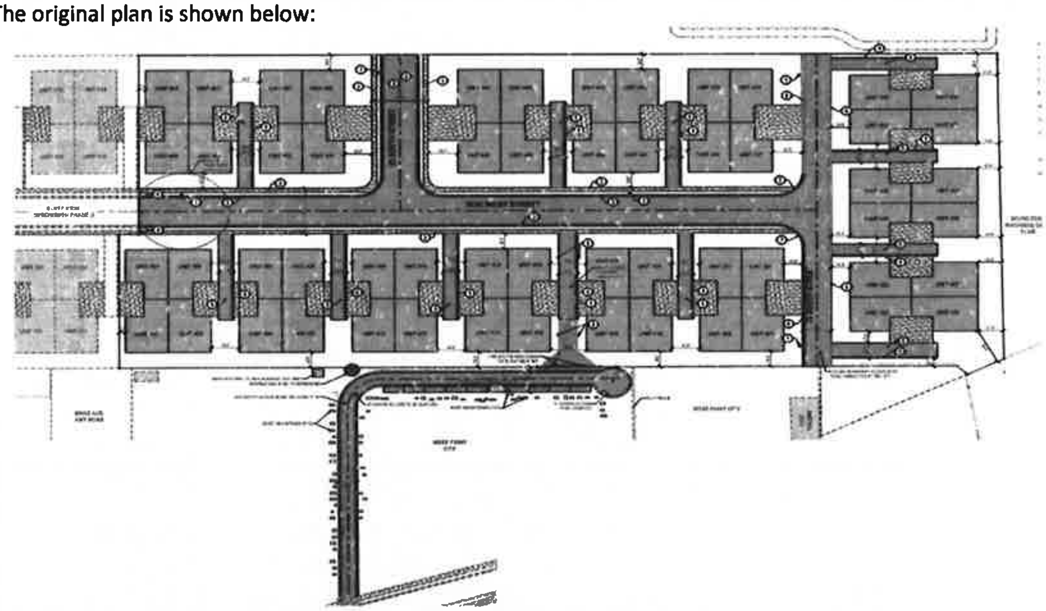
Council Member Chatterton expressed his concern about the electronic signage that will be placed and how bright it will be; he has had an issue from a sign across the street from his residence being so bright it lit up his entire front room. He was able to address the problem with the owner, but would like to make sure there won't be a similar issue for residences near this business. Mr. Moyes stated that they have not yet submitted the signage application, but Staff will consider this factor in reviewing and approving the application.

The Council had no further discussion.

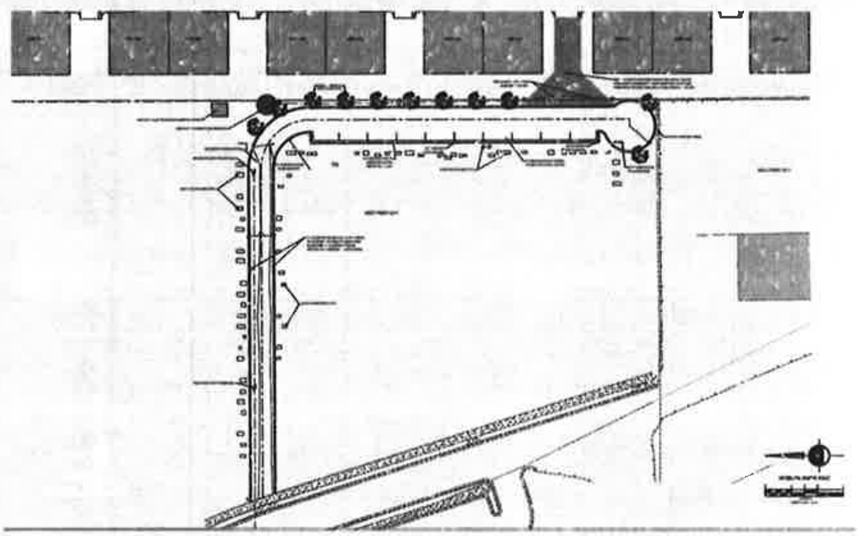
Council Member Petersen motioned to approve the Final Site Plan for the Deseret First Credit Union
Council Member Chatterton seconded the motion
The Council unanimously agreed

11. Consideration of Approval of Phase 4 of the Bluff View Subdivision – *Mr. Boyd Davis*

Mr. Davis stated that Phase 4 of the Bluff View Subdivision has been discussed with the Council in several prior meetings, particularly in regards to the access road that will go through the cemetery. City Code states that the city shall not approve more than 30 lots without requiring the construction of a second access road. Phase 4 is 56 units and thus will require the construction of a second access. The applicant is proposing to construct a second "emergency" access through the City cemetery to the west. The original plan is shown below:



Mr. Davis stated that Staff has asked them to remove some of the parking stall along the east leg of the road, feeling that they aren't necessary in the cemetery and may only add to the existing problem of people parking at the cemetery and being there after hours. Council Member Petersen had a differing opinion, feeling that the extra space is actually an amenity and will provide more room for cars to turnaround. Council Member Chatterton felt that use of the space for parking stalls should also be eliminated, but the space instead be used to make a wider road so that cars can pull to the edge and vehicles can still pass. Council Member Petersen agreed with that situation, as it is not the parking stalls themselves that he desires, but keeping the extra space for maneuvering vehicles. The proposed road will be 18 ft. of asphalt, with a 1 ft. concrete ribbon on both sides, making the road a total 20 ft. wide. The access going into the development will consist of pavers that grass will be able to grow through, making the access look like landscape but will actually be able to support vehicle traffic and heavy fire trucks and equipment. There will also be a crash gate with a Knox Box that the fire department and emergency personnel will have the keys to open the gate. As a crash gate, it can be driven through by a vehicle even when locked in the case of an emergency. Staff has also asked that they removed the turnaround at the very south end, as any traffic will just exit onto the existing dirt road that goes back down to 4000 W. They have also agreed to the suggestion that the trees they agreed to install be spread out along the entire east fence line of the cemetery rather than crowded together just along the road. They have also agreed to pay for and install a new shed to replace the existing concrete silo that has been used for cemetery storage. Mr. Laws and Mr. Davis both stated that Mike Flood with Nilson Homes has been great to work with and very accommodating to the changes requested by Staff. Below is an updated plan for the road, which includes most of the changes discussed:



Mr. Flood confirmed for the Council that multiple "No Parking" signs will be installed and a notice will also be recorded on the four units along the access of this road that it is a fire lane and only to be used in emergency situations. Mayor Vincent stated that he has discussed with Mr. Flood the possibility of increasing the width of the road because it will eventually become a public road in the future, and asked if that possibility had been discussed further with Staff. Mr. Flood explained that due to the property boundaries and the way the units have to be spaced and located, there is no room available on the west side to expand, and only seven extra feet on the other side. He stated that he will work with Mr. Davis to try and design the road so that at least the western portion will line up with where the future intersection of a full 60 ft. road will be. Once the Public Works building is relocated and the existing fence moved, the road can be widened to the south as needed. The Council discussed the issue, and ultimately agreed that this access should line up as much as possible with the future road that is planned to go through the current Public Works yard.

The Council also stressed the importance of not disturbing the existing headstones and burial spaces as the road is installed, and that there will need to be coordination with halting construction during a scheduled burial time. Mr. Flood agreed and stated that they understand the extreme care that will need to be given as this road is installed and they are committed to working with the City to make sure construction is monitored and there are no problems.

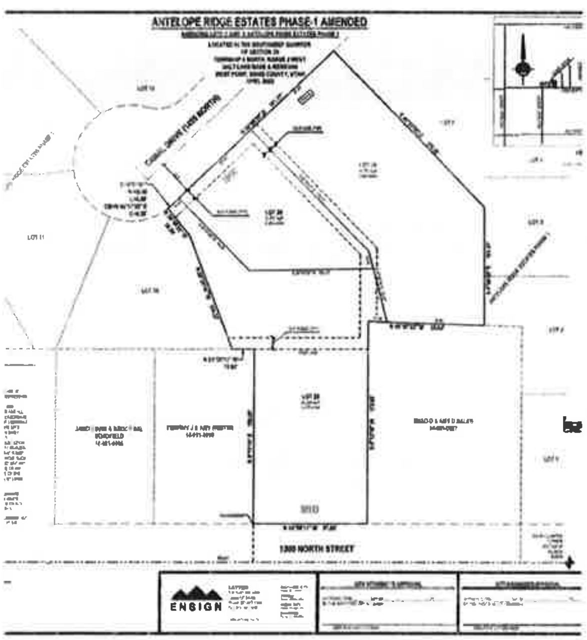
Council Member Judd stated that this second access road has been an issue from the very beginning of when this subdivision was proposed. The Council at that time was not in favor of this particular option of an emergency road through the cemetery, herself included, and the developers were told to find another way to obtain the required second access. Even though it is back to this option, she is still struggling with the fact that the cemetery is a "permanent residence" of families' loved ones and this road is going to create issues where there currently are none, all for the sake of accommodating a new subdivision. She feels it is her responsibility, as an elected leader, to be a voice for residents who aren't present but are against this option, and this road was not what was ever agreed to. Mr. Flood stated that he knows there was debate about emergency accesses and whether it meets the requirement of a second access, and there was another option of an access going east around the golf course that was considered, but does not want to rehash those discussions and what led to this point. However, he does want it understood that they had originally proposed an emergency access through the cemetery – it was the City that has grown the original proposal from beyond an emergency access road to planning for a future 50 S. public road. They have been willing to accommodate that, and hoped that it would be viewed as an enhancement to the city and a benefit to the current, permanent, and future residents. He realizes that not everyone will view it that way, and would rather have the dirt road remain unimproved, but they still feel that they have worked with Staff through several options and designs, and have come to the conclusion together that this is the best way to get from "Point A to Point B", and the road would benefit the City for a permanent use in the future, while meeting their current, temporary need for a second access, and allowing for the number of units that was approved.

The Council continued to discuss the design of the road, turnaround options, and road width. It was determined that the south end remain as a turnaround space. Although on the agenda for consideration of approval, approval letters have not been received from the North Davis Fire District (although they have indicated they do approve) or from Davis & Weber Counties Canal Company. Staff recommends that approval be tabled until those letters are received by the City. Mr. Nilson confirmed that he will work with Staff to make sure that the site plan (including the design of the road) and development agreement have been updated to reflect the discussions, and once the letters are received, will be prepared to present the final drafts for consideration of approval.

Council Member Petersen motioned to table approval of Phase 4 of the Bluff View Subdivision
Council Member Chatterton seconded the motion
The Council unanimously agreed.

12. Consideration of Approval of a Final Plat Amendment for the Antelope Ridge Subdivision – *Mr. Troy Moyes*

Mr. Moyes stated that the applicant, Rob Wilcox, is seeking a plat amendment for three lots located at approximately 3910 W 1300 N. The request is to amend the lot lines between the three existing lots, and no new lots are being created. The plat is being amended in order to enlarge the lot to the south and add the shop that is built on the lot to the north. Lot 29 will be smaller than the original lot, but will still meet the zoning code. They plan to build a new home on Lot 29. The amended plat as proposed is shown below:



Staff has reviewed the plans and provided comments back to the developer and project engineer. All of the items that are required before Final Plat have been addressed. Staff recommends approval of the plat amendment.

Mayor Vincent opened the item for public hearing.

a. Public Hearing

No comments.

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

b. Action

This item has been discussed by the Council in previous meetings and there was no further discussion.

Council Member Judd motioned to approve the plat amendment
Council Member Petersen seconded the motion
The Council unanimously agreed

13. Consideration of Approval of Ordinance No. 05-03-2022A, Amending Section 17.60.140C of the West Point City Code Regarding Commercial Design Standards– *Mrs. Bryn MacDonald*

Mrs. MacDonald stated that the previous West Point City Code had architectural standards for buildings in commercial zones. During the process of adopting the new code last year, these standards were removed. The proposed text change is to add the language back to the commercial zones. Prior to the adoption of the new code last year, there were sections that required a "minimum of 50 percent brick or stone" in the N-C (Neighborhood Commercial) zone to be used on all new buildings. There was also a minimum masonry calculation to be used on all new buildings within the R-C (Regional Commercial), C-C (Community Commercial) and R/I-P (Research and Industrial Park) zones.

Mayor Vincent opened the item for public hearing.

a. Public Hearing

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

b. Action

The Council has discussed the proposed changes during the previous meeting and had no further discussion.

Council Member Lee motioned to approve Ordinance No. 05-03-2022A, Amending Sections 17.60.140(C)(3) and 17.60.150(C)(4)
Council Member Swenson seconded the motion

Roll Call:
Council Member Lee: Aye
Council Member Chatterton: Aye
Council Member Petersen: Aye
Council Member Judd: Aye
Council Member Swenson: Aye

The Council unanimously agreed

14. Consideration of Approval of Ordinance No. 05-03-2022B, Amending Section 17.130.090E(7) of the West Point City Code Regarding the Maximum Number of Lots per Subdivision Access – *Mrs. Bryn MacDonald*

Mrs. MacDonald stated that West Point City Code requires developments to be limited to a maximum number of lots on a single access. The current Code requires no more than 50 lots per access, which is a different standard from the previous Code. The Code prior to the recent changes had a maximum of 30 lots per access. The change from 30 to 50 seems to be a mistake when the code was codified last year and should be changed back to the original standard of 30 lots per access.

Mrs. MacDonald confirmed for the Council that this ordinance only addresses the number of lots per single access; the issue of defining an access and the requirements for secondary accesses will be discussed with the Council at a future meeting. The Council had no further questions.

Mayor Vincent opened the item for public hearing.

a. Public Hearing

No comments.

Council Member Judd motioned to close the public hearing
Council Member Swenson seconded the motion
The Council unanimously agreed

b. Action

Council Member Petersen motioned to approve Ordinance No. 05-03-2022B
Council Member Judd seconded the motion

Roll Call:
Council Member Lee: Aye
Council Member Chatterton: Aye
Council Member Petersen: Aye
Council Member Judd: Aye
Council Member Swenson: Aye

The Council unanimously agreed

15. Consideration of Approval of Ordinance No. 05-03-2022C, Amending Section 17.130.100C of the West Point City Code Regarding Sanitary Sewer Pipelines – *Mr. Boyd Davis*

Mr. Davis stated that the Planning Commission recently voted to approve recommendation of the "Dry Sewer Line" ordinance that would require any developments in the future annexation area to install sewer lines and laterals to each home. These lines would not be used until the future sewer system is constructed and would thus be "dry" until they are connected to the future system.

The Council has discussed this proposed ordinance in previous meetings and had no further questions. Mayor Vincent opened the item for public hearing.

a. Public Hearing

No comments.

Council Member Lee motioned to close the public hearing
Council Member Swenson seconded the motion
The Council unanimously agreed

b. Action

Council Member Petersen motioned to approve Ordinance No. 05-03-2022C
Council Member Chatterton seconded the motion

Roll Call:
Council Member Lee: Aye
Council Member Chatterton: Aye
Council Member Petersen: Aye
Council Member Judd: Aye
Council Member Swenson: Aye

The Council unanimously agreed

16. **Consideration of Approval to Place Phases 2 & 3 of the Sunview Estates Subdivision on One-Year Warranty – *Mr. Boyd Davis***
Mr. Davis stated that the Sunview Estates Subdivision Phases 2 & 3 are located at 1100 N 5000 W. The developer has completed all the required improvements, with exception of the sidewalk and slurry seal, and is now asking that the subdivision be placed on a one-year warranty. The phases have been inspected to ensure all the required improvements have been completed and are in good condition prior to beginning the warranty period. Staff recommends that these Phases be placed on a one-year warranty as required by the State Code. The required guarantee amount will be retained in escrow for the duration of the warranty period.

The Council had no further discussion.

Council Member Judd motioned to approve
Council Member Chatterton seconded the motion
The Council unanimously agreed

17. **Consideration of Approval to Place Phase 1 of the Bluff View Subdivision on One-Year Warranty – *Mr. Boyd Davis***
Mr. Davis stated that the Bluff View Subdivision Phase 1 is located at 3650 W 300 N. The developer has completed all the required improvements, with exception of the sidewalk and slurry seal, and is now asking that the subdivision be placed on a one-year warranty. The developer is also requesting that the start date be back dated to February, as all items were complete then and he sent in a request to start warranty at the beginning of February. Staff found that itis correct that he made that request and it appears to be a mistake by Staff. Staff recommends that Phase 1 be placed on a one-year warranty and also recommends that the start date of the warranty period be February 15th.

The Council had no further discussion.

Council Member Chatterton motioned to approve
Council Member Lee seconded the motion
The Council unanimously agreed

Due to time, Item 4 and Item 6 of tonight's Administrative Session were discussed at this time

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

Council Member ** motioned to adjourn
Council Member ** seconded the motion
The Council unanimously agreed

WEST POINT CITY
CORPORATE SEAL
DAVIS COUNTY - UTAH

BRIAN VINCENT, MAYOR — December 20th, 2022

CASEY ARNOLD, CITY RECORDER — December 20th, 2022