



3200 WEST 300 NORTH
WEST POINT CITY, UT 84015

WEST POINT CITY COUNCIL MEETING MINUTES WEST POINT CITY HALL September 21st, 2021

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 on September 21, 2021 at 6:00 PM with Mayor Erik Craythorne 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 #85036236414 at <https://zoom.us/join> or by telephone at (669) 900-6833.

MAYOR AND COUNCIL MEMBERS PRESENT: Mayor Erik Craythorne, Council Member Annette Judd, Council Member Andy Dawson, and Council Member Gary Petersen

EXCUSED: Council Member Jerry Chatterton and Council Member Henderson

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, Michele Swenson, Tyler Seamans, and Keith Larsen. No sign-in required for online attendees.

1. Quarterly Financial Report – Mr. Ryan Harvey

Mr. Harvey stated that this report is for the last quarter of FY2021, however, it should be considered a preliminary report that is subject to change as the full fiscal year is reviewed and the audit is completed. To summarize, Mr. Harvey explained that revenues exceed expenditures in all of the funds except for the Capital Projects Fund. With 100% of the year elapsed, revenues also exceed 100% in every fund except for the Capital Projects Fund, where the majority of revenue is not recognized until the fiscal year is over, and excess revenue is transferred in from the General Fund. The revenues in the Special Revenue Fund are especially high this year, due to the revenue received from Impact Fees for development within the City.

Expenditures are also near or below 100% in almost every fund, except for expenditures in the Special Revenue Fund, which are above 100% due to the impact fees received and passed through to the North Davis Fire District and the North Davis Sewer District, and also in the Waste Fund, due to the increased cost of providing services to new residents coming in to West Point. The City is receiving enough revenue to cover those costs, but the budget will need to increase for those services going forward.

Once the audit for the full fiscal year is complete, a more in-depth review of the City's financials will be held with the Council, but Mr. Harvey stated that this report is a good indication that the City is in strong financial health. The Council thanked Mr. Harvey for the report and the work that he does to make sure the City remains in good financial standing.

2. Discussion Regarding Phases 1a and 1b of the Bluff View Subdivision – Mrs. Bryn MacDonald

Mrs. MacDonald stated that Phases 1, 2, and 3 of the subdivision have been approved and the developers are now seeking approval of the final plat for Phases 1a and 1b. She noted that these two phases and Phase 1 are the townhome phases of the projection, and Staff assumes that the developers want to keep those three phases grouped together under "1" rather than just continuing in numerical order and naming these two phases as 4 and 5. Staff has asked that they consider changing the names of these phases before recording in order to avoid confusion with building permit applications and processing. Mr. Davis stated that they have not indicated if they will or not make that adjustment, and so it may or may not change by the time the Council is asked to consider final approval at a future meeting.

Mrs. MacDonald stated that there are a few minor items on the plats that need to be adjusted, at the request of Staff, and they are still waiting on some approval letters from some of the required entities. These items will be completed and received before final approval will be placed on an agenda for consideration.

3. Discussion Regarding the Sewer System Master Plan & Impact Fee Analysis – Mr. Boyd Davis

Mr. Davis introduced Tyler Seamans and Keith Larsen from the engineering firm Bowen, Collins & Associates, who are the consultants Staff has been working closely with to complete the impact fee facilities plan (IFFP) and impact fee analysis for the proposed sewer system in the annexation area on the northwest corner of the City. Mr. Davis noted that most of this area is currently outside of the City's boundaries, and so this impact fee will not be imposed in the area until the properties are annexed into West Point.

Mr. Seamans stated that the study area consists of an area that is either within current City boundaries or in the anticipated annexation area, all of which cannot be served by the City's existing sewer system. The impact fee that was calculated is based upon the cost of providing service to the area. There are approximately 164 residences within the study area, and the growth rate for the area was projected to be 105 residents per year. Growth in terms of both Equivalent Residential Units and corresponding sewer flows is summarized below:

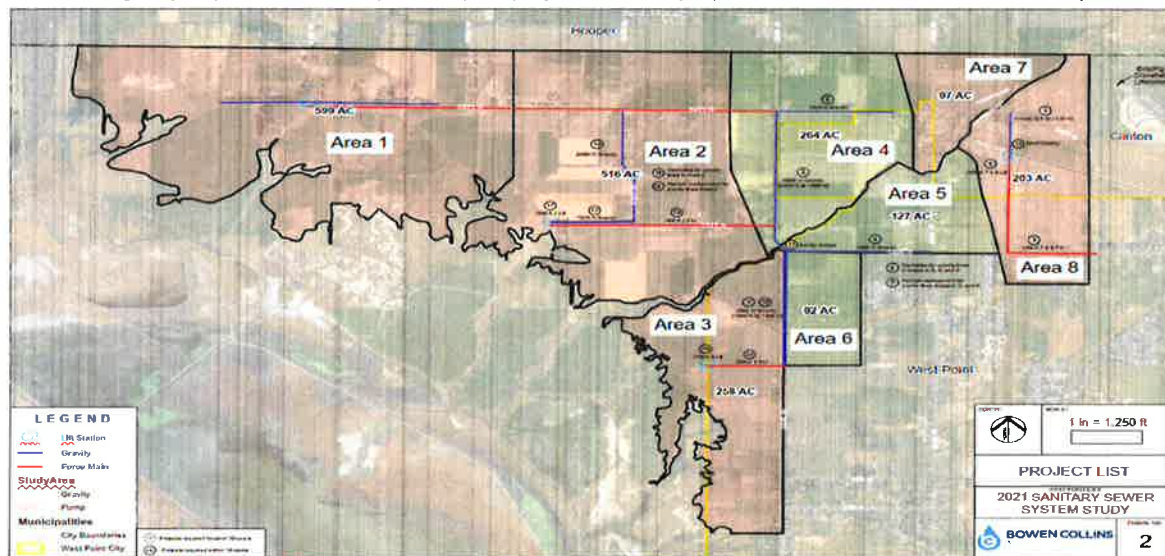
WEST POINT PROJECTIONS OF GROWTH

Year	Total Area ERUs ¹	Connected ERUs ²	Domestic Wastewater (MGD)	Max Month Infiltration (MGD)	Total Max Month, Average Day Flow (MGD)	Peak Hour Flows - City Area (MGD)
2021	164	0	0.00	0.00	0.00	0.00
2031	1,158	1,049	0.23	0.04	0.27	0.84
2041	2,176	2,098	0.46	0.07	0.53	1.68
2051	3,194	3,147	0.69	0.11	0.80	2.52
2061	4,211	4,196	0.92	0.15	1.07	3.36
2066	4,721	4,721	1.04	0.17	1.20	3.78

Mr. Seamans stated key level service assumptions were assumed during the analysis, including design criteria for gravity lines, force mains, lift station, design flow rates per residential unit, and also the slope of the pipe lines. The proposed level of service for these items are as follows:

- Gross Population Density – 2.2 ERUs per acre (about 1/3 ac lots)
- Preferred Service Method – Gravity sewer, if possible, will be the preferred sewer service method
- Average Design Flows – 255 gpd/ERU
- Minimum Slopes – State minimum slope standards assumed on most gravity pipelines
- Gravity Sewer Level of Service – Slab on grade or built up with walk out (no full basements)
- Ownership – City to own and operate all major system components

The following map depicts the sewer system capital projects that are proposed to be needed to serve the study area:



Mr. Seamans clarified for Mayor Craythorne that Area 1 is not included in the 10-year growth projection period, and so it is determined that in that 10-year period, all of the projects listed will be needed except for those in Area 1. Mayor Craythorne noted that there is a possibility that Areas 7 and 8 may actually be annexed into Clinton instead of West Point, and inquired as to whether the impact fee would need to be recalculated if that were to happen. Mr. Seamans stated that if Areas 7 and 8 were excluded, the lift station and long force main pipe designated for those areas would not be needed and the study would need to be updated. Mr. Larsen added that if Area 1 happened to begin developing within the next ten years, the study would just be amended to add in those additional facilities.

Mayor Craythorne stated that it appears that Areas 4, 5, and 6 will be subsidizing the other areas that need the infrastructure, but the impact fee was calculated using the total combined cost of the projects in all areas (excluding Area 1); he inquired as to whether that was a consideration in the analysis. Mr. Davis stated that there were many discussions about whether these three areas should be their own service area with their own impact fee, but it was ultimately decided to assess one fee for the full area. Mr. Seaman commented further, explaining that the possibility of dividing the area into separate service areas was considered, as it would result in a lower impact fee for the areas that don't require lift stations and a larger fee for those that do, but from an accounting standpoint, it would be easier to assess and collect one impact fee. He stated that although it may seem like the impact fee would be much lower for the areas that don't need lift stations, the cost difference was actually quite small.

Council Member Petersen expressed his doubts about there being no development in Area 1 in the next ten years and feels that it should be included. Mr. Davis stated that the main reason Area 1 is not included is because of the study area, it is in the far northwest corner and can't connect to a system that hasn't been installed – the projects needed to reach the area will only be installed as the other areas are developed. Mr. Larson added that by completing a facilities plan and assessing a calculated impact fee, the City essentially commits itself to install the projects that are in the plan within the specified time frame (ten years). By not including Area 1, the City is not obligated to build the system out to that area within the next ten years. If a developer did want to develop property in Area 1 within the next ten years, there is an option for them to fund the necessary improvements and enter into a pioneering or reimbursement agreement and be paid back those costs as impact fees are collected.

In response to Council Member Petersen, Mr. Davis stated the City will likely have to bond for the funding to complete these projects and be repaid as the impact fees are collected. However, if full funding for the projects come from another source, such as a grant from the American Rescue Plan Act ("ARPA") that the City will be applying for, the impact fees will not be charged and any that have been collected will be refunded. If partial funding is received, an amendment to the plan can quickly be issued to account for the funding in the impact fee calculation.

Mr. Seamans reviewed the process for how the impact fee was calculated, explaining that the fee is calculated by dividing the cost of existing and future facilities by the amount of new growth that will benefit from the unused capacity. Only the capacity that is needed to serve the projected growth within the next ten years is included in the fee. Costs used in the calculation of impact fees include:

- New facilities required to maintain (but not exceed) the proposed level of service in the system; only those expected to be built within ten years are considered in the final calculations of the impact fee.
- Historic costs of existing facilities that will serve new development
- Cost of professional services for engineering, planning, and preparation of the Impact Fee Facilities Plan and impact fee analysis

Costs not used in the impact fee calculation are as follows:

- Operational and maintenance costs
- Cost of facilities constructed beyond 10 years
- Cost associated with capacity not expected to be used within 10 years
- Cost of facilities funded by grants, developer contributions, or other funds which West Point City is not required to repay
- Cost of renovating or reconstructing facilities which do not provide new capacity or needed enhancement of services to serve future development

Following this process, the impact fees for this analysis were calculated by dividing the proportional cost of facilities required to service 10-year growth by the amount of growth expected over the next 10-years based on ERUs. This is done for all of the needed gravity collection, lift station, and force main facilities within the study area. The calculated impact fee is \$5,201 and would be the fee assessed to all new homes in the area. The calculations by component are summarized in the table below:

Table ES-1
Impact Fee Calculation per ERU – West Point City Service Area

System Components	Total Cost of Component	% Serving 10-year Growth	Cost Serving 10-year Growth	10-year ERUs Served	Cost Per ERU
Collection Facilities					
10-Year Projects	\$ 15,784,110	24.5%	\$ 3,870,251	1049	\$ 3,689
10-Year Project Interest Costs	\$ 6,760,806	24.5%	\$ 1,657,744	1049	\$ 1,580
Credit for User Fees Paid Toward Existing					\$ (128.96)
Subtotal	\$ 22,544,916		\$ 5,527,995		\$ 5,141
Studies					
All Studies	\$ 65,300	96.3%	\$ 62,867	1049	\$ 59.93
TOTAL	\$ 22,610,216		\$ 5,590,862		\$ 5,201

Mr. Davis clarified for Council Member Dawson that the City's impact fee is in addition to the fee assessed by the North Davis Sewer District.

Mr. Laws stated that there is an "equity" piece tied to the ARPA funds and part of the City's grant application is the proposal that the funds would pay the costs for all of the existing homes to connect to the system, thereby eliminating all septic tanks and all homes would be provided sewer service by the same system. Council Member Dawson expressed his opinion that even if a grant is received that fully funds all of the projects listed in the plan, an impact fee should still be assessed in at least some amount because each home that is built or connects will have an ongoing impact on the City's entire sewer system. Further, an impact fee is currently assessed on each new home within the City's current boundaries that connects to the existing sewer system, and the residents that build homes in the study area should have to do the same, regardless of how the initial costs of providing the system to them were funded. Mr. Davis stated that while it may not seem fair, State Code prohibits a city from charging an impact fee for costs not actually incurred. If the City did receive a grant and still wants to charge an impact fee for this area equal to what is currently being assessed, it would only be able to use the portion of grant money to cover the difference in impact fees collected. Mr. Davis also explained that this area is unique in that the sewer system will connect directly to the North Davis Sewer District's line, and will not flow through any of the City's existing lines. Mr. Laws noted that the total project cost for the entire system to be installed was estimated to be \$95 million. However, only about \$25 million of that is the City's cost; the remaining \$75 million are costs paid by developers to connect their development to the system.

The Council discussed the information presented and felt that more discussion was needed before holding a public hearing on the proposed plan and impact fee analysis. The item will be placed back on the agenda for the next meeting and the public hearing will tentatively be held the meeting following.

4. Other Items

Mayor Craythorne stated that there will likely be some citizen comments in tonight's General Session regarding the 800 N Project with Clinton City and the landscaping in the park strips; the Council had originally desired to continue the same grass landscaping that Clinton City (the lead city of the project) was requiring on its portion, but with the drought and various initiatives to conserve water happening, Clinton City is now giving residents the choice of either grass or rock landscaping in their park strips. He expects that the comments made will be in favor of the Council also giving residents on the West Point portion of the project the same choice.

No other items were discussed.

The Administrative Session adjourned.



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WEST POINT CITY COUNCIL
MEETING MINUTES
WEST POINT CITY HALL
September 21st, 2021

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

General Session

7:00 PM

Minutes for the West Point City Council General Session held on September 21, 2021 at 7:00 PM with Mayor Erik Craythorne 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 #850 3623 6414 at <https://zoom.us/join> or by telephone at (669) 900-6833.

MAYOR AND COUNCIL MEMBERS PRESENT: Mayor Erik Craythorne, Council Member Annette Judd, Council Member Gary Petersen, and Council Member Andy Dawson

EXCUSED: Council Member Kent Henderson 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

VISITORS PRESENT: Brian Vincent, Alex Yoder, Michele Swenson, Wendy Snounou, Deanna Davis, Smaih Snounou, Have Haines, Janet Courtney, Brad Mortensen, Steven Richardson, Jade Matkin, and Jackie Carman
No sign-in required for online attendees.

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

Council Member Judd – none

Council Member Petersen – none

Council Member Dawson – As the Board Chair of the North Davis Sewer District, Council Member Dawson stated that he was able to participate in the ribbon cutting of the new pipeline project, which is going to be the longest and biggest pipeline in the State of Utah made of this particular type of material called H2PE. The project will take about 18 months to complete and will enable the system to meet all of the standards put in place by the EPA and the “Clean Water in America Act.” The effluent water from the current system is deposited into the Farmington Bay side of the Great Salt Lake, which is decreasing in salinity and not eliminating the harmful algae and other bacteria from contaminating the water as effectively as it is supposed to. The Act requires that the amount of these types of bacteria in effluent wastewater be decreased, and so this pipeline will run to the other side of the causeway and flow into Gilbert Bay, which is very high in salinity. The NDSD will be able to save hundreds of millions of dollars in infrastructure by having these bacteria eliminated by the natural salinity in Gilbert Bay rather than through an extensive treatment process. The H2PE material allows for several hundred feet of the pipeline to be installed at one time and crews have been doing a great job and really progressing on the project. Council Member Dawson stated that he is proud of the decision that the District made to do this project because of the massive amount of money that will be saved in not having to update the current treatment system.

Mayor Craythorne – In the last Council of Governments’ meeting, there was a presentation by John Bergrin about land and water use. The Mayor stated that the information shared was really interesting and introduced a different idea of how to consider density and zoning of an area based on water availability/capacity rather than solely considering what the best use for the land might be. He has requested a copy of the presentation to share with the Council and would like to have future discussions on ways to be more water cognizant when making land use decisions.

The Mayor also stated that at the UTA Advisory Council's last meeting (which he serves on as the representative for Davis County), the ridership statistics for the past few years were presented, showing that ridership is down about 59% from pre-Covid rates (2019 and previous). While the rate is slowly increasing, there is still a huge deficit in riders. In its last Legislative Session, the State Legislature appropriated about \$400 million to UTA for the "Front Runner Forward" project, which will double track portions of the Front Runner routes and also create express trains that will help riders get into Salt Lake quicker than having to get off/on at multiple stops. This project is currently in the planning stages but should start to take shape in 2023 and into 2024.

5. Communications from Staff

Mr. Laws stated that the Complete Cemetery Cleaning will take place on Thursday, October 7th and reminded residents and cemetery patrons to remove all decorations they may have placed on their loved ones' plots prior to that date. Signs and banners have been placed to notify residents and it has also been in the newsletter and on the City website.

The 9/11 Day of Service project at Loy Blake Park went really well, with a good turnout of volunteers and all of the new woodchips for the playground were able to be placed and spread out.

6. Citizen Comment

Wendy Snounou – 2643 W 800 N: In regards to the 800 N road reconstruction project, Ms. Snounou stated that the residents along this portion of 800 N received flyers when the project first started stating that they would be contacted in regards to the landscape preferences for the mow strips. However, when she noticed drainage boxes being installed in her mow strip, she began asking questions and was told that residents do not get an option and that grass was being installed to have continuity in the mow strips along the road. She stated that the widths of the mow strip vary from home to home and so there already is a lack of 'continuity' in the mow strips, but there also is a major drought right now and residents would like to have the choice of decorative rock instead of grass. There has also been no communication about street lights and where they will be placed, and residents are frustrated that they have been "left out" and not kept informed.

Mayor Craythorne stated that the City has been given information on street lights and their locations, and he would email that information to her to pass on.

Janet Courtney – 2629 W 800 N: Ms. Courtney stated that she has had decorative rock in the space between her fence and the road before the project began, and now that a sidewalk has been installed, she would like to continue that decorative rock in the mowstrip so that it is the same on both sides of the sidewalk. She stated that she has already paid to have the rock installed, even though it is not property she owns, and she would like to know if the rock is even going to be allowed now and if so, if she would be reimbursed the cost the City would have paid for her section. She also agrees that with the current drought and the fact that we live in a desert, Utah is not a place to be planting more grass than is really necessary. She thinks that residents should have the choice of the landscaping of the mow strips, especially as they are the ones that have to maintain it.

Mayor Craythorne noted that while a portion of this project is in West Point, Clinton is the lead city on the project and has been the ones working with the contractors and sending information. The City did have some input and involvement, but does not have as much information as it normally would on a project. He directed Staff to contact Clinton City to get the relevant information for the meeting so that a decision on the mow strip landscaping can be made by the City Council.

7. Update from President Brad Mortensen of Weber State University

Mayor Craythorne welcomed President Mortensen and thanked him for coming to the meeting. President Mortensen stated that he has served in his role for about 2 ½ years now and one of the things he has been tasked with by the University's Board of Trustees is to make sure that the surrounding communities are informed and kept up-to-date on what Weber State and its students are accomplishing. He stated that he is pleased to be joined at the meeting by Steven Richardson, Director of Strategic Initiatives, as well as two outstanding students that are members of the Weber State Presidential Leadership Fellows Program and who happen to both be West Point residents. He noted that there are only 15 Leadership Fellows for the entire academic year and so West Point is very well represented. President Mortensen stated that the University's joint project with UTA that is happening right now is going to be an "unbelievable" project for WSU, helping students get to and from campus and eliminate traffic congestion and parking problems.

Earlier this year, a national group ranked over 2,000 public and private colleges and universities across the country to try and provide information to parents and students to be able to make the right choice on which school to attend. Among other things, the group looked at affordability and the return on investment and ranked Weber State at number 19 from that list of 2,000. WSU was the only higher education institution in the State of Utah to be ranked in the top 50 and the school is proud to be able

to provide outstanding education that sets students on their way to succeed professionally at a very affordable price. This is something that he is committed to maintaining as the University continues to expand the academic programs it offers. He also stated that US News and World Report ranked WSU as the best school in the State for an engineering degree, which is a program growing very rapidly, along with computer science, to try and meet the needs of Hill Air Force Base. It also ranked the school as the second-best place for health professions and nursing degrees, and a new Masters of Social Work program will be offered this fall to help students meet the demands in our community. The first class of doctoral students also graduated last spring, each with a Doctorate of Nursing Practice, and a new Physician's Assistant degree program will hopefully be ready to offer in January of 2023. He hopes that this is all reflective of WSU's desire to offer programs that meet the needs of the community while continuing the legacy of affordable education.

President Mortensen introduced Jade Matkin and Alex Yoeder, Leadership Fellows, who each addressed the Council:

Ms. Atkin stated that she is a Junior at WSU and has been attending the school since Fall of 2019. She plans to major in Family Studies with a minor in Communications. She stated that she chose Weber State because her mom was a student there when she was a young child and she loved the campus and decided then that this is where she wanted to go. The school has been a great opportunity, allowing her to be a part of her community and close to family while still being able to go to school. She noted that she is also currently service is Miss West Point, and has lived in the City since she was 14. She looks forward to finishing her degree at Weber State by next summer.

Mr. Yoder stated that he is also a Junior at Weber State and attending since Fall of 2019. He plans to graduate with a major in Political Science and a minor in Communications. He stated that he hadn't always planned on going to WSU, where his dad is actually a professor, but eventually decided it was the right choice after considering the tuition costs of other schools. It has been a great experience for him, and allowed him the opportunity for an internship with the Utah State Legislature, which he recently completed. He stated that he is extremely grateful for Weber State and hopes to work in local government after graduating.

The Council commended the two students for their accomplishments and goals and for making West Point proud. They also thanked President Mortensen for the update and the great work that he is doing.

8. Appointment of Jackie Carman as Director of the Miss West Point and Miss Junior West Point Scholarship Pageant – Mayor Erik Craythorne

Mayor Craythorne stated that Jackie Carman has volunteered to fill the role of Pageant Director and expressed his appreciation to her for offering to take on this responsibility. He feels that she will do a fantastic job and was excited to introduce her to the Council. Mrs. Carman stated that her family moved to West Point when she was about five years old, and although she moved to Ogden while she was earning her degree in Nursing from Weber State, moved back to West Point with her husband because they love it here. She was also Miss West Point in 2014, and in the Royalty for several years previously, and expressed her appreciation to the Council for the scholarship money she received that enabled her to attend WSU and earn her degree.

Mayor Craythorne stated that the Pageant "could not be in better hands" with Mrs. Carman as the Director and the City is so appreciative of her taking on this role. He encouraged her to find some good people to serve on the Pageant Committee that she can delegate to and help share some of the workload. The Council echoed their appreciation and for volunteering her time and energy to this program that will benefit participants for many years to come.

Council Member Dawson motioned to appoint Jackie Carman as the Director of the Miss West Point and Miss Junior West Point Scholarship Pageant

Council Member Judd seconded the motion

The Council unanimously agreed

9. Consideration of Approval of the August 3rd, 2021 West Point City Council Meeting Minutes

The draft minutes were not available at this time and no action was taken.

10. Consideration of Approval of Ordinance No. 09-21-2021A, Amending Title 12, Section 12.15 of the West Point City Code Regarding Cemetery Regulations – Ms. Casey Arnold & Mr. Paul Rochell

Ms. Arnold stated that the proposed amendments to the City's current cemetery regulations were discussed with the Council at the last meeting, and provided a summary of the proposed changes:

Over the past few years, there has been a notable increase in the amount of decorations and items being placed on burial spaces that are in violation of the current cemetery ordinances, or are of the type that are not currently addressed but are still interfering with landscape maintenance, intruding onto other plot spaces, and/or are quickly becoming unsightly and turning into trash. With that, Staff felt that it would be a good idea to review the City's current ordinances to see what could be better enforced and what could possibly be added to help reduce these kinds of problems. During that review, there were some other areas in the cemetery code that Staff would like to update as well, and also rearrange how the sections are organized.

The proposed amendments to the code are related to four different areas:

- Code Structure
- Cemetery Etiquette
- Interment Requirements & Regulations
- Decoration & Maintenance of Graves

Code Structure

In regards to the code structure, Ms. Arnold explained that the existing sections still reference ones that have been repealed, and there are others that could be combined, relocated, and/or re-titled in order to create a more organized layout where information can be easily found. The following is a table of the current code sections and proposed new sections:

<u>Current</u>	<u>Proposed</u>
12.15.010 Definitions.	<u>12.15.010 Definitions</u>
12.15.020 Cemetery name.	<u>12.15.020 Cemetery Name</u>
12.15.030 Repealed.	<u>12.15.030 Cemetery Hours</u>
12.15.040 Duties of city manager.	<u>12.15.040 General Cemetery Etiquette</u>
12.15.050 Interments.	<u>12.15.050 Duties of City Manager</u>
12.15.060 Disinterment.	<u>12.15.060 Fees & Charges</u>
12.15.070 Sale of burial rights.	<u>12.15.070 Capital Improvement Fund</u>
12.15.080 Repealed.	<u>12.15.080 Regulations Governing Access & Conduct</u>
12.15.090 Capital improvement fund.	<u>12.15.090 Sale of Burial Rights</u>
12.15.100 Monuments and markers.	<u>12.15.100 Interments</u>
12.15.110 Decoration of graves.	<u>12.15.110 Disinterment</u>
12.15.120 Cemetery hours.	<u>12.15.120 Monuments & Markers</u>
12.15.130 Traffic and safety regulations.	<u>12.15.130 Decoration and Maintenance of Graves</u>
12.15.140 Defacement or littering of cemetery.	
12.15.150 Animals in cemetery.	
12.15.160 Erecting of fences, or copings, or planting of trees, hedges, etc., prohibited.	
12.15.170 Fees and charges.	

Ms. Arnold noted that no sections were actually removed, besides those that have already been repealed, but just relocated or reorganized.

Cemetery Etiquette

In researching other surrounding cemetery codes, both public and private, many contained a section regarding a sort of code of conduct or acceptable behavior, and Staff would like to include a similar language in the City's code as well. While some of the language is already included in other sections of the code, the hope is that adding a sort of "overview" of acceptable behavior will reiterate how we want our cemetery to be treated. The proposed new section would be titled "General Cemetery Etiquette" and contain the following language:

12.15.040: General Cemetery Etiquette

All visitors shall follow all rules and regulations herein in and strive to assist in West Point City's goal of operating and maintaining a cemetery that is beautiful, dignified, and an appropriate final resting place for loved ones. Visitors are encouraged and expected to show proper respect for both the living and those interred by adhering to the following general guidelines:

- A. *Do not touch any monuments or gravestones without permission and do not remove any decorations or objects placed thereupon.*
- B. *Children are encouraged to visit the cemetery, but parents are advised to keep them nearby and not to let them play on any of the monuments. Teaching children to have respect for any cemetery is encouraged. While it is an important open space, a cemetery is not a playground and should not be treated as such.*
- C. *If a funeral is occurring, consider visiting at another time. Never block or impede funeral processions.*

- D. *Always strive to be respectful by keeping voices low and avoiding bad language; people may be within earshot seeking solace. Do not talk on a cell phone, as voices tend to carry in open spaces.*
- E. *No loud music shall be played, including while driving or parking in the Cemetery.*
- F. *Do not leave trash or other such items behind. Litter shows disrespect to those who come to visit the cemetery as well as to the cemetery officials striving to maintain the cleanliness of the cemetery.*
- G. *Dogs and other pets are prohibited.*
- H. *Report incidents of vandalism or theft to the police or to the cemetery administrator.*
- I. *When visiting the cemetery by car, follow the roadways, watch out for pedestrians and people who may not be paying attention, drive slowly, and remain off the grass. If the lane is narrow and another car approaches, offer to move your car until they can get through.*
- J. *As a general rule, it is best not to approach strangers, as they may prefer to be left alone within the peace of their surroundings; of course, it is perfectly acceptable to offer help to anyone who is seemingly in need.*

Interment Requirements & Regulations

In regards to interment regulations and requirements, Ms. Arnold stated that the current code requires that all caskets and urns to be interred are to be placed in a vault made of concrete, stone, or metal. Staff proposes that language be added to clarify that a metal vault must be made of 12-gauge metal or heavier. Staff also proposes adding language that infant caskets and urns may also be placed in vaults made of reinforced polyethylene material, which is considered to be just as strong and becoming more commonly used. Additionally, Staff proposes adding language that cremated remains that are placed in urns that are made of any of these materials and can be sealed not be required to be placed in a vault. With advances in how urns are made and in order to save on costs, it seems that people are moving away from traditional urns and instead opting for ones that can be sealed and are non-degradable, and so do not need to be protected by a cement vault. The proposed revisions also clarify the size of each plot and the vault size restrictions for easier reference and to have clear standards from which to base interment costs, which differ based upon whether a plot is half-size or full-size. Ms. Arnold noted that the code does already include language that allows for exceptions to these requirements as approved by the City Manager, and that would continue to be the case.

Decoration & Maintenance of Graves

Ms. Arnold stated that this topic was the main focus of Staff when reviewing the current code, because of how some headstones are currently being decorated and some of the items being placed and/or left on plots. Again, while the current cemetery code does have general restrictions in regards to decorations types, height, placement, etc., Staff proposes adding additional language and restrictions, applicable at all times, to clearly state what is and what is not permitted, where items can and cannot be placed in relation to the headstone or marker, how long certain items can be at the site before they must be removed/discarded, and reiterate that cemetery officials can remove items that are in violation or interfere with landscape maintenance at their discretion and without notice. These restrictions include things like shepherd's hooks must be placed within 2 inches of the mow strip and are limited to two per space, that in no case shall any decorations encroach on other plot space and must be placed within 2 inches of the mow strip (except for the two weeks following an interment), balloons must be removed after 48 hours, any food items (such as a birthday cake or bag of candy must be removed within 48 hours, and so on.

Ms. Arnold stated that Staff is also proposing the addition of a designated "mowing season", which is something that is not in the current City code, but is found in almost every other cemetery code that was researched. This proposed mowing season would be defined as the time between April 1st and October 1st of each year, during which additional restrictions would be in place. During this time, no decorations (including solar lights) would be allowed to be placed anywhere upon or outside of the mowstrip (excluding shepherd's hooks) and that no items may be placed on any secondary markers. Additionally, no fragile items shall be placed, even if they are on the actual headstone and not the mow strip. Should there be any item or decorations in violation, or if they interfere with landscape or maintenance, they may be removed and discarded by cemetery officials without notice. Further, the City will not be liable for damage to any such items. At the last meeting, the Council discussed whether the code should state that these items *will* be removed if they are in violation, regardless of whether they interfere with landscape maintenance, or only that they *may* be removed if they *do* interfere. The Council ultimately agreed that while restrictions are in place, they *can* be removed without notice, especially if they interfere with landscape maintenance. Ms. Arnold noted that the proposed language does include an exception to the mowing season restrictions for the two weeks following an interment. Additionally, pursuant to the Council's last discussion, an exception will also be allowed for the week before and the week after Memorial Day and Independence Day, which both occur during the mowing season. In recognition of these holidays, items are allowed to be placed on and directly next to the mow strip and upon the secondary markers.

Several pictures were then shown to the Council of current headstones in the cemetery that evidence why Staff would like to have clear and enforceable standards in the City's cemetery code. The pictures include examples of how far from the mow strip decorations and items are being placed, with some extending around the entire burial space, and the difficulty they cause in trying to properly landscape and maintain the surrounding area. Ms. Arnold reiterated that no solar lights would be allowed at all during the mowing season, simply because of how easily they break and fall off the stakes when cemetery crews are trying to landscape around them. Ms. Arnold added that solar lights would still be allowed outside of the mowing season, but must be placed within 2 inches of the mow strip. She also confirmed for the Council that a complete cemetery cleaning would still continue to take place on the first Thursday in May and October.

In regards to how families and loved ones are informed about the cemetery regulations, Ms. Arnold stated that she gives out an informational packet that highlights some of the major items (such as cemetery fees, headstone size requirements, etc.) and also includes the complete code. Temporary signs will also be placed at the cemetery to give notice that the Code has been updated, which will include a QR Code that links to the full document and it will be posted on social media as well.

Council Member Dawson inquired as to whether perishable food items should be allowed to even be left at the cemetery, much less allowed to be there for 48 hours. Mr. Rochell stated that in reviewing other cemeteries' codes/regulations, 48 hours was a common standard. Council Member Dawson expressed his opinion that this would really be a standard for those actually maintaining the cemetery for when they can throw the items away, rather than telling patrons they need to come back and remove it within 48 hours. Mr. Laws agreed, stating that it just creates more work for staff if people know that they can leave it there because someone else will throw it away within a few days. Mayor Craythorne reasoned that if it did become a problem and caused too much work for staff, the code could always be amended to remove that 48-hour allowance.

The Mayor opened the item for public hearing.

a. Public Hearing

No comments.

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

The Council decided that these proposed amendments were a good starting place to try and eliminate some of the current issues. If there are still found to be problems or modifications that could be made once the regulations are actually implemented, then they can be addressed at that point. The Council thanked Mr. Rochell and the Public Works Department for the great work that they do in maintaining the cemetery and the work that went into these revisions by Staff to try and keep the cemetery a beautiful part of the City.

b. Action

Council Member Petersen motioned to approve Ordinance No. 09-21-2021A
Council Member Dawson seconded the motion

Roll Call Vote:

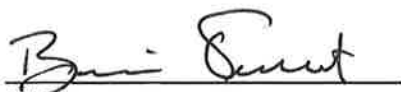
Council Member Chatterton – Absent
Council Member Dawson – Aye
Council Member Petersen – Aye
Council Member Henderson- Absent
Council Member Judd – Aye

The Council unanimously agreed



11. Motion to Adjourn the General Session

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


BRIAN VINCENT, MAYOR

January 18th, 2022


CASEY ARNOLD, CITY RECORDER

January 18th, 2022