



3200 WEST 300 NORTH
WEST POINT CITY, UT 84015

WEST POINT CITY COUNCIL MEETING MINUTES WEST POINT CITY HALL February 15th, 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 February 15th, 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# 828 6354 4686 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

EXCUSED: None

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

1. Discussion Regarding an Amendment to the Developers Agreement for the Wildfire Estates Subdivision Monument Sign – Mrs. Bryn MacDonald

Mrs. MacDonald stated that the original Development Agreement for this subdivision included entry monument signs on each side of the entry road and the developer is requesting that the agreement be amended to eliminate the sign on the south side of the entry into the subdivision. The request to remove the second sign in exchange for “enhanced landscaping” was discussed by the Council in a previous meeting, and the developer was asked to submit an explanation of specifically what that enhanced landscaping would be. A letter from the developer highlighting that information, as well as an amended landscape plan, has now been submitted. The letter states:

Per your request we have provided the following enhanced landscaping at Wildfire Estates.

- *We installed 2.5” caliper trees instead of 15-gallon trees.*
- *We installed Armstrong Maple trees in the park strips and islands instead of Pacific Sunset Maples. Armstrong maples will not encroach on the sidewalks.*
- *We increased the planter bed width from 4’ to 10’ in front of the fence line at the entrance.*
- *We added an additional (6) 2.5 caliper trees to the entrance along the fence line to help give variety and depth to the fence line beds.*
- *We added an additional (8) shrubs along the entrance with (2) varieties of shrubs to create a layering affect in front of the fence.*
- *We are adding an automatic LED outdoor lighting system at the entrance which will light up the (14) trees and the monument sign from dusk to dawn.*

We are confident that these changes and additions will make a significant difference in creating a warmer, more welcoming feel to the community.

We request that you approve this change to replace the second entrance monument and secondary monuments noted on the original submittal.

Mr. Laws inquired as to why the original plan also included five interior monument signs, but the amended plan submitted has removed the interior signs. Council Member Petersen stated he had the same question, and also why the plan is requesting to be amended at all; it was the developers who proposed these amenities in exchange for being given certain zoning allowances, and now that development is already being built out, they want to go back on what they agreed to. Mrs. MacDonald stated that the developer had in fact already gone ahead with implementing the amended changes, which was discovered during an inspection by Staff, even though the Council did not grant the approval when it was last discussed. The Council was not happy that the developer

disregarded the Council's request for more information about the landscaping that would be enhanced in return for removing the second monument sign requirement and instead went ahead and made the changes. As the developer did not adhere to the original agreement, the Council lacks confidence that the developer would even follow an amendment agreement. They would also like to know what zoning allowances were given in exchange for the second entrance and interior monument signs.

Mark Sandberg, representing the developer of the project, attended the meeting virtually and explained how the enhanced landscaping that they have done "is more than what a few additional monument signs would have cost and is going to be much more attractive." Council Member Chatterton inquired as to whether the LED outdoor lights meet the standards of the City's dark sky ordinance. Mr. Sandberg stated that he was unaware of such an ordinance but would make sure that they do.

Council Member Judd questioned Mr. Sandberg on why the choice was made to go ahead and make the changes before receiving approval from the Council. He answered that he did not realize that they had to get approval of landscaping in common areas and he was of the opinion that he "thought it was an upgrade" and that was why he "didn't think there was a problem." He also noted that there had been an issue with the property owner on the north entrance corner wanting a 6 ft. fence around his property, which is directly behind that entrance monument sign, instead of the planned 3 ft. fence; he hoped that by removing the second entrance sign originally planned for the south corner of the entrance, he could avoid a similar issue with that property owner. Council Member Petersen commented that Mr. Sandberg is an experienced developer and would definitely be aware that approval from the Council would be needed to appropriately deviate from a development agreement.

Council Member Petersen stated that, in his opinion, he felt that the Council needed more information and understanding of what the landscaping items that have been done compensate for not installing the monument and entrance signs. Mr. Davis stated that one item on the list that can be addressed is the added LED lighting system at the entrance, as lights pointed upwards towards the sign and trees will clearly be in violation of the City's dark sky ordinance.

The Council agreed that more information is needed on the installed enhanced landscaping and what bonus density was given for the amenities that the developer is proposing to remove (or has already not installed) from the agreement. Staff was directed to obtain that information from the developer and present that information to the Council for further discussion and consideration.

2. Discussion Regarding a Grant from Davis County for the 300 N Road Project – Mr. Boyd Davis

Mr. Davis stated that West Point has been fortunate enough to receive a grant from Davis County to reconstruct 300 N from 2000 W to 4000 W, which has been discussed with the Council previously and will be a large project in the City. 300 N from 1000 W to 2000 W has already been reconstructed, and this project will continue that reconstruction and widen the road, add a center turning lane, and install curb, gutter and sidewalk on each side of the road. The grant amount is \$3,000,000 and the County is asking the City to enter into an interlocal agreement to officially award the funds to West Point. Once approved, the City will have two years to commence the project.

The agreement states that Davis County will reimburse the City for 80% of the project costs, up to a maximum of \$3,000,000. West Point must contribute 20%, up to a maximum of \$750,000. Fortunately, the City also received a grant from the Wasatch Front Regional Council for the same project and the two grants can be used as matching funds for each other. West Point City will be responsible to plan, design, and construct the road project using our own funds and then request reimbursement from the County, however, reimbursements can be done periodically throughout the project.

The agreement also outlines other requirements that the City must abide by, which includes following APWA standards for design and commencing the project within two years. Mr. Davis stated that APWA design standards are similar to normal, generic building code and all stipulations seem reasonable to Staff. The agreement will also be reviewed by the City Attorney.

Mr. Davis stated that Staff would like to propose beginning the design work of the project this year and start construction the following year, completing as much of the project that can be completed with the funds from Davis County and then continuing when the WFRC grant money comes available in 2026.

The Council thanked Staff for being aware of and applying for these types of grants, as they are a huge benefit to the City and residents when funds are granted. As the project is designed, the Council wants to ensure that there be the least amount of impact on residents as possible. They agreed that it may be a good idea to break the project up into different phases in case the funds from Davis County are not enough to pay for the whole project, in order to avoid having this whole section of road inaccessible while waiting for the WFRC grant money to become available. Mr. Davis stated that as the design process starts, Staff plans to discuss with the Council the best options for how to complete the project while putting as little burden on residents and others who use the road as possible.

The Council had no further discussion at this time and will consider approval of the agreement at the next meeting.

3. Discussion Regarding a Reimbursement Agreement for Land Purchase for Recreation & Public Works Facilities with Future Bond Proceeds – Mr. Ryan Harvey

Mr. Harvey stated that the City is looking to purchase land next to the proposed West Point City Jr. High in order to do a joint project with the Davis County School District. This project has been discussed by Staff and Council multiple times over the past few years and will add more gym space and outdoor field space for the City to use for its recreation programs.

The City has planned to issue bonds in order to fund the project. However, those bonds will not be ready to be issued until much later in the year. Therefore, in order to purchase the land now, but be able to roll it into the bond issue, the Council will need to approve a Reimbursement Resolution. This will allow the City to purchase the land now with existing funds, and then pay itself back with the proceeds of the bond later this year.

The Council had no further discussion at this time and will consider approval of the resolution in tonight's General Session.

4. Other Items

Mr. Laws stated the City is currently in the process of redesigning its website with a provider called Civic Plus, which also offers several other programs specific to government agencies. One of these programs is Civic Rec, which the City is already using for recreation and park reservation management, and Staff also recently purchased (using CARES Act funds) their agenda management module called Civic Clerk. The program will allow for Staff to better track and put together agenda items, as well as assist with noticing, publishing, meeting minute taking, and more. The Council will also be able to log into their own portal and be able to view the agendas, make notes, bookmark items, etc. that will be saved and accessible from any device they log in from. Staff is still being trained on the program and once they are ready to start implementing it, training will also be given to the Council on how their portal works. With that, Mr. Laws would like direction from the Council on whether tablets or iPad's should be purchased for them to have and bring to each meeting, or leave at City Hall and put out for them to use at the meeting, or if they would like to provide their own. The Council felt that purchasing the tablets is a good idea, and the best option would be for them to be kept at City Hall and then given out each meeting. More discussion will be held as Staff is ready to start using the program.

The Administrative Session adjourned.



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General Session

7:00 PM

Minutes for the West Point City Council General Session held on February 15th, 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# 828 6354 4686 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: 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 – As the appointed Board Member of the Mosquito Abatement District Davis, he attended his first meeting of the District the previous week. At the meeting, he learned that Davis County itself does more to treat mosquitoes than the entire State of Colorado.

Council Member Chatterton – None

Council Member Petersen – None

Council Member Judd – None

Council Member Swenson – The Council Visioning Session held earlier this month was very beneficial, and she expressed her appreciation to Staff and the rest of the Council for all the time and effort that went into the meetings. As a new Council Member, she took pages of notes and is still processing all of the information and new things she learned. She also wanted to relay a concern raised to her by a resident regarding the new subdivision off of 1300 N and 4000 W. This resident built a new home in the subdivision and is really concerned about the plans for the surrounding properties, because they are already starting to experience some flooding. Mayor Vincent advised her to speak with Staff to get more information on the development and the surrounding area.

Mayor Vincent – The North Davis Sewer District has completed about 20% of the new pipeline project, and are preparing to install a metal sleeve under the causeway in the next few months. That project will require tearing out the road, so traffic will have to be diverted until it is completed. The Mayor also commented that the Legislative Session is underway, and there are multiple bills being proposed regarding building standards, zoning, etc., and also a major bill regarding secondary water metering. The bill will likely pass and require that by a certain time, secondary water is metered on all properties. Most are currently in the process of doing this, however, the deadline proposed to have all connections retrofitted with meters is “pretty aggressive and maybe even impossible.” The Utah League of Cities & Towns is working on negotiating an amended bill.

5. Communications from Staff

None

6. Citizen Comment

None

7. Consideration of Approval of Resolution No. 02-15-2022A, Approving an Amendment to the Development Agreement for the Wildfire Estates Subdivision – Mrs. Bryn MacDonald

Due to the discussion regarding this amendment in tonight's Administrative Session, the Council did not want to take action on approving the resolution until the information requested is received and more discussion can be held.

Council Member Petersen motioned to table approval of Resolution No. 02-15-2022A, Approving an Amendment to the Development Agreement, until Staff has received more information from the developer (on the installed enhanced landscaping and what bonus density was given for the amenities that the developer is proposing to remove (or has already not installed) from the agreement and can present that information to the Council for further discussion).

Council Member Chatterton seconded the motion

The Council unanimously agreed

8. Consideration of Approval of Resolution No. 02-15-2022B, Declaring the Intention of West Point City to Reimburse Itself for Expenditures Incurred in Connection with Certain Improvements with Proceeds of Bonds – Mr. Ryan Harvey

Mr. Harvey reviewed the information presented to the Council in the earlier Administrative Session, summarizing that the City is looking to purchase land next to the proposed West Point City Jr. High in order to do a joint project with the Davis County School District. This project has been discussed by Staff and Council multiple times over the past few years and will add more gym space and outdoor field space for the City to use for its recreation programs.

The City has planned to issue bonds in order to fund the project. However, those bonds will not be ready to be issued until much later in the year. Therefore, in order to purchase the land now, but be able to roll it into the bond issue, the Council will need to approve a Reimbursement Resolution. This will allow the City to purchase the land now with existing funds, and then pay itself back with the proceeds of the bond later this year.

This project has been in the planning process for some time and the Council had no further discussion.

Council Member Petersen motioned to approve Resolution No. 02-15-2022B

Council Member Judd seconded the motion

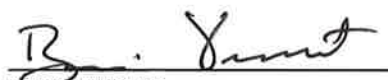
The Council unanimously agreed

9. Motion to Adjourn the General Session

Council Member Chatterton motioned to adjourn

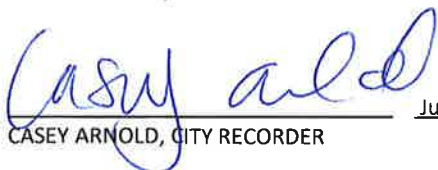
Council Member Lee seconded the motion

The Council unanimously agreed



BRIAN VINCENT, MAYOR

July 19th, 2022



CASEY ARNOLD, CITY RECORDER

July 19th, 2022

