



**WEST POINT CITY**  
**City Council & CDRA Notice and Agenda**  
**(Amended)**

West Point City Municipal Center  
3200 West 300 North  
West Point City, UT 84015  
June 16, 2015

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

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**ADMINISTRATIVE SESSION - WEST POINT CITY COUNCIL & CDRA OF WEST POINT CITY**

6:00 pm (Board Room)

1. **Continuation of Budget Discussion for the FY2015 Amended Budget and the FY2016 Budget** – Mr. Evan Nelson [pg 5](#)
2. **Discussion of Interlocal Agreement with Clinton City to Provide Sewer Service** – Mr. Boyd Davis [pg 37](#)
3. **Discussion of Subdivision Warranty Policy** – Mr. Boyd Davis [pg 45](#)
4. **Citizen Comment Follow-up** – Mr. Kyle Laws

**GENERAL SESSION**

7:00pm (Council Chamber)

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** (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)
7. **Consideration of Approval of Minutes from the May 19, 2015 and June 2, 2015 City Council Meeting** [pg 47, 69, 75](#)
8. **Consideration of Resolution No. 06-16-2015A, the Adoption of the FY2016 Schedule of Fees for West Point City** – Mr. Evan Nelson [pg 7](#)
9. **Consideration of Resolution No. 06-16-2015B, Consideration of Adoption of FY2015 Amended Budget for West Point City** - Evan Nelson [pg 21](#)
  - a. Public Hearing
  - b. Action
10. **Motion to Adjourn**

**COMMUNITY DEVELOPMENT & RENEWAL AGENCY OF WEST POINT CITY**

Immediately Following the General Session (Council Chamber)

1. **Call to Order**
2. **Communications and Disclosures from Board**
3. **Communications from Staff**
4. **Consideration of Adoption of Minutes from the June 2, 2015 CDRA Meeting** – Mr. Kyle Laws [pg 84](#)
5. **Consideration of Resolution No. R06-16-2015A, Adoption of the FY2015 Amended Budget and FY2016 Final Budget for the CDRA of West Point City** – Mr. Evan Nelson [pg 5, 89](#)
6. **Motion to Adjourn**

**CLOSED SESSION**

Immediately following the CDRA of West Point City Meeting - Board Room

1. **Call to Order**
2. **Pursuant to UCA §52-4-205(1)(d), to Discuss the Purchase of Real Property**
3. **Motion to Adjourn**

Posted this 12<sup>th</sup> day of June, 2015

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**MISTY ROGERS, 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.



# West Point City 2015 Calendar

January  
 February  
 March  
 April  
 May  
 June

11 Planning Commission-7pm  
 13 Miss West Point Pageant SHS-7pm  
 15 Senior Lunch-11:30am  
 16 City Council-7pm  
 25 Planning Commission-7pm

July

4 Independence Day-Party at the Point  
 6 Independence Day Observed-Closed  
 7 City Council-7pm  
 9 Planning Commission-7pm  
 20 Senior Lunch 11:30am  
 21 City Council-7pm  
 23 Planning Commission-7pm  
 24 Pioneer Day-Closed

August

4 City Council-7pm  
 6 Summer Party-5pm  
 13 Planning Commission-7pm  
 18 City Council-7pm  
 21 Senior Dinner-5:00pm  
 27 Planning Commission-7pm

September

1 City Council-7pm  
 7 Labor Day-Closed  
 10 Planning Commission-7pm  
 15 City Council-7pm  
 21 Senior Lunch-11:30am  
 24 Planning Commission-7pm

October

1 Cemetery Cleaning  
 6 City Council-7pm  
 8 Planning Commission-7pm  
 14 Council/Staff Lunch-11:30am  
 16 Halloween Carnival-7pm  
 19 Senior Lunch-11:30am  
 20 City Council-7pm  
 22 Planning Commission-7pm

November

3 Election Day  
 7 Flags on Veteran's Graves YC  
 11 Veteran's Day-Closed  
 12 Planning Commission-7pm  
 16 Senior Lunch-11:30am  
 17 City Council-7pm  
 26-27 Thanksgiving-Closed

December

1 City Council-7pm  
 4 Christmas Party-7pm  
 7 City Hall Lighting Ceremony-6:00 pm  
 10 Planning Commission-7pm  
 15 City Council-7pm  
 18 Cemetery Luminary-4pm  
 21 Senior Lunch-11:30am  
 24-25 Christmas-Closed

January 2016

8-9 Council Retreat

## TENTATIVE UPCOMING ITEMS

Date: 7/7/2015

Administrative Session – 6:00 pm

General Session – 7:00 pm

1. Consideration of Resolution No. 07-07-2015A, Interlocal agreement with Clinton City to Provide Sewer Service – Mr. Boyd Davis

Date: 7/21/2015

Administrative Session – 6:00 pm

1. Quarterly Financial Report – Mr. Evan Nelson
2. Discussion of the Property Tax Rate for the 2015 Taxable Year for West Point City – Mr. Evan Nelson

General Session – 7:00 pm

Date: 8/4/2015

Administrative Session – 6:00 pm

1. 4<sup>th</sup> of July Wrap-Up – Mrs. Jolene Kap
2. Discussion of the FY2016 Final Budget – Mr. Evan Nelson
3. Discussion of the Property Tax Rate for the 2015 Taxable Year for West Point City – Mr. Evan Nelson

General Session – 7:00 pm

1. Consideration of Resolution No. 08-18-2015A, Adoption of the 2015 Property Tax Rate for West Point City – Mr. Evan Nelson
  - a. Public Hearing
  - b. Action
2. Consideration of Ordinance No. 08-18-2015A, Adoption of the FY2016 Final Budget and Compensation Schedule for Employees and Officers of the City – Mr. Evan Nelson
  - a. Public Hearing
  - b. Action

Future Items

Administrative Session

1. Discussion of Street Light Replacement – Mr. Kyle Laws
2. Discussion of Cemetery Expansion
3. Discussion of Developer's Agreement with Wright Development – Mr. Boyd Davis
4. Building Rental Fees & Policy – Mr. Kyle Laws
5. Interlocal Agreement with Davis County for Property Use West of Blair Dahl Park – Mr. Kyle Laws
6. Discussion of Pheasant Creek Property/Park – Mr. Kyle Laws

General Session

1. Consideration of Removing Pheasant Creek Phase 3 from Warranty – Mr. Boyd Davis
2. Consideration of Removing Wise County Meadows Phase 1 from Warranty – Mr. Boyd Davis
3. Appoint Members to the Board of Adjustments

CDRA

1. Consideration of Resolution R\*\*-\*\*-\*\*\*\* An Amendment to the Interlocal Agreement Between the CDRA of West Point and West Point City – Mr. Randy Sant

# City Council Staff Report

**Subject:** FY2015 Amended and FY2016 Budget  
**Author:** Evan Nelson  
**Department:** Administrative Services  
**Date:** June 16, 2015



## **BACKGROUND**

Each year cities and towns in the State of Utah are required to adopt a balanced budget for the upcoming fiscal year (July 1- June 30) on or before the 22<sup>nd</sup> of June. The tentative budget was presented to the City Council at the meeting on May 5<sup>th</sup> as required by law. Council and Staff discussed an overview of revenues and expenditures, changes from the 2015 Budget, the Employee Pay Plan, and other budget options. On May 19<sup>th</sup> we discussed proposed changes to the City's Capital Improvement Plan (CIP) and budgets for the City's enterprise, Capital Projects, and Special Revenue funds. On June 2<sup>nd</sup> we discussed additional changes to the proposed Tentative Budget, proposed changes to the City Fee Schedule, the process for approving a property tax rate, and depreciation in the enterprise funds. The City Council also approved the Tentative Budget for Fiscal Year 2016.

On June 16<sup>th</sup> the City Council will consider approval of the City Fee Schedule and the amended Budget for Fiscal Year 2015. We will also discuss the process for setting a property tax rate.

## **ANALYSIS**

### ***City Fee Schedule***

We have proposed several changes to the City Fee Schedule as shown in the Tentative Budget Document and as discussed at the meeting on June 2<sup>nd</sup>. In addition to those changes, the Recreation Department would like to propose reducing the fee for basketball camp from \$30 to \$20. This is in an effort to make the program more affordable for participants. The City Council will consider adopting the new Fee Schedule, by resolution. The effective date for the revised Fee Schedule will be July 1, 2015 with the exception that the change in the football registration fee will be effective upon approval. This is because football registration begins toward the end of June.

### ***Fiscal Year 2015 Amended Budget***

An updated copy of the FY2015 Amended Budget was provided in your packet last meeting. This budget is shown in the second column from the right. We have discussed the proposed changes during our last several meetings. An additional change, correcting an erroneous entry, is shown in the table below. Both accounts should have a \$0 budget.

Account	Account Title	Correct Budget
58-90-10	Transfer to General Fund	\$0
58-90-48	Transfer to Capital Projects Fund	\$0

### ***Approving a Property Tax Rate***

The Davis County Assessor has indicated that property values in West Point City have increased by 5.6% this year. As discussed at the last Council meeting, the increase in valuation results in a decrease

in the tax rate. Even though the rate decreases, revenues will increase slightly, because of new growth. The Council has expressed an interest in considering a rate that is higher than the Certified Rate. We will hold a Truth in Taxation public hearing on August 4<sup>th</sup> and the Council will approve a tax rate at that time. The Council will also approve the Final Budget for Fiscal Year 2016 at that time. Choosing to maintain the rate would increase the property tax of a \$212,000 residence by \$3.62 per year. You may find the following information helpful in considering this item.

		Increase over 2014
Revenue approved in 2014	\$356,700	
Revenue approved in 2015 at Certified Rate	\$365,378	\$8,678
Revenue in 2015 if rate maintained	\$376,649	\$19,949

Potential Rates	Revenue	
0.001005	365,378	Certified Rate
0.001010	367,205	
0.001015	369,041	
0.00102	370,832	
0.001025	372,650	
0.00103	374,467	
0.001036	376,649	2014 Rate

**RECOMMENDATION**

Staff would recommend approval of the revised Fee Schedule and the FY2015 Amended Budget for West Point City. Staff recommends that the CDRA approve the amended budget for Fiscal Year 2015 and the final budget for Fiscal Year 2016. Staff would also welcome comments on the property tax rate item.

**SIGNIFICANT IMPACTS**

There are no significant impacts at this time.

**ATTACHMENTS**

- Resolution No. 06-16-2015A, the Adoption of the FY2016 Schedule of Fees for West Point City
- FY2016 Schedule of Fees
- Resolution No. 06-16-2015B, Consideration of Adoption of FY2015 Amended Budget for West Point City
- FY2015 Amended Budget
- Resolution No. R06-16-2015A, Adoption of the FY2015 Amended Budget and FY2016 Final Budget for the CDRA of West Point City
- FY2015 Amended Budget and FY2016 Final Budget

**RESOLUTION NO. 06-16-2015A**

**A RESOLUTION ADOPTING A SCHEDULE OF FEES  
FOR WEST POINT CITY FISCAL YEAR 2015-2016**

**WHEREAS**, the City provides various services to the public which benefit those consuming said services; and

**WHEREAS**, the City seeks to support the provision of these services in part or in full by levying or establishing certain fees associated with the provision of said services; and

**WHEREAS**, the City Manager has prepared a schedule of fees for Fiscal Year 2015-2016 which suggest various amendments to the current fee schedule; and

**WHEREAS**, these proposed fees are delineated and attached hereto;

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

**SECTION ONE: FEE SCHEDULE ADOPTED**

The Fee Schedule for West Point City for Fiscal Year 2016 as attached hereto and amended by the Council, stands adopted and becomes effective July 1, 2015 or as otherwise stated in the Fee Schedule.

**PASSED AND ADOPTED** this 16<sup>th</sup> day of June, 2015.

**WEST POINT CITY,**  
A Municipal Corporation

By: \_\_\_\_\_  
Erik Craythorne, Mayor

**ATTEST:**

\_\_\_\_\_  
Misty Rogers, City Recorder



## West Point City Fee Schedule Fiscal Year 2016

**Football registration fee effective upon approval  
All other fees effective July 1, 2015**

DESCRIPTION	Fiscal Year 2015
<b>ADMINISTRATIVE and BUSINESS LICENSE FEES</b>	
Election Filing Fee	\$25
<del>Inflatable Toys Rental Fee</del>	<del>\$100 Bounce House \$200 Obstacle Course</del>
Beer licenses (Class A)	\$250
Beer licenses (Class B)	\$300
Beer licenses (Class C)	\$350
Business Regulatory Fee	\$35
Nurseries	\$85
Agriculture Equipment and Repair	\$85
Veterinary Services	\$85
Agriculture Supplies and Support	\$85
Landscaping Services and Supplies	\$85
Sporting Equipment and Supplies	\$85
Firearms	\$85
Construction Services and Supplies	\$85
Manufacturing Equipment and Supplies	\$85
Industrial	\$85
Industrial and Manufacturing Support	\$85
Trucking	\$85
Public Transportation	\$85
Telecommunication Services	\$85
Telephone	\$85
Power/Natural Gas	\$85

Auto Wash and Detail	\$85
Towing	\$85
Electrical	\$85
Plumbing	\$85
Parking Services and Facilities	\$85
Storage/Warehouse	\$85
Wholesale Processing and Support	\$85
Shipping and Goods Transportation	\$85
Restaurant	\$85
Restaurant with Alcohol	\$85
Private Club or Bar	\$85
Fast Food or Cafe	\$85
Commercial Shopping Center/Retail Store	\$50 per 1,000 sq. ft.
Office/Institutional	\$45 per 1,000 sq. ft.
Business Park	\$35 per 1,000 sq. ft.
Light Industrial	\$35 per 1,000 sq. ft.
Manufacturing	\$35 per 1,000 sq. ft.
Grocery (Under 10,000 square feet)	\$85
Grocery (10,000 square feet and above)	\$85
Gas Station	\$85
Pawn Broker	\$85
Auto Sales	\$85
Auto Repair and Service	\$85
Subscriptions/Coupons/Tickets	\$85
Auctions	\$85
Insurance Sales	\$85
Broker	\$85
Real Estate	\$85
Financial Planning	\$85
Business Support Services	\$85

Bank/Credit Union	\$85
Salons/Barber/Beauty	\$85
Funeral	\$85
Medical/Dental/Therapy	\$85
Fitness	\$85
Entertainment and Amusement	\$85
Legal Services	\$85
Dry Cleaning and Clothing Repair	\$85
Upholstery	\$85
Copy and Supplies	\$85
Apartment/Multi-family/Trailer Park	\$85
Bed and Breakfast	\$85
Hotel	\$85
Motel	\$85
Extended Stay	\$85
Bowling	\$85
Hospital/Care Center	\$85
Daycare/Preschool	\$85
Sexually Oriented Business	\$85
Sexually Oriented Business applications and businesses - nonrefundable initial application and investigation fee (all applications)	\$100
Home Occupation - all	\$50
Contractors - General	\$50
Contractors - Sub Contractors	\$50
Duplicate License	\$15
Business License late fee	\$25
Christmas tree sales license (not prorated)	\$30 w/ \$70 deposit
Fireworks stands (not prorated)	\$350 w/ clean-up deposit of \$300
Home occupation license late fee (after February 1st)	\$25
Solicitor's License	\$50

<b>Disproportionate Fees:</b>	
Gas Station	\$250/Year
Grocery w/ Beer	\$350/Year
Bar/Private Club	\$300/year
Bowling with Alcohol	\$500/Year
Pawn Shop	\$900/Year
Arcade	\$350/Year
Entertainment/Theater	\$200/Year
Restaurant with Alcohol	\$200/Year
Hotel/Motel/Extended Stay/Inn/Bed & Breakfast	\$400/Year
Apartments	\$15/Unit/Year
Temporary Permits	\$250/Year
Sexually Oriented Business	\$250/Year
Warehouse	\$250/Year
<b>COPIES &amp; PUBLICATIONS</b>	
Photocopies	\$.10 each copy
Budget	\$20
Audit (CAFR)	\$10
Administrative Code	\$10
General Plan	\$10
Zoning or street maps (small 8 1/2 x 11)	\$5 each
Special reports or compilations (GRAMA) (Produced with managerial discretion)	\$25 per hour + copy or reproduction charges
<b>BUILDING RENTAL</b>	
Council Chamber Rental	\$25/hr. (2 hour min.)
Multi-purpose Area Rental	\$25/hr. (2 hour min.)
City Hall - Security Deposit	\$100
<b>PLANNING AND ZONING FEES</b>	
Board of Adjustment Hearing	\$200
Conditional Use Permit - Staff approved	\$50

Conditional Use Permit - Planning Commission	\$75 \$150 if notices must be sent out
Permanent Sign Permit	\$75
Temporary Sign Permit	\$10/sign
Recording	\$50 to City and applicable fees to Davis County Recorder
Rezone application	\$250
Annexation application	\$300
Subdivision Plat Amendment	\$300
Agricultural Protection Zone application	\$450 (\$100 refunded if protection zone is not approved)
Telecommunications Right of Way Application	\$500
<b>SITE DEVELOPMENT REVIEW</b>	
Construction guarantee bond (commercial)	\$30 per linear ft. (curb, gutter, sidewalk)
Construction inspection fee for all utilities	\$150 per lot
Final plat fee	\$600/plat, plus \$50 per lot
Preliminary plat fee	\$300/plat, plus \$25 per lot
Single Lot Plat (preliminary & final)	\$300
Final Site Plan Review Fee (Commercial)	\$600/site plan
<b>CODE VIOLATION FEES</b>	
Code Violations	<u>See West Point City Code</u>
<b>CEMETERY</b>	
<b><u>Resident</u></b>	
Adult Burial Plot	\$450
Adult Interment Fee	\$300
Perpetual care - Adult	\$100 if lot purchased before 9/1990
Child Burial Plot (full size plot)	\$450
Child Interment Fee	\$300
Perpetual care - Child	\$100 if lot purchased before 9/1990
Infant/Urn – Burial Plot (½ plot)	\$225

Infant/Urn – Internment Fee	\$200
Perpetual care – Infant (½ plot)	\$50 if lot purchased before 9/1990
Dis-interment	\$300
Transfer lot fee	\$15
After Business Hours Fee	\$100
<b><u>Non-Resident</u></b>	
Adult Burial Plot	\$600
Adult Interment Fee	\$700
Perpetual care - Adult	\$300 if lot purchased before 9/1990
Child Burial Plot (full size plot)	\$600
Child Interment Fee	\$700
Perpetual care - Child	\$250 if lot purchased before 9/1990
Infant/Urn – Burial Plot (½ plot)	\$300
Infant/Urn – Internment Fee	\$400
Perpetual care – Infant (½ plot)	\$250 before 9/1990
Disinterment	\$400
Transfer lot fee	\$15
After Business Hours Fee	\$100
<b>PARKS</b>	
Large pavilion (Per time period: 8AM-4PM or 4PM-10PM)	\$15 (residents) \$25 (non-residents)
Small pavilions (Per time period: 8AM-4PM or 4PM-10PM)	\$10 (residents) \$20 (non-residents)
Volleyball rental	\$5 rental fee \$15 ball deposit, if applicable (deposit refundable if returned by next business day)
Horseshoes	\$5 rental fee \$35 horseshoe set deposit, if applicable (deposit refundable if returned by next business day)
<b>RECREATION</b>	
<b><u>Program Registration Fees:</u></b> <u>(Students at West Point Schools are charged the resident rate.)</u>	

Coed T-Ball	<del>\$35-40</del> resident <del>\$55-50</del> non-resident
Coed Machine Pitch 1 <sup>st</sup> – 2 <sup>nd</sup> Grade	<del>\$35-40</del> resident <del>\$55-50</del> non-resident
Boys Baseball 3 <sup>rd</sup> – 4 <sup>th</sup> Grade	<del>\$45-50</del> resident <del>\$55-60</del> non-resident
Boys Baseball 5 <sup>th</sup> – 6 <sup>th</sup> Grade	<del>\$45-50</del> resident <del>\$55-60</del> non-resident
Boys Baseball Jr. High	<del>\$45-50</del> resident <del>\$50-60</del> non-resident
Girls Elementary Softball	<del>\$45-50</del> resident <del>\$55-60</del> non-resident
Girls Junior High Softball	<del>\$45-50</del> resident <del>\$55-60</del> non-resident
Basketball - 6 <sup>th</sup> Grade and younger	\$50 resident \$60 non-resident
Basketball - 7 <sup>th</sup> Grade and older	\$60 resident \$70 non-resident
Football	<del>\$120-130</del> \$150 Equipment Charge for unreturned equipment.
Soccer (Spring)	\$40 resident \$50 non-resident
Soccer (Fall)	\$40 resident \$50 non-resident
Football Camp	\$15
Basketball Camp	<del>\$30</del> <u>20</u>
Recreation Late Fee	\$10
<b>DEVELOPMENT IMPACT FEES</b> (Residential)	
<b>West Point City Impact Fees:</b>	
Park, Trails, and Recreation Impact Fee (Single Family)	\$2380
Park, Trails, and Recreation Impact Fee (Multi- Family)	\$1780
Road Impact Fee (Single Family)	\$3403
Road Impact Fee (Multi-Family)	\$2382
Storm Drain Impact Fee	\$4,204 per acre
Sewer Impact Fee (Single Family)	\$241.72
Sewer Impact Fee (Multi-Family)	\$166.79
Water Impact Fee	See Schedule A
<b>Non-City Impact Fees:</b>	

North Davis Sewer Impact Fee (Residential)	\$3,256
North Davis Fire District Impact Fee (Single Family)	\$294.29
North Davis Fire District Impact Fee (Multi-Family)	\$287.80
<b>DEVELOPMENT IMPACT FEES</b> (Commercial)	
<b>West Point City Impact Fees:</b>	
Road Impact Fees	\$3,578 per 1,000 sq. ft of building space
Water Impact Fees	See Schedule A –attached
Storm Water Impact Fees	\$4,204 per acre
Sewer Impact Fees	\$241.72/ERU
<b>Non-City Impact Fees:</b>	
North Davis Fire District Impact Fee (Commercial)	Determined by North Davis Fire District
North Davis Sewer Impact Fee (Commercial)	Determined by North Davis Sewer District
<b>SAFETY / INSPECTION FEES</b>	
Building Permit Fee	Based on building valuation and square footage
Residential plan review and inspection fee	25% of permit fee
Re-inspection fee	\$47
Commercial plan review and inspection fee	60% of building permit fees
Demolition Permit	\$150
Small Asphalt Excavation Permit (less than 360 sq. ft.)	\$3 per sq. ft. excavated and \$500 bond. Bond returned after asphalt is replaced and inspected.
Large Asphalt Excavation Permit (greater than 360 sq. ft.)	\$0.55 per sq. ft. and \$4.20 per sq. ft. bond. Upon positive inspection, bond returned 1 yr. after permit holder replaces asphalt.
New Street Excavation Permit (less than 2 years since last treatment) – in addition to other fees and applies only to large excavation permits	\$0.22 per sq. ft.

Curb, Gutter, or Sidewalk Excavation Permit	\$20.00 per ft. bond. Bond returned after concrete is replaced and inspected.
<b>CONNECTION FEES</b>	
<b>Water Connection Fees:</b>	
Meter installation/water connection (residential)	\$350 - 3/4 inch \$450 - 1 inch
Meter installation/water connection (commercial)	\$450 - 1 inch \$500 - 1.5 inch \$700 - 2 inches Cost+\$100 (2+inches)
Secondary water hook-up fee (3/4 inch)	Paid to D&W Canal Company
Secondary water hook-up fee (1 inch)	Paid to D&W Canal Company
City stock of culinary water	\$3,800/acre foot.
<b>Fire Hydrant Connection Fees:</b>	
Fire Hydrant Meter Set-up Fee	\$50 + water usage fee
Short Term Meter Rental (3 days or less)	\$10 + water usage fee
Long Term Meter Rental (4 days or more)	\$40 per month + water usage fee
Water Usage Fee	\$1.60 per 1,000 gallons greater than 10,000 gal.
<b>Sewer Connection Fees:</b>	
North Davis Sewer subdivision connection review fee	\$250
North Davis Sewer subdivision construction inspection fee	\$375
North Davis Sewer service connection review fee	\$125
North Davis Sewer service connection construction inspection fee	\$240
<b>UTILITIES</b>	
Garbage Can – New & Replacement (new can fee is charged with Building Permit)	\$85
Garbage can (monthly - 1 <sup>st</sup> can)	\$11.50
Garbage (monthly – additional can)	\$9.00
Green Waste can (monthly)	\$6.00
Green Waste (monthly – additional can)	\$6.00

Green Waste Can – New & Replacement (new can fee is charged with Building Permit)	\$85
Green Waste Service Cancellation Fee	\$12.00
General Curbside Recycling Replacement can	\$85
General Curbside Recycling can (monthly)	\$4.75
General Recycling (monthly-additional can)	\$4.75
Secondary water (monthly 3/4 inch) Up to one-third acre	\$21.58
Secondary water (monthly 3/4 inch) Greater than one-third acre	\$23.58
Secondary water (monthly 1 inch) Greater than one-half acre	\$27.50
Secondary water (monthly 1 inch) Greater than three-quarters acre	\$30.05
Secondary Water (monthly) Greater than one acre	Determined by D&W Counties Canal Co.
Sewer (residential monthly)	<del>\$19.20</del> <u>22.20</u>
Sewer (commercial monthly base)	<del>\$19.20</del> <u>22.20</u>
10,000 gallons +	<del>\$1.35</del> <u>1.65</u> /1,000 gallons
Sewer (multi-family)	<del>\$19.20</del> <u>22.20</u> per unit
Water (monthly base: 6,000 gallons)	\$23.75
6,001 – 10,000 gallons	\$1.40/1,000 gallons
10,000 gallons +	\$1.65/1,000 gallons
Storm System Maintenance and Construction Fee (Monthly Residential)	\$4.00
Storm System Maintenance and Construction Fee (Commercial)	Determined by residential equivalent (2,500 sq. ft.) of impervious area.
Utility deposit	\$60 utility deposit, refundable upon moving. <del>(New hookups on or after July 1, 2001.)</del>
Meter tampering penalty	\$50 first occurrence, \$100 per occurrence thereafter
Utility Billing Shut-off Fee	\$25 first occurrence, \$45 per occurrence within 12 months of previous occurrence
Utility Billing Late Fee	\$15
Returned check fee	\$20
<del>Commercial Garbage Collection 40+ gallon can (monthly)</del>	<del>\$30</del>

## Schedule A

### West Point City Commercial Impact Fees (Other jurisdictional impact fees may be additional)

#### Water Impact Fees

Basis: Connection Size (per connection)

Connection (inch)	Impact Fee
3/4" (13 gpm or less)	\$487
3/4" (13 to 25 gpm)	\$937
1" (40 gpm)	\$1,500
1 1/2" (50 gpm)	\$1,874
2" (100 gpm)	\$3,749
3" (350 gpm)	\$13,121



**RESOLUTION NO. 06-16-2015B**

**A RESOLUTION ADOPTING THE AMENDED BUDGET FOR  
WEST POINT CITY FOR FISCAL YEAR 2015**

**WHEREAS**, the City Council of West Point City, County of Davis, State of Utah (hereinafter referred to as the “City”) is required by law to adopt any amendments to the budget for the 2015 Budget Year in accordance with the provisions of the “Uniform Fiscal Procedures Act for Utah Cities,” § 10-6-101 through § 10-60-159, UCA, 1953, as amended; and,

**WHEREAS**, the West Point City Manager has heretofore caused to be prepared and submitted to the City Council amendments to the Budget for the City for the 2015 Budget Year; and,

**WHEREAS**, said Budget appears to be in proper form, subject to minor modifications, and appears correctly to set forth the anticipated disbursements and anticipated receipts of the City for the 2015 Budget Year; and,

**WHEREAS**, a Public Hearing on said Amended Budget was duly advertised and held according to law,

**NOW, THEREFORE, BE IT RESOLVED, FOUND AND ORDERED**, by the City Council of West Point City as follows:

**SECTION 1 – AMENDED BUDGET FOR FY 2015.** The hereto attached Revised Budget for Fiscal Year 2015 is hereby amended and adopted.

**PASSED AND ADOPTED** this 16<sup>th</sup> day of June, 2015

**WEST POINT CITY,**  
A Municipal Corporation

By: \_\_\_\_\_  
Erik Craythorne, Mayor

**ATTEST:**

\_\_\_\_\_  
Misty Rogers, City Recorder



Account Number	Account Title	2013 Actual	2014 Actual	2015 Original Budget	2015 Amended Budget
<b>GENERAL FUND</b>					
<b>TAXES</b>					
10-31-10	Property Taxes	334,893.12	363,276.88	356,700.00	356,700.00
10-31-25	Vehicle - In lieu of prop. tax	41,640.88	35,368.95	35,000.00	35,000.00
10-31-30	General Sales and Use Taxes	896,250.04	940,522.76	860,000.00	900,000.00
10-31-40	Cable TV	18,830.65	19,127.37	19,000.00	19,000.00
10-31-50	Energy Sales and Use	361,541.38	379,215.48	331,000.00	345,000.00
10-31-60	Telecommunications	118,268.10	113,642.59	115,000.00	115,000.00
	Total TAXES:	1,771,424.17	1,851,154.03	1,716,700.00	1,770,700.00
<b>LICENSES AND PERMITS</b>					
10-32-10	Bus. License/Cond. Use Permits	10,837.50	12,270.00	12,000.00	12,000.00
10-32-21	Building Permits	90,472.57	151,375.03	100,000.00	90,000.00
	Total LICENSES AND PERMITS:	101,310.07	163,645.03	112,000.00	102,000.00
<b>INTERGOVERNMENTAL REVENUE</b>					
10-33-56	Class C Roads	299,667.44	287,457.13	290,000.00	290,000.00
10-33-58	State Liquor Allotment	5,471.19	5,832.29	4,500.00	.00
	Total INTERGOVERNMENTAL REVENUE:	305,138.63	293,289.42	294,500.00	290,000.00
<b>CHARGES FOR SERVICES</b>					
10-34-10	Zoning and Subdivision Fees	9,245.75	8,317.00	7,000.00	7,000.00
10-34-60	Recreation Fees	76,828.12	87,656.36	85,000.00	85,000.00
10-34-78	Park & City Hall Reservations	4,555.00	5,055.00	4,500.00	4,500.00
10-34-79	City Celeb. & Sponsorships	11,339.76	13,386.39	12,000.00	12,000.00
10-34-82	Cemetery Interment	9,800.00	16,200.00	8,000.00	9,000.00
10-34-90	Misc. Income & Concessions	8,781.77	17,131.23	15,000.00	15,000.00
	Total CHARGES FOR SERVICES:	120,550.40	147,745.98	131,500.00	132,500.00
<b>MISCELLANEOUS REVENUE</b>					
10-36-10	Interest Earnings	2,679.55	2,443.34	1,000.00	1,000.00
10-36-20	Donations	1,700.00	730.00	.00	.00
10-36-25	Military Memorial Donations	.00	530.00	.00	.00
10-36-90	Miscellaneous	5,020.45	47.99	.00	.00
	Total MISCELLANEOUS REVENUE:	9,400.00	3,751.33	1,000.00	1,000.00
<b>CONTRIBUTIONS &amp; TRANSFERS</b>					
10-39-10	Surplus General Fund	.00	.00	.00	364,652.00
10-39-50	Fleet Contribution - Waste Fun	20,000.00	8,000.00	20,000.00	.00
10-39-55	Fleet Contribution - Water Fun	30,000.00	14,000.00	30,000.00	.00
	Total CONTRIBUTIONS & TRANSFERS:	50,000.00	22,000.00	50,000.00	364,652.00
<b>GENERAL GOVERNMENT</b>					
10-41-10	Mayor and Council Wages	39,600.00	39,375.00	39,600.00	39,600.00
10-41-11	Executive	2,650.55	2,650.55	.00	.00
10-41-13	Employee Benefits	5,153.81	6,002.26	9,337.00	9,337.00
10-41-33	Training and Education	6,029.02	7,286.57	9,000.00	9,000.00
10-41-35	Community Service Contracts	1,000.00	500.00	3,000.00	3,000.00

Account Number	Account Title	2013 Actual	2014 Actual	2015 Original Budget	2015 Amended Budget
Total GENERAL GOVERNMENT:		49,132.28	55,814.38	60,937.00	60,937.00
<b>ADMINISTRATIVE SERVICES</b>					
10-44-11	Salaries and Wages	100,109.94	99,360.37	87,190.00	87,190.00
10-44-13	Employee Benefits	32,852.58	35,222.32	43,961.00	43,961.00
10-44-20	Mileage Reimbursement	97.91	333.40	500.00	500.00
10-44-21	Books, Subscrip. & Memberships	651.32	466.80	1,000.00	1,000.00
10-44-24	Postage	3,309.45	3,740.92	5,000.00	5,000.00
10-44-25	Equipment & Supplies	.00	332.07	1,000.00	1,000.00
10-44-26	Equipment Lease & Maintenance	13,603.71	13,987.11	16,500.00	16,500.00
10-44-33	Training & Education	2,423.05	3,087.87	3,000.00	3,000.00
10-44-38	Auditor & Accounting Support	23,250.00	24,700.00	25,000.00	25,000.00
10-44-40	Accounting Software Support	.00	.00	3,500.00	3,500.00
10-44-63	IT Support & Contracts	2,115.68	4,132.50	4,750.00	4,750.00
10-44-69	Office Supplies & Expense	2,448.50	3,271.37	4,000.00	4,000.00
10-44-75	Risk Management	31,635.80	31,846.93	59,800.00	34,000.00
10-44-95	Credit Card Processing Fees	470.00	756.05	470.00	470.00
10-44-98	Bank Service Charges	1,159.21	762.46	500.00	500.00
Total ADMINISTRATIVE SERVICES:		214,127.15	222,000.17	256,171.00	230,371.00
<b>PUBLIC WORKS</b>					
10-48-11	Salaries and Wages	145,564.69	152,649.08	93,109.00	93,109.00
10-48-13	Employee Benefits & Retirement	64,593.87	73,522.87	58,783.00	58,783.00
10-48-20	Overtime	18,133.50	18,065.68	15,000.00	15,000.00
10-48-23	Travel and Education	323.59	413.42	360.00	360.00
10-48-25	Equipment, Supplies & Maint.	6,935.86	7,621.89	9,000.00	9,000.00
10-48-26	Municipal Bldgs. Oper. & Maint	14,952.56	19,770.59	24,260.00	24,260.00
10-48-54	Prot. Clothing & Equipment	1,953.48	1,496.97	2,000.00	2,000.00
10-48-65	Fleet Operations & Maintenance	9,699.34	6,548.37	10,000.00	4,250.00
10-48-67	Fleet Fuel	32,187.98	29,800.19	30,115.00	12,865.00
10-48-69	Office Supplies & Expense	378.31	936.52	1,300.00	1,300.00
10-48-70	Fleet Leases	10,000.00	.00	10,000.00	10,000.00
10-48-75	Crosswalk Power	822.18	746.52	900.00	900.00
10-48-77	Public Facilities Heating	6,182.64	6,753.64	5,000.00	5,000.00
10-48-82	Public Facilities Power	17,730.21	17,101.14	14,000.00	14,000.00
10-48-84	Street Lighting Pwr & Mnt.	51,938.24	47,313.23	52,000.00	52,000.00
Total PUBLIC WORKS:		381,396.45	382,740.11	325,827.00	302,827.00
<b>EXECUTIVE</b>					
10-49-11	Salaries and Wages	112,817.68	135,617.91	143,799.00	143,799.00
10-49-13	Employee Benefits	40,083.76	57,263.94	62,346.49	62,346.39
10-49-20	Mileage Reimbursements	155.44	118.79	750.00	750.00
10-49-21	Books, Subscrip. & Memberships	2,693.17	2,714.30	3,000.00	3,000.00
10-49-23	Travel and Education	7,069.11	4,460.04	6,000.00	8,000.00
10-49-24	Postage	6.11	28.67	320.00	320.00
10-49-25	New Equipment Purchase	6,986.83	5,840.21	9,000.00	9,000.00
10-49-37	Attorney	28,736.00	28,220.00	33,000.00	33,000.00
10-49-62	Miscellaneous	106.14	.00	.00	.00
10-49-63	IT Support & Contracts	21,163.62	18,927.76	18,250.00	18,250.00
10-49-65	Emp. Awards, Rec. & Events	8,187.44	9,087.07	10,000.00	11,000.00
10-49-66	Education Reimb. Program	1,000.00	1,000.00	2,000.00	2,000.00
10-49-67	Emp. Benefits & Bonus Program	1,566.47	13.37	13,000.00	13,000.00
10-49-68	Wellness Program	516.00	25.00	1,000.00	1,000.00

Account Number	Account Title	2013 Actual	2014 Actual	2015 Original Budget	2015 Amended Budget
10-49-69	Office Supplies & Expense	5,750.53	4,268.05	5,000.00	5,000.00
10-49-70	Cellular & Radio Serv. & Equip	13,826.23	9,314.51	12,000.00	12,000.00
10-49-72	Legal Advertising	4,255.63	9,066.62	9,000.00	9,000.00
10-49-80	Utah League Membership	3,768.94	3,866.45	4,000.00	4,000.00
10-49-82	City Newsletter	382.67	428.74	750.00	1,750.00
10-49-83	Economic Development	.00	.00	8,000.00	8,000.00
10-49-85	Volunteerism Program	.00	.00	2,000.00	2,000.00
10-49-88	Recorders Office	4,308.07	14,132.72	8,000.00	8,000.00
10-49-90	City Celebrations & Events	60,350.73	62,192.91	63,000.00	63,000.00
10-49-91	Youth Council	5,739.18	4,733.62	6,000.00	6,000.00
10-49-92	Miss West Point Pageant	9,828.91	11,332.42	10,750.00	10,750.00
10-49-93	Senior Program	2,489.61	2,570.56	2,500.00	2,500.00
Total EXECUTIVE:		341,788.27	385,223.66	433,465.49	437,465.39
<b>COMMUNITY DEVELOPMENT</b>					
10-52-11	Salaries and Wages	97,369.80	90,078.32	118,056.00	118,056.00
10-52-13	Employee Benefits & Retirement	27,411.90	26,496.31	44,316.00	44,316.00
10-52-21	Books, Subscrip. & Memberships	634.00	263.00	750.00	750.00
10-52-23	Travel, Education & Certificat	1,899.94	1,979.04	2,500.00	2,500.00
10-52-25	Equipment & Supplies	4,747.37	3,174.64	6,500.00	6,500.00
10-52-51	GIS	971.25	1,977.00	1,500.00	1,500.00
10-52-61	Miscellaneous Supplies	155.56	166.00	500.00	500.00
10-52-62	Contract Planning & Insp Serv	.00	417.00	2,000.00	2,000.00
10-52-63	IT Support & Contracts	1,710.83	905.87	400.00	400.00
10-52-65	State Building Surcharge	894.50	1,202.96	1,000.00	1,000.00
10-52-68	Planning Comm/Board of Adj.	2,629.02	3,122.50	5,000.00	5,000.00
10-52-69	Office Supplies & Expense	351.42	225.74	500.00	500.00
Total COMMUNITY DEVELOPMENT:		138,775.59	130,008.38	183,022.00	183,022.00
<b>PUBLIC SAFETY &amp; EMERGENCY PLAN</b>					
10-54-11	Crossing Guards	15,344.74	17,922.98	25,820.00	25,820.00
10-54-13	Employee Benefits & Retirement	1,783.83	1,578.67	2,821.00	2,821.00
10-54-15	Crossing Guard Supplies/Equip.	464.98	508.48	650.00	650.00
10-54-60	Animal Control	20,580.48	22,620.12	24,000.00	24,000.00
10-54-62	Police Services	70,744.29	83,443.73	84,000.00	84,000.00
10-54-65	Narcotics Strike Force	7,133.25	7,133.25	7,500.00	7,500.00
10-54-75	Hometown Security (EPRT)	4,256.96	900.99-	4,000.00	4,000.00
Total PUBLIC SAFETY & EMERGENCY PLAN:		120,308.53	132,306.24	148,791.00	148,791.00
<b>PARKS AND CEMETERY</b>					
10-70-11	Salaries and Wages	41,375.34	61,538.30	113,376.00	113,376.00
10-70-13	Employee Benefits & Retirement	3,881.54	5,306.01	12,381.00	12,381.00
10-70-20	Uniforms	252.75	.00	600.00	600.00
10-70-25	Equipment & Supplies	12,158.98	14,883.92	14,000.00	14,000.00
10-70-26	Building and Grounds	51,384.73	49,858.95	61,600.00	61,600.00
10-70-29	Park & Cemetery Lights	4,279.30	4,384.16	3,400.00	3,400.00
10-70-61	Misc. Services and Supplies	.00	2,300.00	1,200.00	1,200.00
10-70-69	Office Supplies & Expense	74.62	.00	500.00	500.00
10-70-70	Gateways & Public Properties	3,718.14	5,262.84	4,000.00	4,000.00
Total PARKS AND CEMETERY:		117,125.40	143,534.18	211,057.00	211,057.00

Account Number	Account Title	2013 Actual	2014 Actual	2015 Original Budget	2015 Amended Budget
<b>RECREATION</b>					
10-71-11	Salaries and Wages	76,056.18	90,428.40	97,792.00	97,792.00
10-71-13	Employee Benefits & Retirement	24,834.60	30,201.54	37,512.00	37,512.00
10-71-20	Recreation Program Marketing	679.43	464.60	1,000.00	1,000.00
10-71-26	Building and Grounds	2,934.96	4,719.25	2,300.00	2,300.00
10-71-60	Soccer	11,774.04	11,215.48	10,500.00	10,500.00
10-71-67	Junior Jazz	17,239.73	17,339.36	16,600.00	16,600.00
10-71-68	Football	25,802.01	37,822.72	32,000.00	32,000.00
10-71-69	Office Supplies & Expense	292.71	47.61	250.00	250.00
10-71-71	Baseball/Softball	17,059.99	22,813.81	13,000.00	13,000.00
10-71-73	Volleyball	.00	2,518.13	5,000.00	5,000.00
Total RECREATION:		176,673.65	217,475.68	215,954.00	215,954.00
<b>TRANSFERS, CONT. &amp; OTHER USES</b>					
10-90-01	Contingency	.00	.00	115,521.00	.00
10-90-63	Class C Trans. to Special Rev.	299,667.44	287,457.13	290,000.00	290,000.00
10-90-65	Trans. To Capital Projects Fun	295,731.03	.00	.00	.00
10-90-70	Trans. Debt. Serv. City Hall	106,884.00	106,766.00	64,706.61	64,906.61
10-90-86	TRANSFER TO CAP. PROJ. FUND	.00	366,605.34	.00	515,521.00
Total TRANSFERS, CONT. & OTHER USES:		702,282.47	760,828.47	470,227.61	870,427.61
GENERAL FUND Revenue Total:		2,357,823.27	2,481,585.79	2,305,700.00	2,660,852.00
GENERAL FUND Expenditure Total:		2,241,609.79	2,429,931.27	2,305,452.10	2,660,852.00
Net Total GENERAL FUND:		116,213.48	51,654.52	247.90	.00

Account Number	Account Title	2013 Actual	2014 Actual	2015 Original Budget	2015 Amended Budget
<b>SPECIAL REVENUE FUND</b>					
<b>DEVELOPMENT FEES</b>					
45-30-15	Water Impact Fees	19,967.00	30,194.00	24,350.00	.00
45-30-28	Sewer Impact Fees	12,620.23	16,504.68	12,100.00	.00
45-30-29	Storm Water Impact Fees	72,800.00	82,783.84	52,550.00	.00
45-30-57	Road Impact Fees	181,394.93	232,105.79	170,150.00	170,150.00
45-30-70	Park and Trails Impact Fees	127,927.38	164,202.78	119,000.00	119,000.00
45-30-75	North Davis Sewer	168,350.00	226,178.00	163,000.00	163,000.00
45-30-80	N.D. Fire Impact Fees	16,421.83	21,379.33	14,750.00	14,750.00
45-30-90	Class C Road Revenue	.00	.00	290,000.00	290,000.00
45-30-99	Beginning Balance	.00	.00	655,586.00	1,229,365.00
Total DEVELOPMENT FEES:		599,481.37	773,348.42	1,501,486.00	1,986,265.00
<b>OTHER FINANCING SOURCES</b>					
45-33-46	Grants (Road Projects)	.00	22,855.50	.00	2,840,000.00
45-33-47	Grants	.00	57,784.50	.00	.00
45-33-90	Transfer from Other Funds	299,667.44	287,457.13	.00	.00
Total OTHER FINANCING SOURCES:		299,667.44	368,097.13	.00	2,840,000.00
<b>Source: 36</b>					
45-36-10	Interest Income	7,649.32	9,203.23	.00	.00
Total Source: 36:		7,649.32	9,203.23	.00	.00
<b>SPECIAL FUND PROJECTS</b>					
45-51-10	Storm System Impact Fee Proj.	4,500.00	.00	19,735.00	.00
45-51-15	Parks/Trails Impact Fee Proj.	.00	135,000.00	329,358.00	194,358.00
45-51-20	Water System Impact Fee Proj.	.00	.00	93,301.00	.00
45-51-30	Sewer Impact Fee Projects	.00	.00	21,115.00	.00
45-51-71	Roads/Ped. Walkways Impact Fee	60,553.86	43,620.97	389,204.00	389,204.00
45-51-80	N.D. Sewer Impact Fees	162,290.00	223,548.00	163,000.00	163,000.00
45-51-85	N.D. Fire Impact Fees	15,833.25	21,379.33	14,750.00	14,750.00
45-51-90	Parks and Trail Projects	7,546.74	.00	22,906.00	22,906.00
45-51-95	Class C Road Expenditures	201,124.43	407,202.75	448,117.00	444,294.00
45-51-97	Road & Sidewalk Grant Projects	.00	80,640.50	.00	2,840,000.00
45-51-98	Bank Service Charges	.00	117.35	.00	.00
Total SPECIAL FUND PROJECTS:		451,848.28	911,508.90	1,501,486.00	4,068,512.00
<b>TRANSFERS, CONTRIB. &amp; OTHER US</b>					
45-90-51	Transfer to Other Funds	.00	.00	.00	757,753.00
Total TRANSFERS, CONTRIB. & OTHER US:		.00	.00	.00	757,753.00
SPECIAL REVENUE FUND Revenue Total:		906,798.13	1,150,648.78	1,501,486.00	4,826,265.00
SPECIAL REVENUE FUND Expenditure Total:		451,848.28	911,508.90	1,501,486.00	4,826,265.00
Net Total SPECIAL REVENUE FUND:		454,949.85	239,139.88	.00	.00

Account Number	Account Title	2013 Actual	2014 Actual	2015 Original Budget	2015 Amended Budget
<b>CAPITAL PROJECTS FUND</b>					
<b>REVENUE</b>					
48-30-45	Cemetery Permit & Perpet. Care	33,155.00	29,815.00	170,581.00	170,581.00
48-30-90	Beginning Balance	.00	.00	854,126.00	339,101.00
Total REVENUE:		33,155.00	29,815.00	1,024,707.00	509,682.00
<b>OTHER FINANCING SOURCES</b>					
48-33-10	Transfer from General Fund	295,731.03	366,605.34	.00	515,521.00
48-33-35	Interest	4,135.14	3,815.89	.00	.00
48-33-51	Transfer from Waste Fund	.00	.00	15,025.00	.00
48-33-55	Transfer from Water Fund	.00	14,000.00	15,025.00	.00
48-33-58	Transfer from Storm Water Fund	.00	25,500.00	15,025.00	.00
Total OTHER FINANCING SOURCES:		299,866.17	409,921.23	45,075.00	515,521.00
<b>CAP. PROJ. FUND FINANCING USES</b>					
48-51-10	Land	.00	.00	.00	115,521.00
48-51-15	Buildings	42,414.16	5,809.57	69,416.00	69,416.00
48-51-20	Road Projects	13,115.00	32,557.07	219,991.00	219,991.00
48-51-25	Park Improvement Projects	32,701.47	286,846.31	424,694.00	424,694.00
48-51-36	Debt Service Principal	116,646.00	.00	.00	.00
48-51-37	Debt Service Interest	18,354.00	.00	.00	.00
48-51-43	Capital Equipment Replacement	31,000.00	.00	15,000.00	15,000.00
48-51-44	Vehicle Replacement	20,366.38	47,157.98	60,100.00	10,000.00
48-51-53	5 Year CIP	.00	.00	110,000.00	.00
48-51-70	Cemetery Perpetual Care	.00	8,892.50	170,581.00	170,581.00
Total CAP. PROJ. FUND FINANCING USES:		274,597.01	381,263.43	1,069,782.00	1,025,203.00
<b>TRANSFERS AND CONTRIBUTIONS</b>					
48-90-51	Transfer to Waste Fund	.00	23,000.00	.00	.00
Total TRANSFERS AND CONTRIBUTIONS:		.00	23,000.00	.00	.00
CAPITAL PROJECTS FUND Revenue Total:		333,021.17	439,736.23	1,069,782.00	1,025,203.00
CAPITAL PROJECTS FUND Expenditure Total:		274,597.01	404,263.43	1,069,782.00	1,025,203.00
Net Total CAPITAL PROJECTS FUND:		58,424.16	35,472.80	.00	.00

Account Number	Account Title	2013 Actual	2014 Actual	2015 Original Budget	2015 Amended Budget
<b>WASTE FUND</b>					
<b>OPERATING REVENUE</b>					
51-37-17	Penalties	43,041.42	16,934.38	20,000.00	20,000.00
51-37-26	Sewer Fees	482,562.28	559,472.00	650,000.00	650,000.00
51-37-50	Garbage Collection Fees	448,059.64	461,061.27	462,500.00	462,500.00
51-37-60	Greenwaste Collection Fees	99,747.93	98,131.23	95,000.00	95,000.00
51-37-70	Recycle Collection Fees	83,681.04	90,602.91	90,000.00	90,000.00
Total OPERATING REVENUE:		1,157,092.31	1,226,201.79	1,317,500.00	1,317,500.00
<b>OTHER FINANCING SOURCES</b>					
51-38-05	Sewer Impact Fees	.00	.00	.00	12,100.00
51-38-15	Can Purchase	9,520.00	12,240.00	7,000.00	7,000.00
51-38-45	Trans from Spec Rev Fund	.00	20,885.00	.00	116,340.00
51-38-48	Transfer from Capital Projects	.00	23,000.00	.00	.00
51-38-55	Transfer from Water Fund	.00	14,000.00	.00	.00
51-38-58	Transfer from Storm Water Fund	.00	7,711.00	.00	.00
51-38-80	Interest Earnings	2,471.29	2,551.12	500.00	500.00
51-38-91	DEVELOPER CONTRIBUTIONS	119,770.00	.00	.00	.00
Total OTHER FINANCING SOURCES:		131,761.29	80,387.12	7,500.00	135,940.00
<b>TRANSFERS</b>					
51-39-95	Beginning Fund Balance	.00	.00	55,000.00	76,219.00
Total TRANSFERS:		.00	.00	55,000.00	76,219.00
<b>PRIMARY OPERATING EXPENSES</b>					
51-81-11	Salaries and Wages	114,417.48	122,266.10	140,235.00	140,235.00
51-81-12	COMPENSATED ABSCENCES EXPEN	1,784.44	.00	.00	.00
51-81-13	Benefits and Bonus	40,438.14	50,641.54	82,212.00	82,212.00
51-81-15	On call pay	6,880.00	7,240.00	8,500.00	8,500.00
51-81-27	Lift Station Pumps	2,234.18	1,212.85	2,400.00	2,400.00
51-81-45	Garbage Collection	258,100.98	259,973.00	270,000.00	276,000.00
51-81-46	Burn Plant	251,596.75	253,853.75	257,020.00	257,020.00
51-81-49	Sewer Collection and Disposal	270,585.53	325,336.25	440,422.00	440,422.00
51-81-55	Sewer Maintenance and Repair	27,593.74	27,398.55	30,000.00	30,000.00
51-81-63	IT Support & Contracts	11,642.79	10,577.29	18,125.00	18,125.00
51-81-65	Utility Refunds	.00	.00	1,500.00	1,500.00
Total PRIMARY OPERATING EXPENSES:		985,274.03	1,058,499.33	1,250,414.00	1,256,414.00
<b>MATERIALS AND SUPPLIES</b>					
51-82-24	Utility Bills - Postage/Equip.	9,960.32	8,564.99	11,000.00	11,000.00
51-82-47	Can Purchase	.00	.00	4,500.00	4,500.00
51-82-60	Travel and Education	1,499.05	1,430.14	1,500.00	1,500.00
51-82-61	Misc. Supplies & Deposit Slips	158.36	137.35	1,000.00	1,000.00
Total MATERIALS AND SUPPLIES:		11,617.73	10,132.48	18,000.00	18,000.00
<b>WASTE - OTHER EXPENSES</b>					
51-84-05	Sewer Impact Fee Projects	.00	.00	.00	21,115.00
51-84-20	Admin - Waste	.00	5,285.47	.00	15,000.00
51-84-30	Depreciation	62,817.27	81,782.24	65,000.00	65,000.00
51-84-35	Credit Card Processing Fees	7,013.16	5,947.02	5,775.00	5,775.00

Account Number	Account Title	2013 Actual	2014 Actual	2015 Original Budget	2015 Amended Budget
51-84-44	Vehicle Replacement	852.15	.00	.00	10,000.00
51-84-81	IT	3,046.84	2,100.00	4,000.00	4,000.00
51-84-83	Capital Improvements	1,908.73	.00	.00	.00
51-84-84	Blue Stakes	521.19	409.32	1,000.00	1,000.00
51-84-90	Fleet Contribution	20,000.00	8,000.00	20,000.00	8,000.00
51-84-95	Contingency	.00	.00	.00	125,355.00
Total WASTE - OTHER EXPENSES:		96,159.34	103,524.05	95,775.00	255,245.00
<b>TRANSFERS &amp; CONTINGENCIES</b>					
51-90-48	Transfer to Capital Projects	.00	.00	15,025.00	.00
Total TRANSFERS & CONTINGENCIES:		.00	.00	15,025.00	.00
WASTE FUND Revenue Total:		1,288,853.60	1,306,588.91	1,380,000.00	1,529,659.00
WASTE FUND Expenditure Total:		1,093,051.10	1,172,155.86	1,379,214.00	1,529,659.00
Net Total WASTE FUND:		195,802.50	134,433.05	786.00	.00

Account Number	Account Title	2013 Actual	2014 Actual	2015 Original Budget	2015 Amended Budget
<b>WATER FUND</b>					
<b>OPERATING REVENUE</b>					
55-37-11	Metered Water Sales	646,077.24	701,439.92	680,000.00	680,000.00
55-37-13	Secondary Water Sales	730,026.57	755,514.70	735,000.00	760,000.00
55-37-14	Connection Fees - Water	14,350.00	21,700.00	15,000.00	15,000.00
55-37-17	Penalties	.00	24,103.99	12,600.00	12,600.00
Total OPERATING REVENUE:		1,390,453.81	1,502,758.61	1,442,600.00	1,467,600.00
<b>OTHER FINANCING SOURCES</b>					
55-38-05	Water Impact Fees	.00	.00	.00	24,350.00
55-38-10	Water deposits revenue	570.00	.00	.00	.00
55-38-45	Transfer from Spec Rev Fund	.00	47,553.85	.00	168,242.00
55-38-80	Interest Earnings	2,634.29	3,065.29	.00	.00
55-38-91	DEVELOPER CONTRIBUTIONS	316,667.00	.00	.00	.00
55-38-95	Fund Reserves	.00	.00	532,764.00	581,556.00
Total OTHER FINANCING SOURCES:		319,871.29	50,619.14	532,764.00	774,148.00
<b>PRIMARY OPERATING EXPENSES</b>					
55-81-11	Salaries and Wages	114,417.51	122,266.10	153,536.00	153,536.00
55-81-12	COMPENSATED ABSCENCES EXPEN	1,784.44	.00	.00	.00
55-81-13	Benefits and Bonus	38,544.49	47,256.36	90,610.00	90,610.00
55-81-28	Wells & Water Tank Power	9,518.73	8,291.87	11,500.00	11,500.00
55-81-35	Hooper Water District	1,412.55	1,431.00	1,500.00	1,500.00
55-81-41	Water Maintenance	11,603.27	15,719.93	18,000.00	18,000.00
55-81-42	Water Sample Testing	5,082.00	2,427.30	5,000.00	5,000.00
55-81-43	Secondary Water	699,902.53	725,156.64	700,000.00	745,000.00
55-81-45	Registration & Other Expenses	.00	100.00	1,000.00	1,000.00
55-81-60	Travel and Education	4,235.90	2,566.07	4,140.00	4,140.00
55-81-63	IT Support & Contracts	9,628.62	8,488.80	13,625.00	13,625.00
Total PRIMARY OPERATING EXPENSES:		896,130.04	933,704.07	998,911.00	1,043,911.00
<b>WATER - MATERIALS AND SUPPLIES</b>					
55-82-24	Utility Bills - Postage/Equip	7,548.90	9,093.58	8,250.00	8,250.00
55-82-47	Misc. Supplies & Deposit Slips	236.72	406.63	750.00	750.00
55-82-50	Water Meters	19,402.59	19,495.45	35,000.00	65,000.00
Total WATER - MATERIALS AND SUPPLIES:		27,188.21	28,995.66	44,000.00	74,000.00
<b>WATER - OTHER EXPENSES</b>					
55-84-05	Water System Impact Fee Proj.	.00	.00	.00	93,301.00
55-84-20	Admin - Water	.00	5,340.79	.00	19,000.00
55-84-30	Depreciation	64,535.76	74,263.71	75,000.00	75,000.00
55-84-33	Capital Projects & Expenditure	27,676.08	6,543.38	643,764.00	643,764.00
55-84-35	Credit Card Processing Fees	7,013.13	5,947.03	7,488.00	7,488.00
55-84-40	Water Purchase - Weber Basin	132,493.00	136,009.00	137,493.00	137,493.00
55-84-44	Vehicle Replacement	1,718.00	.00	.00	10,000.00
55-84-82	Blue Stakes	551.47	675.90	1,500.00	1,500.00
55-84-83	IT	1,174.35	862.86	2,000.00	2,000.00
55-84-85	Engineering Studies & Planning	62.10	50.00	20,000.00	20,000.00
55-84-90	Fleet Contribution	30,000.00	14,000.00	30,000.00	15,000.00
55-84-95	Contingency	.00	.00	.00	99,291.00

Account Number	Account Title	2013 Actual	2014 Actual	2015 Original Budget	2015 Amended Budget
	Total WATER - OTHER EXPENSES:	265,099.69	243,692.67	917,245.00	1,123,837.00
<b>TRANSFERS &amp; CONTINGENCIES</b>					
55-90-48	Transfer to Capital Projects	.00	14,000.00	15,025.00	.00
55-90-51	Transfer to Waste Fund	.00	14,000.00	.00	.00
	Total TRANSFERS & CONTINGENCIES:	.00	28,000.00	15,025.00	.00
	WATER FUND Revenue Total:	1,710,325.10	1,553,377.75	1,975,364.00	2,241,748.00
	WATER FUND Expenditure Total:	1,188,417.94	1,234,392.40	1,975,181.00	2,241,748.00
	Net Total WATER FUND:	521,907.16	318,985.35	183.00	.00

Account Number	Account Title	2013 Actual	2014 Actual	2015 Original Budget	2015 Amended Budget
<b>STORM WATER UTILITY FUND</b>					
<b>OPERATING REVENUE</b>					
58-37-11	Storm Sys. Maint. & Const. Fee	148,692.43	169,523.00	160,000.00	160,000.00
58-37-13	Miscellaneous Revenue	.00	4,898.00	.00	.00
58-37-17	Penalties	.00	2,813.75	8,400.00	8,400.00
58-37-90	Fund Balance	.00	.00	65,695.00	87,802.00
Total OPERATING REVENUE:		148,692.43	177,234.75	234,095.00	256,202.00
<b>OTHER FINANCING SOURCES</b>					
58-38-05	Storm Water Impact Fees	.00	.00	.00	52,550.00
58-38-45	Transfer From Spec Rev Fund	.00	.00	.00	473,171.00
58-38-70	Interest Earnings	1,755.19	2,164.86	.00	.00
58-38-91	DEVELOPER CONTRIBUTIONS	280,264.00	.00	.00	.00
Total OTHER FINANCING SOURCES:		282,019.19	2,164.86	.00	525,721.00
<b>PRIMARY OPERATING EXPENSES</b>					
58-81-11	Salaries and Wages	30,027.32	28,305.93	69,747.00	69,747.00
58-81-12	Compensated Absences Expense	415.37	.00	.00	.00
58-81-13	Benefits	5,829.82	8,839.36	38,388.00	38,388.00
58-81-27	Storm Sys. Maint. & Repair	12,887.29	1,817.32	11,000.00	11,000.00
58-81-28	Construction	.00	.00	10,000.00	10,000.00
58-81-34	Credit Card Fees	2,237.66	5,947.07	3,872.00	3,872.00
58-81-40	Sweeping & Preventative Care	11,849.54	1,332.03	12,000.00	12,000.00
58-81-42	Strm Sys Maint & Phs II Comp.	1,921.69	2,215.00	2,500.00	2,500.00
58-81-43	Secondary Water	2,757.00	2,498.00	5,000.00	5,000.00
Total PRIMARY OPERATING EXPENSES:		67,925.69	50,954.71	152,507.00	152,507.00
<b>STORM WTR UTILITY - OTHER EXP.</b>					
58-84-05	Storm System Impact Fee Proj.	.00	.00	.00	19,735.00
58-84-20	Admin - Storm	.00	6,000.00	.00	6,000.00
58-84-30	Depreciation	58,654.54	62,767.64	42,000.00	64,000.00
58-84-44	Vehicle Replacement	.00	.00	.00	10,000.00
58-84-83	Capital Projects	1,304.70	.00	23,695.00	23,695.00
58-84-95	Contingency	.00	.00	.00	505,986.00
Total STORM WTR UTILITY - OTHER EXP.:		59,959.24	68,767.64	65,695.00	629,416.00
<b>Department: 90</b>					
58-90-48	Transfer to Capital Projects	.00	25,500.00	15,025.00	.00
58-90-51	Transfer to Waste Fund	.00	7,711.00	.00	.00
Total Department: 90:		.00	33,211.00	15,025.00	.00
STORM WATER UTILITY FUND Revenue Total:		430,711.62	179,399.61	234,095.00	781,923.00
STORM WATER UTILITY FUND Expenditure Total:		127,884.93	152,933.35	233,227.00	781,923.00
Net Total STORM WATER UTILITY FUND:		302,826.69	26,466.26	868.00	.00

Account Number	Account Title	2013 Actual	2014 Actual	2015 Original Budget	2015 Amended Budget
<b>DEBT SERVICE</b>					
<b>MISCELLANEOUS REVENUE</b>					
70-36-10	Interest Earnings	432.42	515.82	.00	.00
70-36-80	Proceeds from bond issuance	.00	751,000.00	.00	.00
Total MISCELLANEOUS REVENUE:		432.42	751,515.82	.00	.00
<b>TRANSFERS AND CONTRIBUTIONS</b>					
70-39-20	General Fund Transfer	106,884.00	106,766.00	64,706.61	64,906.61
Total TRANSFERS AND CONTRIBUTIONS:		106,884.00	106,766.00	64,706.61	64,906.61
<b>FUNDING USES</b>					
70-84-10	Debt Service - City Hall	71,000.00	799,000.00	55,000.00	55,200.00
70-84-11	Professional Fees	.00	15,400.00	.00	.00
70-84-15	Interest on Bonds	35,883.50	42,551.49	9,706.61	9,706.61
Total FUNDING USES:		106,883.50	856,951.49	64,706.61	64,906.61
DEBT SERVICE Revenue Total:		107,316.42	858,281.82	64,706.61	64,906.61
DEBT SERVICE Expenditure Total:		106,883.50	856,951.49	64,706.61	64,906.61
Net Total DEBT SERVICE:		432.92	1,330.33	.00	.00

Account Number	Account Title	2013 Actual	2014 Actual	2015 Original Budget	2015 Amended Budget
<b>CDRA FUND</b>					
<b>REVENUE</b>					
85-31-08	Interfund Loan	.00	.00	.00	20,000.00
Total REVENUE:		.00	.00	.00	20,000.00
<b>EXPENDITURES</b>					
85-44-63	Administration	.00	.00	.00	20,000.00
Total EXPENDITURES:		.00	.00	.00	20,000.00
CDRA FUND Revenue Total:		.00	.00	.00	20,000.00
CDRA FUND Expenditure Total:		.00	.00	.00	20,000.00
Net Total CDRA FUND:		.00	.00	.00	.00
Net Grand Totals:		1,650,556.76	807,482.19	2,084.90	.00



# City Council Staff Report



**Subject:** Inter-local Agreement with Clinton City  
**Author:** Boyd Davis  
**Department:** Community Development  
**Date:** June 16, 2015

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## **Background**

Clinton City has made a request to enter into an inter-local agreement that would allow West Point City to provide sewer service to a 40 acre area of Clinton City at approximately 2000 North 3500 West. The area is being proposed for residential development, but Clinton City does not have a sewer system in that area. They are requesting permission to connect to West Point City's sewer line on 2000 North in the Derby Acres Subdivision.

## **Analysis**

The existing sewer line in 2000 North is an 8 inch line and has capacity to serve the proposed development. An 8 inch line can serve approximately 400 to 500 homes, which is far more than are proposed.

The proposed agreement states that West Point would provide service and Clinton would collect the monthly service fees, which they will send to West Point. In addition, Clinton will collect the sewer impact fees and send them to West Point City as well. The fees can be adjusted as needed with written notice to the City.

In addition to the sewer agreement, the City Council should consider two other issues. First, the proposed development is also proposing to connect to the street at 2000 North. The end of this street is currently a cul-de-sac. If the street connects at this location, it is recommended that the cul-de-sac be removed and straightened. The cost to do so should be the responsibility of the developer.

Second, there is a riding path easement that crosses the street near the cul-de-sac. As the Derby Acres Subdivision has developed and been improved over the years, the riding path has gone unused and has been blocked in many locations. As it is unused it may be appropriate to release the easement. The other option would be to leave the riding easement in place. The easement can exist on the road, however, there is probably little use for it.

## **Recommendation**

No action is required. This is for discussion purposes only, however any comments or direction from the Council would be appreciated.

## **Significant Impacts**

None

## **Attachments**

Draft Agreement



# INTERLOCAL COOPERATION AGREEMENT

THIS INTERLOCAL COOPERATION AGREEMENT is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2015, by and between CLINTON CITY CORPORATION, a municipal corporation of the State of Utah, hereinafter referred to as "Clinton", and WEST POINT CITY CORPORATION, a municipal corporation of the State of Utah, hereinafter referred to as "West Point".

## RECITALS

1. Clinton is a municipal corporation of the State of Utah and, as such, is responsible for, among other things, furnishing Waste Water disposal for residents and inhabitants of Clinton.
2. The Service Area, approximately forty-acre (40 acre) area in Clinton that is north of 1800 North and south of the 2050 North Davis County Storm Channel and west of approximately 3250 West and extending west to the Clinton / West Point boundary, also described as the Southwest ¼ of the Northeast ¼ Section 29; Township 5 North; Range 2 West; Salt Lake Base and Meridian is depicted in the attached diagrams.
3. The Service Area can not be developed without a means of removing Waste Water.
4. West Point has developed a waste water system in 2000 North capable of receiving Waste Water from the Service Area in Clinton.
5. The system in 2000 North in West Point has the capacity to receive Waste Water from the Service Area in Clinton.

## NOW, THEREFORE,

in consideration of the mutual promises, covenants and conditions hereinafter set forth, Clinton and West Point agree as follows:

1. Recitals. The recitals of this Agreement are considered part of the Agreement.
2. Agreement. This Agreement is made pursuant to the provisions of the Utah Interlocal Cooperation Act, Utah Code Ann § 11-13-1 et seq. The Agreement shall become effective upon adoption by resolution passed by the governing bodies of the parties pursuant to Utah Code Ann. § 11-13-5.
3. Duration of Agreement. To the extent allowable under applicable law, the parties intend that this Agreement be perpetual unless terminated by the mutual written consent of the parties. In the event that applicable law does not allow this agreement to be perpetual, then the term of this Agreement shall be 50 years from its effective date.
4. No Separate Entity. This Agreement shall not create any separate legal or administrative entity or body and there shall be no joint ownership of property. Rather, this Agreement is intended to define the responsibilities of the cities and the service area for storm water and waste water. Each party shall be responsible to maintain, operate, and inspect its own operations and activities within their respective city boundaries.
5. Service Area. The approximately forty-acre (40 acre) area in Clinton that is north of 1800 North and south of the 2050 North Davis County Storm Channel and west of approximately 3250 West and extending west to the Clinton / West Point boundary, also described as the Southwest ¼ of the Northeast ¼ Section 29; Township 5 North; Range 2 West; Salt Lake Base and Meridian, can not be developed without a means of removing Waste Water. Refer to attached diagrams and maps.
6. Design of Systems. Clinton will require the developer to design the Waste Water System in Clinton to Clinton City standards. The outflow line of the system will be designed to match with the corresponding system in West Point. On the Clinton side of the service separation line, Clinton will require the developer to install a five-foot (5') manhole in the Waste Water system. The design of the junction of this system at the service separation line will be agreed upon by both Clinton and West Point.

7. Liability. Clinton will be responsible for all infrastructure within the service area within Clinton and West Point will be responsible for all infrastructure within West Point. Each party shall be responsible to maintain, operate, and inspect their respective systems to insure proper function of the infrastructure and flow of the contents of the system.
8. Fees and Charges. Fees and charges will apply to any connection within the Service Area that drains into the System draining into the connection at 2000 North in West Point.
  - a. Clinton agrees to collect and pay the North Davis Sewer District fee for each connection within the Service Area.
  - b. Clinton agrees to collect with each building permit, from the builder, and pay to West Point a one time payment for each residential dwelling building permit issued in the Service Area that connects to the System in an amount equal to the West Point impact fee for waste water of \$241.72.
  - c. Clinton agrees to pay a Wheeling Fee of \$6.70 per month for each residential waste water connection utilizing the System within the Service Area.
  - d. Wheeling Fees may be adjusted by action of the West Point Council and will be collected by Clinton City with 30 days notice provided.
9. Payment. Clinton will make payment of Impact Fees monthly for each month that a permit is issued for the service area. Payment of Wheeling Fees will be paid annually.
10. Waiver and Modification. No failure on the part of either party at any time to require the performance of the other of any term of this Agreement shall in any way affect such party's right to enforce its terms, nor shall any waiver by any part of any term hereof be taken or held to be a waiver of any other term or of any breach hereof. This Agreement may not be modified or amended except by written Agreement executed by both parties.

**IN WITNESS WHEREOF,**

the parties have signed this Interlocal Cooperation Agreement effective the day and year first above written, pursuant to authority granted by resolution duly passed and adopted by Clinton and West Point, respectively.

Approved and adopted by the Clinton City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2015

CLINTON CITY  
A MUNICIPAL CORPORATION

\_\_\_\_\_  
L. MITCH ADAMS, MAYOR

ATTEST:

\_\_\_\_\_  
DENNIS W. CLUFF, RECORDER

\_\_\_\_\_  
MICHAEL V. HOUTZ  
CLINTON CITY ATTORNEY

ACKNOWLEDGEMENT OF CLINTON CITY OFFICIALS

State of Utah    }  
                  §  
County of Davis }

On the \_\_\_\_ day of \_\_\_\_\_, 2015, personally appeared before me Erik Craythorne, Mayor of West Point City and Misty Rogers, West Point City Recorder, who being by me duly sworn or affirmed, did say that they are the Mayor and City Recorder respectively and signed in behalf of West Point City by authority of the West Point City Council and acknowledged to me that the West Point City Council executed the same.

\_\_\_\_\_  
NOTARY PUBLIC

COMMISSION EXPIRES \_\_\_\_\_

Approved and adopted by the West Point City Council this \_\_\_\_ day of \_\_\_\_\_, 2015.

WEST POINT CITY  
A MUNICIPAL CORPORATION

\_\_\_\_\_  
JAY H. RITCHIE, MAYOR

ATTEST:

\_\_\_\_\_  
RICHARD L. DAVIS, RECORDER

\_\_\_\_\_  
FELSHAW KING  
WEST POINT CITY ATTORNEY

ACKNOWLEDGEMENT OF WEST POINT CITY OFFICIALS

State of Utah }  
                  §  
County of Davis }

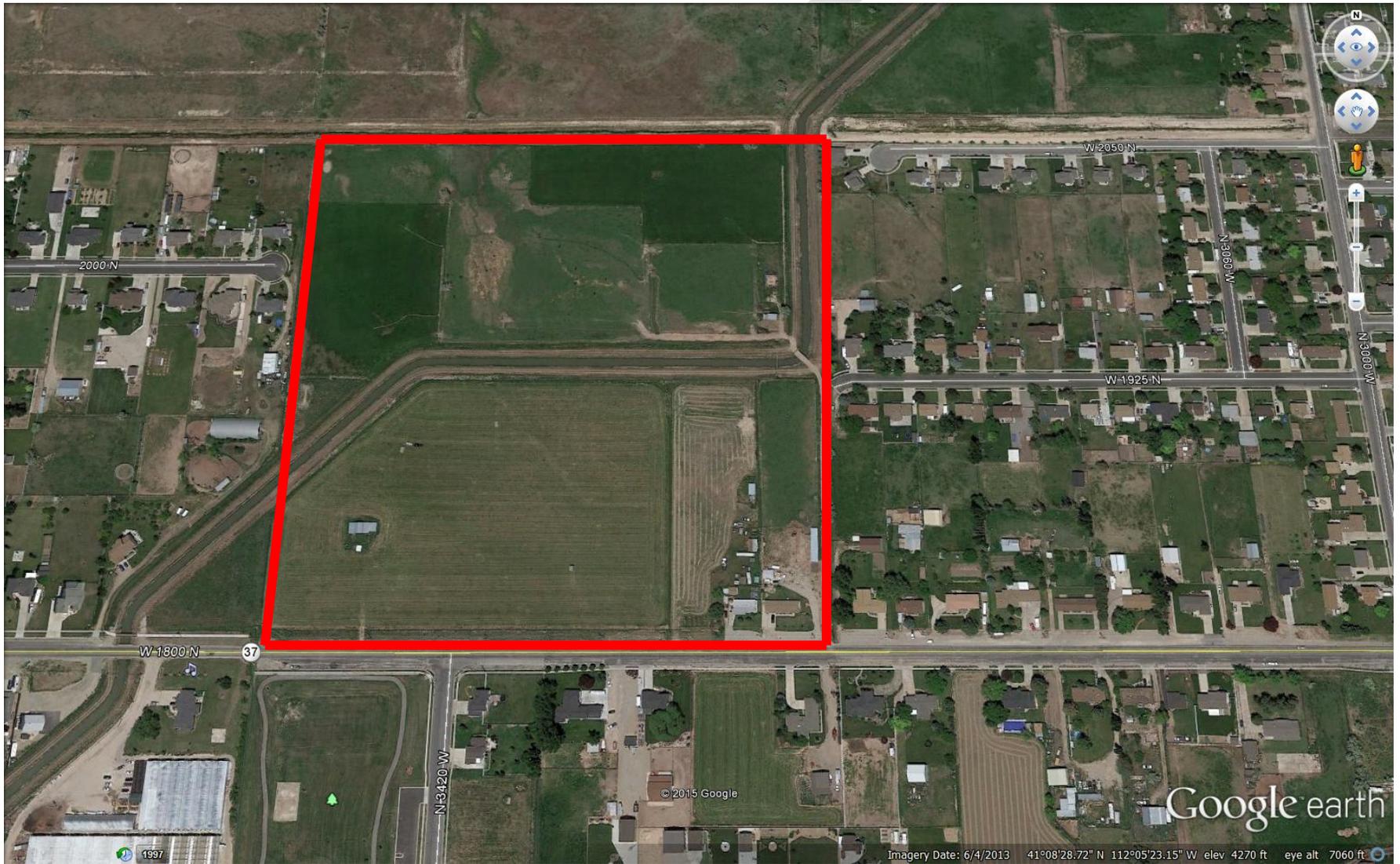
On the \_\_\_\_ day of \_\_\_\_\_, 2015, personally appeared before me Erik Craythorne, Mayor of West Point City and Misty Rogers, West Point City Recorder, who being by me duly sworn or affirmed, did say that they are the Mayor and City Recorder respectively and signed in behalf of West Point City by authority of the West Point City Council and acknowledged to me that the West Point City Council executed the same.

\_\_\_\_\_  
NOTARY PUBLIC

COMMISSION EXPIRES \_\_\_\_\_

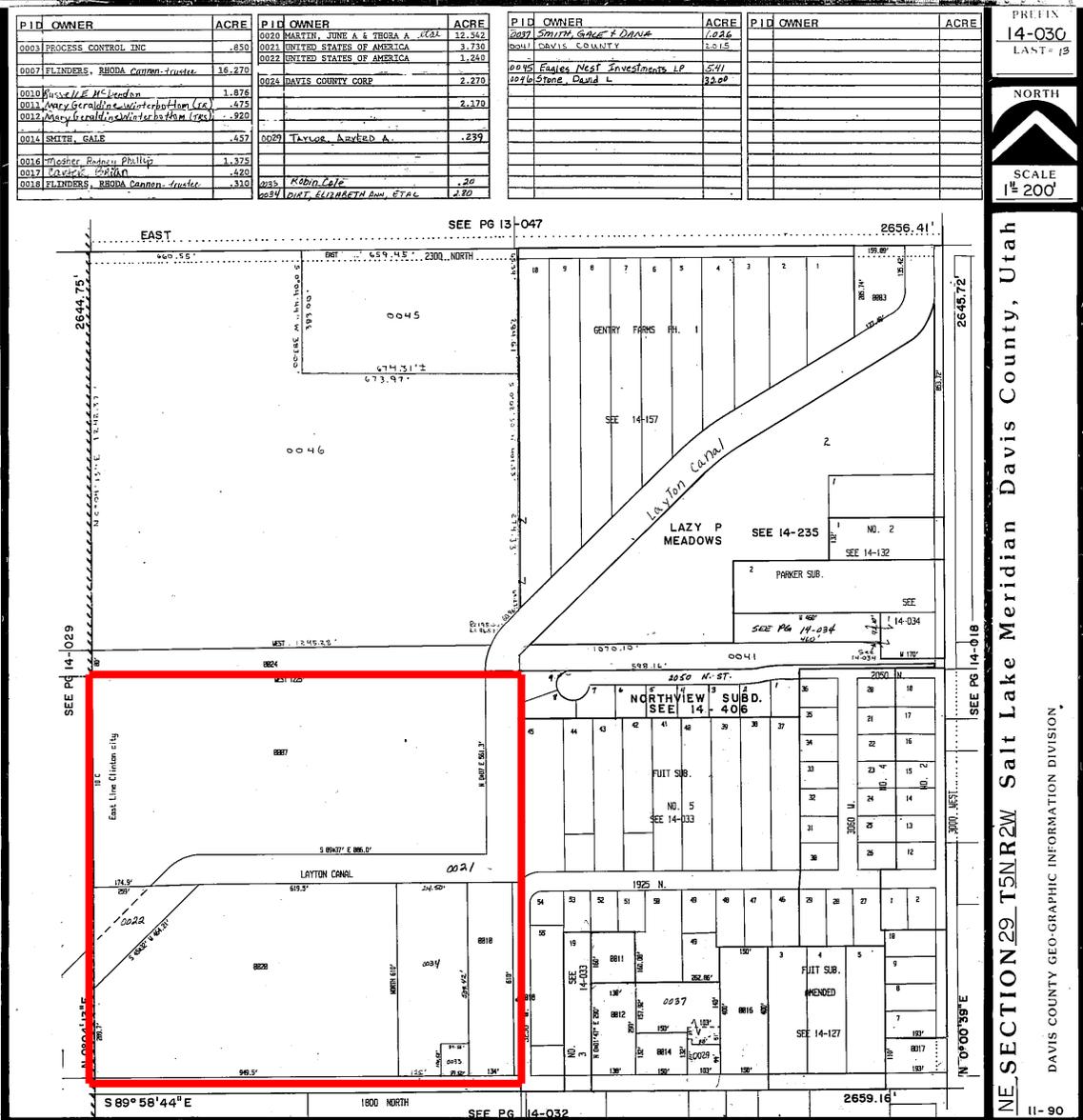
DRAFT

Approximate Service Area



030

14



PRELIM  
14-030  
LAST-13

NORTH

SCALE  
1" = 200'

NE\_SECTION 29 T5NR2W Salt Lake Meridian Davis County, Utah

DAVIS COUNTY GEO-GRAPHIC INFORMATION DIVISION

11-90

# City Council Staff Report



**Subject:** Subdivision Warranty Policy  
**Author:** Boyd Davis  
**Department:** Community Development  
**Date:** June 16, 2015

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## **Background**

Staff received a request from Castle Creek Homes to allow them to transfer money to the City in lieu of doing the slurry seal on the roads of their subdivisions. Each developer is required to place enough money in an escrow account to cover the cost of the slurry seal. The current warranty policy requires them to have the slurry completed before the warranty can be released.

## **Analysis**

We have received money from developers in the past to have the streets slurry sealed under the City's contract rather than having the developer get his own contract. However, the slurry has been completed before the warranty was released. In the case of Castle Creek Homes, they would like to be released from warranty immediately after transferring the money.

Staff is ok with the proposal for a couple of reasons. First, if we receive the money and do the work with our own contractor we will have a little more control over the process, and second, it will allow us to choose different products. We have not had great success with slurry seals and have started using a new product called HA5 that is performing much better. It is not required for new developments yet, but we will likely propose that in the near future.

The cost of the HA5 compared to the slurry seal is actually cheaper. We have been paying \$1.74 per square yard for HA5 compared to \$2.00 for slurry seals. We have required between \$2.00 and \$2.70 per square yard to be placed in the escrow accounts for subdivisions, so there should be enough money for any product that we choose.

Cost and product quality will not be an issue if the Council chooses to allow the money to be transferred. The only change will be the timing of the work.

## **Recommendation**

Staff recommends the Council grant the request. No formal action is necessary.

## **Significant Impacts**

None

## **Attachments**

None





**West Point City Council Meeting  
3200 West 300 North  
West Point City, UT 84015  
May 19, 2015**

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

**Administrative Session**  
5:30 pm – Board Room

Minutes for the West Point City Council Administrative Session held at the West Point City offices, 3200 West 300 North, West Point City, Utah 84015 on May 19, 2015 at 5:30 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 and Council Member Jeff Turner

**CITY EMPLOYEES PRESENT** – Kyle Laws, City Manager; Boyd Davis, Assistant City Manager; Evan Nelson, Finance Director; Paul Rochell, Public Works Director; and Misty Rogers, City Recorder

**EXCUSED** – Mayor Erik Craythorne and Council Member Andy Dawson

**VISITORS PRESENT** – Rob Ortega

Mayor Pro-Tem Petersen welcomed those in attendance.

**1. Continuation of Budget Discussion for the FY2015 Amended Budget and FY2016 Tentative Budget** – Mr. Evan Nelson

Mr. Nelson stated discussions of the FY2015 Amended Budget and the FY2016 Tentative Budget began on May 5, 2015. He then stated that during the May 19<sup>th</sup> meeting, Council and Staff will discuss the following items:

- Capital Projects
- Projects Completed in FY2015
- Projects Funded for FY2016
- New Projects added to the Matrix
- Projects with Funding Changes in FY2015
- Enterprise Funds (Waste, Water and Storm Water Fund)
- Impact Fees

**Completed Projects in FY2015**

- 003 - East Park: Remaining Grant funding (\$20,000) was used to pay for the installation a bowery in East Park.
- 005 – The Final Payment for the Blair Dahl Park will be paid on June 2, 2015.

Mr. Laws stated that each project listed on the matrix is given a project number. The lower the project number the longer the project has been on the matrix.

Mr. Nelson stated the annual payment for the Blair Dahl Park is approximately \$135,000. Staff plans to continue allocating approximately \$130,000 annually for park improvements.

- 010 – 2300 West 800 North Intersection Improvements

Council Member Chatterton stated that the improvements to the intersection of 2300 West 800 North have enhanced the appearance of the area.

Council Member Henderson asked when the sidewalk on 800 North will be connected. Mr. Davis stated the sidewalk will be connected when the Contractor (Yarbrough) can fit the project into his schedule. He then stated the Contractor will be providing the City with an estimate for the additional cement.

Council Member Chatterton stated that Wendy Snounou (a resident on 800 N) thought the installation of the driveways may help with current drainage issues.

Mr. Laws stated the 800 North Sidewalk Project and the installation of the playground equipment and tennis and basketball courts should be complete by the end of FY2015.

Projects Funded in FY2016 (new appropriations)

- 012 – Street Maintenance: Each year \$200,000 of Class C Road money is budgeted and used for street maintenance. At the end of the fiscal year, the balance is carried forward.

Mr. Laws stated last year's road projects were delayed and Parsons is currently working on those projects.

- 013 – Sidewalk Maintenance: An additional \$4,360 is being budgeted for miscellaneous sidewalk repairs in FY2016.
- 015 - Salt & Street Materials: An additional \$15,000 is being budgeted in FY2016.
- 018 - Fire Hydrants: An additional \$3,425 is being budgeted in FY2016.
- 019 - SCADA System: An additional \$13,000 is being budgeted in FY2016.
- 023 - Parcel Maintenance and Protection: An additional \$15,000 is being budgeted in FY2016.

Mr. Laws stated the increase is primarily for the fence which will be installed in the Pheasant Creek Subdivision, separating the City property from the property being leased by Mr. Lynn Kirkman. He also stated a portion of the funding may be used to fix the fence between the HOA behind City Hall and the Wise County Meadows Subdivision.

- 031 - Source Protection Plan: An additional \$20,000 has been budgeted in FY2016. Mr. Nelson stated this plan must be updated with the State of Utah every 5 years.

Mayor Pro-Tem Petersen asked if this is a water report. Mr. Davis stated yes, the report includes information regarding ground water and the two wells owned by the City.

Council Member Chatterton asked if the Source Protection Plan will cost \$20,000. Mr. Davis stated the \$20,000 needed for the Source Protection Plan is only an estimate.

Mayor Pro-Tem Petersen asked if someone outside the agency must complete the report. Mr. Davis stated yes, an outside agency will be needed to assist with the reporting.

- 043 - Cemetery Perpetual Care - The current balance of the Perpetual Care Fund is \$156,000 and the balance continues to increase. Some of the funding will be used for the expansion of the Cemetery. An additional \$13,495 has been budgeted in FY2016.

Mr. Laws stated the City is still waiting to hear from the Bureau of Land Reclamation regarding the Cemetery Expansion.

Mayor Pro-Tem Petersen stated Perpetual Care should not be used for land acquisition. Mr. Laws stated the City doesn't plan to purchase property for the Cemetery expansion. The City will likely trade property near the trail for property to the west of the Cemetery with the Bureau of Reclamation. If the property trade is approved, the property to the west of the cemetery will be used for the Cemetery expansion. Mr. Laws stated it is anticipated that the only cost to the City for the Cemetery expansion will be for the development.

Mr. Nelson stated the maintenance of the cemetery is paid for out of the General Fund. He then asked that if anyone has questions or concerns to please contact him.

- 045 - 520 North Loop Completion and Parking Lot: Funding has been appropriated from the Capital Projects and Special Revenue Funds. Additional Funding sources in FY2016 will include Road Impact Fees, the Waste Fund, the Water Fund, and the Storm Water Fund.

Mayor Pro-Tem Petersen asked when the 520 North loop completion and parking lot will begin. Mr. Laws stated the project could be start anytime as \$150,000 had been budgeted in FY2015. There are approximately five or six funding sources for this project. Mr. Laws stated the City needs to decide on a design for the area as well as phasing before construction can begin.

- 051 - 650 North Sewer, Storm Drain, and Road Widening: Mr. Davis stated this area lacks curb, gutter and sidewalk and has drainage issues. He then stated the sewer line in the area connects to the North Davis Sewer District line however, the West Point sewer line is too low. If the sewer line isn't raised and as flows increase, residents in this area will experience backups. The main purpose of the project is to raise the sewer line and install storm drain, curb, gutter and sidewalk before the road is paved.

Council Member Chatterton asked if the sewer line on 650 North is working properly. Mr. Davis stated yes.

Mr. Laws stated this project originally extended from 5000 West to 4750 West; however the road widening portion and the curb, gutter and sidewalk should be extended to 4550 West. The new budget allocation includes the full road widening from 5000 West to 4550 West and utility lines from 5000 West to 4750 West.

Council Member Chatterton asked what will happen with the remainder of 4550 West and 650 North. Mayor Pro-Tem Petersen stated the real question is what should be done with the area of 4550 West and 650 North. The purpose of the project is for the utilities and drainage. The installation of the curb, gutter and storm drain should alleviate some of the drainage issues. He stated asked if connecting the utilities from 4550 West 650 North to 4550 West 550 North is needed.

Mr. Davis stated the main issue is the drainage in the area. He stated the connecting of utility services from 650 North to 550 North doesn't appear to be an emergency.

Mr. Laws stated in the future, the connection will want to be made as this will give the area a completed look.

Mayor Pro-Tem Petersen recommended wrapping the curb and gutter around the first home as it will assist with drainage issues and give the area a more completed look. Mr. Davis agreed.

Council Member Chatterton stated wrapping the curb and gutter around \*\*\* will provide a sidewalk all of the way to the park.

Mr. Davis stated the storm drain pipe will only extend to 4750 West. Most of the water will flow into the curb and gutter and then enter into the pipe.

Council Member Chatterton asked if water still exists from behind the homes on the north side of the road. Mr. Davis stated an irrigation pipe still runs between the homes. Mr. Rochell stated a drain has been installed in the area and extends to 800 North. Mr. Davis stated the line will be tied into the new storm drain line.

Mayor Pro-Tem Petersen stated the main issue is drainage. The residents in this area need a way for water to drain from the north to the south to 650 North. Mr. Davis stated yard drains could be installed and connected to the new storm drain line if needed. Mayor Pro-Tem Petersen agreed.

Mr. Laws stated the improvements can be taken as far the budget will allow.

- 059 - Vehicle Replacement: Three of the City's Chevy Colorado's will be replaced in FY2016. A \$43,367 increase to the FY2016 budget.
- 060 - Equipment Replacement: \$18,000 is budgeted in FY2016 for the replacement of the Walker lawn mower.
- 066 - 1300 North 24" Storm Drain Line (4200 W to 4250 W): \$70,000 is budgeted in FY2016 to tie the retention pond in the Glenn Dale Subdivision into the storm drain located on the west side of the Hooper canal. This will eliminate the retention pond in the Glenn Dale Subdivision.

Mayor Pro-Tem Petersen asked where the retention pond is located in the Glenn Dale Subdivision. Mr. Davis stated the retention pond is located on lot 1 of the subdivision. He stated Craythorne Construction is the current owner of lot 1.

- 067 – 4000 West 1300 North Storm Drain Line: This project will run the storm drain on 1300 North under the Layton Canal and tie it into the large storm drain on 4000 West.
- 069 – Gateway Sign: The electronic sign located at the gateway has been removed. Staff would like to use the remaining funds in the SR-193 landscape budget to install a sign on SR-193 welcoming people into the City.

Mr. Nelson stated that the Council has not discussed the installation of a sign on SR-193 but will do so in the future.

Mayor Pro-Tem Petersen stated the Council has only discussed the gateway sign. He stated in his opinion budgeting of funds if acceptable, but the Council and Staff should have a discussion regarding a possible sign.

Council Member Chatterton asked if an electronic sign is being considered. Mr. Laws stated no, only a sign welcoming people into West Point.

Mayor Pro-Tem Petersen stated \$13,000 may not be needed for the purchase and installation of a sign. He then stated if a sign is installed, it must be attractive and durable.

- 073 – 5 Year CIP: Setting aside funds for future needs and/or emergencies.
- 075 – Park Improvements: \$135,000 per year is budgeted to assist with improvements to existing and future parks.

Mr. Laws stated the carry forward balance or funding available in the current year is approximately \$455,000 and will cover the costs for the playground, tennis and basketball courts, and other minor repairs to the landscaping sidewalk, etc.

#### New Projects Added to the Matrix

- 080 – Storm Water Management Plan (required by State Law): \$30,000 is budgeted in FY2016 for the completion of the Storm Water Management Plan.

Mr. Davis stated that Staff will complete as much of the process as possible, but outsourcing will need to occur.

Council Member Chatterton asked if outsourcing will cost the City \$30,000 if Staff assists with the process. Mr. Davis stated hopefully not. Council Member Henderson stated there could be a potential savings if Staff assists with the process.

Council Member Chatterton asked how much the last Storm Water Management Plan cost the City. Mr. Davis stated approximately \$20,000.

Mr. Nelson asked how often the Storm Water Management Plan must be done. Mr. Davis stated the City must provide two different plans. The first is the Storm Water Master Plan and it must be completed by the City every 5 years. The second is the Storm Water Management Plan (pollution prevention), this plan must be completed by the City whenever an update has occurred to the state permit.

- 081 – 300 North Lift Station Storage Capacity Expansion: The budget is set at \$100,000 but is currently unfunded.

Mr. Davis stated the lift station services the Pace Farms Subdivision and is located near the corner of 300 North 5000 West. Mr. Kenny England; an employee of the Public Works Department is responsible for the lift station and made a suggestion. Mr. Davis stated the tank in the lift station does not have adequate capacity and if the pump stops working, residents in the area could be flooded with sewage within 15 minutes (depending on flow time). Adding a higher capacity tank will provide employees, maintenance crews and Pro-Pipe time to time to access the lift station and start cleanup procedures.

Mr. Laws asked if Abrams are connected to the lift station. Mr. Davis stated Abrams and a few of the homes on 5000 West are connected to the lift station.

Council Member Chatterton asked if Backflow Preventers are required in this area of the City. Mr. Rochell stated yes; however approximately five years ago seven homes were flooded with sewage. He then stated that the intent of the project will provide an additional storage tank to connect to the City's storage.

Council Member Chatterton asked what capacity of tank is needed. Mr. Rochell stated the capacity of the need storage tank is currently unknown. When funding becomes available, a design will be drafted and a size will be recommended. He then stated that a minimum of one hour is needed if the pumps stop working, because employees, maintenance crews, and Pro-Pipe will need to be dispatched to the location.

Mayor Pro-Tem Petersen stated one hour would be needed if employees were to notify residents of the issue. Mr. Rochell stated informing residents isn't the first priority because the assistance of all employees is needed in an emergency. He then stated there may be circumstances in which the water main must be shut down, as this would keep the water from entering into the sewer lines.

Mr. Laws informed the Council that project number 082 has yet to be funded as additional planning is needed.

- 082 – 300 North Sidewalk Grant (1500 W to 1600 W): \$50,000 has been budgeted in FY2016 (\$37,500 of grant funding and \$12,500 Class C Road Revenue)

Mr. Davis stated the City plans to work with Rocky Mountain Power for this project. Staff is hopeful that after the sidewalk has been installed on Rocky Mountain Power and West Point City Property, Clearfield City will install the remainder of missing sidewalk on their property.

Mayor Pro-Tem Petersen asked if Rocky Mountain Power is supportive of the project. Mr. Laws stated yes.

Mayor Pro-Tem Petersen asked if Rocky Mountain Power is aware that Clearfield may not complete the sidewalk on the east (in Clearfield). Mr. Davis stated no, but they have expressed their support of the project.

Council Member Chatterton stated that he is support of the installation of sidewalk from 1500 West to 1600 West on 300 North. He then expressed his concern for the safety of the people who currently walk in the area.

Mayor Pro-Tem Petersen stated he is amazed that a sidewalk has never been installed in this area of the City.

Mr. Laws stated that it may be difficult to obtain a commitment for the installation of sidewalk from Clearfield City as the sidewalk may not directly serve their residents.

Mayor Pro-Tem Petersen stated the residents of West Point travel to Winegars to shop and to Paces to eat. Clearfield City is essentially receiving sales tax revenue from West Point City Residents.

Mr. Laws stated that Staff has discussed the need for the sidewalk with Clearfield City on numerous occasions; however there haven't been discussions within the last year. Staff has been told by Clearfield City that they would like to install sidewalk on their portion of the property however it isn't a high priority.

Council Member Chatterton and Mayor Pro-Tem Petersen stated that someone may want to discuss the need for the sidewalk with the Clearfield City Mayor.

Projects with Funding Changes in FY2015

- 019 – SCADA System Upgrades: Funding for this project was reduced by \$12,000 and \$11,451 of the remaining balance will be carried forward into FY2016.

Mr. Davis stated because the SCADA System hasn't needed a significant amount of upgrades, it was determined to decrease the budget by \$12,000. Mr. Rochell agreed, the carry forward amount did not need to be significant.

- 050 – 3000 West Widening (300 North to 1300 N): \$2.8 million dollars is being provided by UDOT and the City will match \$247,419 for the widening of 3000 West.

Mr. Laws stated the 3000 West Widening project was moved ahead of schedule when the City participated in the funding swap.

Mr. Nelson informed the Council that grant expenses hadn't been previously budgeted as it was assumed that UDOT would pay contractors directly for this project. However it was recently discovered that contractors will be paid by the City and UDOT will reimburse the City 90% of the cost.

Mr. Davis stated the widening of 3000 West will likely begin during the first week of June.

Council Member Henderson asked when the project will be complete. Mr. Davis stated the project should be complete by October 2015.

Mr. Rob Ortega asked if the widening of 3000 West will affect the intersection at 300 North 3000 West. The Council stated no. Mayor Pro-Tem Petersen stated the intersection is adequate in size.

Mr. Laws stated the widening should not affect the Horizons Credit Union. Construction will begin on 3000 West just east side of the Credit Union and extend north.

Council Member Chatterton stated when Syracuse City began construction on 3000 West, they sent parking permits to each of the residents living within the construction zone. This prevents residents in the area from being stopped and questioned by police. Council Member Chatterton then stated a Police Officer from Syracuse City sits in the construction area. The Officer pulls over vehicles without a permit and issues citations to anyone without a purpose to be in the area. Council Member Chatterton stated the fee for the citations being issued by Syracuse City is approximately \$400. He then recommended the City also provide parking passes to those living within the construction zone.

- 057 – Rebuild PRV's: An additional \$3,248 was added to the project bringing the total carryforward amount to \$9,824.

Mr. Rochell stated the City has one 10" PRV valve left to replace. He stated if the PRV valve is rebuilt, it will cost the City approximately \$16,000 because it is an AMES valve. To replace the PRV with a Clay Valve, it will cost approximately \$9,800. Mr. Rochell stated a Clay Valve is significantly cheaper to rebuild than that of an Ames valve.

Council Member Chatterton asked where the PRV valve is located. Mr. Rochell stated the PRV is located on the corner of 800 North and 3000 West. He stated the PRV will be replaced during the widening of 3000 West.

- 059 – Vehicle Replacement: Updating project lines based on the new estimates for this year’s purchases.
- 069 – Gateway Sign
- 075 – Parks Improvement: Money was shifted from the General Fund to the Capital Projects Fund.
- 078 – West Point Military Memorial: The City collects donations for the Military Memorial. As of March 2015, the City had collected \$1,700 in donations which will be turned over to the Military Memorial Committee.

Council Member Turner asked how people can donate through the City for the Military Memorial. Mr. Laws stated that each month, residents have the opportunity to send a donation for the memorial with their utility payment.

Mr. Nelson stated the \$1,700 in the Military Memorial Fund is from donations received through utility billing or donating directly to the City for the memorial.

Council Member Chatterton stated the committee itself collects funds by holding fundraisers.

#### Enterprise Fund

##### Waste Fund – Proposed Changes

- North Davis Sewer District (NDSD) rate increase: This increase will occur every year for the next several years. The City collects the sewer fee on behalf of the NDSD. The budget will increase \$110,000 in FY2016.
- City Sponsored Clean-up Days: Twice per year, West Point City sponsors clean-up days for the residents of the City. Dumpsters are left at the parks for a specified amount of time and residents are allowed to dispose of their junk in the dumpsters. \$6,000 has been added to both the FY2015 and FY2016 budgets to pay for the service.

Mayor Pro-Tem Petersen asked if the \$6,000 pays for dump fees only. Mr. Nelson stated no, the \$6,000 includes dump and hauler fees. He then stated the cost of the April 2015 clean-up was less than the clean-up in the fall of 2014.

Mr. Davis stated the Clean-up program has been very successful.

Mayor Pro-Tem Petersen asked how many times the dumpsters were emptied.

Mr. Laws stated during the fall cleaning, 4 dumpsters were left at the Loy Blake Park for the entire weekend. By Monday, the dumpsters were full and garbage had been piled around the dumpsters. In April, dumpsters were left at the park for approximately 24 hours and as they would become full, Econo-Waste would dump them. Mr. Davis stated during the April cleaning, the dumpsters were filled 11 times.

- Information Technology: The budget amount in FY2016 has been reduced by \$1,200 in the Waste Fund.
- Insurance Allocation: Liability, vehicle and property insurance expenses are shared between the utility funds. The Waste Fund Allocation for FY2015 and FY2016 is \$15,000.

- Fleet Expense: The Waste Fund allocation has reduced by \$12,000 in both FY2015 and FY2016.

#### Water Fund

- Water Meters: Additional funding is needed for the purchase of new water meters. The budget for the Water Fund has been increased \$30,000 in FY2015 and FY2016. The budget total for Water Meters is \$65,000.

Mr. Rochell stated anyone with questions should contact him.

- Secondary Water Expense: Secondary Water expenses have been increasing over the past several years and the budget hasn't been increased compensate for the increases. An increase of \$45,000 is budgeted in FY2015 and an increase of \$64,000 is budgeted in FY2016.
- Culinary Water Expense: West Point City purchases culinary water from Weber Basin Water. The cost of the water is expected to increase, therefore the FY2016 budget was increased \$7,500.
- Information Technology: An increase of \$5,475 if the Water Fund in FY2016.
- Insurance Allocations: Liability, vehicle and property insurance expenses are shared between the utility funds. The Water Fund Allocation for FY2015 and FY2016 is \$19,000.
- Fleet Expense: The fleet expenses have been reduced in by \$15,000 in FY2015 and FY2016.

#### Storm Water Fund

- Fleet & Insurance expenses have been combined and the increase for both fleet and insurance is \$6,000 in FY2016.
- Depreciation Expense: An increase of \$22,000 has been budgeted in FY2016.

#### Impact Fees

In the past, Impact Fees have been tracked in the Special Revenue Fund. However this practice has made tracking assets difficult. To make tracking more efficient, Sewer, Water, and Storm Water Impact Fees will now be tracked in their respective utility fund. The FY2015 & FY2016 budgets have been adjusted to allow for the transfer of funds.

Council Member Chatterton asked if Park Impact Fees will be tracked the same as the utility Impact Fees. Mr. Nelson stated no, because the General Fund expenditures are not capitalized the same ways as the enterprise funds. All other Impact Fees have been left within the revenue fund.

Council Member Chatterton thanked Mr. Nelson for his presentation.

Mr. Laws stated if anyone has questions or concerns with regards to the budget or Capital Projects, please contact Staff.

Mr. Nelson stated the Council will discuss the proposed changes to the fee schedule during the June 2, 2015 meeting. He recommended the Council review the fee schedule within the budget document before the June 2<sup>nd</sup> meeting.

Mayor Pro-Tem Petersen stated during the May 19, 2015 Council Meeting, the public hearing for the FY2015 Amended Budget and FY2016 Tentative Budget will be held. He asked if the public hearing will be continued to the June 2, 105 Council Meeting. Mr. Laws stated yes, the public hearing will continue through June 2<sup>nd</sup>, the public hearing will then close and the Council will take action on the adoption of the FY2016 Tentative Budget. Another public hearing will be held on June 19, 2015 for the adoption of the FY2015 Amended Budget, adoption of the Fee Schedule, and the adoption of the FY2016 Final Budget.

Mr. Laws stated if the Council decides not to accept the certified tax rate; the City will complete the Truth in Taxation process, and the adoption of the FY2016 Budget will not occur until August. He then stated that Staff hasn't yet to meet with the County to discuss the tax rate and property values. Mr. Laws stated the Council will be notified when the County provides the City with information regarding property values and the certified tax rate. He then stated that in the near future, the Council will need to determine if the City should accept the property tax rate or complete the Truth in Taxation process.

Mr. Laws stated over the past few years property rates have increased and the certified rate has decreased and the Council chose to participate in the Truth in Taxation process. He stated last year, the Council negotiated a property tax rate higher than the certified tax rate but lower than the current rate. Mr. Laws stated completing the Truth in Taxation process does not require the Council to maintain the rate. It allows the Council to adopt a property tax rate in between the certified tax rate and the current rate.

Mayor Pro-Tem Petersen stated the County has promised to do a better job at capturing new growth, he stated that he is hopeful that this will mitigate the decrease in the tax rate.

Mr. Laws stated Mr. Nelson will be meeting with the County next week to discuss property values. However, final values and rates will not be presented to the City until early June.

Mr. Nelson stated the Council will be notified as information

**2. Discussion of the Smith's Marketplace Project Site Plan and Removing the Property from Agriculture Protection – Mr. Boyd Davis**

Mr. Davis informed the Council that West Point City has received final plans for Smith's Marketplace and the surrounding commercial development. During the June 2, 2015, General Session, the Council will be asked to approve the Site Plan. Mr. Davis stated if the Council has any questions or concerns, now would be the time to address them. He then informed the Council that Smith's would like to obtain their building permit during the first week of June and begin construction soon thereafter.

Mr. Laws stated this meeting will allow the Council to review the plans and provide feedback to Staff before the plans are approved. He then stated the Council will discuss this item again during the Administrative Session on June 2, 2015.

Mr. Davis presented the Site Plan to the Council. He stated the plan is similar to that which had originally presented to the Council. However one retail pad has been changed to an office pad. The Developer has been working with a medical group who would like to utilize the location.

Mayor Pro-Tem Petersen asked if the Developer is held to uses noted on site plan. Mr. Davis stated no, however the tax increment incentive for the developer is contingent upon sales tax generated businesses.

Mr. Davis stated the Site Plan (exhibit A) includes the Smith's Marketplace pad, a small retail pad(A), a fuel center, Credit Union pad(B), Fast Food pad(C), Retail pad(D), Fast Food pad(E), and Office pad(F). He then stated during the June 2, 2015 Council Meeting the Council will only be asked to approve the following items:

- Subdivision Plat Approval (dividing the property into seven different lots)
- Site Plan (the overall project)
- Smith's Building Pad

Council Member Henderson asked if Planning Commission approved the three items during their meeting last week. Mr. Davis stated yes.

Mr. Davis stated the Smith's Building has the correct amount of brick as previously requested and there are minor variations in the building. He then stated the look of the store is attractive and is similar to that of stores recently opened by Smith's. Mr. Davis presented the following review comments from Staff to the Council:

1. Zoning
  - a. A beer license will be required - The Council will need to approve a license before the store opens. He then stated someone who works directly with Smith's will be applying for the Beer License.
  - b. The Agricultural Protection designation must be removed from the property – The Council will be asked to pass a Resolution in an upcoming meeting to remove the property from Agricultural Protection.

Council Member Chatterton asked if the developer must ask for the property to be removed from Agricultural Protection. Mr. Davis stated yes, and the City is currently trying to determine if Mr. Gary Wright or Smith's owns the property. Whoever owns the property will request the Council remove the property from Agricultural Protection.

2. Site Plan
  - a. Signage - A sign plan has not been submitted. However, they will submit a sign plan for the Smith's Marketplace in the near future.
  - b. The plans do not include the street lights along 300 North and 2000 West, therefore the plans are being corrected to include the lighting.
  - c. The landscape plan looks good however so there are exceptions from the City Code.
  - d. The site plan shows a chain link fence, but it may be replaced with a concrete wall. Bidding for both options are being considered. If funding is available or there is enough incentive, the concrete wall will be installed.

Mayor Pro-Tem Petersen expressed the need for the concrete wall at the rear of the Smith's Marketplace.

Council Member Chatterton agreed, he stated in early discussions between the Council and Smith's, it was agreed that a concrete wall would be installed on the west property line.

Council Member Henderson stated that early in the process, Smith's believed that there would be adequate funding available to pay for the installation of a concrete wall. However, Smith's now believes that the funding needed for the wall may not be available.

Mr. Laws informed the Council that during the past few meetings with Smith's, the City has been told that funding may not be available for the wall. He then stated that Smith's will be bidding the concrete wall as a bid alternative. If funding is available, Smith's will install the concrete wall. However if Smith's lacks funding, the City may need to use tax increment or find another way to pay for the concrete wall.

Council Member Petersen asked if the West Point City Code allows for a chain-link fence. Mr. Davis stated the West Point City Code does not address "fences" in the commercial area and the fencing requirement between agriculture and residential properties is a minimum of chain-link.

Council Member Turner asked if the West Point City Code should be amended to address fencing requirements within commercial areas. Mr. Davis stated the Council could choose to amend the code.

Council Member Petersen stated the Council has the ability to approve the plan with the stipulation that a concrete wall must be installed to the west of the Smith's store.

Mr. Laws stated if the Council is determined to have a concrete wall and Smith's doesn't have the adequate funding, the City will need to find a way to pay for wall

Mayor Pro-Tem Petersen stated the Council has expressed their desire for a concrete wall. He then asked the Council if Smith's should be told that the plans will not be approved if a concrete wall is not included in the plans.

Council Member Henderson expressed concern with saying that the Council will not approve the plans without the concrete wall. He stated if Smith's is lacking funding it may be a deal breaker. He asked if the Council Members are willing to take the risk.

Mayor Pro-Tem Petersen stated if the Council does not insist on a concrete wall, it is likely the minimum fencing requirement would be met.

Mr. Davis stated a requirement for the concrete wall could be stated in the Developer's Agreement. He then asked the Council where they would like a post and panel wall installed.

Mr. Davis stated the installation of a 1,500 ft. wall (the full distance of the property) is estimated to cost \$100,000. He stated the distance behind the store is approximately 800ft. The Council agreed the wall should be installed to the west and south of the Smith's Marketplace store (to the back of Gary Wright's property).

Mayor Pro-Tem Petersen asked if the wall would be constructed using concrete. Mr. Davis stated the bid received is for a 6 ft. post and panel wall.

Mayor Pro-Tem Petersen asked the cost of a chain-link fence. Mr. Davis stated to install 1,500 ft. of chain-link fence is estimated to cost \$20,000 to \$30,000.

Council Member Turner stated in the future, the Council will be happier with the post and panel wall.

Mr. Davis clarified with the Council that they will not approve the Site Plan if the concrete wall is not included in the plan. Mayor Pro-Tem Petersen stated yes, and if Smith's is concerned with the installation of the wall they have the opportunity to renegotiate with the Council.

Council Member Turner asked if the Planning Commission was supportive of Smith's obtaining bids for chain-link fencing and a post and panel wall. Mr. Davis stated yes, the Planning Commission was supportive of Smith's obtaining bid alternates.

Mayor Pro-Tem Petersen expressed the need for the Council and Staff to "push" for the installation of the wall. He then asked the Council their opinions.

Council Member Turner expressed his support of the wall.

Council Member Chatterton stated he is supportive of the wall.

Council Member Henderson stated he likes the wall; however he does not want the wall to be a "deal breaker". Mayor Pro-Tem Petersen stated it is the Council's duty to hold to the standards of the City.

Council Member Chatterton stated the installation of the wall will significantly enhance the development. The Council Members agreed.

3. Building Pad

- a. The Smith's pad and pad "A" will be approved separate from the fuel center.
- b. Architecture (Smith's only)

4. Plat

- a. Minor changes to the legal description have been made.
- b. The current ownership shows more than one owner. A signature and acknowledgement line has been added for each owner.
- c. Indicate who the owner of parcel A will be dedicated to Gary Wright.
- d. The ownership of the entrances will be Smith's.

5. Streets

- a. A traffic analysis has been submitted and UDOT has approved five of the six accesses. UDOT has denied the access on 300 North near the 2000 West because it is too close to the intersection. Smith's has submitted a traffic analysis showing the entrance will work and that the entrance will be a right turn in and a right turn out only. Smith's Engineers are supportive of the accesses but UDOT will not grant a variance for the entrance.

Mr. Davis stated if the access point is denied, Smith's will likely stop the project. He then reminded the Council that as SR-193 is constructed, portions of 300 North will be transferred to the City. He then informed the Council that Mayor Craythorne and Mr. Laws recently met with the Chris Petersen, the Region 1 Director to discuss options. During that meeting transferring this portion of 300 North to the City early was discussed. Transferring this portion of the road to the City will give us control over the road.

Mr. Laws stated that he and Mayor Craythorne met with Chris Petersen, the Region 1 Director in April to discuss several items. During this meeting, Mayor Craythorne and Mr. Laws asked Mr. Petersen if the City could extend the transfer of road to the City from 1500 West to approximately 1,000 ft. west of 2000 West. The Region 1 Director stated no, if the road is transferred to the City it would need to extend to 3000 West.

Council Member Turner asked if the City will maintain the road. Mr. Laws stated yes and Staff is willing to take over an additional one mile of road. He stated if the City owns the road, leverage with UDOT could be used.

Mr. Laws informed that Council that Clearfield City will be taking over the 300 North bridge in the near future. But before the bridge is transferred to Clearfield City, UDOT will provide much needed maintenance to the bridge. Clearfield City has requested that UDOT provide them with maintenance money for any project planned for the area in the coming years. UDOT has agreed to provide both Clearfield City and West Point City with maintenance money. West Point will receive approximately \$120,000 of maintenance money from UDOT when 1500 West to 3000 West on 300 North is transferred to the City.

Council Member Chatterton asked if UDOT is required to bring the road up to standard before it is transferred to the City. Mr. Davis stated no, the maintenance money received from UDOT will help pay for the improvements.

Mr. Laws stated a Transportation Commission Meeting has been scheduled for May 21<sup>st</sup>. Because of the transportation meeting, the Region 1 Director needed to know by May 1<sup>st</sup> if the City wanted to move forward with transferring this portion of the road to the City. The City again requested a variance for the entrance, but it was again denied. At that time a decision was made to move forward with the transferring of the 300 North from 1500 West to 3000 West to the City. Mr. Laws stated the agreement has been reviewed by UDOT and the Transportation Commission will likely approve the agreement in June 2015. Mr. Laws stated that Staff moved forward without an approval from the Council and he is hopeful that the Council will be supportive.

Mayor Pro-Tem Petersen asked the distance from the corner of 2000 West to the most easterly entrance on 300 North of the development. Mr. Davis stated distance from the corner of 300 North 2000 West to the most easterly entrance on 300 North is approximately 250 ft. and UDOT requires 300 ft.

Council Member Henderson asked if the entrance on 2000 West meets UDOT's requirements. Mr. Davis stated yes, the entrances into the development off of 2000 West meet the requirements.

Mayor Pro-Tem Petersen asked if a right turn lane on 300 North is included in the plan. Mr. Davis stated yes, the roadway will be widened and improved to allow for a right turn lane.

Mayor Pro-Tem Petersen asked if the UDOT would approve the entrance if barriers were placed in the median to keep people from making left hand turns out of the development. Mr. Laws stated no, UDOT Engineers would not approve a variance for the entrance even if a median were installed from 2000 West and past the first entrance.

6. Water

- a. Water Shares are required and Smith's will submit their shares in the future.
- b. An access easement must be granted to the City for the water meters

7. Sewer

- a. Approval from NDS is required and Smith's has obtained approval.
- b. An easement along 300 North will be granted to the City for a public sewer line. Mr. Davis stated the sewer and water line located at the back of the building will also be a public utility.

8. Storm Drain

- a. Davis County will be approving the storm connection.
9. Secondary Water – Davis & Weber Counties Canal will approve the connection when water shares are submitted.
  10. Irrigation - Alternate bid for the replacement of an old irrigation line on 300 North are being obtained. If the budget allows, the irrigation line will be replaced. At a minimum, the pipe at the access points will be replaced.
  11. Other – Exceptions within the Developers Agreement.
    - Tree Diamonds in parking lots are typically not permitted. However, because of concerns with the amount of parking stalls available Smith's requested permission to use tree diamonds. Mr. Laws stated Smith's has agreed to plant more trees than required in the code.

Mayor Pro-Tem Petersen stated he isn't fond of tree diamonds, as they make parking difficult.

- Trees along the front of the property will be planted every 50 ft. The West Point City Code requires two trees every 50 feet however Rocky Mountain Power would like to limit the number of trees under their power lines and limiting the number of trees will provide Smith's with better visibility.

Mayor Pro-Tem Petersen asked if the West Point City Code regarding trees is similar to that of other cities. Mr. Davis stated that he is unsure.

Mayor Pro-Tem Petersen stated the remainder of the Smith's Marketplace Project Site Plan and item number 3, the discussion of the 2014 Municipal Wastewater Planning Program Self-Assessment Report for West Point City will be held during the General Session. The Administrative Session then adjourned.



**West Point City Council Meeting  
3200 West 300 North  
West Point City, UT 84015  
May 19, 2015**

**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 Room

Minutes for the West Point City Council General Session held at the West Point City offices, 3200 West 300 North, West Point City, Utah 84015 on May 19, 2015 at 7:00 pm with Mayor Craythorne presiding.

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

**EXCUSED** - Mayor Erik Craythorne and Council Member Andy Dawson

**CITY EMPLOYEES PRESENT** – Kyle Laws, City Manager; Boyd Davis, Assistant City Manager; Evan Nelson, Finance Director; Paul Rochell, Public Works Director; and Misty Rogers, City Recorder

**VISITORS PRESENT** – Rob Ortega, Connie, Sky Johnson, Jessica Wright, Wayne Law, Doug Zaugg, Amy Ross, Brad Ross, Brandon and Allen Porter

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

Council Member Chatterton stated because of the significant amount of rain we are receiving, it is likely there will be a higher number of mosquitos this year. Precautions are being taken and spraying has already started.

Council Member Turner – no comment

Council Member Henderson stated the Planning Commission met last week and final approval for the Smith’s Site-Plan, Subdivision Plat and building pad has been granted.

Mayor Pro-Tem Petersen stated the North Davis Fire District (NDFD) is currently in the budget process and the NDFD has been able to maintain costs with no increases. He then expressed his appreciation for the NDFD and the service they provide to the area.

**5. Communications from Staff**

Mr. Laws informed those in attendance of the following:

- Candidate Filing Period - June 1, 2015 through June 8, 2015 between the hours of 8:00 am and 5:00 pm (excluding Saturday and Sunday). The filing period is typically held June 1, 2015 – June 7, 2015, but because June 7<sup>th</sup> falls on a Sunday Declaration of Candidacy forms will be accepted through Monday, June 8, 2015.
- Take Pride in West Point City – June 6, 2015 (8:00 am) at the Loy Blake Park.

Mr. Laws stated because of the rain the tennis and basketball courts have yet to be completed. He then stated the new playground equipment is currently being installed but not ready for use. Over the weekend, damage occurred to the new playground equipment and Mr. Laws asked those in attendance to remind patrons of the park to stay out of the construction zone and not access the unfinished playground.

Mayor Pro-Tem Petersen expressed his appreciation to the Public Works Department for properly maintaining and caring for the West Point City Cemetery.

## 6. Citizen Comment

Mayor Pro-Tem Petersen stated the Citizen Comment period is a time for the Council to receive information from the public. Anyone providing comment to the Council is asked to use the podium as well as state their name and address. Mayor Pro-Tem Petersen stated during the Citizen Comment period, the Council should not enter into a conversation with the person providing comment.

Mr. Thorol Wayne Law –

Mr. Law stated that he has been a resident of West Point City for nearly 30 years. He then stated that several years ago a public hearing was held for the closing of Bluff Road and no one objected to its closing. A public hearing was also held for a for the installation of sidewalk on 4000 West to the Cemetery and no one objected to it. Mr. Law stated many of the officials were surprised to hear that residents wanted the sidewalk installed on their side of the road. Mr. Law stated at that time, Mr. John Machenheimer asked the Council if the homeowners could still use dirt area on the west side of 4000 West for parking. The residents were told that they could continue to park on the west side of the road. Not long after the public hearing, “no parking on the shoulder” signs were installed on the west side of 4000 West. Mr. Law stated he complained about the signs and he was told the road was too narrow. He stated that does not make any sense. If parking must be on the asphalt and not on the dirt, the road becomes even narrower and is more dangerous. Mr. Law stated he was told that Weber Basin didn’t want anyone parking on the property, however he spoke with Mr. Chris Hogge and another gentlemen who stated they have no interest in being involved with parking issues. The only concern of Weber Basin is that no structure be built on the property.

Mr. Law stated a funeral for a policeman was recently held at the West Point Cemetery. Police vehicles lined 4000 West and people were allowed to park in the dirt where “no parking” signs were installed. He stated that he and his neighbors are unhappy that the police vehicles were allowed to park in the dirt area without repercussion, but if they park in the same area they are issued tickets. Mr. Law stated many of his neighbors have successfully beaten the tickets in which they have received for parking in the area.

Mr. Law stated now “no overnight parking” signs have been installed. He stated the only good reason that he has been given as to why there is no parking is because the weeds need to be mowed. Mr. Law stated the residents in the area want the weeds to be mowed down. He then asked the Council the following questions:

- Why have signs been installed in the dirt area?
- What good are “no overnight parking” signs?
- Why is it ok to park in the dirt area during the day and not during the night?

Mr. Law stated the City doesn’t mow at night; they mow during the day. He then stated that the signs are form of harassment for him and his neighbors. There are five homes and five signs have been installed. Mr. Law stated issuing

tickets at 3:00 am for parking in the dirt area is harassment and mean spirited. Mr. Law stated he is frustrated with the process and signs as he and his neighbors were told years ago that parking 4000 West wouldn't change.

Mr. Law stated mowing the weeds and parked vehicles aren't a problem. Staff asking residents to move their vehicles to allow them to mow the laws shouldn't be a problem. Mr. Law stated it should be a problem for the City to notify the residents on 4000 West and inform them when the area will be mowed. Mr. Law stated residents are happy to move vehicles to allow for the area to be mowed. He requested the signs be removed and allow the residents of the 4000 West to be responsible and work with the City as partners.

Mr. Law stated he loves West Point City and is only trying to gain a better relationship between the residents and the City. He then presented a petition to the Council asking for the signs to be removed.

*Amy Ross -*

Ms. Ross stated that she agrees with Mr. Wayne Law. The residents in her neighborhood watch the dirt area and contact the Sheriff if bad behavior is happening on the property. Ms. Ross then asked that the signs be removed as it is only fair that other residents in the City are permitted to park on both sides of the street.

Mayor Pro-Tem Petersen asked if the signs being referenced to are located on the west side of 4000 West. Mr. Wayne Law stated yes, there are five signs on the west side of the road. He then stated the fifth sign is located near the cemetery and it should be moved closer to the home of Amy Ross and turned to face oncoming traffic. Mr. Law and Ms. Ross agreed, there should not be any overnight parking at the Cemetery.

Mr. Law stated again that he is being harassed and then requested the signs on the west side of the road be removed. He then informed the Council that he has spent a significant amount of time fighting the tickets being issued for parking on the west side of the road.

*Brad Ross -*

Mr. Ross stated in the past "no dumping" signs were installed on the west side of the road. The residents along 4000 West want the area to be attractive. Mr. Ross informed the Council that both the Cemetery and East Park are being watered during the afternoon hours and sometimes even when it is raining. He stated with the amount of rain we have received, the City shouldn't need to be watering anything. Mr. Ross stated if residents are being asked to conserve water, the City should conserve too.

*Doug Zaugg -*

Mr. Zaugg stated a few weeks earlier he had presented a petition to the Council for the 3000 West project. He stated he hasn't been contacted by anyone so assumes the petition was rejected. Mr. Zaugg asked if it would make a difference if the residents on the north side of 800 North also signed the petition.

Mr. Zaugg stated when he attended the Council meeting a few weeks earlier he gained insight as to what actually happens at City Council. He asked the Council if the "real" needs of the City are being met. He asked if high density housing should be approved when adequate water is a concern. Mr. Zaugg asked if the City has sent out questionnaires asking residents what they envision for the City. He then asked the Council if they are working for them themselves or the citizens of West Point.

Mr. Zaugg stated the widening of the 3000 West isn't needed, the road is only busy a few times throughout the day. He stated if more signatures will help he will get them.

Mayor Pro-Tem Petersen stated the Council shouldn't solve issues during the Council meeting; however he would like to provide some information to those in attendance. He agreed with Mr. Ross, the City should not water when it is raining; however the City has been experiencing issues with the rain sensors working properly. Mayor Pro-Tem then stated that the City has been asked to water the parks during day because the sprinklers need a significant amount of pressure to operate properly. Watering during the day provides adequate pressure for the residents at night.

Mr. Ross stated the sprinklers at the Cemetery are constantly running.

Mr. Kyle Laws stated the rains sensors which were installed last year have had a few issues. He then expressed his appreciation to the Mr. Ross and those residents who notify the City if the sprinklers are turning on when it is raining. Sometimes, this is the only way that Staff knows the sensors are not working.

Council Member Turner asked if the City can manually turn off all sprinklers when it is raining. Mr. Rochell informed the Council that all sprinklers have been turned off since last Thursday or Friday. He stated the rain sensors are very effective, however an open area such as the cemetery requires more watering as it tends to dry out quicker. Mr. Rochell then stated when a significant rainstorm is anticipated, sprinklers will be turned off in certain locations throughout the City.

Mayor Pro-Tem Petersen thanked Mr. Zaugg for his comments. He then stated that he would like to meet with Mr. Zaugg to discuss his concerns.

**7. Consideration of Adoption of Minutes from the April 21, 2015 & May 5, 2015 Council Meetings**

Council Member Turner motioned to approve the adoption of the minutes from the April 21, 2015 and May 5, 2015 Council Meetings.

Council Member Henderson seconded the motion.

The Council unanimously agreed.

**8. Continuation of Public Hearing for the FY2015 Amended Budget and FY2016 Tentative Budget Hearing – Mr. Evan Nelson**

Mayor Pro-tem Petersen stated the Capital Projects, the FY2015 Amended Budget and the FY2016 Tentative Budget had been discussed during the Administrative Session. He then informed those in attendance the budget information is available on the West Point City website or in City Hall. Mayor Pro-Tem Petersen recommended anyone with questions or concerns regarding the budget or Capital Projects contact Mr. Nelson. He then opened the public hearing for the FY2015 Amended Budget and FY2016 Tentative Budget.

Mr. Kyle Laws informed those in attendance that the Staff Report for the FY2015 Amended Budget and the FY2016 Tentative Budget can be found on the West Point City website. He stated the information in the Staff Report provides a list and summary of upcoming projects. Mr. Laws stated that Staff is willing to provide information to the Council as well as anyone interested in the process.

Mayor Pro-Tem Petersen stated the public hearing for the FY2015 Amended Budget and FY2016 Tentative Budget will be continued until June 2, 2015 Council Meeting.

a. Continuation of Public Hearing

*Mr. Thorol Wayne Law – 128 North 4000 West, West Point City*

Mr. Law stated in the past, creating a park on 4000 West across from his home had been mentioned. He asked if the City has any plans to develop the property across from his home into a park. Mayor Pro-Tem Petersen stated that he is unsure; he recommended that Mr. Law contact the West Point City Manager, Mr. Kyle Laws regarding this matter.

Council Member Chatterton motioned to continue the public hearing for the FY2015 Amended Budget and the FY2016 Tentative Budget to June 2, 2015.

Council Member Turner seconded the motion.

The Council unanimously agreed.

### **Unfinished Items from the Administrative Session**

#### **Continuation of item number 2, a discussion of the Smith's Marketplace Project Site Plan and Removing the Property from Agriculture Protection – Mr. Boyd Davis**

Mr. Davis stated the Council will be asked to approve a Developer's Agreement with Smith's during the June 2, 2015 Council Meeting. He then stated the following exceptions will be included in the Developer's Agreement:

- Tree Diamonds will be permitted in the parking lot.
- One tree every 50 ft. will be permitted on the frontage of the property.
- Vertical articulation requires the roofline to vary in height. However one section of the roofline in the center of the building does not meet requirement within the City Code. This section of the roofline is approximately 20 ft. longer than what is allowed. The Planning Commission and Staff are supportive of the exception.
- Horizontal articulation requires the columns in front of the building to be an 18" projection; however the Planning Commission and Staff are supportive of the proposed 10" projection.
- City Code requires false windows be installed on the side of a building facing a street side. Smith's has requested permission to install "green screens" on the north side of the building instead of the false windows. The Planning Commission and Staff are supportive of the installation of "green screens" on the north side of the building.

Council Member Henderson stated he recently visited Farmington Station to view their "green screens". He stated the green screens which he saw were attractive.

Mayor Pro-tem Petersen how far apart the green screens will be spaced. Mr. Davis stated he was unsure, but it is listed on the landscaping plan.

Mayor Pro-Tem Petersen stated he prefers the look of false windows to that of green screens.

Mr. Davis stated a portion of the wall will be tucked behind retail pad A.

Mayor Pro-Tem Petersen asked Council Member Henderson if the green screens filled with foliage are attractive. Council Member Henderson stated the wire mesh used for the green isn't attractive, but with adequate foliage the green screens are attractive.

Mr. Davis stated the engineers working with Smith's recommend the Council visit [www.greenscreen.com](http://www.greenscreen.com) to obtain additional information about green screens and the industrial wire mesh used for the screens.

Council Member Chatterton stated green screens may be more attractive than dirty false windows.

Mr. Davis stated cleaning the false windows has been a concern of Smith's.

Council Member Chatterton stated vandalism and broken false windows are a concern.

Mayor Pro-tem Petersen thanked Council Member Henderson for providing the Council with his opinion about green screens. He then stated he is supportive of allowing green screens instead of false windows.

Pending Items:

- City Council Approval
- Beer License – The Smith's store will not open until it has been issued a Beer License.
- Agriculture Protection – In the near future, the Council will be asked to remove the property from Agriculture Protection.
- 3<sup>rd</sup> Access on 300 North – Until West Point City has control of the road, this project will be approved with five of the six access points. It is likely that the City will gain control of the road before the completion of the site.
- Sign Plan – A sign plan will be submitted in the near future.
- Fuel Center/Pad A – The plan for the Fuel Center and Pad A should be submitted in the near future.
- Chain Link vs. Concrete Wall - Smith's will be notified that Council wants a concrete wall instead of the chain link.
- Water Shares –the Water Shares will be transferred to the City until the plat has been recorded.

Mayor Pro-Tem Petersen asked if the Smith's has any issues with the West Point City sign ordinance. Mr. Davis stated that he is aware of only one issue with regards to the signage. He stated Smith's would like install a sign which lists fuel prices on the gas canopy.

Council Member Chatterton recommended the Developer's Agreement require the illumination of the signs be dimmed at a specific time. Mr. Davis stated that is great idea.

Mayor Pro-Tem Petersen asked if the Smith's Marketplace will be opened 24 hours a day. Mr. Laws stated he is unsure however most Smith's stores are not open 24 hours a day 7 days a week.

Mayor Pro-Tem Petersen asked if the Smith's development is required to meet the dark sky requirements. Mr. Davis stated that Smith's has submitted a photometric study which shows the light spread decreasing to zero at the edge of the property.

Council Member Henderson asked if the outdoor lights proposed for the Smith's development are the same as what was installed on SR-193. Mr. Laws stated that he didn't know however the plans indicate the outdoor lighting will not be extremely bright.

Mayor Pro-tem Petersen stated within the next few years, 2000 West will likely be improved. He then asked what Smith's plans for the area before the improvements are made. Mr. Davis stated until the widening of 2000 West occurs, a gravel swell will be installed to help drain water off of the road.

**Item No. 4 from Administrative Session - Discussion of Sewer System Management Plan (2014 Municipal Wastewater Planning Program Self- Assessment Report for West Point City) – Mr. Paul Rochell**

Mr. Rochell stated each year a Municipal Wastewater Planning Program Self-Assessment Report must be submitted to the Department of Environmental Quality. The report ensures that information regarding the sewer system is being presented to the Council. The Council is required to adopt the Municipal Wastewater Planning Program Self-Assessment Report by Resolution.

Mr. Rochell stated the Municipal Wastewater Planning Program Self-Assessment Report includes financial evaluation and collection system information. He then stated that under the Financial section of the report, the City has been assessed zero points (the lower the number of points assessed is better). Mr. Rochell stated according to the self-assessment, the system is in good shape.

Financial Evaluation

- Operation and Maintenance
- Capital Improvements
- Projected Needs

Collection System

- System Age – The system age is approximately 50 years old and the oldest section of the system is believed to be located on 2000 West. Mr. Davis stated when 2000 West is widened, the sewer line will be upgraded.
- New Development
- Operator Certification - The Public Works Department is required to have a minimum of one level 3 operator. However, West Point City has three level 4 operators and two level 2 operators.
- Facility Maintenance – Each year \$20,000 is budgeted to assist with the cleaning and videoing of the sewer lines. Approximately two-thirds of the sewer lines within the city have been cleaned and TV'd. Once all of the lines have been cleaned, the process will start over again.

Mr. Rochell stated last year, the 2013 Municipal Wastewater Planning Program Assessment Report for West Point City was assessed 20 points for not having a safety plan. The safety plan has been completed the City has been assessed 0 points for the 2014 Municipal Wastewater Planning Program Self-Assessment Report.

Mayor Pro-Tem Petersen asked if any significant issues have been found when cameraing the sewer lines. Mr. Rochell some infiltrations have been found and repairs will be done in these areas. However, no significant issues have been found. Mr. Rochell stated all of the lines 15 years or older within the city have been TV'd.

**9. Motion to Adjourn**

Mayor Pro-Tem Petersen informed those in attendance that the CDRA of West Point City will be held immediately following the General Session.

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

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ERIK CRAYTHORNE, MAYOR      June 16, 2015  
DATE

\_\_\_\_\_  
MISTY ROGERS, CITY RECORDER      June 16, 2015  
DATE



**West Point City Council Meeting  
3200 West 300 North  
West Point City, UT 84015  
June 2, 2015**

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

**Administrative Session**

6:00 pm – Board Room

Minutes for the West Point City Council Administrative Session held at the West Point City offices, 3200 West 300 North, West Point City, Utah 84015 on June 2, 2015 at 6:00 pm with Mayor Craythorne presiding.

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

**CITY EMPLOYEES PRESENT** – Kyle Laws, City Manager; Boyd Davis, Assistant City Manager; Evan Nelson, Finance Director; Paul Rochell, Public Works Director and Misty Rogers, City Recorder

**VISITORS PRESENT** – Rob Ortega, Randy Sant and Troy Wolverton

Mayor Craythorne welcomed those in attendance; he then turned the time over to Mr. Nelson.

**1. Budget Discussion for the FY2015 Amended Budget and the FY2016 Tentative Budget** – Mr. Evan Nelson

Mr. Nelson stated during the General Session, the Council will be asked to adopt the FY2016 Tentative Budget. He then presented the changes to the FY2015 Amended Budget and FY2016 Tentative Budget to the Council:

Fleet Contribution – For better accounting practices fleet expenses will be allocated to the Enterprise and General Funds, rather than transferring money from the enterprise funds to the General Fund.

300 North Sidewalk Grant – Last year, West Point City received a \$37,500 grant for the construction of a sidewalk from 1500 West to 1600 West on 300 North. The City's portion of the project is \$12,500 (Class C money). Therefore, additional funding has been included in the FY2016 budget to assist with the cost of the sidewalk installation.

Council Member Petersen stated that he had discussed the need for the sidewalk on 300 North with Clearfield City Council Member Chad LeBaron. He then stated that Council Member LeBaron seemed to agree a sidewalk is needed.

800 North Sidewalk Project – To meet the needs of residents within the project area, an additional \$20,000 has been added to the FY2016 budget.

Fund Surplus – Funds within the Tentative Budget were left with surpluses. After consideration, it has been decided to eliminate the surpluses and have a balanced budget. Therefore, the beginning balance revenue for FY2015 and FY2016 has been decreased by 400,000.

Debt Service Fund – A decrease of \$109 has been added to the City Hall expense line in order to eliminate the surplus.

Salary Re-allocation – Determining salary allocations in a small City can be difficult. Last year during the budget process, salary allocations were adjusted. This year, Staff reevaluated salary allocations and adjusted the Tentative Budget accordingly.

Mr. Laws stated in the past, salaries were not being adequately shared between the Enterprise Funds. Therefore, in FY2015, changes to salary allocations were made. This year, Staff determined that some of the allocations made last

year needed to be allocated differently. Mr. Laws stated until the Council and Staff are comfortable with salary allocations, changes will periodically need to be made.

### **City Fee Schedule**

Inflatable Toys Rental Fee – Because of liability issues, West Point City has discontinued renting out the inflatable toys. Therefore, this fee has been eliminated from the fee schedule.

Council Member Turner asked if the inflatable toys will still be available at the 4<sup>th</sup> of July celebration. Council Member Petersen stated no. Mr. Laws stated the City has hired a company to provide inflatable toys for Independence Day celebration and the company will provide their own liability insurance.

Council Member Turner asked if the City owns the inflatable toys. Mayor Craythorne stated yes, he then recommended adding the inflatable toys to surplus and selling them.

Zoning or Street Maps – The \$5 fee for zoning or street maps has been eliminated in FY2016.

Recreation Fees - In the past, the non-resident fee has not been consistent from sport to sport. Because of this recreation fees have been adjusted. Non-resident rates will be \$10 higher than that of the resident rates in FY2016. Also, some recreation fees have increased for FY2016. For example in FY2016, T-ball will increase from \$35 to \$40 (resident rate), Baseball will increase from \$45 to \$50 (resident rate) and Football will increase from \$120 to \$130.

The following language will be added to the FY2016 Fee Schedule “students at West Point schools are charged the resident rate”.

Council Member Turner asked if the Recreation Department allows children to play a sport even if they are unable to pay the fee. Council Member Henderson stated Mr. Kelly Ross, the Recreation Director works with people in these types of circumstances.

Council Member Henderson stated the cost of participating in recreation can be burdensome to those who have numerous children participating in sports. Mr. Law informed the Council that he and Mr. Ross have considered implementing a rate for multiple children in the same family playing a sport.

Sewer Rates – The North Davis Sewer District (NDSD) plans to increase sewer rates each year for the next several years. The increase to the sewer rate in the FY2016 budget will be passed directly to the NDSD.

Utility Deposits – Eliminating unnecessary language.

Commercial Garbage Collection – Elimination of the fee associated with the Commercial Garbage Collection.

### **Approving a Property Tax Rate**

The Davis County Assessor has indicated that property values throughout Davis County have increased by 5% this year. However the actual increase in property values and the certified tax rate for West Point City is currently unknown. The City will be notified of the Certified Tax Rate no later than June 8<sup>th</sup>. Mr. Nelson stated the “Certified Tax Rate” ensures the City will receive the same amount of revenue as the previous year, in addition to new growth.

Mr. Nelson stated that within the next few weeks, the Council will have the opportunity to either accept the Certified Rate or select a new rate. If the Council chooses to consider a rate other than the certified rate the City must then complete the Truth in Taxation process. He then provided the following information to the Council:

- Current Certified Tax Rate (approved in 2014): 0.001036
- Current Estimated Revenue: \$356,700
- Preliminary Certified Tax Rate (estimated rate for 2015): 0.001005
- Preliminary Estimated Revenue: \$365,378 (this includes new growth)

Mr. Laws stated it is likely the preliminary numbers are not completely accurate. He then stated that there is definitely an increase to the property values because the certified rate has decreased.

Mr. Nelson asked if the Council is willing to accept the certified rate or if would like to complete the Truth in Taxation process. He then stated if the Council desires a rate other than the certified rate, the Truth in Taxation process must be completed. This will postpone the adoption of the FY2016 Final Budget until August 2015.

Mayor Craythorne asked if Mr. Nelson knew what revenue could be received if the Certified Tax Rate of 0.001036 is maintained. Mr. Nelson stated that he is unsure.

Council Member Petersen stated the assessed valuation is needed to determine what amount could be received if the rate is maintained. He then asked when the Truth in Taxation process was last completed. Mayor Craythorne stated the Truth in Taxation process was completed last year.

Mr. Laws reminded the Council that two years ago the Council opted to maintain the certified rate and last year the Council selected a rate lower than the 2013 rate but higher than the certified rate.

Mr. Laws reminded the Council that even if the Truth in Taxation process is completed, the Council can accept the certified rate. The Truth in Taxation process provides options to the Council.

Mayor Craythorne stated in the past, the Council believed Truth in Taxation to be a good practice and there was a desire to complete the process every year. He then stated in the past there hadn't been many who had voiced opposition to the process.

Mr. Laws stated last year, most of the comments received were regarding property valuations. Also, the Tax Payers Association was in attendance and voiced their opposition to maintaining the rate.

Mayor Craythorne stated that he believed that there were only two comments made during the Council meeting with regards to the actual rate. The other comments were regarding property valuations.

Council Member Henderson stated the budget process should include the Truth in Taxation. He then stated that completing the Truth in Taxation process doesn't require the City to maintain the rate. The Council has the opportunity to select a rate in between the certified rate and the maintained rate.

Council Member Petersen stated last year it was difficult to find a specific use for the additional revenue. He then stated it can be very difficult to justify why the City needs the additional revenue as the economy continues to improve.

Mr. Laws stated in the past, many cities justified the need for additional revenue because of street and transportation needs. However with the recent legislative efforts, the need to maintain the rate may not be justifiable for transportation and street needs.

Council Member Petersen asked if the legislature passed an increase for road maintenance. Mr. Laws stated a gas tax was approved; however the local option must be approved by the voters.

Council Member Petersen asked if the gas tax increase includes an increase component for cities. Mr. Laws stated yes, it is based on the established formula.

Mayor Craythorne recommended moving on with the agenda. He then requested Mr. Nelson estimate the potential revenue if the certified rate is maintained and then report to the Council during the General Session.

### **Depreciation**

Assets are purchased by the City with cash, but financial statements recognize the expense over several years and depreciation is recorded as an expense. The depreciation expense is recognized for the useful life of the asset. The Waste, Water and Storm Water Funds budget for depreciation expense. There are several philosophy's which can be

used when determining depreciation expense. Currently the City uses the pay as you go approach when possible; however there are some instances when the City must incur debt to meet capital needs.

The Council expressed their support with the way depreciation is being calculated.

Mr. Nelson recommended the Council approve the FY2016 Tentative Budget for West Point City and the Board approve the FY2016 Tentative Budget for the CDRA of West Point City.

Council Member Petersen asked when the Council will approve the FY2015 Amended Budget. Mr. Laws stated the June 16<sup>th</sup>, the Council will be asked to approve the FY2015 Amended Budget.

## **2. Discussion of Smith's Marketplace Site Plan & Developers Agreement (CDRA) – Mr. Boyd Davis**

Smith's Marketplace will be located on the corner of 300 North 2000 West. The site will include one large big box retail store, a fuel center and retail pads.

Mr. Davis stated during the General Session, the Council will be asked to approve the overall Site Plan, the Subdivision Plat (8 lots within the subdivision) and the Smith's Building Elevations. He then stated during the May 19<sup>th</sup> meeting, the Council reviewed and discussed final staff comments. Mr. Davis then recommended the Council approve the Developers Agreement during the General Session subject to the completion of outstanding items. He then stated the following exceptions are included in the Developers Agreement:

### Exceptions:

- Tree diamonds in the parking lot
- The number of trees on frontage of the property
- Roof line of building is wider than allowed by code
- Bump outs on building
- Green Screen on the North side of building

### Pending Items:

- City Council approval
- Beer License
- Sign Plan
- Chain Link vs. Concrete Wall - The Developer has proposed a chain link fence with landscaping in front. However the Council has expressed the need for the installation of a wall instead of the chain link fence.
- Fuel Center and Pad A
- Removal of 120ft strip of property from Agriculture Protection – The Council will be asked to remove the 120 ft. strip of property from Agriculture Protection during the General Session.
- 3<sup>rd</sup> Access on 300 North –UDOT has denied the third access on 300 North. Because of this West Point City has agreed to take over ownership 300 North from 1500 West to 3000 West. When the road is transferred to the City, the third access on 300 North will be approved.

Mr. Davis asked if Mr. Laws has been notified as to when the transfer of the road will occur. Mr. Laws stated it could possibly happen near the end of June 2015.

Council Member Petersen asked when the transfer of 300 North was originally scheduled to occur. Mayor Craythorne stated the transfer of the road was originally scheduled to occur when SR-193 extended to 3000 West.

- Water Shares – The shares will be transferred before the plat is recorded.

Council Member Dawson asked where the water shares will be obtained from. Mr. Davis stated water shares will be received from Davis and Weber Counties Canal and from West Point City. Mr. Randy Sant stated the City will

provide the development culinary water shares upfront and the CDRA will reimburse the City for the cost of water shares.

Council Member Dawson asked how many shares will be transferred. Mr. Davis stated he could not remember. Mr. Sant stated the total cost for culinary water shares in the Development Agreement is \$17,500 and Mr. Davis stated cost for culinary water shares is \$3,800 per acre foot.

Mr. Randy Sant asked if Staff had reviewed Exhibit D to the Development Agreement which the City Council will be asked to approve during the General Session. Mr. Davis stated yes, he then stated the Council should include the installation of the concrete wall in their motion to accept the Development Agreement. Mr. Sant stated before the agreement can be signed, the new language needs to be added and recirculated to all parties.

Mr. Laws asked if the City's responsibility to landscaping along 2000 West has been removed from the agreement. Mr. Davis stated that it isn't the responsibility of the City to landscape the area; therefor Staff has requested this be removed from the agreement.

Mr. Wolverton asked if the City would allow a one-time payment to the City for future landscaping. He stated UDOT plans to widen 2000 West within the next few years, it isn't cost effective to install landscaping two times. Mayor Craythorne stated a one-time payment for future landscaping could be made to the city if adequate amount of money is determined cost for landscaping. Mr. Laws agreed.

Mr. Wolverton stated Kroger has implemented a new concept called "Click List" into their plan. The "Click List" concept will allow someone to place a shopping order online and then pick up the order at a designated drive-thru location near the pharmacy. Mr. Wolverton stated a high demand use is anticipated and four "Click List" drive-thru stalls will be installed. The location of the proposed drive-thru could allow for future expansion if needed.

Mr. Wolverton and the Council discussed expectations of the desired concrete wall as well as the actual look of the wall. Mr. Wolverton informed the Council that because of the variations in the elevations, the wall may not stand six feet above the curb.

Mayor Craythorne asked if the contouring on the back portion of the property had changed. Mr. Wolverton stated no, it's the same plan. He then stated that the site-plan being reviewed by the Council does not show elevations. Mr. Wolverton stated the site conditions are different to that of the Kaysville Smith's location.

Mayor Craythorne stated that aesthetics are important and Council is concerned with the appearance on both sides of the wall. He then stated that he hasn't ever seen a commercial and residential area bordered by a chain link fence. Mayor Craythorne stated that he has spoken with Mr. Gary Wright with regards to chain link vs. a concrete wall and Mr. Wright recommended a vinyl fence. Mayor Craythorne stated the appearance of vinyl fencing is good; however vinyl fencing isn't as durable as other materials. He then stated he understands the wall may not look exactly like the concrete wall at the Kaysville store.

Mr. Wolverton stated he understands the concerns with vinyl material. He then stated the West Point City Ordinance does not reference a post and panel wall. Mr. Wolverton stated because of elevation changes, a chain link fence would allow for vegetation to grow and hopefully give a higher screen than that of the 6ft. wall.

Mayor Craythorne stated he understands the post and panel wall isn't required by ordinance. However the he and Council believe the wall will be a benefit to the property. Mayor Craythorne then stated the City has gone above and beyond expectations to bring the development to West Point. The City has agreed to take over an additional mile of road on 300 North to provide a third access to the development. Mayor Craythorne stated he is aware of the concerns of Smith's with regards to the wall, however he believes the wall is worth the effort. Council Member Petersen agreed.

Mr. Laws stated the Council would like the same amount of vegetation as originally planned with the concrete wall. The Council agreed.

Mr. Wolverton stated the same amount of vegetation as originally planned will remain in the area. He then informed the Council that that a bid alternate for the post and pane wall is included in the actual bid. Smith's will obtain an estimate for the installation of a post and panel wall on west side of the store to the front of the store on the east side of the building. Mr. Wolverton stated his goal during the meeting was to gain an understanding of the expectations of the Council. Smith's will now have the opportunity to obtain estimates determine if the finances will allow for the installation of the wall.

Council Member Petersen asked Mr. Wolverton to remember that West Point City has agreed to take ownership of 300 North to allow a 3<sup>rd</sup> access to the property. He then stated that transferring 300 North to the City will create an additional cost to the City.

Mr. Wolverton stated that Smith's doesn't own the pad near the 3<sup>rd</sup> access and will not directly be impacted by the access.

Mayor Craythorne stated the entire site plan is what will be approved and everyone will benefit from the accesses. He then expressed his appreciation to Mr. Wolverton for the service he has provided to Smith's and West Point City. Mayor Craythorne expressed his desire for Smith's, Mr. Wolverton and the Council to find a common ground and to feel good with the decisions being made.

Mr. Wolverton expressed his appreciation to the Council and Mayor Craythorne. He then stated that he too has a desire for common ground to be met as well as create a quality development.

Due to lack of time in the Administrative Session, Mr. Sant addressed the Council during the General Session.

### **3. Discussion of the Davis County Justice Court – Mr. Kyle Laws**

Due to lack of time in the Administrative Session, the Council discussed the Davis County Justice Court during the General Session.

The Administrative Session adjourned.



**West Point City Council Meeting  
3200 West 300 North  
West Point City, UT 84015  
June 2, 2015**

**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 Room

Minutes for the West Point City Council General Session held at the West Point City offices, 3200 West 300 North, West Point City, Utah 84015 on June 2, 2015 at 7:00 pm with Mayor Craythorne presiding.

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

**CITY EMPLOYEES PRESENT** – Kyle Laws, City Manager; Boyd Davis, Assistant City Manager; Evan Nelson, Finance Director; Paul Rochell, Public Works Director and Misty Rogers, City Recorder

**VISITORS PRESENT** – Rob Ortega, Randy Sant, Troy Wolverton, Haley Durrant, Kylie Kap, Kyle Hamblin, Greg Unsicker, Mariah Robins, and Doug Zaugg

1. **Call to Order** – Mayor Craythorne welcomed those in attendance. He then stated that unfinished discussions from the Administrative Session will be held before the General Session is adjourned.
2. **Pledge of Allegiance** – Repeated by all
3. **Prayer** – Council Member Dawson
4. **Communications and Disclosures from City Council and Mayor**

Council Member Chatterton – no comment

Council Member Dawson – no comment

Council Member Petersen – no comment

Council Member Turner – no comment

Council Member Henderson – no comment

Mayor Craythorne stated over the past several months, Wasatch Integrated Waste has been closed. The facility has been under construction and receiving upgrades. While the Waste Energy Facility has been closed, all of the waste in Davis County has been dumped at the landfill. It is anticipated that one burner in the facility will be in service near the end of June and the other near the end of July.

5. **Communications from Staff**

Mr. Laws informed those in attendance of the following items:

- The Take Pride in West Point Day - Saturday, June 6, 2015 at 9:00 am. Volunteers will meet at the Loy Blake Park and assist with spreading bark into the new playground area as well as other projects within the park. After the projects have been completed, a ribbon cutting ceremony will be held and pizza will be served.
- The surfacing of the Tennis and Basketball Courts should be complete by Saturday.
- Miss West Point Pageant – Saturday, June 13, 2015 at 7:00 pm. The pageant will be held at Syracuse High.
- The Candidate Filing Period for Municipal Office – June 1<sup>st</sup> thru June 8<sup>th</sup> from 8:00 am to 5:00 pm.

## 6. Citizen Comment

Mayor Craythorne stated the Citizen Comment period is a time for the Council to receive information from the public. The Council will not participate in a discussion during the General Session with the individual providing comment to the Council.

*Jessie Smith –*

Mr. Smith read aloud a publication from the White House regarding honeybees and other pollinators. He then expressed concern with the City's rules and regulations regarding bee keeping. Mr. Smith requested the Council either grant variances or amend the code to permit bee keeping in the R-1 and R-2 zones.

*Mr. Greg Unsicker –*

Mr. Unsicker stated agreed with Mr. Smith, West Point City should permit bee keeping in residential areas. He stated most municipalities in surrounding areas have ordinances that promote bee keeping. Increasing the number of bees and promoting bee keeping is important. He then requested the Council consider allowing hives within residential areas.

## 7. Consideration of Approval of Minutes from the May 19, 2015 Council Meeting

Mrs. Rogers informed the Council that the minutes from previous Council Meeting are incomplete. She recommended the Council table the approval of the minutes from May 19<sup>th</sup> Council Meeting.

Council Member Henderson motioned to table the adoption of the minutes from the May 19, 2015 Council meeting. Council Member Chatterton seconded the motion. The Council unanimously agreed.

## 8. Youth Council Update

Ms. Kylie Kap thanked the Council for allowing the Youth Council members to attend the May 19<sup>th</sup> meeting and shadow the Council. Shadowing the Council teaches the members how to properly operate a meeting. Mayor Craythorne stated having the Youth Council attend City Council meetings is an honor for the Council. Ms. Kap then stated upcoming activities include Take Pride in West Point Day, the 4<sup>th</sup> of July celebration and an upcoming retreat.

Ms. Haley Durrant stated the Youth Council recently had the opportunity to assist with a fundraiser for Katie Thompson, a member of the community.

On behalf of the Council, Mayor Craythorne thanked the Youth Council for the service they provide on behalf the community.

## 9. Consideration of Resolution No. 06-02-2015A, the Adoption of FY2016 Tentative Budget for West Point City and All Related Agencies – Mr. Evan Nelson

Mayor Craythorne stated the Council has reviewed and discussed the FY2015 Amended Budget and FY2016 Tentative Budget during the past three Council meetings. He invited anyone wishing to comment on the FY2015 Amended Budget and the FY2016 Tentative Budget to address the Council.

- a. Public Hearing – no comment

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

b. Action

Council Member Petersen motioned to approve Resolution No. 06-02-2015A, the adoption of the FY2016 Tentative Budget for West Point City and All Related Agencies.  
Council Member Dawson seconded the motion.  
The Council unanimously agreed.

**10. Consideration of Resolution No. 06-02-2015B, Removing the Property Located at Approximately 2200 West 300 North from Agriculture Protection – Mr. Boyd Davis**

Mayor Craythorne stated removing property located at approximately 2200 West 300 North from Agriculture Protection had been discussed during the Administrative Session. He then stated a small portion of additional property purchased for the Smith's Marketplace development must be removed from Agriculture Protection.

Council Member Dawson motioned to approve Resolution No. 06-02-2015B, removing property located at approximately 2200 West 300 North from Agriculture Protection.  
Council Member Henderson seconded he motion.  
The Council unanimously agreed.

**11. Consideration of Resolution 06-02-2015C, Approving a Development Agreement between Smith's, Wright Development, and the CDRA of West Point – Mr. Randy Sant**

Mayor Craythorne stated discussion of the Development Agreement between Smith's, Wright Development and the CDRA of West Point began during the Administrative Session. But because of lack of time, the discussion in the Administrative Session has been carried into the General Session. He then turned the time over to Mr. Randy Sant to address the Council.

Mr. Randy Sant stated the majority of the discussion of the Development Agreement will be held during the CDRA Meeting immediately following the General Session. He stated the City Council will only approve section 15 within the Developer's Agreement.

Section 15 of the Developer's Agreement states the following:

"City Code Modifications. The parties acknowledge and agree that, notwithstanding anything set forth in the Agency Municipal Code or otherwise, the Code modifications listed on Exhibit "D" are approved and applicable to the Shopping Center and related development activities in all respects. In the event of a conflict between the Agency Municipal Code and this Agreement (including Exhibit D), the provisions of this Agreement (including Exhibit D) shall control. The City has executed this Agreement solely for the purpose of agreeing to this Section 15, and nothing else. The Agency shall have no obligations of any kind under this Section 15".

Mr. Sant stated during the Administrative Session, the exceptions to the code are listed in Exhibit D and landscaping requirements on 2000 West and the concrete wall will be included in the Developer's Agreement. Mr. Sant stated the Council must approve the exceptions because the CDRA does not have the authority to waive or modify City Code.

Mr. Sant recommended the Council approve Resolution No. 06-02-2015C, subject to final amendments as proposed by Staff. He stated the Mayor will not sign the agreement until a final agreement has been met.

Mr. Davis stated the following items are included Exhibit D of the Development Agreement:

Exceptions

- Tree diamonds in the parking lot

- The number of trees on frontage of the property
- Vertical articulation, the roof line of the building
- Horizontal articulation, the bump outs on the columns
- False windows on the north side of the building will be changed to green screens

The following items will also be included in Exhibit D of the Development Agreement:

- The installation of a concrete post and panel wall to the west end of the property and running east to the front of the Smith's building. This is not required by code however it has been determined that it should be included in the Development Agreement.
- A requirement for the Developers to pay for landscaping which will be done when 2000 West has been widened. Mr. Randy Sant clarified that if UDOT provides the landscaping on 2000 West, the Developer will not be responsible for the cost of the landscaping.

Council Member Turner asked what will happen with the funding set aside by the Developer if UDOT provides the landscaping.

Mayor Craythorne asked Mr. Sant to include in the agreement a provision that in the event UDOT completes the landscaping along 2000 West, money set aside for the purpose of landscaping be returned to the Developer.

Council Member Petersen motioned to approve Resolution 06-02-2015C, a Development Agreement between Smith's. Wright Development and the CDRA of West Point City including the modifications to Exhibit D as verbalized by Staff. Council Member Turner seconded the motion. The Council unanimously agreed.

**12. Consideration of Resolution 06-02-2015D, Accepting the 2014 Municipal Wastewater Planning Program Self-Assessment Report for West Point City – Mr. Paul Rochell**

Mr. Rochell stated the 2014 Municipal Wastewater Planning Program and Self-Assessment Report is part of the Sewer System Management Plan. Each year, West Point City must complete a Municipal Wastewater Planning Program Self-Assessment Report and present it the Council for their approval. The assessment report includes a financial evaluation and the collection system evaluation. Mr. Rochell recommended the Council approve Resolution No. 06-02-2015D, the 2014 Municipal Wastewater Planning Program Self-Assessment Report.

Council Member Henderson motioned to approve Resolution No. 06-02-2015D, accepting the 2014 Municipal Wastewater Planning Program Self-Assessment Report for West Point City. Council Member Dawson seconded the motion. The Council unanimously agreed.

**13. Consideration of Placing Wise Country Meadows Phase 2 on Warranty – Mr. Boyd Davis**

Mr. Davis stated both Wise Country Meadows Phase 2 and Bartholomew Lane Phase 3 are ready to be placed on a one year warranty.

Mr. Davis informed the Council that two subdivisions within the City are waiting to be taken off of warranty. The only outstanding item is the slurry seal on the street. A Developer has asked if money for the slurry seal can be given to the City and the City use our contract to order the slurry seal. Mr. Davis stated that Staff doesn't have issues with regards to collecting the money for the slurry seal. He then asked the Council their opinion.

Mayor Craythorne stated many other cities do the same; however there can be issues if the price of slurry seal increases or decreases. If an adequate amount of funding isn't collected from the Developer, how will the City address a shortfall or a surplus?

Council Member Petersen asked if the City receives a better price for slurry seal than a contractor. Mr. Davis stated no, in fact Mr. Kyle Hamblin has just informed him that his company is receiving a better rate than the City.

Council Member Petersen expressed concern if issues arise with the slurry seal; the City has then taken the responsibility and not the Developer.

Mr. Davis stated the City has been using a newer product called HA5 on the streets and it is not currently required in the West Point City Code. If the City collects the money the City could select the newer product.

Council Member Petersen asked if the Developer could choose to use the HA5. Mr. Davis state yes, however HA5 is more expensive and it is not required in code. He then stated in most cases, there is enough money left in escrow to cover the cost of the HA5.

Council Member Turner asked if the City could collect the money from the Developer and request bids for the slurry seal. Mr. Davis stated yes, currently West Point City has an ongoing three year contract for slurry seal.

Mayor Craythorne requested that Staff gather additional information and provide the Council with an update during an upcoming meeting.

Council Member Dawson motioned to place Wise Country Meadows Phase 2 Subdivision located at 600 North 3200 West on one year Warranty.

Council Member Henderson seconded he motion.  
The Council unanimously agreed.

**14. Consideration of Placing Bartholomew Lane Phase 3 on Warranty – Mr. Boyd Davis**

Council Member Chatterton motioned to place Bartholomew Lane Phase 3 on one year Warranty.  
Council Member Turner seconded he motion.  
The Council unanimously agreed.

**15. Consideration of Final Approval of “The Point” Site Plan – Mr. Boyd Davis**

Mayor Craythorne informed those in attendance that the Smith’s Marketplace will include a drive-thru grocery pick up called “Click List”. Four drive-thru stalls for grocery pick up will be located on the south side of the store near the location of the pharmacy.

Mr. Davis stated “The Point” site plan has been reviewed and discussed on numerous occasions. The Council is being asked to approve the overall project area, including the Smith’s building. Staff recommends the Council approve “The Point” Site Plan, “The Point” Subdivision Plat and the Smith’s Marketplace Commercial Pad.

Mr. Laws stated when motioning to approve the site plan, subdivision plat and commercial pad the Council should include the following language, “subject to the Development Agreement between Smith’s, Wright Development and the CDRA of West Point City and Staff comments”.

Council Member Petersen stated the Planning Commission and Council have spent months reviewing and discussing the Smith’s Marketplace development. He stated the Planning Commission also recommends the approval of the site plan, subdivision plat and the Smith’s Marketplace pad.

Council Member Henderson motioned to approve “The Point” Site Plan subject to Development Agreement between Smith’s, Wright Development and the CDRA of West Point and Staff comments  
Council Member Petersen seconded the motion.  
The Council unanimously agreed.

**16. Consideration of Final Approval of “The Point” Subdivision Plat – Mr. Boyd Davis**

Council Member Dawson motioned to approve "The Point" Subdivision Plat subject to the Development Agreement with Smith's and the CDRA and Staff comments  
Council Member Chatterton seconded the motion.  
The Council unanimously agreed.

**17. Consideration of Final Approval of the Smith's Marketplace Commercial Pad – Mr. Boyd Davis**

Council Member Chatterton motioned to approve the Smith's Marketplace Commercial Pad subject to the Development Agreement with Smith's and the CDRA and Staff comments.  
Council Member Turner seconded the motion.  
The Council unanimously agreed.

**Unfinished Items from the Administrative Session**

**Discussion of the Davis County Justice Court – Mr. Kyle Laws**

Mr. Laws stated in December 2014, the City received notice from Davis County stating their intent to dissolve the Davis County Justice Court. The County asked for a filing extension from the AOC for the dissolution of the court, but the AOC denied their request. The County has two options, the first - wait one year and submit a request to dissolve the court or second - transfer their caseloads to another Municipal Court. Because of timing and the County's desire to exit from the court system, a decision has been made to transfer all caseloads from the Davis County Justice Court to another Municipal Court effective January 1, 2016. The following cities are affected by this change Farmington, Fruit Heights, West Bountiful, Kaysville, West Point, and Davis County. Because West Point City has never had a court, by default our case load will automatically transfer to wherever the Davis County caseloads are transferred unless the City enters into an Interlocal Agreement with a Municipal Court of our choice.

Mr. Laws stated that Farmington is willing to reestablish their court if all affected entities will transfer their caseloads to their Court. If the Farmington Court is reestablished, the court location will remain the same and the lease of the building will be paid by Farmington. Mr. Laws stated keeping the current court location and hours of operation will be a benefit to the residents.

Mayor Craythorne recommended transferring the West Point City caseload to Farmington as it will have less of an impact to our residents.

Mr. Laws stated that Clearfield City and Syracuse City have stated that they are willing to accept the West Point City case load. Transferring the West Point City caseload to either Clearfield or Syracuse could be a convenience to residents, however it will cause confusion and the Clearfield and Syracuse courts may not be opened five days a week.

Mayor Craythorne and Mr. Laws asked the Council to make a decision and provide Staff with direction.

Council Member Chatterton asked if the Davis County Law Enforcement contract will increase if the caseload is transferred. Mr. Laws stated to his knowledge, the current Law Enforcement contract with Davis County isn't affected by caseload.

Mr. Laws informed the Council that the revenue generated from the caseloads is given directly to the County. West Point City does not receive any of the revenue. He then stated that if the City prosecutes our own cases, we would only receive 50% of the revenue. In FY2014 there were only 240 traffic cases and 66 misdemeanor cases, the split the City would have received \$18,827.02. In FY2015 there have only been 164 traffic cases and 35 misdemeanor cases, the split for the City would be \$16,333.22. The amount of revenue the City would receive by prosecuting our own caseloads is not adequate to operate our own court.

Council Member Petersen if Farmington Courts are opened five days a week it will be a better convenience to the resident of West Point City.

Council Member Dawson asked if the other cities have committed to Farmington. Mayor Craythorne and Mr. Laws stated that most cities have indicated that their caseloads will be transferred to the Farmington Courts if they reopen their court. He then stated that Farmington is still in the early stages of planning and is trying to find a way for them to properly operate the court.

Mayor Craythorne recommended transferring the West Point City caseload to the Farmington Courts if possible, the Council agreed.

## **FY2015 & FY2015 BUDGET**

Mayor Craythorne stated that during the Administrative Session, maintaining the Certified Tax Rate and the Truth in Taxation process were discussed. If the Council opts to complete the Truth in Taxation process they will have the ability to make an educated decision. The Council will have the option to accept the certified rate, maintain the rate or adjust the rate somewhere in between. Mayor Craythorne informed those in attendance that during the Administrative Session, Council Member Petersen had expressed concern with justifying a rate increase. He then expressed the importance of the Council discussing the certified tax rate.

Council Member Dawson recommended the Council complete the Truth in Taxation process. The additional time will allow for the property valuation information and the certified rate to be announced. The Council can then make an educated decision when determining the property tax rate. The Truth in Taxation process will give the Council opportunity to accept the certified rate, maintain the rate or adjust the rate somewhere in between.

Mayor Craythorne stated the property valuations for West Point City in 2014 were approximately \$344 million. Using the approved rate of 0.001036, the City received \$356,700 in approved revenue. He then stated the 2015 preliminary property valuation for West Point City is approximately \$363 million. If the certified rate is accepted the City will receive \$365,378 in revenue (this amount includes new growth) an increase of \$8,678 in revenue from 2014. If the 2014 rate is maintained, the City will receive \$376,649 in revenue, an additional \$19,949 in revenue in 2014.

Council Member Chatterton recommended not completing Truth in Taxation this year because revenue sources are increasing. He recommended that Truth in Taxation could be held next year.

Council Member Turner and Council Member Henderson recommended proceeding with the Truth in Taxation process.

Council Member Petersen stated there are times when an increase is justifiable. He stated he understands the Truth in Taxation process and the concern with an eroding rate. Council Member Petersen stated he is not opposed to the Truth in Taxation process, but he will have a difficult time justifying an increase. He then stated that tonight, the Council is only being asked if the City should complete the Truth in Taxation process.

Mayor Craythorne stated increasing the rate isn't mandatory if the Council chooses to complete the Truth in Taxation process. The Truth in Taxation process allows the Council time to make an educated decision when determining the rate.

Council Member Chatterton stated he is supportive of the Truth in Taxation process. Many of the boards Council Member Chatterton serves on complete Truth in Taxation every year.

Council Member Dawson stated that last year, the rate was not maintained. The Council selected a rate below the 2013 rate but higher than the certified rate. The Truth in Taxation process allows the Council to select an appropriate rate.

Mr. Laws stated the Truth in Taxation process has been completed for the past two years. Two years ago, the Council maintained the rate and last year the Council accepted a rate in between the certified rate and the maintained rate.

Mayor Craythorne and the Council agreed to complete the Truth in Taxation process.

Mr. Laws stated because of the Truth in Taxation process, the City will operate on the FY2016 Tentative Budget. The adoption of the FY2016 Final Budget will not be approved until August 2015. He then stated the FY2016 Schedule of Fees and the FY2015 Amended Budget will be approved on June 16, 2015.

**18. Motion to Adjourn**

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

**Following the CDRA Meeting, the Council reopened the General Session to entered a Closed Session Pursuant to UCA §52-4-205(1)(a).**

Mayor Craythorne reopened the June 2<sup>nd</sup> Council Meeting, allowing the Council to meet in a Closed Session pursuant to UCA §52-4-205(1)(a).

Council Member Petersen motioned to adjourn into a Closed Session pursuant to UCA §52-4-205(1)(a).  
Council Member Chatterton seconded the motion.

The Council entered into the board room and Council Member Chatterton motioned to open the Closed Session.  
Council Member Henderson seconded the motion.  
The Council unanimously agreed.

The Council held a discussion of personnel, pursuant to UCA§52-4-205(1)(a).

Council Member Dawson motioned to adjourn the Closed Session.  
Council Member Petersen seconded the motion.  
The Council unanimously agreed.

Upon the adjournment of the Closed Session, the Council reentered into the General Session.  
Council Member Chatterton motioned to adjourn the General Session  
Council Member Turner seconded the motion  
The Council unanimously agreed.

\_\_\_\_\_  
ERIK CRAYTHORNE, MAYOR                      June 16, 2015  
DATE

\_\_\_\_\_  
MISTY ROGERS, CITY RECORDER                      June 16, 2015  
DATE



**West Point City  
Community Development and Renewal Agency**

West Point City Hall  
3200 West 300 North  
West Point City, UT 84015

June 2, 2015

**Board Chair**  
Erik Craythorne  
**Board**  
Jeff Turner, Vice Chair  
Gary Petersen  
Jerry Chatterton  
Andy Dawson  
R. Kent Henderson

**Executive Director**  
Kyle Laws

**Community Development and Renewal Agency Organizational Meeting**

Minutes for the Community Development and Renewal Agency of West Point City held at the West Point City offices, 3200 West 300 North, West Point City, Utah 84015 on June 2, 2015 at 7:50pm, with Chairman Erik Craythorne presiding.

**CDRA BOARD MEMBERS PRESENT** – Erik Craythorne, Chairman; Jeff Turner, Vice-Chairman; Kent Henderson, Board Member; Jerry Chatterton, Board Member; Andy Dawson, Board Member; Gary Petersen, Board Member; Kyle Laws, Executive Director; and Misty Rogers, Secretary

**VISITORS** – Evan Nelson, Boyd Davis, Randy Sant, Troy Wolverton, Rob Ortega and Doug Zaugg

1. **Call to Order** – Chairman Craythorne welcomed those in attendance.
2. **Communications and Disclosures from the CDRA Board** - no comment
3. **Communications from Staff** – no comment
4. **Consideration of Adoption of Minutes from the May 19, 2015 CDRA Meeting** – Mr. Kyle Laws

Mr. Dawson motioned to adopt the minutes from the May 19, 2015 CDRA Meeting.  
Vice-Chair Turner seconded the motion.  
The Board unanimously agreed.

5. **Consideration of Resolution No. R06-02-2015A, the Adoption of FY2016 Tentative Budget for CDRA of West Point City and All Related Agency's** - Mr. Evan Nelson

- a) Public Hearing – no comment

Mr. Petersen motioned to close the public hearing.  
Mr. Henderson seconded the motion.  
The Board unanimously agreed.

- b) Action

Vice-Chair Turner motioned to approve Resolution No. R06-02-2015A, the Adoption of FY2016 Tentative Budget for CDRA of West Point City.  
Mr. Henderson seconded the motion  
The Board unanimously agreed

Roll Call Vote:

Mr. Chatterton – yes  
Mr. Dawson – yes  
Chairman Craythorne – yes

Mr. Petersen - yes  
Vice-Chairman Turner - yes  
Mr. Henderson - yes

6. **Consideration of Resolution R06-02-2015B, Approving a Development Agreement between Smith's, Wright Development, and the CDRA of West Point – Mr. Randy Sant**

Mr. Sant informed the Board that the Developer's Agreement that had been included in their packet has changed as Smith's has recently submitted comments and changes to the agreement. Mr. Sant expressed the importance of outlining obligations within the agreement.

Mr. Sant stated the following sections have had significant changes that have been proposed by Smith's.

1. Development

- iv. Notwithstanding anything else in this Agreement to the contrary, as a condition precedent to each and all of the Agency's obligations to Smith's under this Agreement, Smith's shall:
  - 1) Commence construction, subject to the City granting all necessary approvals for the same, of a new grocery retail store, with a minimum of at least 124,000 square feet of retail floor space (the "Store"), on the Smith's Property on or before July 1, 2015; and
  - 2) Substantially complete construction of the Store, as evidenced by obtaining a temporary certificate of occupancy for the Store, on or before July 1, 2016; provided, that, the foregoing date shall be extended automatically for any delays by the City and/or Agency in granting necessary approvals and/or any force majeure event (as defined below) by the number of days that such condition exists or such greater time as may be agreed to by Smith's and the Agency.

Smith's has requested leeway with the start of construction and opening of the store. Mr. Sant stated these changes are acceptable if Smith's understands that the City has no obligation to fund until the store has been granted a certificate of occupancy. He then expressed the importance of defining times within the agreement.

Mr. Sant stated that Smith's has removed section (vi) from the Developer's Agreement:

- vi. If there is ever, at any time and for any reason, insufficient Available Tax Increment (as defined in Section 2 *below*) for the Agency to timely make a debt service payment on the bonds issued under Section 1(f) *below*, then Smith's shall, shall be responsible for paying any such deficiency of the debt service payment that the Available Tax Increment is not able to cover to the Agency.

Mr. Sant stated removing section vi from the Developer's Agreement is significant and should not be deemed acceptable. Smith's has asked the CDRA to upfront money for the development. In order for the CDRA to upfront the money to Smith's, the CDRA must obtain a bond. The CDRA will need the tax increment from the development to pay for the bond. If there is a shortfall in tax increment because Smith's didn't build a 124,000 sq. foot store or the opening is delayed or the store is closed, the CDRA needs to be guaranteed tax increment to be able to pay the debt. Mr. Sant stated removing section vi from the Developer's Agreement is unacceptable. He recommended the CDRA negotiate an alternative solution with Smith's.

Mr. Sant stated if Smith's is not comfortable with section vi, then the CDRA should not issue a bond and Smith's should be given the increment on an annual basis. He stated that he has requested a meeting with Smith's and members of Staff to discuss his concern with the changes to the Developers Agreement.

- c) Agency's Utility Line Obligations. The Agency shall use its best efforts to cause the relocation of all existing power, communications, and fiber optic utility lines to the area depicted on the Site Plan as "**Utility Lines**". Additionally, the Agency shall use its best efforts to enter into an Interlocal Cooperation Agreement with the City, under which the City shall agree to also to use its best efforts, through its various franchise agreements, to cause the relocation of the Utility Lines. If there are any costs relating to the relocation of such Utility Lines then Smith's and the Developer shall be responsible for paying those costs in the proportions and in the manner set forth in the

Shopping Center Development Agreement. The Agency and City shall not be responsible for any costs relating to the relocation of the Utility Lines.

Smith's has removed the "best efforts" from the agreement. Mr. Sant stated the CDRA does not have any franchise agreements, therefore the CDRA cannot agree removing "best efforts". Because the City has relationships with the utility companies, the City will be asked to use their "best efforts" to cause the relocation of the utility lines.

- d) Agency to Pay Certain Development Fees for the Store. The Agency hereby agrees to pay, or otherwise make arrangement with the City for the Agency's payment of, all of Smith's impact fees and building permit fees charged by the City in connection with the development and construction of the Store. Additionally, the Agency hereby agrees to pay, or otherwise make arrangement for the Agency's payment of, culinary water share fees in connection with the Store in the amount of \$17,500.00. For purposes of clarification, the Agency will not pay (or otherwise make arrangement for payment of) any impact or development fees imposed by any other governmental entities (other than the City) including, without limitation, fees imposed by the North Davis Fire District or the North Davis Sewer District; Smith's will pay all development and impact fees imposed by any entity other than the City.
- f) Agency to Issue Bonds. The Developer and Smith's have indicated, and the Agency has determined, that without public participation, including the issuance of bonds to pay for certain initial development fees and costs as described in more detail below, the cost to develop and construct the desired improvements on the Shopping Center creates a significant barrier to attracting private capital and investment in the Project Area. Accordingly, the Agency shall issue bonds in the amount of \$1,107,000.00 (plus usual and customary costs of issuance) to pay for certain improvement costs relating to the Shopping Center. From the bond proceeds, the Agency will, within fifteen (15) days after Smith's obtains a temporary certificate of occupancy for the Store, pay cash to Smith's in the total amount of \$1,107,000.00 in order to reimburse Smith's for costs actually incurred as follows: Off-site Improvements in the amount of \$512,000.00; Offsite Sewer Reimbursement in the amount of \$145,000.00.00; and Import, Place & Compact Fill in the amount of \$450,000.00.

Mr. Sant stated the only fee that will be waived is the development fees charged by the City. The impact fees for other entities cannot be waived. He stated the CDRA will issue a bond in the amount of \$1,107,000 payable to Smith's for the items outlined in the agreement.

- 2) Priorities for Use of Tax Increment. Notwithstanding anything else in this Agreement to the contrary, this Section 2 shall govern the priority and payment of tax increment generated from the Project Area and actually received by the Agency under the Interlocal Agreements (the "**Available Tax Increment**") and allocated for use under the "Development" portion of the Project Area Budget. The Agency shall apply the Available Tax Increment according to the following rules of priority:
  - a) First, the Agency shall make all debt service payments on the bonds issued under Section 1(f) *above*;
  - b) Second, the Agency shall use any remaining Available Tax Increment (if any) to repay the City for any loan(s) made by West Point City to the Agency in connection with the creation or administration of the Project Area;
  - c) Third, the Agency shall use any remaining Available Tax Increment (if any) to pay the City for any unpaid impact or permit fees in connection with the development and construction of the Store;
  - d) Fourth, the Agency shall use any remaining Available Tax Increment (if any) to pay the Developer for the dedication of 300 North to the City;
  - e) Fifth, the Agency shall use any remaining Available Tax Increment (if any) to the Developer (in the case of reimbursement for impact fees paid on Pads B, C and E) and/or the City (in the case of reimbursement for waived impact fees on Pads A, D and F), *pari passu*, under Section 1(e) *above*; and

- f) Finally, the Agency may, in its sole discretion, use any and all remaining Available Tax Increment for any other legal purpose.

Mr. Sant said it is unclear if there will be enough funding to payback Mr. Gary Wright, the developer of the project. He expressed his appreciation to Mr. Wright for is willingness to support the project.

- 5) Restriction on Permanent Closure of the Store. ~~Smith's shall not, without the prior written approval of the Agency Nothing in this agreement shall be deemed to create or impose on Smith's a covenant to open or operate a store and shopping center. Smith's failure to open or operate a store shall not be deemed a default hereunder. However, it the event Smith's fails to open a store pursuant to 1(a) above the agency shall have no obligation to pay Smith's under section 1(f).; Moreover if after opening a store Smith's permanently close the Store before until~~ the bonds described in Section 1(f) above have been repaid in full. Then Smith's shall reimburse the agency the amount equal to the difference between amount agency paid Smith's under section 1(f) and the total amount of available tax increment generated by the project are up to and including the Smith's date that they cease to operate the store. If Smith's violates the provisions of this Section 5 then the Agency shall have no further obligation to pay any Available Tax Increment to Smith's for any reason, and Smith's shall not be released of any of its duties, agreements, obligations, liabilities, or responsibilities in this Agreement.

Mr. Sant stated section 5 has been reworded. With minor changes it will accomplish what is needed within the agreement.

Mr. Sant stated under the agreement, the CDRA will have obligations as an agency which will include the issuing of a bond in the amount of \$1.7 million and waive impact fees. The CDRA will obtain a bond in the \$1.7 million; the money will be paid to Smith's subject to conditions within the Developer's Agreement. The agency must enter into an Interlocal Agreement with West Point City for the waiving of impact fees and the charging of them to the CDRA. Once the Developer's Agreement has been finalized, an Interlocal Agreement between West Point City and the CDRA will be presented for action.

Mr. Sant thanked Mr. Gary Wright and Mr. Troy Wolverton for their assistance with the project area and the Developer's Agreement. He then stated Resolution R06-02-2015B states the Developer's Agreement will not be signed by the Chairman until a final agreement has been approved by all parties. Mr. Sant recommended the board approve Resolution R06-02-2015B.

On behalf of the board, Chairman Craythorne expressed his appreciation to Mr. Sant, Mr. Wright, Mr. Wolverton and Staff for their assistance with the Smith's project.

Mr. Petersen motioned to approve Resolution No. R06-02-2015B, a Development Agreement with Smith's, Wright Development, and the CDRA of West Point City subject to the final Developer's Agreement.

Mr. Dawson seconded the motion.

The Board unanimously agreed.

Roll Call Vote:

Mr. Henderson – yes

Vice-Chairman Turner – yes

Mr. Petersen – yes

Chairman Craythorne - yes

Mr. Dawson - yes

Mr. Chatterton - yes

**7. Motion to Adjourn**

Mr. Turner motioned to adjourn.

Mr. Dawson seconded the motion.

The Board unanimously agreed.

Approved this 16<sup>th</sup> day of June, 2015

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Agency Chairman, Mr. Erik Craythorne

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Executive Director, Mr. Kyle Laws

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Agency Secretary, Mrs. Misty Rogers

DRAFT



**RESOLUTION NO. R-06-16-2014A**

**A RESOLUTION ADOPTING A  
BUDGET FOR THE COMMUNITY DEVELOPMENT AND RENEWAL AGENCY OF  
WEST POINT CITY FOR FISCAL YEAR 2016 AND AN AMENDED BUDGET FOR FISCAL  
YEAR 2015**

**WHEREAS**, the Community Development and Renewal Agency of West Point City was created to transact the business of a redevelopment agency and to exercise all of the powers provided for in the Utah Redevelopment Agencies Act, § 17B-4-101 et. seq., Utah Code Annotated (1953, as amended) and any successor law or act; and,

**WHEREAS**, Utah Code § 17B-4-1301 prescribes the form and methodology set forth by the Legislature and the State Auditor's Office relative to CDRA budgets; and,

**WHEREAS**, the Executive Director of the Agency has prepared and presented to the Board an annual budget for Fiscal Year 2016 and an amended budget for Fiscal Year 2015; and,

**WHEREAS**, a public hearing was held and notification served according to law pertaining to the CDRA 2016 annual budget and 2015 amended budget;

**NOW, THEREFORE, BE IT RESOLVED, FOUND AND ORDERED**, by the CDRA Board of West Point City that the hereto attached CDRA Budget is hereby adopted for Fiscal Year 2016 and the amended budget is hereby adopted for Fiscal Year 2015.

**IT IS FURTHER ORDERED**, that a copy of the Budget be made available to the public for review and inspection at West Point City Hall during regular business hours.

**PASSED AND ADOPTED** this 16<sup>th</sup> day of June, 2015.

**WEST POINT CITY,**  
A Municipal Corporation

By: \_\_\_\_\_  
Erik Craythorne, CDRA Chair

**ATTEST:**

\_\_\_\_\_  
Kyle Laws, Executive Director

\_\_\_\_\_  
Misty Rogers, Secretary



Account Number	Account Title	2013 Actual	2014 Actual	2015 Original Budget	2015 Amended Budget	2016 Final Budget
<b>CDRA FUND</b>						
<b>REVENUE</b>						
85-31-08	Interfund Loan	.00	.00	.00	20,000.00	20,000.00
85-31-09	Proceeds From Long-term Debt	.00	.00	.00	.00	1,200,000.00
Total REVENUE:		.00	.00	.00	20,000.00	1,220,000.00
<b>EXPENDITURES</b>						
85-44-62	Project Expenses	.00	.00	.00	.00	1,200,000.00
85-44-63	Administration	.00	.00	.00	20,000.00	20,000.00
Total EXPENDITURES:		.00	.00	.00	20,000.00	1,220,000.00
CDRA FUND Revenue Total:		.00	.00	.00	20,000.00	1,220,000.00
CDRA FUND Expenditure Total:		.00	.00	.00	20,000.00	1,220,000.00
Net Total CDRA FUND:		.00	.00	.00	.00	.00
Net Grand Totals:		.00	.00	.00	.00	.00