



3200 WEST 300 NORTH
WEST POINT CITY, UT 84015

**WEST POINT CITY COUNCIL
MEETING MINUTES
WEST POINT CITY HALL
March 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
6:30 PM

Minutes for the West Point City Council Administrative Session held on March 15th, 2022 at 6:30 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# 862 0651 5280 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 Water Share Calculations – Mr. Boyd Davis

Mr. Davis stated that West Point City has required developments to submit water shares since 2006, when the tri-lateral agreement was established with Davis and Weber Counties Canal Co., Weber Basin, and West Point, in which the City agreed to exact water from each development. At that time, a simple formula was established requiring 3 Acre-Feet of water for every acre of development. That method has worked well over the years and has been a simple and consistent standard to follow, however, as the density of developments has begun to vary from traditional single-family housing, that amount no longer fits all developments. In many cases much more water is being required than is necessary. Water is very expensive, and in an effort to be transparent with the developers that are giving these water shares to the City, and also to avoid confusion with the calculations of other agencies, Staff would like to discuss a possible change to the code.

Mr. Davis explained that the standard of 3 AF/acre was based upon an average sized single-family lot in West Point City in 2006. Staff would like to propose a change to that standard to base the amount of water on the actual irrigated area on projects such as townhouses, apartments, PRUDs, etc. For single family homes, Staff proposes that the City use the standard used by D&W, which calculates the area that will be irrigated as the size of the lot minus 2,500 sq. ft. The 2,500 sq. ft. is the assumed hard surface area (i.e. rooftop, driveway, patios, etc.). There has been confusion on behalf of developers, as they are being told one amount by DWCC and a different amount by the City, which is usually higher, and Staff has to explain that the City is the agency that actually has the authority to exact water and so its standards are what must be followed. While it is not necessarily a bad thing to “over collect” water shares, it does bring attention to the issue from developers and legislators to put restrictions on cities. He confirmed for the Council that there is still a “buffer” in the proposed calculation method that ensures enough water is being collected.

In regards to the culinary water, Staff proposes that the amount of water required be based on the State standard for various household sizes, i.e. 400 gal/connection/day for single family homes. Mr. Davis noted that with the City’s current flat rate calculation of 1-acre feet per gross acres, the City is actually under-collecting by a small amount in R-3 density developments, and even less in higher density R-4 projects. However, the over-collection of secondary water has helped even out the total amount of water being brought to the City. Requiring water shares based on number connections rather than acreage will help ensure that the right amount is being collected.

Staff proposes the following change to the code:

g. Due to the need of providing secondary and culinary water for subdivision development, the subdivider shall convey or otherwise make available to West Point City or its designee water rights that are usable by and acceptable to West Point City to provide a minimum of three-acre feet (a.f.) of water annually during normal water years, for each acre or part thereof within the subdivision, to

be distributed for secondary and culinary water uses. One-third of the water will be used for culinary purposes and the remaining two-thirds will be used for secondary water. In those areas, outside of the West Point City Water System water shares will only be collected for secondary water uses.

h. The amount of water required and the methodology for calculating the amount of water required may be adjusted by resolution adopted by the West Point City council from time to time.

Mr. Davis stated that if the Council is in favor of this change, an ordinance will be prepared and forwarded to the Planning Commission for their recommendation. Once the ordinance is approved by the Council, a resolution will be prepared to set the new standard.

Council Member Petersen expressed his concern about changing the current standard and then not having enough water if usage increases for some reason. Mr. Davis stated that the City currently has a contract with Weber Basin Water for 700-acre feet of water and if usage exceeds that, the City can be charged. However, that contract is for actual acre feet of water, and not tied to water shares. When a property is developed, the water shares are transferred into West Point City's name. The amount calculated for secondary water is diverted right into the secondary water system (Davis & Weber Canal), but the City is holding onto the culinary water portion of the shares. Because this water is not being treated, the City does not have to pay for it. Once usage gets to the point where these water shares have to be used and converted to the culinary water system, the City will pay for that increased amount of treated water that is actually going through the system. The City currently has over 200 water shares that are not being used, and so there is a "buffer" amount of water that can be used if usage increases.

The Council directed Staff to prepare a draft ordinance with these new calculations to present for further discussion and consideration of approval at the next meeting.

2. Other Items

No other items were discussed.

The Administrative Session adjourned.



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WEST POINT CITY COUNCIL MEETING MINUTES WEST POINT CITY HALL March 15th, 2022

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

General Session

7:00 PM

Minutes for the West Point City Council General Session held on March 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# 862 0651 5280 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. Reston & April Murray & Family, Reed & Michelle Goble, Christofer Bradshaw, Junior Vazquez, Andrick V., Mancy Call, Same Humel, Ryan Thayne, and Mark Thayne

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

Council Member Lee – The American Mosquito Control Association held their annual national conference earlier this month, which he attended as a Board Member of the Mosquito Abatement District Davis. At the conference, it was noted that of the entire country, Davis County was ranked third in their effectiveness of mosquito abatement. He commended the work that the District does and for this significant accomplishment.

Council Member Chatterton – None

Council Member Petersen – None

Council Member Judd – None

Council Member Swenson – None

Mayor Vincent – None

5. **Communications from Staff**

Mr. Laws stated that Staff has been approached by Syracuse City to consider a boundary line adjustment in the area south of Schneider's Bluff Golf Course. With the West Davis Corridor having an interchange in this location, it creates an awkward split between the two cities. The staffs of both cities have met to discuss the idea, and have drafted a possible option for their city councils to consider. In the map below, the dashed line represents the current boundary line, and with this option, West Point would be exchanging the triangle-shaped property in red for the larger property in blue:



If the boundary lines were adjusted this way, all of the Golf Course would be in West Point (one hole is currently in Syracuse City's boundaries) and create a line that would follow the eastern edge of the Corridor and then down the center line of SR-193, and then go straight north along that property line. The eastern portion of the property in blue is actually owned by Rocky Mountain Power and they have a power corridor here that goes right to the edge of the trail.

Mr. Laws stated that Staff would like input from the Council before working on the matter further. He confirmed for the Council that Syracuse City is not concerned with the disproportionate amount of acreage being gained by West Point, as the location of the property they would be gaining allows for potential expansion of the existing subdivision to the west. The Council had no further comments or concerns at this time. Staff will begin working on the boundary line adjustment process with Syracuse.

6. Citizen Comment

None.

7. Recognition of the West Point City Youth Council Essay Contest Winners – *Mayor Brian Vincent*

Mayor Vincent stated that he has the honor of announcing the winners of this year's Youth Council Essay Contest. The theme of the contest is "Why I Love My City" and is open to applicants from 1st grade up into adulthood. A wide range of essays were submitted and it was great to read all the different reasons residents love living here.

Mayor Vincent announced the winners as follows:

Elementary Division

3rd Place – Brielle Young
6th grade, West Point Elementary

2nd Place – Reed Goble
6th grade, West Point Elementary

1st Place, Eden Murray
2nd grade, Lakeside Elementary

Jr. High and Older Division

3rd Place – Lindsay Brown
9th grade, West Point Jr. High

2nd Place – Junior Vazquez
9th grade, West Point Jr. High

1st Place – Amy Taggart
Life-long resident of West Point City.

The winners were presented with a basket and gift cards and pictures were taken with the City Council. The Mayor asked 1st place winner Eden Murray to read her essay aloud, and Council Member Petersen also read aloud Amy Taggart's 1st place essay as she was unable to attend the meeting.

On behalf of the Council and the City, Mayor Vincent thanked the Youth Council for sponsoring the contest and for all those that submitted an entry. He encouraged all to participate in next year's contest.

8. Consideration of Approval of the Minutes from the October 19th, 2021 West Point City Council Meeting

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

9. Consideration of Approval of Resolution No. 03-15-2022A, Approving an Interlocal Cooperation Transportation Project Reimbursement Agreement between West Point City and Davis County – Mr. Boyd Davis

Mr. Davis stated that this agreement has been discussed by the Council in previous meetings and briefly reviewed that West Point has received a grant from Davis County for the widening and reconstruction of 300 N from 2000 W to 4000 W in the amount of \$3.3 million. The way the grant works is that Davis County will reimburse the City for 80% of the project costs, up to a maximum of \$3,000,000 and 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.

Mr. Davis stated that during the last meeting, Mayor Vincent expressed his concern with the agreement as drafted, because in Section 1(a), it states that the City is required to commence and complete “the full scope of the project in a manner consistent with the application, within two years from the date this agreement is executed.” Mr. Davis had informed the Council that he had spoken with Jeff Oyler with Davis County (who oversees administration of these types of grants) and he informed him that the City just needs to begin spending the funds on the project within two years; as long as the funds are at least beginning to be used, the County will meet its full obligation. Even with this verbal clarification, the Council agreed that the agreement should be amended to reflect that the project must only commence within two years, not that it must commence and be completed, so that it is clearly stated what is required of the City.

Council Member Chatterton noted that Section 1(a) has been amended in the new draft of the agreement, but the same language is also in Section 2(a) and has not been amended. Mr. Davis stated that the County agreed with the change and this was an oversight. He will make sure that the final draft of the agreement is corrected.

Council Member Petersen motioned to approve Resolution No. 03-15-2022A, with the amendments as noted
Council Member Lee seconded the motion
The Council unanimously agreed

10. Consideration of Approval of Resolution No. 03-15-2022B, Approving a Contract with Ace Recycling and Disposal for Waste Collection Services – Mr. Ryan Harvey

Mr. Harvey stated that with the expiration of the current contract, the City recently put out an RFP for waste collection services and received two bids – one from Econo Waste (the City’s current hauler) for \$41,910 and one from Ace Recycling and Disposal in the amount of \$35,137. The RFP listed specific criteria that he, along with Mayor Vincent and Mr. Laws, created. The proposals were judged against those criteria, as well as on price, and the “clear winner” was Ace Recycling & Disposal.

The following summarizes some of the highlights of the contract:

1. Rates for the different types of cans:
 - a. 1st Black Can: \$5.27 per can
 - b. 2nd Black Can: \$1.50 per can
 - c. Green Can: \$3.31 per can
 - d. Blue Can: \$4.29 per can
2. Annual Cost of Living Adjustment
3. ACE will provide the blue cans to the City for the duration of the contract, which will then become property of the City after the 5 years. Mr. Harvey noted that ACE has purchased all of the existing blue cans from Econo Waste, and moving forward, will hot-stamp each blue can with the City’s logo.
4. Same pickup days as the current hauler

Staff recommends approval of a contract for 5 years, 3 months (to align with our Fiscal Year) beginning on April 1, 2022 and ending on June 30, 2027.

Mr. Harvey also noted that with the cost for this service increasing from \$29,044 to \$35,137, part of the budget proposal for the next fiscal year will include an analysis of the current can fees being charged to residents and whether or not they need to be increased to compensate. Mr. Laws noted that the bid received from Econo Waste would be an increase of about \$12,000 from the current contract. The Council discussed the agreement and were in agreeance to approve the contract with ACE Recycling & Disposal.

Council Member Chatterton motioned to approve Resolution No. 03-15-2022B
Council Member Swenson seconded the motion
The Council unanimously agreed

11. Consideration of Approval of the Final Plat for Phase 3 of the Sunview Estates Subdivision – Mrs. Bryn MacDonald

Mrs. MacDonald stated that Phase 3 of the Sunview Estates Subdivision is the final phase of the development and consists of 15 lots that are all approximately 12,000 sq. ft. in size. The cul-de-sac to the phase has already been constructed and they can begin building once the plat is approved and recorded. However, Mrs. MacDonald stated that the City's Code requires a second access once more than 30 lots have been developed, and the second access for this subdivision will be through Phase 2 of the adjoining West Lake Subdivision, which is currently under construction. With this restriction, a note will be on the recorded plat that they are limited to 30 building permits until that second access is completed and connected. The developers are aware of this restriction.

The Council had no further discussion.

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

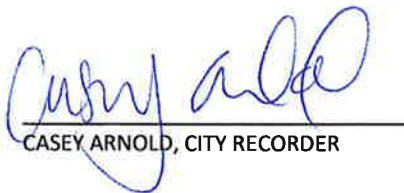
12. Motion to Adjourn the General Session

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



BRIAN VINCENT, MAYOR

September 6th, 2022



CASEY ARNOLD, CITY RECORDER

September 6th, 2022

