



3200 WEST 300 NORTH
WEST POINT CITY, UT 84015

WEST POINT CITY COUNCIL
MEETING MINUTES
WEST POINT CITY HALL
June 1st, 2021

Mayor
Erik Craythorne
City Council
Gary Petersen, Mayor Pro Tem
Jerry Chatterton
Andy Dawson
R. Kent Henderson
Annette Judd
City Manager
Kyle Laws

Administrative Session

6:00 PM

Minutes for the West Point City Council Administrative Session held at West Point City Hall on June 1, 2021 at 6:00 PM with Mayor Pro Tem Petersen presiding. This meeting was also available via electronic Zoom Meeting and was accessible to attendees by entering Meeting ID #894 3411 7545 at <https://zoom.us/join> or by telephone at (669) 900-6833.

MAYOR AND COUNCIL MEMBERS PRESENT: Mayor Pro Tem Gary Petersen, Council Member Andy Dawson, and Council Member Kent Henderson

EXCUSED: Mayor Erik Craythorne, Council Member Annette Judd, and Council Member Jerry Chatterton

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: Brian Vincent and Brent Stoddard. No sign-in required for online attendees.

1. Discussion Regarding FY2022 Tentative Budget for West Point City and All Related Agencies – Mr. Ryan Harvey

Mr. Harvey stated that this discussion will focus on five different items – the CDRA Fund, Compensation Schedule, Property Tax Rate, and the FY2022 Tentative Budgets for both West Point City and the CDRA. Mr. Harvey presented the following information on each of those items to the Council:

CDRA Fund

This year the City received \$149,947 from tax increment revenues. The CDRA continues to have a debt obligation of \$140,000 per year. For FY2022, the only difference in the CDRA budget is that the interest expense will be \$4,000 less, and the debt expense will be \$4,000 more. Mr. Harvey explained that this will continue to change as the loan gets paid off each year.

Compensation Schedule

Every year the City offers a 2% merit increase to employees based on positive performance. In addition, every other year the City offers a 2% Cost of Living Adjustment (COLA). FY2022 is the year for the COLA, so a 4% increase is budgeted in salaries, and is included in the proposed FY2022 Tentative Budget for the Council’s consideration. Additionally, Staff proposes the following changes:

Crossing Guard Pay (\$10,431) – In order to recruit and retain Crossing Guards, staff proposes increasing their pay to \$30 per day (\$15 per hour). This would increase by \$2 per day (\$1 per hour) for each year that they remain with the City, capping out at \$38 per day (\$19 per hour).

Recreation Site Supervisor (\$17,146) – Staff proposes hiring two Site Supervisors to be present at recreation activities. Each position is budgeted at \$15 per hour for an average of 10 hours per week. Mr. Laws elaborated on the purpose for this position, explaining that with the growth of the City and increased participation in Recreation Programs, it is becoming more difficult for the two current full-time positions, Recreation Director and Recreation Coordinator, to not work overtime hours; they are not able to balance their time between working in the office during the day and the fields/courts in the evening because the workload has increased. To help with this, Staff is proposing hiring adult “site Supervisors” that would be at the fields/courts in the evening overseeing the activities, and the Director and Coordinator would rotate evenings of being on-call in case there are any issues that need to be responded to and/or resolved. The Site Supervisors would not have office time and only work on-site. This will allow the two full-time employees to focus on the in-office tasks necessary to coordinate the programs, prepping the fields during the day, allow them to have more personal time in the evenings, and reduce the amount of overtime and/or comp-time that they have been having to do in order for the programs to run successfully. By still having the on-call rotation, it is assured that there is still an administrator from the Recreation Department available to handle situations that the on-site supervisor is not able or expected to. The Council had no questions regarding this new position at this time.

Property Tax Rate

The County has not yet set a Certified Rate which will ensure that the City collects the same amount of revenue as last year, plus new growth. In past years, the City Council has followed the revenue and taxation policy previously passed that states "West Point City should seek to maintain a stable tax rate; including maintaining the property tax rate when assessed values increase." This of course requires the City to go through the Truth-in-Taxation (TNT) process. If the Council elects to go through that process again this year, the Council may choose to accept the Certified Rate or select a different rate. If the Council chooses not to go through the Truth-in-Taxation process, then the Certified Tax Rate will be adopted as part of the Final Budget at the June 15th Council Meeting. The City will know the Certified Rate within the next week or two. Staff needs direction from the Council if they wish to again go through the TNT process this year. The needs of the City continue to grow as we see more and more development take place, and one of the biggest needs going forward will be maintaining adequate staffing levels and training for staff. Mr. Laws stated that he expects that the City is likely hitting the point where new positions and additional staff are going to be needed each year, which will have large impacts on the City's budgets, especially for new full-time, benefitted positions.

Costs of the law enforcement contract with the Davis County Sheriff's Office also continues to increase, and with DCSO no longer providing paramedic services, it is also not yet known how that will affect emergency response costs. Staff has a meeting with County officials in the next few weeks and anticipates having more information on this situation for the Council to consider by the June 15th meeting. While there will not be an impact on the budget for this coming fiscal year (FY2022), it is important to have more information in order to consider and prepare for what is to come in the FY2023 budget. While Sales Tax Revenues continue to grow, it is not a wise practice to rely too heavily on that revenue stream. Staff believes that small increases to the more stable Property Tax Revenue is more advantageous for the long-term benefit of the City. Mr. Laws added that the City has been expecting a major increase in law enforcement service costs, and it is likely to happen within the next few years, especially once the paramedic services situation is resolved.

Council Member Dawson stated that it has been the Council's practice to go through the TNT process each year and delay approval of the final budget until August, if not just to have more time to evaluate the budget and potential impacts. If the City does not go through the TNT process and approves the final budget in June of each year with the Certified Tax Rate from the County, there is not an opportunity for more time to consider new information and adjust the budget before being finalized. He believes it is in the City's best interest to have that ability if needed, even if no property tax rate increase is initially being considered.

Council Member Henderson agreed with Council Member Dawson, adding that going through the TNT process also allows more opportunity for the City to share information about why there may or not be justification for raising the property tax rate with residents and receive their input in return.

Mayor Pro Tem Petersen also agreed, stating that Mr. Laws is correct in his comments that adequate staffing is a major factor to consider in order to keep up with the growth currently taking place in West Point.

With these comments from the Council, all were in favor of proceeding with the Truth in Taxation process and delaying approval of the Final Budget for FY2022 until August. Once the Certified Tax Rate is received from the County, the Council will decide whether to notice the potential property tax rate increase at last year's rate (referred to as "holding" or "maintaining" the rate) to residents or whether to notice a different rate as a potential increase.

FY2022 Tentative Budget Review

At the May 4th meeting we discussed the changes to the Tentative Budget related to the General Fund. At the May 18th meeting we discussed changes to the Tentative Budget related to Capital Projects. There are two additional changes that staff proposes:

Police Contract (\$8,250) – Davis County and the Davis County Sheriff's Office has indicated that they would like to work toward a new contract in the upcoming year. In the meantime, they communicated to staff that they would like to amend the existing contract to include a 3% increase for FY2022. This will be discussed as a separate item on the City Council agenda.

Miss West Point Scholarship (\$700) –Weber State University (WSU) increased the Scholarship amount they offered to the Miss West Point Pageant winner by \$700. Several years ago, the City chose to match the scholarship amount provided by WSU, so Staff has included in the budget an increase of \$700, but needs direction from the Council on whether they would like to proceed with matching WSU's scholarship amount and are in favor of this increase. Mr. Laws noted that WSU's increase was only to the pageant winner – the scholarship amounts awarded to the attendants was not increased. The Council agreed that they were in favor of including this increase of \$700 in the proposed budget, and will make a final decision on whether or not it will be included in the final budget at the time it is approved.

Mr. Harvey provided a summary all of the proposed changes included in the FY2022 Tentative Budget that have been presented to the Council over the course of the budget discussions:

- 4% Increase (\$58,713)
- Benefits Increase (\$29,246)
- Recreation Site Supervisor (\$17,146)
- Crossing Guard Increase (\$10,431)
- Police Contract (\$8,250)
- Miss West Point Scholarship (\$700)
- Youth Council (\$2,000)
- Arts Council (\$5,000)
- Holiday Lights (\$5,000)
- Recreation Referees (\$5,000)
- Water Purchase (\$7,755)
- Capital Projects (\$1,275,343)

The Council had no further discussion at this time and will consider approval of the FY2022 Tentative Budgets for West Point City and the CDRA in tonight's General Session.

2. Discussion Regarding an Amendment to the Law Enforcement Contract – Mr. Kyle Laws

Mr. Laws stated that the budget impacts of the City's law enforcement contract with DCSO over the next few years was discussed briefly in the previous item, but in regards to the current contract, Staff has met with the Sheriff's Office and they have proposed that the contract be extended for one more year with a 3% fee increase. Last year, the contract was also extended by one year, but there was no increase to costs. As such, Mr. Laws stated that he feels a 3% increase is quite generous. As the details of paramedic services situation are worked out and other factors have been addressed, he hopes that a multi-year contract will be negotiated over the course of this year and can be approved at this contract's expiration.

Staff recommends that the Council approve the amendment of a one-year extension and 3% fee increase to the current law enforcement contract. The Council had no further discussion at this time and will consider approval of the amendment at the June 15th City Council Meeting.

3. Discussion Regarding Park Strip Improvement on the SR-108 Road Project – Mr. Boyd Davis

Mr. Davis stated that the Council discussed this item in previous meetings and Staff would like to continue that discussion more in-depth in order to receive direction from Council on how to proceed. This portion of the 2000 W (SR-108) Widening Project begins at 470 N and extends up to 800 N. Mr. Davis displayed the following map of the project area:



Mr. Davis stated that the properties in red are those that will be vacant after the project is completed. He noted that the Council may want to consider that these vacant properties are not going to have a homeowner responsible for maintenance of the park strips along the properties. Homes will remain in the properties highlighted in green after completion of this project portion. Mr. Davis explained that the area shaded in green is a unique spot; the three existing homes will be removed for the widening and the area that will remain is too narrow to allow for any building. This may be a location for some unique landscaping that could mark the beginning of the trailhead for the 10 ft. paved trail that will be installed along the west side of the road as part of the project. Syracuse City did something similar with a remaining 30 ft. piece of narrow, unbuildable land on the west side of the road (close to Syracuse Jr. High). He noted that the 10 ft. trail will be considered a shared use trail that allows bicycles to avoid having a bike trail on the road, which takes up a lot of pavement space. He also noted that unfortunately, this 10 ft. trail was not included with the first section of the project that was in West Point.

Mr. Davis displayed examples of different options for the finishing of park strips, including stamped concrete, grass-only, rock or mulch only, etc., as well as a combination of trees/bushes added to any of these ground coverings. He noted that UDOT will only pay for minimal landscaping, and any sprinkling system, trees, or additional items would have to be paid for by the City. He also added that different types of park strips could be done in front of the various properties, and the Council could also wait to finish the park strips along the vacant properties until they are developed.

Mayor Pro Tem Petersen inquired as to whether stamped concrete is a viable, long-term option; he referenced an example of an area in Clearfield where the stamped concrete seems to be deteriorating faster than usual for concrete. Mr. Davis stated that this can happen, which could be because of the grooves in the stamping that collect water, which then freezes and thaws each year. Mayor Pro Tem Petersen stated that he likes the look of stamped concrete, but is concerned about its long-term viability. As such, he would be in favor of plain concrete park strips throughout the project. Council Member Dawson suggested that the concrete could be stained instead of stamped. The Council and Staff discussed the fact that any colored or stained concrete is eventually going to fade.

Council Member Dawson commented that he likes the addition of trees to either concrete or rock, but is not in favor of having much grass in the park strips. However, he is not sure that the narrow piece of land mentioned by Mr. Davis should be all concrete and may be a place to have a mix of the two.

Mayor Pro Tem Petersen stated although he would like to have trees in the park strips, the vacant lots will likely become commercial properties and the trees may cause an obstruction in the view of drivers and become a safety concern. Council Member Dawson noted that the vacant properties are only one the east side of the road and not on the west. Mayor Pro Tem Petersen stated that this is a great point, and he would be "a huge fan" of trees in the park strips on the west side of the road. In regards to the east park strips, he expressed his opinion that they be plain, regular concrete and "we just live with it" and see how the properties are developed in the future. Mr. Davis inquired as to whether the Council would want to do something more temporary than concrete or even leave them unfinished for the time being, because the developer of the property would be required to install landscaping in the park strips. Mr. Davis confirmed for the Council that whether or not a property is vacant, it is still the owner's responsibility to maintain the park strip; even if left unfinished UDOT would still need to keep the weeds trimmed and mowed. Council Member Dawson suggested that more research be done on current concrete stain products, feeling that if there is a product available with a lifespan of 10+ years, it would not be too cumbersome for the City to have to reapply it so infrequently.

Mr. Laws also noted another factor for the Council to consider, which is that unless the City Code is changed, property owners are allowed to change the material in their park strips. This could result in a variety of different kinds of park strips along the road regardless of what was originally installed. For uniformity and consistency's sake, he suggests that concrete park strips would be a good option because it is more permanent and less likely to be torn out and replaced by a homeowner. The Council agreed with that and also expressed the desire that there be some differentiation in the concrete of the park strips so that pedestrians know that it is there to act as a barrier space between them and the road and not just an expanded concrete sidewalk.

At this point in the discussion, the Council desired that the park strips along the vacant properties be left unfinished and that the property owner be required to maintain them. For the remaining park strips, the Council would like them to be some sort of modified concrete (stained, stamped, unique brush finish, or some other option) throughout, with one type of tree placed in periodic intervals. It was noted that it will need to be a specific type of tree in order to not disturb the concrete or overhang the sidewalks. However, Mr. Laws noted that if UDOT is planning to install and pay for a basic finish in the park strips, the Council may want to direct them to do so along the vacant properties instead of specifying that they be left unfinished. The Council discussed the option of asking UDOT if they would be willing to instead contribute those funds into enhancing the landscaping of the narrow strip of land at the start of the 10 ft. trail. Staff was directed to talk with UDOT about what they may be willing to do. The Council will have further discussion on what type, finish, and color of the concrete in a future meeting.

4. Discussion Regarding the Sewer Feasibility Study for the Annexation Area – Mr. Boyd Davis

Due to time restrictions, the Council will have this discussion before taking action in Item 10 of the General Session.

5. Other Items

No other items were discussed.

The Administrative Session adjourned.



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West Point City Hall

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Mayor
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City Manager
Kyle Laws

General Session

7:00 PM

Minutes for the West Point City Council General Session held at West Point City Hall on June 1, 2021 at 7:00 PM with Mayor Pro Tem Petersen presiding. This meeting was also available via electronic Zoom Meeting and was accessible to attendees by entering Meeting ID #894 3411 7545 at <https://zoom.us/join> or by telephone at (669) 900-6833.

MAYOR AND COUNCIL MEMBERS PRESENT: Mayor Pro Tem Gary Petersen, Council Member Andy Dawson, and Council Member Kent Henderson

EXCUSED: Mayor Erik Craythorne, Council Member Annette Judd, and Council Member Jerry Chatterton

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 Workers Director; and Casey Arnold, City Recorder

EXCUSED: None

VISITORS PRESENT: Brian Vincent and Brent Stoddard. No sign-in required for online attendees.

1. **Call to Order** – Mayor Pro Tem Petersen welcomed those attending the meeting.
2. **Pledge of Allegiance**
3. **Prayer** – Given by Council Member Henderson
4. **Communications and Disclosures from City Council and Mayor**

Council Member Dawson – no comment

Council Member Henderson – no comment

Mayor Pro Tem Petersen – no comment

5. **Communications from Staff**

Mr. Laws stated that the planning for the Party at The Point Independence Day Celebration, held on Saturday, July 3rd this year, is well underway; the event will be as close to “pre-COVID” as possible, with the main exceptions of a community dinner and breakfast. There will be slight modifications to some other activities, but it will still be another great celebration. Mayor Pro Tem Petersen stated that many attendees are used to and will expect the free dinner for residents, and so it is important that it be clearly communicated that it will not be taking place this year. He would also like to communicate that it is a temporary change. Mr. Laws stated that the providing a dinner each year might be an area for further discussion for the Council moving forward; there is likely to come a point as the City grows that it won’t be financially possible to continue offering a free dinner to residents, and whether it should be eliminated or modified is a decision that will have to be made.

6. **Citizen Comment**

No comments

7. **Youth Council Update**

A representative from the Youth Council was unable to attend the meeting and no update was provided.

8. Consideration of Approval of the Minutes from the April 20th, 2021 West Point City Council Meeting

These meeting minutes were not available in final draft for the Council to review and consider approval at this time.

Council Member Henderson motioned to table approval of the April 20th Meeting Minutes

Council Member Dawson seconded the motion

The Council unanimously agreed

9. Consideration of Approval of Resolution No. 06-01-2021, Approving the FY2022 Tentative Budget – Mr. Ryan Harvey

Mr. Harvey reviewed the information that has been discussed by the Council in regards to the FY2022 Tentative Budget, and summarized the proposed budget changes as follows:

- Personnel:
 - 4% Increase (\$58,713)
 - Benefits Increase (\$29,246)
 - Recreation Site Supervisor (\$17,146)
 - Crossing Guard Increase (\$10,431)
- Police Contract (\$8,250)
- Miss West Point Scholarship (\$700)
- Youth Council (\$2,000)
- Arts Council (\$5,000)
- Holiday Lights (\$5,000)
- Recreation Referees (\$5,000)
- Water Purchase (\$7,755)
- Capital Projects (\$1,275,343)

Mayor Pro Tem Petersen thanked Mr. Harvey and opened the item for public hearing.

a. Public Hearing

No comments

Council Member Dawson motioned to close the public hearing

Council Member Henderson seconded the motion

The Council unanimously agreed

b. Action

The Council had no further discussion on the FY2022 Tentative Budget as proposed.

Council Member Dawson motioned to approve Resolution No. 06-01-2021A

Council Member Henderson seconded the motion

The Council unanimously agreed.

10. Consideration of Approval of Resolution No. 06-01-2021B, Selecting the Preferred Alternative for the Annexation Area Sewer System – Mr. Boyd Davis

Mr. Davis provided a brief overview of the information presented at the April 20th City Council Meeting from Bowen Collins and Associates, who are the consultants hired by the City to conduct the study for the large annexation area to northwest of the current City boundary. The reason for the sewer study is to be prepared with a plan for the sewer system if this area were to be annexed into West Point and developed.

The preliminary findings of the study were reported to the Council in January of this year, at which time five different sewer system alternatives were being considered:

1. Traditional Gravity Sewer System (including lift stations)
2. Low Pressure Sewer System
3. Septic Tank Effluent Pumping (STEP)
4. Vacuum Sewer System
5. Small Area Treatment Plant

Of those alternatives, two were selected for additional consideration:

1. Traditional Gravity Sewer System (including lift stations)
2. Septic Tank Effluent Pumping (STEP)

Based upon the report provided by the consultants, it appears that the Traditional Gravity Sewer System is the preferred alternative. They provided the following conclusions in their report:

- Analyzing both alternatives clearly shows that the traditional system is a more expensive alternative upfront, but less expensive over the life cycle of the system.
- The traditional system requires approximately 1/3 of the O&M of the STEP system
- The STEP system is easily phased and could potentially facilitate faster development.
- The traditional system is a tried and true method almost exclusively used throughout the State. It is familiar to the City, provides a means of backup power, and has fewer restrictions to the residents (such as the use of water softeners, garbage disposal use, etc.)

Mr. Davis stated that Staff agrees with the consultants' findings and recommends that the Council adopt the Traditional Gravity Sewer System as the preferred alternative sewer system for the future annexation area.

Council Member Dawson stated that in his review of the report study, the STEP System seemed quite complicated, with many moving parts and requiring individual homeowners to properly maintain the system. With that, he is in favor of the recommended traditional system.

Mayor Pro Tem Petersen inquired as to the purpose and reasoning of why the Council is adopting a *preferred* alternative for the sewer system rather than adopting it as *the* alternative system. Mr. Davis stated that by officially adopting a preferred system, Staff is able to move forward in planning and designing the sewer system for this area; although not "set in stone" until construction actually begins, it provides a clear direction of the City's preferred system as a result of what has been studied and will be the basis in creating the Master Sewer System Plan for the area. Mr. Laws added that an impact fee analysis will also be done based on this design, and that determined impact fee amount is what will be paid with each new home that is built in the area.

In regards to funding the system, Mr. Laws stated that there is a unique opportunity at this time with the America Rescue Plan Act. The ARPA allocates millions of dollars to states and local governments – the State is expected to receive about \$180 million, Davis County roughly \$69 million, and West Point City is expected to received almost \$1.3 million over two different disbursements. The Act allows for these funds to be used for sewer, water, and broadband infrastructure. As such, while the City would not normally fund the upfront costs of installing the sewer system, there is an opportunity to use some of this money, hopefully partnered with funds from Davis County and maybe even the State, to install the City's portion of the system. Staff has spoken with the City's Representative from the State legislature and Davis County Commissioners and they have indicated their support. The State is still working through things like formulating the grant application process and so while not a solid possibility yet, this would be a great opportunity for the City if it were able to happen.

Council Member Dawson stated that he has come to be weary of "any gray areas" that developers might find and agreed with Mayor Pro Tem Petersen that stating it is the "preferred" route does not make it clear that it is the system the City has chosen to move forward with for the area. Mr. Davis stated that he drafted the resolution using the wording in the consultants' recommendation, but suggested that the word "selected" could be used in place of "preferred" to more clearly indicate that

this is how the City expects sewer service is provided to developments in this area. The Council agreed that the language needs to be such so that it cannot be misconstrued.

Mayor Pro Tem Petersen motioned to approve Resolution No. 06-01-2021B, with a modification to the language of the proposed resolution as follows:

"NOW, THEREFORE, BE IT RESOLVED, FOUND AND ORDERED, by the City Council of West Point City that the "Traditional Gravity Sewer System with Lift Stations" is the preferred alternative for the sanitary sewer system for the proposed annexation area."

Council Member Dawson seconded the motion
The Council unanimously agreed.

11. Motion to Adjourn the General Session

Mr. Laws noted that a meeting of the Community Development and Renewal Agency for West Point City is scheduled to follow this General Session, of which the City Council serves as the Board of the Agency. As both Mayor Craythorne, who serves as Chair of the Board, and Council Member Annette Judd, who serves as Vice-Chair of the Board, are absent, he recommended that the Council appoint a Board Member to preside over tonight's meeting.

Council Member Dawson motioned to appoint Mayor Pro Tem Petersen to preside as the Chair for the following Community Development and Renewal Agency Meeting
Council Member Henderson approved the motion
The Council unanimously agreed

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



ERIK R. CRAYTHORNE, MAYOR July 6th, 2021



CASEY ARNOLD, CITY RECORDER July 6th, 2021

