WEST POINT CITY COUNCIL NOTICE & AGENDA

West Point City Hall
3200 West 300 North
West Point City, UT 84015
March 6, 2018

Mayor
Erik Craythorne
Council
Gary Petersen, Mayor Pro Tem
Jerry Chatterton
Andy Dawson
R. Kent Henderson
Jeff Turner

City Manager
Kyle Laws

ADMINISTRATIVE SESSION

6:00 pm (Board Room) – OPEN TO THE PUBLIC

1. **Discussion Regarding the Multi-Tenant Building (Pad D) of The Point Development** – Mr. Boyd Davis page 5
2. **Discussion Regarding the Wellness Program and Changes to the Personnel Policies & Procedures** – Mr. Kyle Laws page 10
3. **Discussion Regarding the Fiber Broadband Internet Survey Results** – Mr. Kyle Laws page 12
4. **Other Items**

GENERAL SESSION

7:00 PM (Council Chamber) – OPEN TO THE PUBLIC

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Prayer** (Please contact the City Recorder to request meeting participation by offering a prayer or inspirational thought)
4. **Communications and Disclosures from City Council and Mayor**
5. **Communications from Staff**
6. **Citizen Comment Follow-Up –** Mr. Kyle Laws
7. **Citizen Comment** (If you wish to make comment to the Council, please use the podium and clearly state your name and address, keeping your comments to a maximum of 2 ½ minutes. Please do not repeat positions already stated. Public comment is a time for the Council to receive new information and perspectives)
8. **Youth Council Update**
9. **West Point City Youth Council Essay Contest Winners – Mayor Erik Craythorne**
10. **Consideration of Approval of Minutes from the January 26th & 27th, 2018 City Council Visioning Retreat** page 14
11. **Consideration of Approval of Minutes from the February 20, 2018 City Council Meeting** page 36
12. **Consideration of Approval of Resolution No. 03-06-2018A, Approving an Amendment to the Interlocal Cooperation Agreement with Davis County for Animal Control Services –** Mr. Kyle Laws page 44
13. **Consideration of Approval to Place the Torroweap Subdivision on Warranty** – Mr. Boyd Davis page 52
14. **Consideration of Approval to Place the Sandy Point Subdivision on Warranty** – Mr. Boyd Davis page 52
15. **Motion to Adjourn into Closed Session**

CLOSED SESSION

(Board Room)

1. **Call to Order**
2. **Discussion Regarding Pending Litigation, Pursuant to UCA §52-4-205(1)(c)**
3. **Motion to Adjourn Closed Session and enter the General Session**

16. **Motion to Adjourn General Session**

Posted this 2nd day of March, 2018

Casey Arnold

CASEY ARNOLD, CITY RECORDER

If you plan to attend this meeting and, due to disability, will need assistance in understanding or participating therein, please notify the City at least twenty-four (24) hours prior to the meeting and we will seek to provide assistance.

TENTATIVE UPCOMING ITEMS

Date: 3/20/2018

Administrative Session – 6:00 pm

General Session – 7:00 pm

1. Citizen Comment Follow-up – Mr. Kyle Laws
2. Consideration of Approval of Resolution No. 03-20-2018A, Approving an Interlocal Cooperation Agreement with Syracuse City for the Maintenance of Storm and Sewer Lines – Mr. Boyd Davis
3. Consideration of Approval of the Multi-Tenant Building (Pad D) of The Point Development – Mr. Boyd Davis
4. Consideration of Approval of Resolution No. 03-20-2018A, Approving Changes to the West Point City Personnel Policies & Procedures Regarding Meal Periods, Breaks, and Wellness Program – Mr. Kyle Laws

Date: 4/3/2018

Administrative Session – 6:00 pm

1. Code Enforcement Update

General Session – 7:00 pm

1. Citizen Comment Follow-up – Mr. Kyle Laws
2. Youth Council Update

Date: 4/17/2018

Administrative Session – 6:00 pm

General Session – 7:00 pm

1. Citizen Comment Follow-up – Mr. Kyle Laws

Date: 5/1/2018

Administrative Session – 6:00 pm

1. Quarterly Financial Report – Mr. Ryan Harvey

General Session – 7:00 pm

1. Citizen Comment Follow-up – Mr. Kyle Laws
2. Youth Council Update

PENDING ITEMS

Administrative Session

1. Discussion of Street Light Replacement – Mr. Kyle Laws
2. Discussion Regarding Updating the Code Enforcement Policy – Mr. Boyd Davis
3. Building Rental Fees & Policy – Mr. Kyle Laws
4. Discussion of Pheasant Creek Property/Park – Mr. Kyle Laws
5. Consideration of Approval of the Payback Agreement for the Homewood Subdivision – Mr. Boyd Davis
6. Consideration of Final Approval of the Mackay Subdivision– Mr. Boyd Davis
7. Consideration of Approval of Release of Warranty for the Bartholomew Lane Subdivision Phase 3 – Mr. Boyd Davis

General Session

1. Consideration of Final Approval for the Removal of an Abandoned Home at 4096 W 1300 N – Mr. Boyd Davis

CDRA

1. Resolution Amending the Interlocal Agreement Between the CDRA of West Point and West Point City – Mr. Randy Sant

West Point City 2018 Calendar

January		
	1	New Year's Day-Closed
	8	Senior Lunch-11:30am
	11	Planning Commission-7pm
	15	Martin Luther King Day-Closed
	16	City Council-7pm
	25	Planning Commission-7pm
	26-27	Council Retreat
February		
	6	City Council-7pm
	8	Planning Commission-7pm
	12	Senior Lunch-11:30am
	19	Presidents Day-Closed
	20	City Council-7pm
	22	Planning Commission-7pm
	28	Council/Staff Lunch-11:30am
March		
	6	City Council-7pm
	8	Planning Commission-7pm
	19	Senior Lunch-11:30am
	20	City Council-7pm
	22	Planning Commission-7pm
	31	Easter Egg Hunt-10am
April		
	3	City Council-7pm
	12	Planning Commission-7pm
	16	Senior Lunch-11:30am
	17	City Council-7pm
	26	Planning Commission-7pm
May		
	1	City Council-7pm
	3	Cemetery Cleaning
	10	Planning Commission-7pm
	12	Take Pride Day
	15	City Council-7pm
	21	Senior Lunch-11:30am
	24	Planning Commission-7pm
	28	Memorial Day-Closed
	30	Council/Staff Lunch-11:30am
June		
	5	City Council-7pm
	9	Miss West Point Pageant SHS-7pm
	14	Planning Commission-7pm
	18	Senior Lunch-11:30am
	19	City Council-7pm
	28	Planning Commission-7pm
July		
	4	Independence Day-Closed
	12	Planning Commission-7pm
	16	Senior Lunch 11:30am
	17	City Council-7pm
	24	Pioneer Day-Closed
	26	Planning Commission-7pm
August		
	2	Summer Party-5:30pm
	7	City Council-7pm
	9	Planning Commission-7pm
	17	Senior Dinner-5:00pm
	21	City Council-7pm
	23	Planning Commission-7pm
September		
	3	Labor Day-Closed
	4	City Council-7pm
	13	Planning Commission-7pm
	17	Senior Lunch-11:30am
	18	City Council-7pm
	27	Planning Commission-7pm
October		
	2	City Council-7pm
	4	Cemetery Cleaning
	8	All Employee Training-Closed
	11	Planning Commission-7pm
	15	Senior Lunch-11:30am
	16	City Council-7pm
	19	Halloween Carnival-7pm
	24	Council/Staff Lunch-11:30am
	25	Planning Commission-7pm
November		
	6	Election Day
	8	Planning Commission-7pm
	10	Flags on Veteran's Graves YC
	12	Veteran's Day-Closed
	19	Senior Lunch-11:30am
	20	City Council-7pm
	22-23	Thanksgiving-Closed
	26	City Hall Lighting Ceremony-6:00pm
December		
	4	City Council-7pm
	7	Christmas Party-7pm
	13	Planning Commission-7pm
	17	Senior Lunch-11:30am
	18	City Council-7pm
	21	Cemetery Luminary-4pm
	25-26	Christmas-Closed

REVISED 12-06-2017

City Council Staff Report

Subject: The Point – Pad D Approval
Author: Boyd Davis
Department: Community Development
Date: March 6, 2018

Background
Staff has received a site plan and building elevation drawings for a proposed multi-tenant building located at The Point Commercial Development. The building will be located on Pad D and will include a Café Rio restaurant, Marco's Pizza restaurant, and a Great Clips hair cutting business. It will be considered for approval by the Planning Commission on March 8th.

Analysis
The attached plans show the site plan and building elevations for the proposed building. It appears to meet the requirements of the City Code for a commercial building. It also appears to have some similar features to the Smith's building.

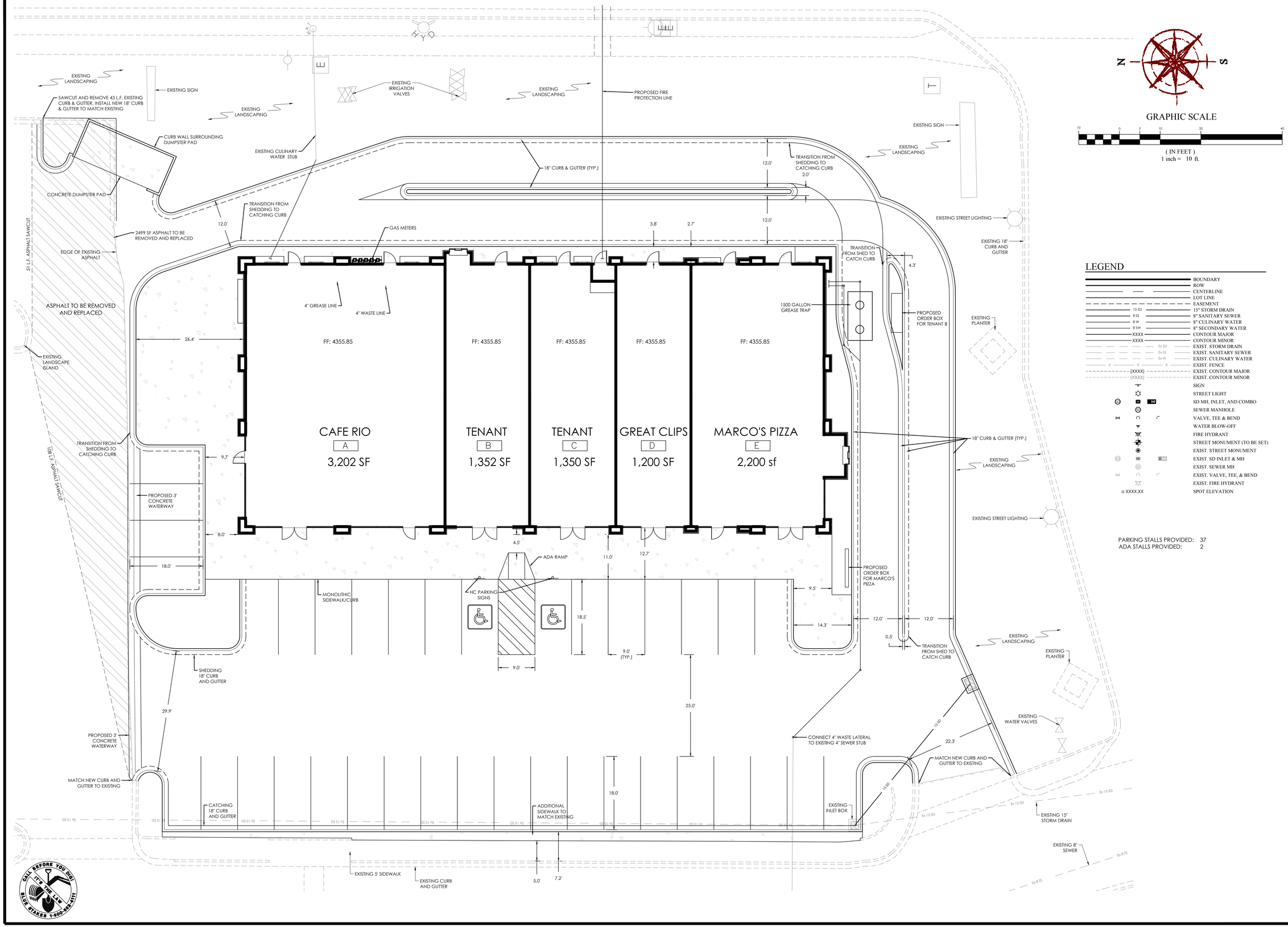
The building will be 9,304 SF and will have 86 parking stalls. There will be a double-lane drive-thru along the east and north sides of the building. The main entry of the building will be on the west side; and the rear of the building will face east towards the road but will be finished with a store front appearance.

A landscaping plan has also been submitted, which appears to meet the requirements of the code. A full review of the project has not yet been completed, but will be done prior to the next Council Meeting.

Recommendation
No action required. This is for discussion purposes only.

Significant Impacts
None

Attachments
Site Plan
Elevation Drawings



N

S

GRAPHIC SCALE

10 0 5 10 20 40

(IN FEET)
1 inch = 10 ft.

LEGEND

- BOUNDARY
- ROW
- CENTERLINE
- LOT LINE
- EASEMENT
- 15" STORM DRAIN
- 8" SANITARY SEWER
- 8" CULINARY WATER
- 8" SECONDARY WATER
- CONTOUR MAJOR
- CONTOUR MINOR
- EXIST. STORM DRAIN
- EXIST. SANITARY SEWER
- EXIST. CULINARY WATER
- EXIST. FENCE
- EXIST. CONTOUR MAJOR
- EXIST. CONTOUR MINOR
- SIGN
- STREET LIGHT
- SD MH, INLET, AND COMBO
- SEWER MANHOLE
- VALVE, TEE & BEND
- WATER BLOW-OFF
- FIRE HYDRANT
- STREET MONUMENT (TO BE SET)
- EXIST. STREET MONUMENT
- EXIST. SD INLET & MH
- EXIST. SEWER MH
- EXIST. VALVE, TEE, & BEND
- EXIST. FIRE HYDRANT
- o XXXX.XX SPOT ELEVATION

PARKING STALLS PROVIDED: 37
ADA STALLS PROVIDED: 2

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LICENSED PROFESSIONAL ENGINEER
No. 318693
CURTIS BALL
2/20/18
STATE OF UTAH

THE POINT PAD D

WEST POINT, UT

SITE PLAN

REVISION BLOCK

#	DATE	DESCRIPTION
1	----	----
2	----	----
3	----	----
4	----	----
5	----	----
6	----	----

SITE PLAN

Scale: 1"=10'	Drawn: JMH
Date: 02/21/2018	Job #: 18-059
Sheet: C2	

Z:_2018\18-059 The Point Pad D\design\sheets\C2- Site Plan.dwg

WEST ELEVATION
3/16" = 1' - 0"

NORTH ELEVATION
3/16" = 1' - 0"

EIFS - SW 7633
TAUPE TONE

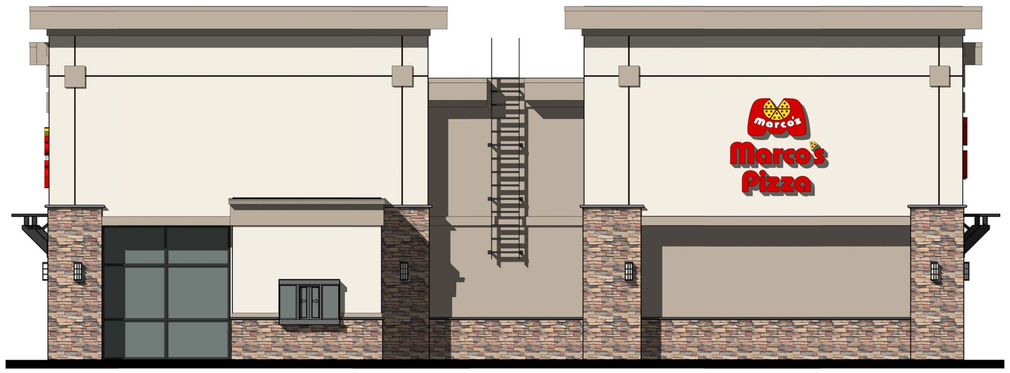
EIFS - SW 7035
AESTHETIC WHITE

HARRISTONE
UNITAH LEDGESTONE
SMITH'S CUSTOM COLOR

THE POINT PAD D
16128
WEST POINT, UT

JZW ARCHITECTS

EAST ELEVATION
3/16” = 1’ - 0”



SOUTH ELEVATION
3/16” = 1’ - 0”

EIFS - SW 7633
TAUPE TONE

EIFS - SW 7035
AESTHETIC WHITE

HARRISTONE
UNITAH LEDGESTONE
SMITH’S CUSTOM COLOR

THE POINT PAD D
16128
WEST POINT, UT

JZW ARCHITECTS

THE POINT PAD D

16128

WEST POINT, UT

JZW ARCHITECTS

City Council Staff Report

Subject: Wellness Program Discussion
Author: Kyle Laws
Department: Executive
Date: March 6, 2018

Background

We discussed several aspects of a wellness program during the Council Retreat in Janauary. Those included the Fitbit program and step challenges, a change to the Personnel Policies & Procedures manual, and membership opportunities at the Clearfield Aquatics Center. This report will focus on the last two items mentioned.

Analysis

Our current policies and procedures allow for up to two 15-minute breaks each day. It is proposed that the policy change to allow employees to use those breaks for active exercise. The changes I'd like to propose are attached to this report and are part of a document entitled "Meal Periods, Breaks and Wellness Program." I would like to review this with Council and discuss these potential changes. The main change is to limit the breaks to one 15-minute break per day, but allow the breaks to be combined together and also combine them with lunch. The total amount each week would be limited to 60 minutes.

The last element to the wellness program is for the City to pay for half of the membership to the Clearfield Aquatics Center for full-time employees. The amount per participating full-time employee would be $83.50 or $7.00 per month. The employee then has the opportunity to upgrade to a double membership or a family membership and pay the difference. The rate given by Clearfield City would be available to part-time employees and elected officials, but they would have to pay for the entire discounted membership. The City portion for full-time employees would be paid out of the Wellness Program line item in the budget.

Recommendation

No action is required at this time. However, Staff would like feedback from the Council on the proposed Wellness. Staff would like to have a policy approved at the next Council meeting.

Significant Impacts

Some of the effects and impacts of this program include increased productivity (due to exercise and physical activity), and healthier and more engaged employees. While there may not be a direct correlation to health insurance premiums and renewals, healthy employees will help reduce claims and may indirectly affect insurance costs.

Attachments

Revised Policy on Meal Periods and Breaks

Meal Periods, Breaks, and Wellness Program

(1) Meal Periods

a. The City normally provides an unpaid meal period for full-time employees during a standard workday. Meal periods are typically 60-minutes in length, and shall begin no earlier than 11:00am and shall be completed no later than 3:00pm. Exceptions may be authorized by the Department Director or City Manager.

(2) Breaks and Exercise – The City offers paid breaks as work allows.

a. The City may provide one paid break of up to 15 minutes during a standard workday for full-time employees, up to a maximum of 60-minutes per week (as outlined in subsection 3 below). The availability of breaks is not guaranteed each week or even each day; availability will depend on workload, projects, deadlines, etc. All breaks shall be approved by the Department Director or City Manager prior to using the break.

1) Breaks shall be available Monday through Thursday only, due to work schedules and staffing levels on Fridays.

2) Breaks shall not be used at the beginning of the day to arrive late, or at the end of the day to leave early. However, they may be combined with lunch if used for exercise as outlined below. Breaks shall begin no earlier than 10:00am and shall be completed no later than 3:00pm.

3) Breaks used for exercise may be used in 30-minute increments if combined with lunch, up to twice per week; or in a 60-minute increment if combined with lunch, once per week.

A) Exercise breaks shall be used for exercise only. Proof of exercise may be required.

4) Abuse of this program may result in disciplinary action as deemed appropriate by the Department Director and City Manager.

b. Employees under the age of 18 are entitled to an unpaid meal period of at least 30 minutes no later than 5 hours from the beginning of their shift. A paid rest break of at least 10 minutes is required for employees under the age of 18 for every three-hour period or part thereof that is worked.

(3) Wellness Program

a. In an effort to enhance the City Wellness program and to encourage and promote physical exercise and healthy lifestyles, employees eligible for health insurance are also eligible for a benefit of up to 50% of the cost of a gym/fitness center membership to be paid for by the City, up to a maximum of $7.00 per month.

City Council Staff Report

Subject: Discussion of Fiber Broadband in the City
Author: Kyle Laws
Department: Executive
Date: March 6, 2018

Background

During the City Council Retreat, we discussed looking into fiber broadband internet through UTOPIA/UAI. Since the retreat, we have conducted a survey to residents to gauge their interest in fiber broadband as an internet option in the City. We will present the results of the survey at the City Council meeting on Tuesday and discuss if and how we want to proceed.

Analysis

We had an amazing response to the survey – over 650 responses. If this was one response per household, that is about a 22% response rate. Statistically speaking, this is an amazing sample size that gives a good feel for the City as a whole. Most of the responses were positive – 94% of respondents were supportive of the City looking into the option and 94% of respondents also said they would be interested in signing up if it were available. We will go over the survey responses in more detail in the meeting.

As a reminder from our previous discussion, if we move forward with the UTOPIA/UAI option we would need 30% of the households in the City sign up. The installation of the fiber network will pay for itself and have no impact to the City's budget if we can obtain a 30% take rate. UTOPIA/UAI will bond for the project and the City would have an obligation throughout the duration of the bond. That obligation is only a financial obligation if we do not achieve a minimum of a 30% take rate. Any amount short of 30% would be paid for out of the City budget. So there is an element of risk associated with moving forward. However, based on the survey and the desire for other internet options, the risk appears to be very low.

Based on the information we have learned, and the potential to have internet available at speeds of 250Mbps upload and download for $65 and 1Gbps upload and download for $78, this is a very exciting option.

In addition to discussing the survey, Staff would like direction from the Council on how to proceed. We should have a draft contract from UTOPIA/UAI in the next two weeks that will give us more information to consider and have more details about fiber-to-the-home in

West Point City. In the meantime, we are happy to gather any information the Council feels would be helpful.

Recommendation

No formal action is required at this time. However, Staff would like feedback from the Council on moving forward.

Significant Impacts

There is a risk with moving forward with UTOPIA/UAI. The risk is that if we do not achieve a minimum of a 30% take rate City-wide, the City will have to make up the difference out of the City budget, until the take rate rises to 30%. Based on the survey, we believe the risk is low and the interest and desire by residents for this kind of internet is high.

Attachments

None

Mayor
Erik Craythorne

Council
Gary Petersen
Jerry Chatterton
Andy Dawson
Kent Henderson
Jeff Turner

City Manager
Kyle Laws

West Point City Council Visioning Retreat

55 North 400 West, Salt Lake City, UT 84101

January 26-27, 2018

The West Point City Council Visioning Retreat was held at 55 N 400 W, Salt Lake City, Utah 84101 on January 26th and 27th, 2018 with Mayor Craythorne presiding.

MAYOR AND COUNCIL MEMBERS PRESENT - Mayor Erik Craythorne, Council Member Gary Petersen, Council Member Kent Henderson, Council Member Jeff Turner, Council Member Andy Dawson, and Council Member Jerry Chatterton

CITY EMPLOYEES PRESENT - Kyle Laws, City Manager; Boyd Davis, Assistant City Manager; Ryan Harvey, Administrative Services Director; Paul Rochell, Public Works Director; Kelly Ross, Recreation Director; and Casey Arnold, City Recorder

January 26th, 2018 at 2:00 PM

1. **Welcome & Call to Order** – Mayor Craythorne
   Mayor Craythorne welcomed the Council and Staff to the meeting and thanked them for their attendance. The Mayor stated that this is an important meeting that happens each year for the Council and Staff to come together to visualize and discuss the priorities for the upcoming year. Mr. Laws suggested the dates of January 11th and 12th, 2019 for the next Retreat; the Council tentatively agreed to those dates.

   The Mayor asked the Council for their thoughts on how this meeting is and has been formatted and if it should be structured the same in the future. Council Member Petersen commented that he feels that having the meeting off-site allows the Council and Staff to get to know each better and creates comraderies that influences the great working relationships we enjoy. Mayor Craythorne agreed and felt that in the past when the meeting has been held at City Hall, it felt like "just another meeting" with a lot of distractions (being close to home, work calls, etc.) that hindered the discussions and did not feel very productive. The Council agreed with these opinions and expressed their appreciation to Staff for the work that goes into preparing for this and all other meetings.

Mayor Craythorne also noted that the members of the City Council have served for some time and "can't serve forever." The Mayor stated that "good leaders try to find good replacements" and he encouraged the Council Members to begin thinking about their neighbors and others in the community that would serve our City well in the capacity of an elected official.

Mr. Harvey commented that in his previous position with Provo City, in the past ten years there had been no incumbent official that was reelected; consequently, there was constant change with no tenure and tension and conflicts were always high. Coming to West Point, he has been very grateful for the cohesiveness of the Council and for the trust that they place in Staff. It is not something that many cities enjoy and he thanked the Mayor and Council for providing such a good working environment.

2. **Discussion of City Finances and Upcoming Budget Issues** – Mr. Ryan Harvey
Mr. Harvey stated that the City is doing really well financially; with the addition of Smith's especially, we had our best sales tax revenue year again. Revenues are doing well and expenditures are within budget. The past three years, the City has averaged $500,000 in unspent funds that was able to be transferred to the Capital Projects Fund at the end of each budget year.

In the Waste Fund, increased revenues have been able to cover the increased expenditures that have been seen in recent years. This improvement comes as a result of increased fees as well as new growth in the City, and has allowed fund balance to build. This balance is considered unrestricted net position, which are funds that are unrestricted as far as what use they can be used for. Council Member Petersen inquired as to the future of recycling. Mayor Craythorne stated that within roughly a year, the waste facility plant will have completed the installation of a system that will sort through the trash for recyclable items; the Mayor stated that those cities who offer recycling "will have a decision to make" about whether to continue offering the recycling can. Mr. Laws commented on a recent news article that stated that China is putting restrictions on imported recycling materials, primarily from the US, because it is coming over "contaminated", meaning that a lot of the material in it are not actually recyclable. There has been a push to try and clean-up and educate residents on how to properly use recycling programs.

The Water Fund is in similar standing, with the margin between revenues and expenditures increasing in recent years due to water rate increases implemented to help fund future capital projects. Mr. Harvey explained that the 1300 N and 2000 W projects were both funded in part by the Water Fund. The balance at the end of FY2017 reached just over $1.5 million.

In regards to the Storm Water Fund, revenues have always far exceeded expenditures, however in FY2015, an adjustment was made to employee salary allocations and a larger portion was allocated to this Fund. Even with that change, revenues still exceed expenditures and a fund balance of roughly $790,000 unrestricted cash has built up.

Mr. Harvey presented to the Council a graph of the projected fund balances after upcoming projects have been completed. As a brief summary, Class C Fund balance will be just over $100,000; Parks and Trails Impact Fee balance will be close to zero because these funds are being used for the Loy Blake Park

Expansion Project (with the remaining expenses funded by Capital Projects Fund); the balances in Roads Impact Fee, Capital Projects Fund, and Water Fund show that that there will still be "plenty of money available" for future projects that these funds have not yet been allocated to. Mr. Davis stated that there are plans for these funds, for example the water line project on 800 N, the next section of 2000 W, etc. Council Member Chatterton stated that Storm Water Fund and Storm Water Impact Fees are close to $1 million dollars; he asked if this balance is planned to be spent soon or if the monthly service fee charged to residents planned will be reduced. Mr. Davis stated that there are some upcoming storm water projects, with a big one being the ditch piped in on 1300 N. The project will be completed by the developer, who will be responsible to fund the part of the project that will affect his development, but the City will pay for the difference since that project will benefit a large part of the City. Mr. Harvey stated that a similar project on 1800 N will also use these funds in the future.

There are currently two proposed amendments to the FY2018 Budget, the first being an audio system upgrade for the audio system in the Council Room of $3,202.80. This quote includes labor and parts, and is proposed being funded by the General Fund. Mr. Laws commented that this would upgrade the equipment and be designed with a tablet (iPad) feature that would allow for each mic to be adjusted as needed, as well as be recorded directly into the iPad for transcription purposes. The Council agreed that this was a needed upgrade and directed Staff to move forward with the project.

The second amendment is relating to the Loy Blake Park Expansion Project. There are funds available in the Capital Projects Matrix for park improvements which will account for a large part of the project expenses, but the rest will need to come from Park Impact Fees and so the budget will need to be adjusted to include that for $136,000. Mr. Laws further explained that this amount is already in the budget in the Park Expansion Project of the Capital Projects Matrix, but not correctly appropriated to Parks and Trail Impact Fees. The Council understood the need for this proposed amendment.

Mr. Harvey collected budget requests for the upcoming fiscal year from the Department Heads and discussed these with Council. The first is for the replacement of the 1995 International Bobtail in the estimated amount of $200,000 and for the 2013 Dodge 550 Dump Bed estimated to cost $70,000 to replace. The Fleet Replacement Plan calls for the replacement of these two vehicles. The replacement costs will be shared between the following funds: Capital Projects, Water, Sewer, Storm System, and Class C. Mr. Rochelle explained that the Fleet Replacement Plan is set-up so that any of the pick-up trucks that carry a plow are on a five-year replacement and the larger trucks (like the Bobtail) are on a fifteen-year replacement rotation. Mr. Laws added that anything without a plow is on an eight-year replacement rotation.

The Recreation Department is also requesting to purchase a small utility vehicle for the transportation of equipment from park to park or within a park from the shed to the field, etc. Mr. Ross stated that currently, much of the equipment that needs to be hauled within parks is done with a small wagon which is not very efficient; he envisions a small utility vehicle like a Kubota, John Deere, or something similar rather than a full-size truck. Mr. Ross stated that the vehicle would be street-legalized and licensed so that if necessary, it can move equipment from park to park, but mostly would remain at the Loy Blake Park.

The next request is from the Community Development Department for survey drone equipment, which Mr. Davis estimates to be about $6,000. The drone would be used for aerial surveys, photos, etc., and would be funded by the General Fund surplus. Mr. Davis elaborated on the request and showed the Council some examples of photos and surveys that the drone would be able to provide. The survey software is included with the equipment and provides accurate elevations, geographical maps, aerial photos of projects, and more that would be useful in many different aspects. Council Member Petersen commented on how useful the drone would be in reviewing projects and when discussing issues for the Council. Mr. Davis added that the City has used a drone to locate all the utilities, manholes, water meters, mark the football and soccer fields, take photos of events, and more. Mayor Craythorne added that drones can also be used to estimate the volume of dirt and equipment on the ground; for example, excess amounts of dirt from detention ponds, the dirt piles that were at the expansion area of Loy Blake, etc. Mr. Davis also commented that the City has purchased aerial photos of the City for many years and the drone would allow us to produce those ourselves.

In response to an aerial photo of the Loy Blake Expansion shown by Mr. Harvey, the Council and Staff discussed the location and height of the fence that will be installed as part of that project, as well as the location of the trail and berms. These details will also be discussed later in the meeting, as well as in future City Council Meetings as the project progresses.

Council Member Chatterton suggested that the drone model purchased be one that is able to be easily upgraded as technology progresses. The Council agreed that there are many benefits of purchasing a drone for the City. Additionally, the Community Development Department is also in need of an upgrade to the current GPS equipment with an estimated cost of $20,000. The existing GPS unit still has some value which, when sold, will hopefully offset some of the cost of this new unit. Mr. Davis stated that since purchasing the current GPS unit, the City has saved a significant amount of money on not having to hire outside surveyors.

Mr. Harvey explained that the City uses a software called Caselle for the utilities management, payroll, accounts payable and receivable, etc. Caselle also offers an add-on to their software that would greatly assist in the preparation of the annual budget. Currently, Staff uses a series of Excel spreadsheets to create the annual budget and it is quite time-consuming and greatly increases the chance of making mistakes, especially with the chance of the budget master sheet becoming corrupted. While the current process has worked, the add-on would allow for everything to be in one program and be automatically connected to the current numbers already in Caselle. The add-on would cost $11,000 as a one-time cost and then $3,300 going forward. If purchased, the cost would be split among the various funds.

Due to the difficulty in estimating the increased costs of health insurance, Staff again proposed budgeting for a 12% increase to health insurance expenses as has been done in previous years. Mr. Laws explained that the City's insurance currently renews each January, but as he as looked at the renewal rates for those on a fiscal-year renewal plan, their renewal rates seemed to be lower. The group that renews on a fiscal year is a larger group and Mr. Laws explained that as the cost of claims can be spread out more, the number of claims affect the renewal rates less. Staff plans on discussing with the City's insurance broker on whether changing

to a fiscal year renewal would be a good option. A fiscal year renewal would also help in the budgeting process, as the renewal rates would be known instead of having to be estimated to complete the budget.

The City participates in the Utah Retirement System, who sets the retirement rates. The rates have remained unchanged since FY2015 and are indicated to hold steady for FY2019 as well.

As for salary adjustments, Mr. Harvey explained that the current Pay Plan calls for a merit increase of up to 2%, and a 2% Cost of Living Adjustment every other year in order to keep salary ranges close to the market, if the budget can support the increases. This is the year for the 2% merit increase, and it appears it can be supported by the budget. Mr. Laws also explained that a market study is done every other year to make sure the salaries stay within market range, and he would like to suggest that the market study be done on the opposite year of the COLA adjustment instead of on the same year. In order to get on that schedule, a market study will need to be done again this year. The Council agreed with that.

Purchasing solar powered flashing speed limits is also proposed for the upcoming budget, and are $5,000 for each set. Mr. Laws stated that with the opening of SR-193, a great option for placing the signs would be as drivers turn north of off SR-193 onto 3000 W somewhere south of 300 N. Mr. Laws has received multiple emails from the residents that live in this area that have suggested these types of signs. The signs can also be moved if they are needed in a different location in the future. Mr. Rochell added that they can be posted onto existing posts and be quickly bolted/unbolted and moved as needed. Council Member Petersen stated that he likes this idea, especially that they can be relocated to problem areas throughout the City. Mr. Laws commented that the City also has a speed trailer that can be placed in these areas, but the battery only lasts about two days and takes about the same amount of time to recharge. These signs are solar powered and easily portable. Mr. Laws has also received comments from the crossing guards on 800 N who have stated that the existing flashing speed limit sign in this area has significantly caused drivers to slow down during school times, and another option would be to place the new signs in the 550 N and 3000 W school area.

Another budget request is for a recreation sign-ups software called SportSites, which would cost $2,000 annually. Mr. Harvey stated that the City has used SportSites in the past, but Mrs. Arnold explained that they have totally revamped their software and it is much more efficient with many more tools. Online registrations have greatly increased and as the City's current provider (Xpress) is discontinuing their recreation sign-up service, the City needs to find another option. Mrs. Arnold explained that residents create their own SportSites account which will save their information and track their kids for quicker registrations. Park reservations can also be done online. The Council had no further discussion on this item.

Lastly, Mr. Harvey informed the Council that the City's current accountant, McEwan and Associates, has merged with Child-Richards Accounting Services. Staff feels that this is a good time to bid out accounting services; the contract with McEwan goes through the fiscal year (end of June), but the City's Attorney feels that now that the company has merged the contract is null and void. However, as it will take some time to issue the RFP and choose a provider, Staff suggests that the City stay with Child-Richards until the end of the contract and start fresh with the new provider (if chosen) at the beginning of the fiscal year. Mr. Laws commented that the City received a bill form Child-Richards and were "surprised" to receive the bill, as no

representative from the Company has come in to meet with any of Staff or discuss the merger. Staff does not feel that the City should automatically continue with whatever firm was chosen by McEwan; the City has a responsibility to do its due diligence and select a provider that is best for the City and not have one chosen for it. That being said, Mr. Laws stated that Child-Richards could very well turn out to be the best provider, but that needs to be determined by the City. The current contract was for a full-year and broken up into 12 equal payments; Staff has since met with Ryan Child who raised the issue that a bulk of the work done and time spent is for the audit in September, which is now complete, but payment for that work would still be being paid as part of the contract. Council Member stated that he understands that concern, and agrees with Staff that the contract remain in place until June. The Council agreed with Staff's proposal to issue an RFP for accounting services.

The Council thanked Mr. Harvey and Staff for the work that they do in keeping the City financially healthy.

3. **Discussion of 2017 Accomplishments** – Mr. Kyle Laws

Mr. Laws stated that the accompanying Staff Report for this item includes a list of last year's accomplishments, compiled by Staff. Mr. Laws highlighted a few of the items, beginning with the AED's that were purchased for the City, with two portable machines and the rest being placed at City Hall, the Public Works building, and Loy Blake Park; all Staff Members were also CPR and AED certified. A letter was received a few years ago from a young lady who said that she would have felt more comfortable participating in the City's recreation programs if AED's were available because of a heart condition that she had, and Council had directed Staff to purchase these machines and make them available.

The 1300 N reconstruction and waterline project was also completed this year. The Angel of Hope Statue was also constructed and dedicated, and it is a great addition to the City. The City's General Plan was updated, as well as the Travel Policy. Culver's began construction and plans to open on February 19th. Cemetery section markers were also purchased and continue to be installed. The 3 on 3 Basketball Tournament was also held on the night of July 3rd this year and it was very well received and will continue to be held the night before in the future. Summer Movies in the Park was also introduced this year and was a successful event that will continue this coming summer. Progress was made on the Loy Blake Park Expansion Project, the 470 N Sewer Line Project began, and replacing of aging water meters began and is an ongoing project. While it was not necessarily the City's project, there was also a lot of coordination and communication needed from the City for the completion of the SR-193 Extension. Myles Naisbitt was hired for a vacant position in the Public Works Department, and the Recreation Coordinator position was made into a full-time position. Staff is currently interviewing candidates to replace Tanner Russell, who left this position, and that decision would be made soon. Mr. Laws noted that Laura Gamon, the City's Human Resource Director, has accepted a position with Saratoga Springs City and the vacant position will need to be addressed once she relocates and is no longer able to work for the City. Council Member Petersen commented that a lot of chip seal and crack seal has also been completed this year, but it seems to be "thicker and noisier" than normal. Mr. Davis stated that the crack seals will be covered with the chip seal

this coming spring. The Council had no further comments and appreciated Staff for making these accomplishments happen.

4. **Discussion of Future Projects & Priorities** – Mr. Kyle Laws, Mr. Boyd Davis, & Mr. Paul Rochell
Mr. Rochell stated that he, Mr. Davis, and Mr. Laws put together an analysis of the projects that were accomplished last year. Mr. Rochell briefly reviewed and commented on some of the items on that list:

    - Chlorine Booster – Mr. Rochell stated that with the water quality issues last summer, Gardner Engineering and Staff designed and had installed a chlorine injector, and the operating permit was just approved by the State. The double-walled tank can store 500 gallons of T-Chlor. The injection pump pumps the T-Chlor over to the main water line as it leaves the building. There are also monitors on the outside of the building that were installed to analyze the water for the chlorine residual of the water. Through the SCADA System, the water will constantly be monitored and the chlorine level can be adjusted as needed, simply from a smart phone. Mr. Rochell stated that the plan is to reach a .08 chlorine residual level, which is still 1.2 parts per million less than allowed by the State. Council Member Petersen stated that this chlorine booster is part of an "offensive approach" to avoiding water contamination and appreciates this project. Mr. Rochell stated that while technology is great, his department is still going to gather water samples throughout the City to confirm that the water has the correct chlorination levels by the time it reaches residents' homes.

    - 300 North Sidewalk – This sidewalk has made 300 N much safer
    - 1300 North Waterline
    - 1300 North Road
    - 2000 West Water Line
    - 2000 W/470 N Sewer – completed with the North Davis Sewer District
    - Sidewalk Maintenance – roughly $10,000 is spent each year on grinding the sidewalks, and about $2,000 each year on removing and replacing; each area that is worked on is tracked with location and work date.
    - Park Expansion – Mr. Rochell stated that the park expansion is about 30% completed
    - Street Maintenance – this last year, Mr. Rochell stated that at least 42% of all roads had some kind of maintenance done, which is quite substantial for one year.
        - 10 miles – Crack Seal
        - .75 miles – Reconstruction
        - 1 mile - Patching
        - 2.5 miles – Chip Seal
        - .75 miles – HA5
        - City Hall Parking Lot

Mr. Rochell then reviewed the following list of current projects that are either under construction or set to begin soon, and have all been approved in the current year's budget. The projects have been listed in priority as seen by Staff:

1. Park Expansion/Splash Pad
    - This item is about 30% completed, and is a high priority to get finished this coming spring. A lot of the subgrade is completely done, the trail has been road-based and prepped for asphalt, the landscaping bid has been awarded, the restroom has been ordered, and Mr. Laws has been working on the splash pad installation.

      Mr. Laws stated that the fence lines on the east and west has been in place for many years, and is a 5 ft. fence with no top rail. It has been brought up in citizen comments, and Staff agrees, that a 6 ft. fence with a top rail should replace the existing fence. Mr. Laws added that residents could pay to have a gate added to the fence that is on their property, and the City would install it as part of the installation process. Without vinyl coating, Staff estimates the fence would cost about $15,000 (including a mow strip). Council Member Petersen commented that a 6 ft. fence is a "good size fence." Mr. Laws added that regular chain link fence does not accommodate privacy slats, and he asked for the Council's opinions on whether to install a regular fence or one that accommodates privacy slats. The Council agreed that a fence is needed, and that privacy has been a primary concern of residents. It was discussed that some residents may want a privacy fence now, but once they get used to the park in their backyard, may not want it in the future. The Council agreed to install privacy slat ready chain link fence, and residents could choose whether or not they wanted to put in the privacy slats. Mr. Laws asked the Council whether they wanted to install the fence now, or wait until the next fiscal year when more funds were available in the budget. Mr. Davis stated that it would be easier to install the fence before landscaping, and the Council agreed that the fence should be installed sooner rather than later even if funds had to be "shuffled around" to be able to pay for it in this fiscal year.

2. Cemetery Expansion
    - This project is also already underway and the contractor will begin their part of the project at the end of February. The Public Works Department is planning to start work this coming week on running a new water line and connecting it into the Public Works facility. Staff is still deciding on whether to leave the old line or completely remove it. This project should be completed this spring.

3. Sewer Masterplan
4. Water Masterplan
    - Gardner Engineering is currently working on the Sewer and Water Masterplans and should be completed this coming spring. Mr. Laws stated that the Impact Fee studies are included as part of this process.

5. 300 North Design

- This project is to install curb and gutter and a turning lane on 300 North from 1500 W to 2000 W (1000 W to 1500 W will be done by Clearfield City). This project will be funded by a grant, and so the design needs to be completed and everything in place to begin when the money is granted. Council Member Chatterton inquired as to how this project will affect the road, and whether it will be patch work from the edge of the road to the curb and gutter or whether the entire road will be resurfaced. Mr. Davis stated that the preference is to remove and replace all of the asphalt, but it depends on the cost of the project and if enough funds are available.

6. Street Maintenance
    - Upcoming Street Maintenance projects include the reconstruction of 4500 West from 1800 N to 2425 N, 700 South from 4000 W to 4500 W, and 3200 West from 850 N to 1300 N, as well as various crack seals, chip seals, HA5 surfacing, and asphalt patching throughout the City. Council Member Petersen inquired as to whether 700 South planned to be widened in this reconstruction process, and Mr. Rochell stated that with the ditch that runs along the road, it is not planned to be widened at this time. Mr. Laws stated that with the continued extension of SR-193, hopefully that road can be widened at some point concurrent with that project.

7. New Sidewalk Plan
    - Mr. Laws explained that similar to the Street Maintenance Plan, Staff has considered putting together a prioritized list of areas in the City that may need sidewalks. There are many sections of roads that do not have sidewalks and it may be too long before development happens in these areas to wait for it to be installed. For example, Ms. Blakeley, a resident of West Point, had suggested that a sidewalk be installed on 800 North from 4000 W to 3000 W because of safety concerns, and Mr. Laws agreed that this would be a beneficial place for a sidewalk, as well as on 3500 West from 300 N to the Park. The Prop 1 money would fund most of these projects and City is getting about $85,000 a year of these funds. Mayor Craythorne asked if the plan would include a replacement schedule as well, and Mr. Laws confirmed that it would.

8. Sidewalk Maintenance
    - Mr. Rochell explained that his department has put together a Hazard Cement Assessment that lists all the sidewalks in the City that have cement that needs to be addressed. This Assessment shows due diligence on behalf of the City that we are aware of hazardous cement throughout the City and are working on resolving those problems. Staff proposes that $10,000 be budgeted for sidewalk grinding and $2,000 for removing and replacing sidewalk. Council Member Chatterton inquired as to whether $2,000 is enough, and Mr. Rochell stated that the grinding process really helps to reduce the cost of removing and replacing. An outside company does the grinding, and the City does all removing and replacing. Council Member Chatterton wondered if it would be more cost-efficient for the City to acquire the equipment and do the grinding internally. Mr. Rochell stated that it is a pretty time-consuming process and requires expensive equipment; the company brings in multiple laborers and they are able to “knock-out” quite a few areas in the City at one time.

9. Fleet Purchases
    - As discussed by Mr. Harvey, the 2013 Dodge Dump Truck and the 1995 International Bobtail need to be replaced.

10. 4000 W & 1300 N Storm Drains
    - Mr. Rochell stated that these are lower priority on the list, but Staff is going to try and get them completed this year. The 4000 W storm drain will connect to the existing drain north of the Layton Canal. Council Member Petersen commented that the overpass over the Layton Canal on 1300 N is quite narrow and it is a difficult area for pedestrians to navigate; he wondered if there was a way to widen that road. Mr. Davis stated that it could be done, but it would be a fairly lengthy process that would include getting approval from the Bureau of Reclamation and he is unsure if it would be the City's or Canal Company's responsibility. Mayor Craythorne felt that with the relationships that exist between the different entities, it is unlikely that funding could be secured from anyone other than the City; Mr. Davis agreed and stated that "who suggests it will probably have to pay for it."

Council Member Petersen asked if there was any update on the City's preliminary request for a roundabout at 300 North and 4500 West. Mr. Laws stated that he had sent a letter to Chris Petersen with UDOT describing some of the issues that exist in the area and requesting a meeting to further discuss it, but has not yet received a response back; he will keep the Council updated on this item. Mayor Craythorne added that he had spoken with Randy Jeffries of UDOT and asked for his thoughts on how to approach the issue, and his suggestion was to start with writing a letter to Chris Petersen and focus on the safety issues that exist, because there may be some safety money available. The Council thanked them for pursuing this important item.

Mr. Rochell presented a list of 5-year CIP projects that are also in the future:

- 800 North 16" Water line
- Trail Expansion (1300 N to Hooper)
- Rebuild PRV's
- 800 North Reconstruction (2000 to 3000)
- 2000 West Widening 470 N to 800 N
- 2000 West Sewer & Water Upgrades
- Replace Chain Link Fence at 520 N Park

The Rebuilding of the PRV's is currently being worked on, and the Council gave Staff direction to replace the chain link fence at the Loy Blake Park this spring.

Mr. Laws asked the Council for their thoughts on the list of priorities that Staff has presented, and the Council felt comfortable with the projects and the prioritization that Staff has given them.

5. **Discussion of Fiber Broadband Internet Options** – Mayor Erik Craythorne & Mr. Kyle Laws
Mr. Laws stated that considering fiber internet options with UTOPIA is something that has been suggested multiple times over the past few years, both by Council Members and residents. In the introductory phase of UTOPIA, there were 11 founding cities that took on a lot of debt to bring fiber broadband to their cities, and much of that debt still exists. Mr. Laws stated that this first phase "was a wreck" and something cities have since wanted to stay far away from. However, UTOPIA has changed their business model and created another entity called UAI.

UAI's strategy is to go in to an interested city and issue a survey of residents for interest in fiber broadband and how willing the residents would be to pay for it. If a city chooses to move forward based on the survey, if 30% of the city households actually subscribe then the system pays for itself and there is no cost to the City. UTOPIA takes out the bond to install the network on behalf of the City, and if the participation is less than the 30% at the beginning, there is two years before any bond payment would be due, which gives the City and UAI time to market the service to residents and hopefully bring the subscribers up to the 30% so that the City is not responsible for any part of the bond payment. If the actual participation is less than the 30%, the City must cover the cost difference for the bond payment. The way that it works is that for 250 Mbps upload and download speed, $30 of the fee residents would pay goes to UAI who then pays a portion to UTOPIA, which will help cover some of the costs of the first phase, but most of the $30 goes towards the bond payment and O&M costs. The other $35 would go to one of the 11 service providers. With so many providers, it is opening up a competitive market which does not really exist in the City right now as Comcast and CenturyLink are really the only two internet providers available to residents. Mayor Craythorne explained that UTOPIA is the actual fiber network and the service providers contract with them to use the network and charge the customers. Mr. Laws also noted that some of the infrastructure on our main roads is already going to be put into place because Davis School District is contracting with UTOPIA to bring fiber internet to the schools.

Mayor Craythorne stated that for 250 Mpbs, the rough monthly cost to subscribing residents would be about $65 and for 1 Gbps the rough cost would be $85 per month; these costs will vary between the service providers. Mr. Laws commented that you can visit UTOPIA's website and they have the costs listed for the different speeds. Important to note is the fact that the service speed is dedicated to each specific home and not shared between neighbors. Mr. Laws also noted that even though speeds higher than 250 Mpbs seem like they would never be needed to most of us, technology is progressing at a rate that is going to require more and more bandwidth. Council Member Petersen inquired as to whether there was any upfront cost, and Mayor Craythorne stated that there was an upfront cost with the first phase of UTOPIA, but there is no cost to begin with UAI.

The first step to begin would be for the City to issue a survey to residents to gauge interest in fiber broadband. The Council discussed on how best to issue the survey, because the City does not have many email addresses on file. The Council directed Staff to send out the survey to the residents that have signed up for Xpress Bill Pay and therefore provided their email address, as well as put a link to the survey on the next month's utility bill. The next step would be to enter an agreement with UAI; there are four or five other cities that are currently in the "survey phase" and therefore would be ahead of West Point on the

installation order, but if the survey can be quickly issued with a high rate of response, and the Council feels comfortable entering into an agreement, there is the chance the City could complete this part of the process before some of those other cities and move ahead on the installation schedule. The Mayor wanted the Council to be aware that UAI is brand new; no other cities have officially begun this second phase of UTOPIA, and the "longer we wait the farther down on the list we will be."

Mayor Craythorne felt that if response to the survey was "so-so" and the City was concerned it would have to subsidize any part of this, he would not be comfortable moving forward and the Council agreed with that. Staff was directed to move forward with creating and issuing a survey.

Before adjourning, Mr. Laws wanted to announce to the Council and Staff that Wright Development has informed the City that they are ready to move forward with the multi-tenant building that will be just north of Del Taco. The developer indicated that there are currently three tenants planning to occupy the building: Marco's Pizza, Great Clips, and Café Rio. The Council and Staff were very excited to hear this news and the quality of the tenants that will be coming to the City.

The Council adjourned for the day.

City Council and Members of Staff met socially to
participate in a group activity at The Escape Key
250 E 300 S, Ste. 380, Salt Lake City, UT 84101
and for dinner at Tucanos Brazilian Grill
162 S 400 W, Salt Lake City, UT 84101

January 27th, 2018 at 9:00 AM

Excused – Council Member Gary Petersen

Mayor Craythorne noted that at the Davis Chamber of Commerce Annual Awards Banquet the previous evening, former West Point City Mayor and current resident John Petroff received the Legacy Award and a standing ovation from the Chamber. Council Member Gary Petersen's firm, Adams & Petersen CPA's, was also nominated and a finalist for the Business of the Year award. Council Member Petersen also received leadership recognition at the event.

6. **Discussion of Economic Development/Code Updates** – Mr. Boyd Davis
   Mr. Davis presented a map to the Council of all the properties in the City that are being considered for development or are already currently in the process. The current residential projects that have been approved and are in process:

   - Zaugg Legacy – 15 Lots
   - Oleson Fields – 36 Lots
   - Bennet Farms – 12 Lots
   - Craythorn Homestead – 22 Lots
   - Torroweap – 12 Lots
   - Sandy Point – 69 Units

- Triple H – 1 Lot
- KenneVic – 6 Lots
- Gilgert – 1 Lot

Total Vacant Lots = 173 (this includes lots in older subdivisions that are still vacant)

The following residential projects are in either in the approval process, or have indicated they may begin the approval process soon:

- Gary Wright Apartments
- Mark Thayne Subdivision (sod farm at 1000 N 5000 W)
- Wildfire
- Dahl Property
- Womsquom – 1 Lot
- Manning

In regards to the apartments planned to be located south of The Point Development, there is a currently a major issue with the sewer being too shallow for the project and the developers are "desperately" trying to get an easement to the west so that they can install a sewer line in order to begin. Wildfire Estates has also issued a new concept plan for their subdivision.

West Point has been averaging about 20 to 25 building permits per year, and Mr. Davis stated that he thinks the City could easily issue a 100 permits this year if the economy stays how it is and with the large number of lots that are available.

Council Member Henderson inquired as to whether Wright Development feels that they will be able to secure the sewer easement, and Mr. Davis stated that Gary Wright is trying to help the Church acquire property that they are currently leasing that the easement would go through, and if successful, will mostly likely be granted that easement by the Church.

As for commercial projects, Culver's plans to be open on February 19th, and Staff is pleased with how the building looks. Mr. Davis spoke to the owner of the restaurant who said that they needed to hire 55 people; interviews were held at City Hall and it is a good job opportunity for the community. The new multi-tenant building will be north of Del Taco and the approval process has begun for that building. Mr. Davis noted that Café Rio has not officially signed the agreement with Wright Development, but Gary Wright indicated that this last approval is "more of a formality" and is confident the deal with go through. Mr. Wright stated that he is much more tentative regarding the pad attached to Smith's on the north side; he has been meeting with True Value Hardware to potentially occupy that space, but it is still in the discussion phase. The Council felt that True Value would be a good fit for the space. Mr. Davis noted that Wright Development and Smith's have an agreement that certain businesses cannot be allowed in the development, mostly for reasons regarding parking availability, and fitness centers is one of those prohibited businesses. Deseret First Credit Union purchased the property south of Culver's, but Staff is unaware of when they plan to begin construction.

The multi-tenant building at the property east of City Hall owned by Ed Miles is currently being constructed and will house the tenants that currently occupy the existing building. The existing building plans to be converted into a charter school, but Mr. Davis noted that nothing has been presented to the City regarding that charter school conversion.

This City has also received an application for a home-based business for a beer brewery; the applicant does not plan to actually sell the beer from his home. Staff has spoken with the City Attorney about how to handle this unique application, and he indicated that the first step would be for the resident to apply for a Class A Beer License from the City. This will be on the agenda for an upcoming meeting in the near future and more information and discussion will be had at that point.

In regards to City Code changes, Mr. Davis stated that a lot of changes were considered and made this last year:

- Multi-family building standards
- Redefining the R-4 zone as 10.5 units per acre
- Redefining the R-5 zone as 20 units per acre
- Accessory Building Living Space
- Accessory Building Setbacks
- Driveway Widths
- Fencing Materials
- Tree Trimming
- Landscaping (30% rock)
- Chickens (4 chickens min.)
- Bi-Level Homes
- General Plan update
- Fireworks (indoor sales)

The Council discussed the issues regarding how to get residents to comply with City Code violations, especially if they ignore any citations that are issued. Mr. Laws stated that one of the issues that the Code Enforcement Officer is running into is that when a case is driven by a complaint, the complainants are upset when nothing is resolved because the violation(s) are in our City Code, but the City does not have much recourse for those who refuse to comply.

Mayor Craythorne stated that there are some homes in the City wherein the non-compliance (landscaping, junk, etc.) is due to some sort of hardship and he suggested that either the City find a way to help some of these people or have a process to let other organizations (scouts, churches, service groups, etc.) know of these properties for service projects, etc. Council Member Turner felt that submitting these properties as service opportunities is a great idea, but was concerned that the property owners may not want their problems known, or even want the help. The Mayor and Council directed Staff to put together a list of 10 or so properties that they believed to be true financial hardship cases and then the City could determine how best to address the situation. The Council also discussed, particularly in regards to meeting landscaping requirements, that the City could come into an agreement with the property owner to pay for the labor and supplies to complete the landscaping, and then place a lien on the property to ensure that those costs were recouped.

The Mayor encouraged the Council and Staff to consider these suggestions and brainstorm other ideas on how to better help residents come into compliance with City Code to be discussed in future meetings.

7. **Discussion of Wellness Program** – Mr. Kyle Laws

Mr. Laws stated that at many of the conferences he attended this past year, many of the topics discussed were related to employee health and wellness. As such, he stated that he has been pondering on the physical health of our employees and different ways to promote healthy lifestyles. The City has a Wellness Budget of $1,000 that has been in the budget for many years, which Mr. Laws stated has never been fully utilized. This year, the City purchased base model Fitbit's for all of the City employees, or gave $60 towards a Fitbit of the employee's choice. The Fitbit app has a built-in "challenge" feature that allows employees to compete with each other for highest step counts. Many benefits have already been seen like weight loss, renewed desires to exercise, heightened awareness of daily steps, more physical activity in the office, and friendly competitiveness that has been a lot of fun for the employees.

With this first step of the Wellness Program being such a great success, Mr. Laws would like to propose some enhancements if possible. The City currently offers two paid breaks of up to 15 minutes during each standard workday (for full-time employees), as approved by the Department Director. The Policy states that the breaks cannot be used concurrently, at the end or beginning of the day, or to extend the lunch break. Mr. Laws suggests that the Policy be changed to reduce the two breaks per day to one break per day, a total of 60 minutes a week, but allow the break to be combined with lunch and also allow breaks to be used between days for exercise purposes; this would allow an employee either a 1.25 lunch break each day, or a 1.5 lunch break two times a week, or a 2-hour lunch break once a week, which would hopefully allow time for employees to exercise and prepare to return to work afterwards. Mr. Laws noted that with the current Policy, the two 15-minute paid breaks total two hours per week; this change would reduce that to only one hour of paid break time.

The proposed Policy presented by Mr. Laws outlines the hours within which the breaks could be used, gives the City ability to require proof of using the extra time for exercise, and addresses how abuse of the program will be handled. As he was preparing for this discussion, Mr. Laws stated that he came across the State's policy that they have been promoting, which involves an exercise agreement that the employees must sign. The State allows for 30-minutes of paid leave time up to three times per week, and has many of the same restrictions as his proposed policy, along with language that this time is not an employee right or a guarantee, permission must be granted by a supervisor, it must be documented, the benefit can be suspended at any time or during periods when the employee is expected to work over-time.

Mr. Laws asked the Council for their opinions on this proposal. Council Member Chatterton stated that he was in favor of the idea and it would be a great program to implement. Mr. Laws stated that he and the Mayor have been discussing ideas for months, and feels that they have come up with a reasonable proposal. Mayor Craythorne stated that there are different types of jobs in the City; some of Staff may need a break away from the office to refresh their minds and get a little physical activity, but then other employees are out in the field all day and a break for them would be to sit down and relax; hopefully this policy benefits both types.

In 2010, Governor Herbert issued a letter to State departments stating that "studies demonstrate that work-site health promotion programs can increase employee productivity and morale, decrease absenteeism, lower medical utilization rates, and most importantly, increase an employee's chance of living healthy and productive lives." Mr. Laws stated that these benefits are what the Wellness Program hopes to accomplish.

Mr. Laws stated that he has spoken with Clearfield City administration about whether there was an opportunity for West Point City employees to get memberships to the Clearfield Aquatic Center at a discounted rate. Clearfield's City Manager has indicated that they are willing to work with us on a reasonable membership price. That being said, Mr. Laws wanted to approach the Council on whether they would be willing to have the City contribute to the membership costs for each employee. Regardless of whether the City would contribute to the cost, Clearfield has indicated that if they do give a discounted membership rate, they would like to have a certain participation percentage rate. To do this, the City would most likely do a payroll deduction to pay for the membership and the City would then make the payment to Clearfield; the employee would have to commit to a one-year membership. Council Member Dawson stated that at the very least, the Council should at least partially contribute to the membership costs. Mr. Laws stated that he estimates it would be around $170 per year per employee, and that cost includes all fitness classes (but not personal lessons), access to the pool, fitness rooms, and indoor track. His thought would be that if the City did contribute, that it only be offered to the employees covered by the City's insurance. Mayor Craythorne felt that if the City was only contributing partially to the membership cost, employees may feel more of a responsibility to actually use the facilities. The Council discussed various options on how the City can verify whether or not an employee uses the benefit. The Mayor suggested that the amount the City contributes towards the membership costs could be tied to how much the employee uses the benefit.

The Council tentatively agreed that the City would contribute 50% of the membership cost, and more usage by the employee could increase the contribution amount. It was also decided that the contribution benefit would only be given to full-time employees; part-time employees could still take advantage of any discounted rate given by Clearfield, but would be responsible for the full cost.

Mr. Laws will gather more pricing information from Clearfield City and present a proposed Wellness Policy reflecting the direction given in this discussion for the Council to consider at an upcoming City Council meeting.

8. **Discussion and Update of City Recreation Programs –** Mr. Kelly Ross

Mr. Ross wanted to first thank the Council for their support of the Recreation Programs; many surrounding cities are having trouble funding their programs because they are low-priority in their city and he is grateful that the Council provides these important opportunities to our youth.

Jr. Jazz is the largest running youth basketball league in the Nation, covering 5 states with over 55,000 participants each year. West Point City's Program was recognized as the Top Participation City for cities with a population under 15,000 residents; this is proof of how invested our residents and youth are in being

involved in this program. Council Member Henderson made the comment that he attends many Jr. Jazz games and complimented the Rec Department on how well they have trained the officials, especially Colton Manning; Mr. Ross agreed and informed the Council that Colton was recognized last March as the Top Referee of the Year in the entire Jr. Jazz Program. Mr. Laws commented that it is apparent that these refs are trained to help the kids learn the game and gain confidence. For example, Mr. Laws stated that he watched Hudson Gooch, another part-time Staff member referee, give specific attention to a struggling young player during the game he was refereeing. By the end of the game, that player was actively participating in the game with a lot more confidence. Council Member Dawson agreed and stated that he also has watched our refs take the time to explain their calls and provide an opportunity for the kids to learn the game, which makes it more enjoyable for the parents and players. The Council and Staff credited Mr. Ross for how he has directed his officials to conduct themselves and treat the players and parents. Mr. Ross stated that his goal is to make sure that "the kids come back to play; if a child has a bad experience, he may never play that sport again in his life" and he wants to do everything he can to provide a positive experience for our youth.

West Point is one of the only cities that does not have co-ed 1st and 2nd grade teams, which is a great benefit because co-ed teams at this age are hard for girls to play in and have low participation. Mr. Ross was careful to point out that it is not because boys are better than girls, but because the girls can get intimidated by the boys and the boys never seem to pass to them. Since separating the two, the girls' program has really grown and players from other cities come to play in our leagues. The Summer Basketball Camps have also helped to influence participation.

Mr. Ross stated that West Point Jr. High works really well with the City and their gym is a great place to run the Jr. Jazz Program. Last year, the City worked with the Jr. High to hire two people who are currently janitors for the school to clean the building when finished. This change actually costs the City less and results in a better job.

Baseball and Softball changed a bit this year with the City being part of the Salt Lake Bees Knothole Program, which is similar to the Jr. Jazz Program and ran by the same organization. Participants were given a Bees baseball cap, a jersey, and two tickets to a Bees game. This was a positive change and Mr. Ross suggested continuing with this program. The Knothole Program does have an option for the team jerseys and baseball caps to reflect the different major leagues, and Mr. Ross felt like it would be good to go with that option in the coming years so that kids aren't collecting the same Bees jerseys and hats year after year. Perhaps the biggest benefit of being part of the program is that many of the kids had their first experience with professional baseball going to the Bees game and the feedback received suggests it was a great experience for families. Council Member Chatterton suggested also looking into whether the Ogden Raptors would be willing to work with the City on providing tickets, and Mr. Ross agreed to look into it with them.

Girls Softball is doing well and numbers are increasing, though some age groups still combine with some surrounding cities. Mr. Ross stated that he receives lots of compliments on our softball fields and thanked the Council for their support of putting those fields in.

Mr. Ross stated that the City's Soccer Program is growing and numbers were up significantly in both the spring and fall seasons. Mr. Ross noted that the program is not meant to be super-competitive; it was meant to be an option for those that may not have the interest or skill-set to play competitively, but still be able to learn the game and have a chance to play. With the hiring of a new Recreation Coordinator in process, Staff would like to hire someone that can focus on soccer and help to further develop the program. Mr. Ross stated he would especially like to be able to have enough participants to separate the boys' and girls' teams. With the installation of the new soccer fields at Loy Blake Park, Mr. Ross hopes that parents and players will see that the City values and prioritizes the Soccer Program.

The Football Program continues to be fairly consistent, though there are still concerns from parents regarding concussions and Mr. Ross is not sure that will ever be overcome. The NFL has implemented a program that the City participates in that requires training on safe hitting techniques and education for both players and coaches. Mr. Ross felt that football is getting such a "bad name" for being a dangerous sport, but players get hurt in every sport and it's hard to explain to parents that the potential for injuries are similar across the board.

Mr. Ross thanked the Public Works Department for the work that they do on the football field; he said that not a game goes by without him getting a compliment on how beautiful our field is and that it is one of the best fields in the league.

Volleyball is going well, and Mr. Ross stated he would really like for surrounding cities to start their programs so that they can have matches. For now, it continues to be an instructive league that teaches the fundamental skills and techniques of the game. Many players have gone on to play in (and even put together) competitive leagues.

As addressed in the discussion regarding City finances, Mr. Ross would like a vehicle to be able to transport recreation equipment. For example, during baseball/softball season, six fields are going at once and Staff is running between fields with bases, etc. and then having to clean it all up at the end of the night; it would be nice to have a vehicle to make that process much faster and easier.

Mr. Ross stated that as the City grows, the Recreation Department should begin exploring other activities to give a better variety of options for our youth to participate in. The Council agreed with this and ideas like archery, tennis, karate, etc. were suggested, as well as a suggestion given from Council Member Chatterton for a series of classes to be held in the park that could teach things from art to cooking.

The Summer Basketball Camps continue to be a success with good participation. Mr. Ross stated that these camps are one of the most enjoyable parts of his job, especially the girls camp because the girls are so teachable and excited to learn. He thanked the Council for their support of this program.

New this year was the Next Level Basketball course that was held over a six-week period to help young men and women develop advanced basketball skills. The course was successful and Mr. Ross stated that he plans to offer it again this year. From the participants in the course, the City had two age groups participate in the

Bantam Basketball League that was sponsored by the Davis County High School Coaches; as this course grows, Mr. Ross hopes to have a team in the League in each age group from 4th to 8th grade.

Last year the 3 on 3 Basketball Tournament was held the night of July 3rd instead of on the 4th as it has always been done. It was a great success and well-received by participants. Mr. Ross hopes to make the event even "more fun" this year with music, food trucks, and other things. Summer Movies in the Park was also rolled out this year and for its first year, was very successful. The event will hopefully continue to grow and attract more food truck vendors to provide more options.

Mr. Ross again thanked the Council for all their support of the Recreation Department and for "how good we have it here."

9. **Discussion of Miscellaneous Items or Individual Council Items**

Mayor Craythorne asked the Council and Staff for any of their thoughts, comments, or suggestions that they wanted to address.

Mr. Laws stated that there has been discussion over the years on installing Welcome to West Point signs to place at the various entrances to the City. Mr. Laws has been working with AmeriGraphics on the design and presented it to the Council for their opinions. The Council liked the design and directed Staff to order and install the signs. Mr. Laws also suggested that a larger gateway sign be placed on the northwest corner of the intersection of SR-193 and 2000 W. Mr. Davis suggested an electronic sign. This suggestion was discussed by the Council and Staff was directed to look into it further.

The Council discussed the roundabouts on 3000 W and how to better get drivers to slow down, yield, and correctly navigate through them. Speed bumps were suggested, as well as more yield signs. Mayor Craythorne asked how much traffic had increased on 3000 W with the opening of SR193, and Mr. Davis stated that it had tripled.

Council Member Chatterton referred back to the discussion regarding enforcing landscaping requirements, and asked if Staff has reached out to any surrounding cities to see how they handle their situations. Mr. Davis stated that Mr. Dopp was directed to do so and he would let the Council know what he found out.

Council Member Chatterton also asked for clarification regarding the City's financial liability if we were to move forward with UTOPIA / UAI. Mr. Laws restated that the first step in the process is for the City to issue a survey to gauge resident interest. Then the City (not UTOPIA) determines whether or not we feel comfortable with the amount of favorable interest received enough to enter into an agreement for them to take a bond on behalf of the City to install the fiber optic network. To meet the bond payment, 30% of the households in the City need to actually subscribe to fiber internet. If the 30% is not initially met, the City will have two years to try and raise that (increase marketing, education, etc.), before it will be responsible to cover the costs for the difference. Mr. Laws stated that by the time everything is installed, the City should have a good idea of whether they will need to subsidize the bond payment. Mayor Craythorne stated that

unless there is overwhelmingly positive response to the survey, he does not recommend entering into an agreement; the City should not agree to this project expecting to have to pay for it. Council Member Chatterton thanked them for the clarification.

Mr. Davis commented that he keeps hearing rumors that Glen Wade is getting closer to selling his property; this is a "big ticket item" if the City wants to expand the Loy Blake Park to the north and it may be something the City wants to keep on its radar. Council Member Chatterton suggested reaching out to Mr. Wade to see his interest. Mr. Laws stated that Mr. Wade had already set up a meeting with himself, the Mayor, and Mr. Davis and brought his son along because he wanted it on record in front of his son that his intentions are to sell the property to the City if we want to buy it. Mr. Laws stated that if this piece of land gets developed, the fireworks at the 4th of July celebration are "done." Council Member Dawson felt that this property would be worth bonding for. Mr. Ross noted that Mr. Wade has always wanted to "leave a legacy" in the City and using this property to expand the Park would be a good way to do that. The Council agreed that this property would be great for the City and acquiring it needs to be pursued.

Council Member Dawson inquired as to whether the City had any plans to deal with the detention pond near Matt Leavitt's property to get it cleaned up. Mr. Davis stated that the City has tried, and the School District and Mr. Leavitt almost had an agreement to purchase the pond, but the School District backed out; Mr. Davis stated that the District has "indicated that they do not want to work with Mr. Leavitt." Mr. Davis will keep the Council informed of any new information he receives.

Mayor Craythorne stated that with the SR-193 extension to 3000 W completed, its only "a couple years away" from the Church selling a massive amount of property in that area, whether it be part of Syracuse or our City. The Mayor felt that "things are going to be changing" and that "we are right on the edge of something that is going to be a big boom for the City"; once the Church decides to sell those large pieces of property, things will happen rapidly. The Mayor suggested that in regards to the property west of Smith's and all the Church property along SR193, Saratoga Springs did a unique thing that the City might want to consider: they approved a subdivision development that has a little bit of everything from single-family homes, multi-family homes, churches, schools, parks, commercial businesses, and more. Mr. Laws commented that his sister-in-law purchased a home in this 40-acre subdivision, and the homes are all inter-mixed in the varieties and not grouped together by home type. Mayor Craythorne felt that something similar might work for that property. Mr. Davis stated that Troy Moyes, the City Planner, has also been thinking about this property and brainstorming different concept plans. The Mayor reiterated that the Church will be "the driver" in any plans for the property, but it would be a good idea to reach out and try to work them on a project that would be best for the City.

Mr. Ross asked if there was a timeline for the new junior high to be built. Council Member Dawson commented that he saw a news story that the portables used by the schools are not up to earthquake code; if the schools stop using portables, the schools are going to be over capacity. Mayor Craythorne agreed and stated that throughout the State, new schools are having to be built to hold the current and growing population and he would expect that the new junior high will be built sooner rather than later. The Mayor heard a projection that with the economy that Utah has right now, that there will be 700,000 new move-ins

in the next ten years. The State Legislature is really putting pressure on cities (and even trying to "take over" cities' land-use plans) to prepare for this growth. Mr. Laws commented that the State "doesn't like the federal government meddling in their business, but they don't mind meddling with local governments' business." The Council agreed with that comment and Mayor Craythorne further warned that much of the proposed legislation coming up from the State will deal with land use and cities will need to be prepared to protect themselves.

Council Member Chatterton inquired as to whether the City knew if there were plans to put in street lights west of 2000 W on SR-193. Mr. Davis stated that he actually brought that up to UDOT, and they informed him that they "changed their policy" after the first section east of 2000 W because they placed too many lights, and have no plans to add any street lights to this section.

10. **Adjourn**

Mayor Craythorne thanked the Council for their time and participation in this meeting, and expressed his appreciation for Staff and their dedication to the City and the effort that they have put into this Retreat. Mr. Laws also wanted the Council to know how much Staff appreciates working with such great elected officials, and for all that they do to make the lives of City Staff better.

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

Mayor Craythorne adjourned the meeting.

_____	March 6, 2018	_____	March 6, 2018
MAYOR ERIK CRAYTHORNE	DATE	CASEY ARNOLD, CITY RECORDER	DATE

Mayor
Erik Craythorne
Council
Gary Petersen, Mayor Pro Tem
Jerry Chatterton
Andy Dawson
R. Kent Henderson
Jeffrey Turner

City Manager
Kyle Laws

West Point City Council Meeting
3200 West 300 North
West Point City, UT 84015
February 20, 2018

Administrative Session
6:30 pm – Board Room

Minutes for the West Point City Council Administrative Session held at West Point City Hall, 3200 West 300 North, West Point City, Utah 84015 on February 20, 2018 at 6:30 pm with Mayor Pro Tem Petersen presiding.

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

EXCUSED: Mayor Erik Craythorne

CITY EMPLOYEES PRESENT: Kyle Laws, City Manager; Boyd Davis, Assistant City Manager; Ryan Harvey, Administrative Services Director; Paul Rochell, Public Works Director; and Casey Arnold, City Recorder

EXCUSED: None

VISITORS: Angie Maxfield, Ryan Maxfield, and Rob Ortega,

1. **Discussion Regarding Proposed Changes to Home Occupation Regulations – Mr. Boyd Davis**
   Mr. Davis stated that a few months ago, a West Point resident made a citizen comment asking whether her daughter could be granted a home-based business license to be run out of her home, even though her daughter is not a West Point resident. The Council discussed her request, and felt that it would be appropriate to allow that. The Planning Commission has discussed the item and approved the following recommendation for the Council to consider:

   17.50.060
   B. The owner of the home occupation business must reside in the dwelling, or be an immediate family member of the resident of the home, i.e. mother, father, son, daughter.

   The Council felt that this language was appropriate and reflected what the Council had previously discussed. Final approval will be considered in tonight's General Session.

2. **Discussion Regarding the Interlocal Agreement with Davis County Animal Control Services – Mr. Kyle Laws**
   Mr. Laws explained to the Council that the City's cost for animal control services for each year is based upon the previous year's number of calls. In Calendar Year 2017, the costs were as follows:

   - $32,074.55 for general animal control services
   - $1,107.25 for wild animal calls and services
   - $2,265.82 for the capital projects fund regarding the shelter

   Based on the calls in 2017, the costs for Calendar Year 2018 are as follows:

   - $35,375.11 for general animal control services

- $772.50 for wild animal calls and services
- $2,343.54 for the capital projects fund regarding the shelter

The total cost for this year will be $38,791.15, up from a total of $35,447.62. The Budget for FY2018 is $38,000, but we will be okay this fiscal year because the first half of the fiscal year was $3,000 under budget. However, the budget for FY2019 will need to be increased.

This Amendment to the Interlocal Agreement is only modifying the annual fee, and an amendment will need to be done each calendar year to account for the yearly changes in cost.

Mr. Laws mentioned that he has spoken with the new Director of the Davis County Animal Control, Rhett Nix, who was nationally recruited and has been in this position for about a month.

Council Member Chatterton stated that a family member's horse got loose and was picked up by Animal Control and taken to their facilities. When the individual went to retrieve the horse once he returned home and realized it was gone, they charged him about $600 for just a few days of the horse being there. Council Member Chatterton inquired as to how that fee is allocated. Mr. Laws stated that he is not sure exactly what Animal Control puts those fees towards, but could imagine the costs of feeding the horse, boarding it, and employee hours needed to care for the animal could be a large part of that cost. Council Member Chatterton thought it would be interesting to know how their fees were calculated and how those funds were allocated.

The Council had no further discussion on the Amendment and it will be placed on the agenda for final approval at the next City Council meeting.

3. Other Items

Mayor Pro Tem Petersen felt that in regards to the Class A Beer License approval that is going to be voted on in tonight's General Session, the Council did not have enough discussion and clarification on what they are actually being asked to approve. As he understands it, a Class A Beer License grants the applicant the approval to sell beer, like 7-11 or Smith's. The application, however, is for a home-occupation license that is not going to sell beer from the property and he doesn't understand why the applicant is for one thing but the Council is considering approval of something different. Secondly, Mayor Pro Tem Petersen is concerned with the actual process of brewing beer and the risks that may be associated with that. He inquired as to whether the City had any safety requirements that it would impose. Council Member Turner commented that his electrician's business has wired buildings for breweries in the past, and the operations were quite complex. He understood in the previous discussion with the Council, that Staff indicated that it was unlikely that this applicant would receive approval from the Federal and State departments. Mayor Pro Tem Petersen still felt that it wasn't the right process to approve something that was expected to be denied by another department, especially because Staff did not know all the requirements the operation would have to meet to be granted approval from those departments. Mr. Laws noted that the Council is not being asked to approve a brewery license; they are just being asked to approve a license to sell beer, which is how the City Attorney recommended the City should proceed. The City does not have requirements for regulating and granting a brewery. Council Member Henderson stated that though the application states that they don't intend to sell the beer on the premise, granting this license would essentially allow them to if they decided they wanted to in the future. Mr. Davis stated that, like always, if the Council does not feel comfortable granting approval of this license, that they deny it. Denial would stop the entire process as this license needs to be granted before the applicant can move on to requesting State and Federal approvals. Staff is not necessarily recommending approval of this license.

Council Member Petersen stated that he is of the opinion that the item either be tabled until more information is known, or be denied entirely. The Council will consider the item for approval in the following General Session.

The Administrative Session adjourned.

West Point City Council Meeting
3200 West 300 North
West Point City, UT 84015
February 20, 2018

Mayor
Erik Craythorne
Council
Gary Petersen, Mayor Pro Tem
Jerry Chatterton
Andy Dawson
R. Kent Henderson
Jeffrey Turner

City Manager
Kyle Laws

General Session
7:00 PM – Council Chambers

Minutes for the West Point City Council General Session held at the West Point City Hall, 3200 West 300 North, West Point City, Utah 84015 on February 20, 2018 at approximately 7:00 pm with Mayor Pro Tem Gary Petersen presiding.

MAYOR AND COUNCIL MEMBERS PRESENT – Mayor Pro Tem Gary Petersen, Council Member Kent Henderson, Council Member Jeff Turner, Council Member Andy Dawson, and Council Member Jerry Chatterton

EXCUSED – Mayor Erik Craythorne

CITY EMPLOYEES PRESENT – Kyle Laws, City Manager; Boyd Davis, Assistant City Manager; Ryan Harvey, Administrative Services Director; Paul Rochell, Public Works Director; and Casey Arnold, City Recorder

EXCUSED – None

VISITORS PRESENT – Angie Maxfield, Ryan Maxfield, Rob Ortega, Landon George, Rebecca and Andrew Clark, Tad Lloyd, Travis Harvey, and Scout Troop 339

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

   Council Member Henderson – none

   Council Member Turner – none

   Mayor Pro Tem Petersen – none

   Council Member Dawson – none

   Council Member Chatterton – none

5. **Communications from Staff**

   Mr. Laws stated that the Council/Staff Lunch will be held on February 28th at 11:30 and invited the Council to attend. Mr. Laws also informed the Council that he and the Mayor have been attending the Legislative Policy Committee meetings each Monday at the Capitol and there seems to be quite a few bills that will affect local government, some of them pretty substantially and are an "over-reaching of State arms." Efforts have been made

to reach out to our Representatives to express disproval of some of the proposed legislation. Mr. Laws will keep the Council informed of any important updates as the Session continues.

6. Citizen Comment Follow-Up

Mr. Laws stated that one comment was made at the previous meeting by Lynn Bennington, who cautioned the Planning Commission and City Council to use good judgement when granting approval of Conditional Use Permits throughout the City, as they set a precedence for future situations. Mr. Bennington felt that just because the City can approve a project doesn't mean that they should. Mr. Laws felt that this comment did not ask for any further action, and the Council agreed, stating that it was good advice for the Council to remember.

7. Citizen Comment

Angie Maxfield – 3652 W 520 N: Ms. Maxfield stated that she first wanted the Council to know that she loves this City; it is one of the last cities that "still has that small-town feeling." That being said, she stated that as a resident neighboring the Loy Blake Park Expansion, she and neighbors are the most impacted by some of the improvements happening in this area. A lot of growth has come to the City in the past few years and she and her neighbors have "become experts" in both traffic and speeding; traffic is worst before and after school, but speeding is a continuous problem. Ms. Maxfield stated that she has now heard that a splash pad is being installed, and while she is not necessarily opposed to the splash pad, she is quite concerned that her "once quiet neighborhood is going to be inundated with traffic." She lives in a fun community with lots of children, and feels that they have adjusted well to the changes that have come with development of the Park expansion, but they are concerned about what the splash pad will bring. Ms. Maxfield also stated that she has researched splash pads and contacted surrounding cities that do have splash pads to gather information from them about what they have noticed with the splash pad. The comment she heard the most was "if you build it, they will come." The cities were excited to tell her it has been a great thing for their cities, but did state that she was told of some negative things, like that the "maintenance of the splash pad is a nightmare" and traffic will substantially increase. Our surrounding cities, Syracuse, Clinton, Clearfield, Roy, Hooper, and Sunset do not have splash pads and will be coming to ours. She is "begging" the City to consider moving the splash pad to the existing Loy Blake Park, or putting in speed bumps, flashing speed limit signs, or anything that will help with the traffic. Ms. Maxfield stated that if we are going to provide the entertainment for the six cities surrounding us, we also "need to provide for the safety of our kids." Additionally, the cities she surveyed stated that they were "appalled" that our splash pad is a flow-through system; South Ogden "could not believe" that we are going to do a flow-through system and waste culinary water. She spoke with the Slow the Flow organization, and learned that splash pads can use upwards of 10 million gallons of water per season. Ms. Maxfield felt that it is going to be really hard for the City to encourage residents to conserve water when we are using so much water just for recreation.

Mayor Pro Tem reiterated his past statements that as a homeowner neighboring Bingham Park, he was very concerned with issues regarding increased traffic, privacy, noise, etc., but is confident that the surrounding neighbors will come to greatly appreciate the Park. That being said, Ms. Maxfield's concerns are valid, and Ms. Maxfield reiterated that her main issue is the speed of the traffic on 520 N. Council Member Petersen noted that the road was always planned to go through to the Park.

8. Consideration of Approval of the Minutes from the February 6, 2018 City Council Meeting

Council Member Turner motioned to approve the minutes from the February 6, 2018 City Council Meeting
Council Member Henderson seconded the motion
The Council unanimously agreed

9. Consideration of Approval of a Class A Beer License for Minuteman Brewery – Mr. Boyd Davis

Mr. Davis stated the applicant for this license was unable to attend this meeting, and it would have been helpful for the applicant to be present to provide any answers that the Council may have. As on overview, Mr. Davis stated that the applicant is requesting a license for a beer brewery in his backyard. His intention is to brew the beer and then sell the beer offsite. His plan is to "start small" in the accessory building on his property before growing and moving to another location. In considering a Class A Beer License, Mr. Davis stated that the Code outlines that the Council should consider the following six criteria:

1. The general reputation and character of the persons who habitually frequent the place:
    - Mr. Davis stated that the applicant himself is the only one who will frequent the location, and no complaints about him have ever been received by the City, or at this location
2. The nature and kind of business conducted at such place:
    - No business license has ever been granted
3. Whether alcoholic beverages are or have been served or permitted to be consumed in said place or by said applicant at any other place:
    - It is a new business, they have no track record at this location, but we are fairly confident that they have not been operating in the past.
4. Whether said business is, or has been, conducted in a lawful quiet and orderly manner:
    - Again, it is a new business with no track record of any complaints to date.
5. The nature and kind of entertainment, if any, at said place:
    - The applicant is not proposing any type of entertainment as part of this business.
6. The proximity of the premises to any church, public school, public library, public playground, public building, or park:
    - Any licensee must be at least 600' from an of these places. The nearest public properties are Lake Side Elementary and the LDS church at 3200 W 800 N. Both are more than 600' away when following the walking or driving path.

Mr. Davis asked the Council for any comments or questions that they may have. Council Member Henderson wished that the applicant could be at the meeting for the Council to meet him and clarify his intentions. Council Member Dawson inquired as to what the applicant's next step would be if this license were granted. Mr. Davis stated that if granted, he would need to be granted a Conditional Use Permit for a home-based business. Council Member Dawson confirmed with Mr. Davis that some of the conditions placed as part of the CUP could be that no beer be sold or served onsite; this would "be the City's teeth" in making sure that no beer was sold out of his residence. Mr. Davis stated that he would then need to receive approval permits from the State and Federal agencies; the City would hold the license until those approvals were received. Council Member Petersen asked in the event the license is not granted, if the applicant can come back and reapply once the Council had more information. Mr. Davis confirmed that he could and pay another application fee of $75. Council Member Turner felt that he is still concerned about issuing a Beer License in a residential area because it seems to contradict what we are trying to accomplish.

Mayor Pro Tem Petersen motioned to deny the Class A Beer License to Minuteman Brewery because he is not in favor of granting a license to sell beer in a residential area.
Council Member Henderson seconded the motion

Council Member Chatterton asked if we really needed to deny the license or if we could just table it for further discovery, and Council Member Petersen stated that he felt he did not need any more information. Council Member Turner agreed with Council Member Chatterton, and stated that he thinks it is line with City Code for beer

and alcohol sales to be restricted to certain parts of the City, but he is unsure of how to handle its actual manufacturing. What the City ultimately wants, he continued, was to prevent the sale of beer/alcohol in residential areas and like Council Member Dawson, would like to see this restriction as part of the conditions of the CUP if it gets to that point. Council Member Turner would also like to know what the impact to the surrounding residents would be in regards to noise, traffic, emissions, etc. Council Member Dawson was also in favor of tabling the item for more information. Though the City Attorney has indicated that this is the first step for the Council to take, Council Member Dawson would like to know what conditions the City can legally add before doing so. Mayor Pro Tem Petersen stated that he wants to deny the License because the current City Code does not differentiate between selling to a store from selling to a neighbor; he is not out "to harm the applicant" and if the Code is discussed and better refined, he can reapply. Council Member Dawson suggested adding a new license to the Code that states that the sale of beer has to be sold outside of City limits. Mayor Pro Tem Petersen agreed and felt that adding to the City Code is a process that would take longer than would justify just tabling the item. Council Member Chatterton asked if Staff had consulted surrounding cities to see how they have handled similar situations, and Mr. Davis stated that they have not gathered that information but would be happy to do so. Mayor Pro Tem Petersen stated that regardless of how this vote turns out, the City needs to get a better process for this type of thing after doing more research. He would also like the opportunity to meet with the individual, which the rest of the Council agreed with.

Council Member Chatterton stated that a lot more work needs to be done on this, and this is not going to be the last brewery request that comes before the Council. Staff was directed to gather research on different types of licenses and place the item on the agenda for discussion in the near future.

The Council unanimously agreed to deny the Class A Beer License at this time

10. Consideration of Approval of the Landscaping Bid for the Loy Blake Park Expansion Project – Mr. Boyd Davis

Mr. Davis stated that the City recently issued requests for bids for the landscaping at the Loy Blake Park Expansion; it was an open bid and three different landscapers were personally invited by Mr. Davis, but only one bid was received from G&G Sprinklers and Landscaping. Tim Gooch is the owner of the company and is also a West Point resident. The City has worked with G&G before with no problems (G&G also completed the landscaping at the roundabouts), and their bid was within budget. With that, Staff recommends awarding the landscaping bid to G&G Sprinklers and Landscaping in the amount of $120,088.

Council Member Turner inquired as to why there will be grass seed and sod at the Park, and Mr. Davis stated that sod will be laid around the splash pad. In response to Mayor Pro Tem Petersen's inquiry about start date and completion time, Mr. Davis stated that they will begin as soon as weather allows and the contract gives them 90-days to complete.

Council Member Chatterton motioned to approve awarding the landscaping bid to G&G Sprinklers and Landscaping in the amount of $120,088
Council Member Dawson seconded the motion
The Council unanimously agreed

11. Consideration of Resolution No. 02-20-2018A, Approving an Interlocal Agreement with UTOPIA on the Davis School District Project – Mr. Kyle Laws

Mr. Laws stated that this item has been discussed with the Council in the previous meeting and is in regards to the Davis School District and UTOPIA working together to install fiber broadband internet to all the schools in their

district. With three Davis School District schools in our City, UTPOIA is requesting an Interlocal Agreement to allow them to enter City right-of-ways to install the fiber broadband. The line will come up 2000 W to 300 N and run west to 3000 W where it will head north on 3000 past Lakeside Elementary and West Point Jr. High and into Clinton. A line will also continue down 300 N to West Point Elementary. All of the lines will be aerial, except for at 550 N where it will have to be run underground to the Jr. High. Mr. Laws wanted to clarify that this is not the fiber-to-the-home project that many may associate with UTPOPIA; this is an agreement needed for the School District to have fiber broadband internet ran to its schools in the City. Staff recommends approval of the Interlocal Agreement by resolution. The Council had no further discussion.

Council Member Turner motioned to approve Resolution No. 02-20-2018A
Council Member Henderson seconded the motion
The Council unanimously agreed

12. Consideration of Approval to Place the KenneVic Subdivision on Warranty – Mr. Boyd Davis

Mr. Davis stated that this subdivision is located at 550 N 3400 W and consists of six lots. All of the required improvements have been installed by the developer with the exception of the sidewalk, which is not required until the end of the warranty period. Staff recommends placing the KenneVic Subdivision under one-year warranty.

Council Member Chatterton disclosed that he is involved with this project. Council had no further questions.

Council Member Henderson motioned to place the KenneVic Subdivision on Warranty
Council Member Dawson seconded the motion
The Council unanimously agreed

13. Consideration of Approval of Ordinance No. 02-20-2018A, Modifying Section 17.50.060 of the West Point City Code Regulating Home Occupations – Mr. Boyd Davis

Mr. Davis stated that several months ago a West Point resident made a citizen comment at a City Council meeting requesting that her daughter be allowed to run a business out of her home even though the daughter is not a resident. The Council directed Staff to put together language that would accommodate her request. The Planning Commission has discussed the modification to the Code and recommends that the Council approve the following proposed change to the City Code regarding home occupations:

17.50.060 B. The owner of the home occupation business must reside in the dwelling, <u>or be an immediate family member of the resident of the home, i.e. mother, father, son, daughter.</u>

Mayor Pro Tem Petersen opened the item for public hearing.

a. Public Hearing

None

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 item.

Council Member Chatterton motioned to approve Ordinance No. 02-20-2018A, Modifying Section 17.50.060 of the West Point City Code Regulating Home Occupations
Council Member Turner seconded the motion

Roll Call Vote
Council Member Henderson – Aye
Council Member Turner – Aye
Council Member Petersen – Aye
Council Member Dawson – Aye
Council Member Chatterton – Aye
The Council unanimously agreed

14. Motion to Adjourn General Session

Council Member Dawson motioned to adjourn the General Session
Council Member Henderson seconded the motion
The Council unanimously agreed

_____ March 6th, 2018
MAYOR ERIK CRAYTHORNE

_____ March 6th, 2018
CASEY ARNOLD, CITY RECORDER

City Council Staff Report

Subject: Interlocal Agreement with Davis County Animal Services
Author: Kyle Laws
Department: Executive
Date: March 6, 2018

Background

Davis County and West Point City renegotiated the Interlocal Agreement for Animal Control Services that goes through December 31, 2020. However, this agreement will be amended each year to update the fees to be paid based on previous year calls.

Analysis

Last year (Calendar Year 2017) the City's cost for animal control services, as outlined in the new contract, was:

- $32,074.55 for general animal control services
- $1,107.25 for wild animal calls and services
- $2,265.82 for the capital projects fund regarding the shelter

As in past years, the charges are based on the previous year's usage of Animal Care & Control by our residents. The fee paid by the City provides full 24-hour animal care and control services, including the housing and processing of stray animals. The City's costs will either increase or decrease based on the number of calls received the previous year. The cost for this year (Calendar Year 2018) is:

- $35,375.11 for general animal control services
- $772.50 for wild animal calls and services
- $2,343.54 for the capital projects fund regarding the shelter

The total cost is $38,791.15, up from a total $35,447.62 last year. Our Budget for FY2018 is $38,000 but we will be okay this fiscal year because the first half of the fiscal year was $3,000 under budget. We will need to increase the budget for FY2019 in anticipation of continued increases in calls.

As previously mentioned, the Interlocal Agreement goes through December 31, 2020. This is an amendment to the Interlocal Agreement to account for annual fees.

Recommendation

Staff recommends Council approve Resolution No. 03-06-2018A, Approving Amendment No. 2 to the Interlocal Agreement with Davis County regarding Animal Control.

Significant Impacts

No significant impacts at this time.

Attachments

- Resolution No. 03-06-2018A
- Amendment No. 2 to Interlocal Cooperation Agreement between Davis County and West Point City for Animal Control Services.

RESOLUTION NO. 03-06-2018A

A RESOLUTION AMENDING AN INTERLOCAL COOPERATION AGREEMENT WITH DAVIS COUNTY FOR ANIMAL CONTROL SERVICES IN WEST POINT CITY

WHEREAS, West Point City, a Municipal Cooperation, hereinafter referred to as the "City," is a public body of the State of Utah; and,

WHEREAS, the City is governed by a Mayor and City Council duly elected according to law; and,

WHEREAS, Davis County provides animal care and control services through the Davis County Animal Care and Control Department under the direction of the Animal Control Director and employees as provided and described in Utah State Code 53-13-105, Utah Code Annotated;

WHEREAS, Davis County and the City desire to amend the existing agreement for Animal Control Services;

NOW, THEREFORE, BE IT RESOLVED, FOUND AND ORDERED AS FOLLOWS:

The West Point City Council affirms that the Mayor is authorized to sign the Amendment to the Interlocal Cooperation Agreement between Davis County and West Point City for Animal Control Services, as attached.

PASSED AND ADOPTED this 6th day of March, 2018.

WEST POINT CITY,
A Municipal Corporation

By:_____
Erik Craythorne, Mayor

ATTEST:

_____
Casey Arnold, City Recorder

AMENDMENT NO. 2 TO INTERLOCAL COOPERATION AGREEMENT FOR ANIMAL SERVICES

This Amendment No. 2 to Interlocal Cooperation Agreement for Animal Services (this "Amendment No. 2") is made and entered into as of January 1, 2018, by and between Davis County, a political subdivision of the state of Utah (the "County"), and West Point City, a municipal corporation of the state of Utah (the "City"). The County and the City may be collectively referred to as the "Parties" herein.

RECITALS

This Amendment No. 2 is made and entered into by and between the Parties based, in part, upon the following recitals:

A. In 2016, the Parties entered into an *Interlocal Cooperation Agreement for Animal Services*, which is labeled by the County as Contract No. 2016-236 (the "Agreement"); and

B. The Parties, through this Amendment No. 2, desire to modify certain terms and/or provisions of the Agreement.

Now, based upon the foregoing, and in consideration of the terms set forth in this Amendment No. 2, the Parties do hereby agree as follows:

1. Exhibit A of the Agreement is replaced in its entirety with the Exhibit A below:

EXHIBIT A

The City's 2018 calendar year obligation to the County for service calls, excluding calls for wild nuisance animal pick up and/or euthanization:

Title/Category	Subtitle/Subcategory	Amount
Budgeted 2018 Expenditures by Davis County for Animal Care and Control:	Personnel: Operating: Capital Equipment: Allocations: Total Expenditures:	$1,680,578 $340,070 $40,500 + 151,671 $2,212,819
Projected 2018 Revenues of Davis County Animal Care and Control:	Licenses: Shelter Fees: Surgical Fees: Wildlife Fees: Donations: Total Revenues:	$220,000 $190,000 $45,000 $49,672 + $11,500 $516,172
Projected 2018 Expenditures Less Projected 2018 Revenues:		$2,212,819 - $516,172 $1,696,647
Combined Cities' 50% Obligation:		$1,696,647 x 0.50 $848,324
Average of the City's Total Billable Calls for 2016 and 2017:		432.50
Average of Combined Cities' Total Billable Calls for 2016 and 2017:		10,363
The City's 2017 Usage Rate:		432.50/ 10,363 4.17%
The City's 2018 Calendar Year Obligation to the County:		$35,375.11

The City shall pay the foregoing calendar year obligation to the County on a monthly basis and within thirty calendar days of receipt of a monthly invoice from the County.

The City's 2018 calendar year obligation to the County for wild nuisance animal pick up and/or euthanization calls or services:

Title/Category	Frequency/Amount
The City's Wildlife Calls for 2017:	30
Cost to City for Each Wildlife Call in 2017:	$25.75
The City's 2018 Calendar Year Obligation to County for Wildlife Calls:	$772.50

The City shall pay its calendar year obligation to the County for wild nuisance animal pick up and/or euthanization calls or services on a monthly basis and within thirty calendar days of receipt of a monthly invoice from the County.

The City's 2018 calendar year obligation to the County for the capital projects fund regarding the Shelter:

Title/Category	Amount
Total of Capital Projects Fund Regarding the Shelter:	$562,000.00
Combined Cities' Portion of the Capital Projects Fund Regarding the Shelter:	$281,000.00
2018 Obligation of the Combined Cities:	$56,200.00
The City's 2017 Usage Rate:	4.17%
The City's 2018 Calendar Year Obligation to the County:	$2,343.54

8The City shall pay the foregoing calendar year obligation to the County on a monthly basis and within thirty calendar days of receipt of a monthly invoice from the County.

2. **Continuing Effect of the Agreement.** Except to the extent specifically modified by this Amendment No. 2, the terms and conditions of the Agreement shall remain in full force and effect.

3. **Counterparts.** This Agreement may be executed in counterparts, each of which shall be deemed an original, and all such counterparts shall have the same force and effect as original signatures.

[Signature Page Follows]

IN WITNESS WHEREOF, the Parties hereto have caused this Amendment No. 2 to be signed by their duly authorized representatives on the dates indicated below.

DAVIS COUNTY	WEST POINT CITY
By:_____ Chair, Board of Davis County Commissioners Date:_____	By:_____ Mayor Date:_____
ATTEST: _____ Davis County Clerk/Auditor Date:_____	ATTEST: _____ City Recorder Date:_____
Reviewed and Approved as to Proper Form and Compliance with Applicable Law: _____ Davis County Attorney's Office Date:_____	Reviewed and Approved as to Proper Form and Compliance with Applicable Law: _____ City Attorney Date:_____

City Council Staff Report

Subject: Subdivision Warranties
Author: Boyd Davis
Department: Community Development
Date: March 6, 2018

Background

The Torroweap Subdivision is located at 4300 W 1300 N. The developer has completed all of the required improvements and is now asking that the subdivision be placed on a 1 year warranty.

The Sandy Point Subdivision is located at 1775 W 800 N. This subdivision is also ready to be placed on a 1 year warranty.

Analysis

The subdivisions have been inspected to ensure all the required improvements have been completed and are in good condition prior to beginning the warranty period. All improvements are complete with exception of the sidewalks and the landscaping, which will be done before the end of the warranty period. The subdivisions will be placed on a one-year warranty as required by the State Code. The required guarantee amount will be retained in escrow for the duration of the warranty period.

Recommendation

It is recommended that the City Council place Torroweap and Sandy Point on a one year warranty.

Significant Impacts

None

Attachments

None