



**West Point City**  
**Council Notice and Agenda**  
West Point City Municipal Center  
3200 West 300 North  
West Point City, UT 84015

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

March 18, 2014

**ADMINISTRATIVE SESSION**

6:00 pm – Council Room

1. Youth Council Charter – Mrs. Jolene Kap [page 5](#)
2. Discussion of Bids for 2000 West Waterline Project – Mr. Boyd Davis [page 9](#)
3. Discussion of a Resolution Authorizing Not More Than \$775,000 Excise Tax Revenue Refunding Bonds, Series 2014 to Refinance at a Savings The Issuer's Outstanding Excise Tax Revenue Bonds, Series 2001 Issued to Build The City Hall and Public Works Facilities; Providing for Publication of a Notice of Bonds to Be Issued; Providing For A Pledge of Excise Tax Revenues For Repayment of The Bonds; Fixing The Maximum Amount, Maturity, Interest Rate, and Discount At Which The Bonds May Be Sold; Providing For The Running of A Contest Period; and Related Matters – Mr. Kyle Laws [page 13](#)
4. Discussion of Personnel Policies and Procedures – Mr. Kyle Laws [page 25](#)

**GENERAL SESSION**

7:00 pm – Main 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. Adoption of Minutes from the January 31, 2014 and March 4, 2014 Council Meetings – Mrs. Misty Rogers [page 41](#)
7. Citizen Comment. (If you wish to make comment to the Council, please use the podium and clearly state your name and address, keeping your comments to a maximum of 2 ½ minutes. Please do not repeat positions already stated. Public comment is a time for the Council to receive new information and perspectives).
8. Announcement of Essay Contest Winners – Mrs. Jolene Kap
9. Award Bid for 2000 West Waterline Project – Mr. Boyd Davis [page 9](#)
10. Consideration of Resolution No. 03-18-2014A, Consideration of Adoption of Personnel Policies & Procedures – Mr. Kyle Laws [page 25](#)
11. Consideration of Ordinance 03-18-2014, Consideration of Adoption of the Building Valuation Schedule – Mr. Boyd Davis
12. Consideration of Approval of Reagail Estates Amended Plat – Mr. Boyd Davis [page 83](#)
13. Consideration of Resolution No. 03-18-2014B, Discussion of a Resolution Authorizing Not More Than \$775,000 Excise Tax Revenue Refunding Bonds, Series 2014 to Refinance at a Savings The Issuer's Outstanding Excise Tax Revenue Bonds, Series 2001 Issued to Build The City Hall and Public Works Facilities; Providing for Publication of a Notice of Bonds to Be Issued; Providing For A Pledge of Excise Tax Revenues For Repayment of The Bonds; Fixing The Maximum Amount, Maturity, Interest Rate, and Discount At Which The Bonds May Be Sold; Providing For The Running of A Contest Period; and Related Matters – Mr. Kyle Laws [page 13](#)
14. Motion to Adjourn

Posted and dated this March 14, 2014

  
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 eight hours prior to the meeting and we will seek to provide assistance.



**TENTATIVE UPCOMING ITEMS**

**Date:** 4/1/2014

**Administrative Session**

1. Discussion of "80% of Lots Sold" Rule – Mr. Boyd Davis
2. Discussion of Rocky Mtn. Power Sub-Station – Mr. Boyd Davis
3. Discuss the proposal from Gardner Engineering for the design of 3000 West – Mr. Boyd Davis
4. Discussion of Pheasant Creek wetlands area between Phase I and II – Mr. Boyd Davis

**General Session**

1. Youth Council Update
2. Consideration of Adoption of the Youth Council Charter – Mrs. Jolene Kap

**Date:** 4/15/2014

**Administrative Session**

**General Session**

**Date:** 5/6/2014

**Administrative Session**

1. Budget Discussion – Mr. Evan Nelson

**General Session**

1. Budget Hearing – Mr. Evan Nelson
  1. Public Hearing

**Future Items**

**Administrative Session**

1. Discussion of Debris Management – Mr. Paul Rochell
2. Discussion of Street Light Replacement – Mr. Kyle Laws
3. Discussion of the West Point City General Plan – Mr. Boyd Davis
4. Discussion of Cemetery Expansion

**General Session**

1. Public Hearing to Consider Modifications to the West Point City General Plan – Mr. Boyd Davis
  - a. Public Hearing
  - b. Action

# West Point City 2014 Calendar

January	
February	
March	
17	Senior Lunch-11:30am
18	City Council-7pm
27	Planning Commission-7pm
April	
1	City Council-7pm
10	Planning Commission-7pm
15	City Council-7pm
19	Easter Egg Hunt-10am
21	Senior Lunch-11:30am
24	Planning Commission-7pm
May	
1	Cemetery Cleaning
3	Take Pride Day
6	City Council-7pm
14	Council/Staff Lunch-11:30am
15	Planning Commission-7pm
19	Senior Lunch-11:30am
20	City Council-7pm
26	Memorial Day-Office Closed
29	Planning Commission-7pm
June	
3	City Council-7pm
12	Planning Commission-7pm
16	Senior Lunch-11:30am
17	City Council-7pm
26	Planning Commission-7pm
28	Miss West Point Pageant SHS-7pm
July	
1	City Council-7pm
4	Independence Day-Office Closed 4th of July activities
10	Planning Commission-7pm
15	City Council-7pm
21	Senior Lunch 11:30am
24	Pioneer Day Observed-Office Closed

August	
5	City Council-7pm
7	Summer Party-5pm
14	Planning Commission-7pm
15	Senior Dinner-5:30pm
19	City Council-7pm
28	Planning Commission-7pm

September	
1	Labor Day-Office Closed
2	City Council-7pm
11	Planning Commission-7pm
15	Senior Lunch-11:30am
16	City Council-7pm
25	Planning Commission-7pm

October	
2	Cemetery Cleaning
7	City Council-7pm
8	Council/Staff Lunch-11:30am
16	Planning Commission-7pm
17	Halloween Carnival-7pm
20	Senior Lunch-11:30am
21	City Council-7pm
30	Planning Commission-7pm

November	
4	Election Day
8	Flags on Veteran's Graves YC
11	Veteran's Day-Office Closed
13	Planning Commission-7pm
17	Senior Lunch-11:30am
18	City Council-7pm
27-28	Thanksgiving -Office Closed

December	
1	City Hall Lighting Ceremony-6:00 pm
2	City Council-7pm
5	Christmas Party-7pm
11	Planning Commission-7pm
15	Senior Lunch-11:30am
16	City Council-7pm
19	Cemetery Luminary-4pm
25-26	Christmas -Office Closed

January 2015	
9-10	Council Retreat

# City Council Staff Report

**Subject:** Youth Council Charter  
**Author:** Jolene Kap  
**Department:** Executive  
**Date:** March 18, 2014



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## **Background**

The Youth Council is a group of Youth who, under the direction of an Advisor, volunteer many hours to multiple service projects throughout the year. Through activities the youth are being trained to become exceptional citizens. The advisor emphasizes implementing a consistent structured council that mirrors the structure of the City Council, encourages growth of character through service and helps the youth to look beyond themselves. Over the last few years we have seen a large growth in the Youth Council participants. This only shows what great examples we have that are helping others who want to serve in the community.

## **Analysis**

Follow up with council on changes in the Youth Council Charter. Charter was revised to make it clear to the Youth Council leaders what the participation requirements are. It also clarifies what is an excused and unexcused absence.

## **Recommendation**

Staff recommends Council approve the proposed Youth Council Charter.

## **Significant Impacts**

There are no significant impacts at this time.

## **Attachments**

Youth Council Charter



## **WEST POINT CITY YOUTH COUNCIL CHARTER**

### **PURPOSES:**

1. To provide an opportunity for the youth of West Point City, Davis county to acquire a greater knowledge of and appreciation for the political system through active participation in the system.
2. To help the Mayor and City Council to solve the problems and accomplish the goals of the community by working directly with the representatives of the youth.
3. To serve the youth of West Point by:
  - A. Informing the West Point City municipal government of the needs and wishes of the youth.
  - B. Planning and implementing social, educational, cultural and recreational activities for the youth.
  - C. Working with the Mayor, City Council, City Departments Heads, Schools, Chamber of Commerce, Civic Clubs and service Organizations to provide service and leadership opportunities for the youth of the City.
  - D. To instill a feeling of positive self-worth and esteem. To teach respect for the rights and property of others. To promote community pride and to eliminate potential negative influences among our future community leaders.

### **REQUIREMENTS TO SERVE ON THE WEST POINT CITY YOUTH COUNCIL:**

1. Reside in West Point City.
2. Attend 7<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup>, 10<sup>th</sup>, 11<sup>th</sup>, 12<sup>th</sup> grade.
3. Service members must attend at least 75% of all meetings and activities.
4. To be an officer you must be in 9<sup>th</sup>-12<sup>th</sup> grade, and must attend 90% of all meetings and activities. And must have served at least one prior year on the Youth Council.

### **REQUIREMENTS TO REMAIN ON THE WEST POINT CITY YOUTH COUNCIL:**

1. Must be a resident of West Point City, Utah.
2. Service members must attend at least 75% of all meetings and activities.
3. Officers must attend at least 90% of all meetings and activities.
  - A. Officers will be allowed 3 excused absences but must have a fill in attend for them.
  - B. Officers will be allowed 2 unexcused absences or if they were excused and did not provide a fill in member they will count as unexcused.
4. Must maintain at least a 2.5 grade point average at school.
5. Fulfill the responsibilities of the office held, according to job assignment.
6. Set a proper example, in appearance, communication, and language, as a representative of the Youth Council and the City of West Point.

### **VACANCIES:**

1. Any vacancy on the Youth City Council, either by removal of by resignation, shall be filled by selection from the previous application, or may be opened for more applications.

**WEST POINT CITY YOUTH COUNCIL:**

1. The Council shall consist of a Youth Mayor, Mayor Pro-Tem, City Manager, City Recorder, Treasurer, Head chair Person and Historian.
2. Ending term will be August 31 of each year. Any Youth Council member who would like to remain on the Youth Council will need to reapply. Applications will be accepted September 1st thru September 30th each year.

**DUTIES AND RESPONSIBILITIES OF THE WEST POINT CITY YOUTH COUNCIL:**

1. Meet twice monthly to conduct business.
2. Develop and adopt, by majority vote, a Council Charter.
3. Pass motions and resolutions as necessary by majority vote.
4. Carry out the purposes of the Youth Council as outlined in the charter.
5. Plan activities for the youth or the community, coordinating all such activities with the Youth Council, City Council Members and the Youth Council Advisors(s).
6. Activities shall be limited to a maximum of one per month and/or a minimum of one per quarter.

**DUTIES AND RESPONSIBILITIES OF THE WEST POINT CITY YOUTH COUNCIL OFFICERS:**

1. The Youth Council must have a quorum in order to conduct business. Officers unavailable to attend must have another member of the Youth Council fill in for them.
2. The agendas of the Youth Council meetings need to be made available to all members of the Youth Council three days prior to each meeting.
3. All activities are to be coordinated with the Youth Council Advisors and City Representative.

**THE SWEARING IN:**

1. The youth leaders and service members shall be sworn in at the first City Council meeting following the selection of the leaders. The youth shall be given the same "Oath of Office" that the City Council members are given.

# City Council Staff Report

**Subject:** 2000 West Water Line South Phase Bid Award  
**Author:** Boyd Davis  
**Department:** Community Development  
**Date:** March 18, 2014



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## **Background**

This year's budget includes funding to replace the waterline on 2000 West from 300 N to 200 S. The existing six inch waterline is old, undersized, and in serious need of repair. This section of waterline has experienced several major water leaks and has actually flooded a home and caused property damage.

## **Analysis**

The project includes installing 2,600 feet of 12-inch PVC water pipe in the west shoulder of 2000 West from 300 N to 200 S. All service connections will be moved from the old line to the new line and new fire hydrants will be installed. Because the project will impact the front yards of the houses along 2000 West, we have met with each resident to explain the project and to address any concerns that they have. All but one resident was happy to hear about the project and had no objections as long as we were able to restore their yards when the project is complete. One resident is very concerned about some bushes that will be impacted. We have met with the resident and have worked out most of the issue. They do not object to the project, but they are sad that the bushes may be ruined. We have agreed to replace them with something of their choice.

Bids were opened on March 12. The attached bid tabulation sheet shows each bid and the overall low bidder. We have reviewed the bids and find that Leon Poulsen Construction, bid in the amount of \$240,603.35, is the lowest responsive bid and should be awarded for that amount. The current year's budget for the project is \$316,000. There was also additional money budgeted for next year if needed. Fortunately we received a good bid that is within budget. Leon Poulsen Construction is a good company that has done several other projects in the City. We are very comfortable recommending them for the project.

It is estimated that construction will begin the week of April 1 and be completed within 100 days.

## **Recommendation**

Staff recommends that the bid for the 2000 West Waterline Project be awarded to Leon Poulsen Construction Co., Inc. for \$240,603.35.

## **Significant Impacts**

None.

## **Attachments**

Bid Tabulation



**2000 West Waterline Project, South Phase**

Item	Description	Qty	Unit	Engineer's Estimate		Leon Poulsen		Ormond		Knudson	
				Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
1	Mobilization & Demobilization (5% of Construction Cost, Max.)	1	LS	\$11,065.23	\$11,065.23	\$7,650.00	\$7,650.00	\$5,000.00	\$5,000.00	\$13,000.00	\$13,000.00
2	F&I 12" C900 DR-18 PVC Waterline	2550	LF	\$32.45	\$82,747.50	\$31.50	\$80,325.00	\$37.08	\$94,554.00	\$40.00	\$102,000.00
3	Traffic Control	1	LS	\$9,500.00	\$9,500.00	\$10,410.00	\$10,410.00	\$6,500.00	\$6,500.00	\$7,600.00	\$7,600.00
4	Cut and loop 6" in 300 N to allow room for new 12"	1	LS	\$4,700.00	\$4,700.00	\$2,735.00	\$2,735.00	\$2,754.40	\$2,754.40	\$3,500.00	\$3,500.00
5	Connect to Existing at 300 N	1	LS	\$12,000.00	\$12,000.00	\$6,230.00	\$6,230.00	\$11,775.20	\$11,775.20	\$12,000.00	\$12,000.00
6	F&I 12" BV (2 @ 150 N, 2 @ 100 N, 2 @ 75 N)	6	EA	\$2,100.00	\$12,600.00	\$1,690.00	\$10,140.00	\$1,982.74	\$11,896.44	\$2,800.00	\$16,800.00
7	Connect to Existing at t 150 N	1	LS	\$4,000.00	\$4,000.00	\$2,905.00	\$2,905.00	\$2,392.76	\$2,392.76	\$5,000.00	\$5,000.00
8	Connect to Existing at 100 N	1	LS	\$4,000.00	\$4,000.00	\$2,915.00	\$2,915.00	\$2,392.76	\$2,392.76	\$5,000.00	\$5,000.00
9	Connect to Existing at 75 S	1	LS	\$4,000.00	\$4,000.00	\$4,350.00	\$4,350.00	\$3,037.60	\$3,037.60	\$4,500.00	\$4,500.00
10	Connect to Existing at 200 S	1	LS	\$1,500.00	\$1,500.00	\$2,840.00	\$2,840.00	\$1,665.20	\$1,665.20	\$4,000.00	\$4,000.00
11	Fire Hydrant (See Plan Sheets for scope)	6	EA	\$5,000.00	\$30,000.00	\$3,380.00	\$20,280.00	\$3,896.22	\$23,377.32	\$6,000.00	\$36,000.00
12	Pipe Stabilization Material	395	TON	\$15.25	\$6,023.75	\$17.25	\$6,813.75	\$9.00	\$3,555.00	\$25.00	\$9,875.00
13	Pipe Bedding Material	791	TON	\$12.50	\$9,887.50	\$13.50	\$10,678.50	\$9.00	\$7,119.00	\$17.00	\$13,447.00
14	Select Backfill	791	TON	\$13.00	\$10,283.00	\$2.00	\$1,582.00	\$9.00	\$7,119.00	\$17.00	\$13,447.00
15	Concrete Driveway at 37 N (Sta 15+50). Cut and restore concrete. Assume 6" thick, 20' long x trench width, restore strip drain and connection to existing drains.	1	LS	\$2,800.00	\$2,800.00	\$790.00	\$790.00	\$2,553.00	\$2,553.00	\$3,500.00	\$3,500.00
15.1	Concrete Driveway at 14 S (Sta 19+35). Cut and restore concrete. Assume 6" thick, 18' long x half trench width (half trench width is asphalted, asphalt paid under separate bid item).	1	LS	\$900.00	\$900.00	\$480.00	\$480.00	\$1,900.00	\$1,900.00	\$2,000.00	\$2,000.00
16	Untreated Base Course	484	TON	\$10.60	\$5,130.40	\$17.00	\$8,228.00	\$9.00	\$4,356.00	\$24.00	\$11,616.00
17	Bituminous Surface Course UDOT mix	20	TON	\$75.00	\$1,500.00	\$450.00	\$9,000.00	\$355.08	\$7,101.60	\$240.00	\$4,800.00
17.1	Bituminous Surface Course Driveway mix	30	TON	\$65.00	\$1,950.00	\$115.00	\$3,450.00	\$107.00	\$3,210.00	\$195.00	\$5,850.00
18	Asphalt Cutting	720	LF	\$0.85	\$612.00	\$1.50	\$1,080.00	\$1.90	\$1,368.00	\$2.25	\$1,620.00
19	Unacceptable Material Removal, Disposal	2481	TON	\$5.00	\$12,405.00	\$3.10	\$7,691.10	\$5.00	\$12,405.00	\$5.00	\$12,405.00
20	UDOT Fees Reimbursed at Cost	x	x								
21	Reconnect Short-side copper Service Lateral	1	EA	\$500.00	\$500.00	\$645.00	\$645.00	\$831.56	\$831.56	\$900.00	\$900.00
22	Move meter box; Reconnect Short-side copper Service Lateral	1	EA	\$900.00	\$900.00	\$685.00	\$685.00	\$632.19	\$632.19	\$1,100.00	\$1,100.00
23	Move meter box; Replace Short-side galvanized Service Lateral	3	EA	\$1,200.00	\$3,600.00	\$960.00	\$2,880.00	\$891.29	\$2,673.87	\$1,500.00	\$4,500.00
24	Replace Short-side galvanized Service Lateral	5	EA	\$1,500.00	\$7,500.00	\$960.00	\$4,800.00	\$894.54	\$4,472.70	\$1,350.00	\$6,750.00
25	Reconnect Long-side Service Lateral	14	EA	\$3,000.00	\$42,000.00	\$685.00	\$9,590.00	\$636.53	\$8,911.42	\$900.00	\$12,600.00
26	Remove and replace existing landscaping along frontages	1	LS	\$17,500.00	\$17,500.00	\$20,890.00	\$20,890.00	\$15,017.00	\$15,017.00	\$12,000.00	\$12,000.00
27	SWPPP creation, permitting and compliance	1	EA	\$500.00	\$500.00	\$540.00	\$540.00	\$428.98	\$428.98	\$2,000.00	\$2,000.00
					<b>\$300,104.38</b>		<b>\$240,603.35</b>		<b>\$249,000.00</b>		<b>\$327,810.00</b>



# City Council Staff Report

**Subject:** Excise Tax Bond Refunding  
**Author:** Kyle Laws  
**Department:** Executive  
**Date:** March 18, 2014



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## **Background**

In 2001, West Point city issued Excise Tax Revenue Bonds, Series 2001 to build City Hall and the Public Works Facility and related improvements. A couple of years ago, the rate on those bonds were renegotiated to a 4.3% rate with Wells Fargo. This year those bonds are callable and it has been recommended that we refund the bonds as quickly as possible.

## **Analysis**

The attached resolution outlines the details of the refunding of the Excise Tax Revenue Bonds, Series 2001. The resolution has specific restrictions that caps the principal amount of the refunding at \$775,000, to bear an interest rate or rates of not to exceed 2.50%, to mature in not more than 8 years from their date or dates, and to be sold at a price not less than 97.0% of the total principal amount thereof, plus accrued interest to the date of delivery.

Just as with the previous bond issuance, the City pledges the Local Sales and Use Tax Funds received by the Issuer pursuant to Title 59, Chapter 12, Part 2, Utah Code Annotated, as amended, and the Utility Franchise Tax received by the Issuer pursuant to Title 10, Chapter 1, Part 3, Utah Code Annotated, as amended, for repayment of the Bonds.

The resolution also states that “the Bonds are to be issued and sold by the Issuer pursuant to the Resolution, including as part of said Resolution the draft of a Master Resolution, which was before the Council and attached to the Resolution in substantially final form at the time of the adoption of the Resolution. The Master Resolution is to be finalized by a Pricing Committee consisting of the Mayor, City Manager, and City Recorder, in such form and with such changes thereto as shall be approved by the Pricing Committee upon the adoption thereof, provided that the principal amount, interest rate or rates, maturity and discount of the Bonds will not exceed the maximums set forth above, and there shall be a cost savings.”

The attached resolution begins the 30 day contestability period required by the Utah Refunding Bond Act, Title 11, Chapter 27, Utah Code Annotated 1953, as amended. At the conclusion of this 30-day period we can close on the bonds and will do so as long as the requirement set forth above and in the resolution are met. As part of the closing process

and in accordance with the resolution before you, the pricing committee approved in this resolution will give the final approval on the bonds.

It is also important to note that by refunding this bond at a lower interest rate, the City could realize a lump sum savings in the first year of up to \$45,000. There is also the option to see the savings spread out over the remaining 8 years of payments. That decision does not have to be made tonight but will be negotiated at a later date. Staff recommends the lump sum savings option in the first year, but we are open to feedback from the Council on this matter.

**Recommendation**

Staff recommends Council approve Resolution 03-18-2014B.

**Significant Impacts**

There are no significant impacts at this time.

**Attachments**

Resolution 03-18-2014B Excise Tax Revenue Refunding Bonds, Series 2014

**WEST POINT CITY, UTAH  
EXCISE TAX REVENUE REFUNDING BONDS, SERIES 2014  
AUTHORIZING RESOLUTION  
MARCH 18, 2014**

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION AUTHORIZING NOT MORE THAN \$775,000 EXCISE TAX REVENUE REFUNDING BONDS, SERIES 2014 TO REFINANCE AT A SAVINGS THE ISSUER'S OUTSTANDING EXCISE TAX REVENUE BONDS, SERIES 2001 ISSUED TO BUILD THE CITY HALL AND PUBLIC WORKS FACILITIES; PROVIDING FOR PUBLICATION OF A NOTICE OF BONDS TO BE ISSUED; PROVIDING FOR A PLEDGE OF EXCISE TAX REVENUES FOR REPAYMENT OF THE BONDS; FIXING THE MAXIMUM AMOUNT, MATURITY, INTEREST RATE, AND DISCOUNT AT WHICH THE BONDS MAY BE SOLD; PROVIDING FOR THE RUNNING OF A CONTEST PERIOD; AND RELATED MATTERS.

WHEREAS, West Point City, Davis County, Utah (the "Issuer"), issued its Excise Tax Revenue Bonds, Series 2001 (the "Refunded Bonds") to build a City Hall and a Public Works Facility and related improvements (the "Project"); and

WHEREAS, pursuant to the provisions of the Utah Refunding Bond Act, Title 11, Chapter 27, Utah Code Annotated 1953, as amended (the "Act"), the City Council (the "Council") of the Issuer has authority to issue its Excise Tax Revenue Refunding Bonds, Series 2014 (the "Bonds") to refinance at a savings the Refunded Bonds:

NOW, THEREFORE, it is hereby resolved by the City Council of West Point City, Davis County, Utah, as follows:

Section 1. The Council hereby finds and determines that it is in the best interests of the Issuer and the residents thereof for the Issuer to issue not more than \$775,000 aggregate principal amount of its Bonds to bear interest at a rate or rates of not to exceed 2.5% per annum, to mature in not more than 8 years from their date or dates, and to be sold at a price not less than 97.5% of the total principal amount thereof, the Bonds to be issued for the purpose of refinancing at a savings the Refunded Bonds, and (ii) paying issuance expenses to be incurred in connection with the issuance and sale of the Bonds. The Bonds will be issued pursuant to this Resolution, and a master resolution or indenture to be finalized by a pricing committee confirming the issuance and sale of the Bonds (herein referred to as the "Master Resolution"), a draft form of which is attached hereto. The Council hereby declares its intention to issue the Bonds according to the provisions of this Section and the Master Resolution, when finalized.

Section 2. The Issuer proposes to pledge the same excise taxes for the Bonds that were pledged for the Refunded Bonds, consisting of its Local Sales and Use Tax Funds received by the Issuer pursuant to Title 59, Chapter 12, Part 2, Utah Code Annotated, as

amended and its Utility Franchise Tax pursuant to Title 10, Chapter 1, Part 3, Utah Code Annotated, as amended.

Section 3. The Master Resolution attached hereto is authorized and approved, with such changes thereto as shall be approved by the Pricing Committee, as authorized by Section 11-14-302 of the Utah Code, provided that the principal amount, interest rate or rates, maturity and discount shall not exceed the maximums set forth in Section 1, above.

Section 4. The Mayor, City Manager, and City Recorder are hereby appointed to be the Pricing Committee with respect to the Bonds and are further authorized and directed, and the power is hereby delegated to them, to execute and deliver the Bonds and the Master Resolution and all documents relating to the issuance of the Bonds on behalf of the Issuer, with such additions, modifications, deletions and changes thereto as may be deemed necessary or appropriate and approved by the Mayor, whose execution thereof on behalf of the Issuer shall conclusively establish such necessity, appropriateness and approval with respect to all such additions, modifications, deletions and changes incorporated therein.

Section 5. The Issuer hereby authorizes and approves the issuance of the Bonds pursuant to the provisions of this Resolution and the Master Resolution, to be finalized by the Pricing Committee authorizing and confirming the issuance and sale of the Bonds, with such changes thereto as shall be approved by the Pricing Committee upon the finalization of the Master Resolution, provided that the principal amount, interest rate or rates, maturity and discount shall not exceed the maximums set forth in Section 1 hereof, and there shall be a cost savings on the interest rate of the Bonds.

Section 6. Pursuant to Section 11-27-4 of the Act, the Issuer shall publish a Notice of Bonds to Be Issued once in the Standard Examiner, a newspaper of general circulation in the Issuer, hereby designated as the Issuer's official newspaper pursuant to the Act. The City Recorder shall also cause a copy of this Resolution (together with all exhibits hereto) to be kept on file in the Issuer's principal offices for public examination during the regular business hours of the Issuer until at least thirty (30) days from and after the date of publication thereof. The Issuer directs its officers and staff to publish a Notice of Bonds to be Issued in substantially the following form:

## NOTICE OF BONDS TO BE ISSUED

PUBLIC NOTICE IS HEREBY GIVEN that on March 18, 2014, the City Council (the "Council") of West Point City, Davis County, Utah (the "Issuer") adopted a resolution (the "Resolution") declaring its intention to issue Excise Tax Revenue Refunding Bonds, Series 2014 (the "Bonds") pursuant to the Utah Refunding Bond Act, Title 11, Chapter 27, Utah Code Annotated 1953, as amended.

### PURPOSE FOR ISSUING BONDS

The Issuer intends to issue the Bonds for the purpose of refinancing at a savings, all or a portion of, the costs of (i) refunding the Issuer's Excise Tax Revenue Bonds, Series 2001 issued to fund the City Hall and a Public Works Facility and related improvements, and (ii) paying issuance expenses.

### PARAMETERS OF THE BONDS

The Issuer intends to issue the Bonds in the principal amount of not to exceed \$775,000, to bear interest at a rate or rates of not to exceed 2.50% per annum, to mature in not more than 8 years from their date or dates, and to be sold at a price not less than 97.0% of the total principal amount thereof, plus accrued interest to the date of delivery.

### EXCISE TAXES PROPOSED TO BE PLEDGED

The Issuer proposes to pledge the Local Sales and Use Tax Funds received by the Issuer pursuant to Title 59, Chapter 12, Part 2, Utah Code Annotated, as amended, and the Utility Franchise Tax received by the Issuer pursuant to Title 10, Chapter 1, Part 3, Utah Code Annotated, as amended, for repayment of the Bonds.

The Bonds are to be issued and sold by the Issuer pursuant to the Resolution, including as part of said Resolution the draft of a Master Resolution, which was before the Council and attached to the Resolution in substantially final form at the time of the adoption of the Resolution. The Master Resolution is to be finalized by a Pricing Committee consisting of the Mayor, City Manager, and City Recorder, in such form and with such changes thereto as shall be approved by the Pricing Committee upon the adoption thereof, provided that the principal amount, interest rate or rates, maturity and discount of the Bonds will not exceed the maximums set forth above, and there shall be a cost savings.

Copies of the Resolution and the Master Resolution are on file in the office of the City Recorder of the Issuer in West Point, Utah, where they may be examined during regular business hours of the City Recorder from 8:00 a.m. to 5:00 p.m. for a period of at least thirty (30) days from and after the date of publication of this notice.

NOTICE IS HEREBY GIVEN that a period of thirty (30) days from and after the date of the publication of this notice is provided by law during which (i) any person in interest shall have the right to contest the legality of the Resolution and the Master Resolution or the Bonds, or any provision made for the security and payment of the Bonds by filing a verified written complaint in the District Court in Davis County, and that after such time, no one shall

have any cause of action to contest the regularity, formality or legality thereof for any cause whatsoever.

By Order of the City Council

/s/ Misty Rogers  
City Recorder

Published March 23, 2014

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Section 7. For the purposes set forth in the Master Resolution the Issuer authorizes the issuance of the Bonds, which shall be designated “West Point City, Davis County, Utah Excise Tax Revenue Refunding Bonds, Series 2014”, in the total aggregate principal amount of not to exceed \$775,000. The Bonds shall bear interest, shall be dated, shall be issued as fully registered Bonds, and shall mature as provided in the Master Resolution, as shall be approved by the Pricing Committee.

Section 8. The form, terms and provisions of the Bonds and the provisions for the signatures, authentication, payment, registration, transfer, exchange, redemption and number shall be as set forth in the Master Resolution, as shall be approved by the Pricing Committee. The Mayor and City Recorder are hereby authorized and directed to execute and seal the Bonds and to deliver the Bonds upon payment therefore. The signatures of the Mayor and the City Recorder may be by facsimile or manual execution.

Section 9. The Pricing Committee of the Issuer is authorized and directed to execute and deliver the written order of the Issuer for authentication and delivery of the Bonds in accordance with the provisions of the Master Resolution.

Section 10. The Bonds shall be sold to the Purchaser(s) to be identified in the Master Resolution on the terms to be agreed upon by the Pricing Committee, provided that the principal amount, interest rate or rates, maturity and discount shall not exceed the maximums set forth in Section 1, above.

Section 11. Upon their issuance, the Bonds will constitute special limited obligations of the Issuer payable solely from and to the extent of the sources set forth in the Bonds and the Master Resolution. No provision of this Resolution, the Master Resolution, the Bonds, or any other instrument, shall be construed as creating a general obligation of the Issuer, or of creating a general obligation of the State of Utah or any political subdivision thereof, or as incurring or creating a charge upon the general credit of the Issuer or its ad valorem taxing powers.

Section 12. The Pricing Committee and other appropriate officials of the Issuer are authorized and directed to execute, seal and deliver for and on behalf of the Issuer any or all additional certificates, documents and other papers and to perform all other acts they may deem necessary or appropriate in order to carry out the matters and documents authorized by this Resolution. The Mayor is authorized to agree to and execute a Bond Purchase Agreement with a Purchaser(s) to be determined by the Pricing Committee in accordance with the terms of this Resolution, and the City Recorder is authorized to attest to such execution and apply the seal.

Section 13. After the Bonds are delivered to the Purchaser(s), and upon receipt of payment therefor, the Master Resolution, as shall be approved by the Pricing Committee, shall be and remain irrevocable until the principal of, premium, if any, and interest on the Bonds are deemed to have been duly discharged in accordance with the terms and provisions of the Master Resolution.

Section 14. The Council hereby declares its intention and it reasonably expects to reimburse expenditures with bond proceeds in accordance with Tres. Reg. § 1.150-2.

Section 15. The Council hereby directs the officials and staff of the Issuer to cooperate with and assist the Issuer's financial advisor, Lewis, Young, Robertson & Burningham, Inc., and the Issuer's bond counsel, Blaisdell, Church & Johnson, LLC, to prepare all documents and certificates reasonably necessary to issue the Bonds.

Section 16. The Council hereby directs the City Recorder to complete the attached Record of Proceedings.

Section 17. All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this Resolution shall be in full force and effect immediately upon its approval and adoption.

APPROVED AND ADOPTED this March 18, 2014.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Recorder

[SEAL]

**RECORD OF PROCEEDINGS**

The City Council (the "City Council") of West Point City, Davis County, Utah (the "Issuer"), met in a public meeting at the City Council's regular meeting place at 3200 W. 300 North, in West Point, Utah, on March 18, 2014, at 7:00 p.m., or as soon thereafter as feasible (the "Meeting"). Present at the Meeting were the following members of the City Council:

Present:

Erik Craythorne	Mayor
Jerry Chatterton	Councilmember
Andy Dawson	Councilmember
Kent Henderson	Councilmember
Gary L. Petersen	Councilmember
Jeff Turner	Councilmember

Also Present:

Kyle Laws	City Manager
Misty Rogers	City Recorder

Absent:

which constituted all members thereof.

After the Meeting had been duly called to order and after other matters were discussed, the foregoing Resolution (the "Resolution") was introduced in written form and fully discussed.

A motion to adopt the Resolution was then duly made by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_, and the Resolution was put to a vote and carried, the vote being as follows:

Those Voting Aye:

Those Voting Nay:

Those Abstaining:

Other business not pertinent to the foregoing ordinance appears in the minutes of the Meeting. Upon the conclusion of all the business on the agenda and upon motion duly made and seconded, the Meeting was adjourned.

**CERTIFICATE OF CITY RECORDER**

I, Misty Rogers, the undersigned and duly qualified and acting City Recorder of the Issuer do hereby certify:

The attached Resolution is a true, accurate and complete copy thereof adopted by the City Council of the Issuer at a lawful public meeting duly held and conducted by the City Council in West Point, Utah, on March 18, 2014, commencing at the hour of 7:00 p.m., or as soon thereafter as feasible (the "Meeting"), as recorded in the regular official book of the proceedings of the Issuer kept in my office. The Meeting was called and noticed as required by law as is evidenced by the following Certificate of Compliance with Open Meeting Law. The persons present and the result of the vote taken at the Meeting are all as shown above. Attached hereto is an affidavit of publication of the foregoing Resolution or a summary thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer, this March 18, 2014.

\_\_\_\_\_  
City Recorder

( S E A L )

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Misty Rogers, the undersigned City Recorder of the Issuer do hereby certify, according to the records of the Issuer in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-202, Utah Code Annotated 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time, and place of the March 18, 2014, public meeting held by the Issuer as follows:

(a) By causing a notice, in the form attached hereto as Schedule 1 (the "Meeting Notice"), to be posted at the Issuer's principal offices at least twenty-four (24) hours prior to the convening of the meeting, the Meeting Notice having continuously remained so posted and available for public inspection until the completion of the meeting; and

(b) By causing a copy of the Meeting Notice to be delivered to a newspaper of general circulation in the Issuer at least twenty-four (24) hours prior to the convening of the meeting; and

(c) By causing a copy of the Meeting Notice to be posted on the Utah Public Notice Website at least twenty-four (24) hours prior to the meeting; and

In addition, the Notice of 2014 Annual Meeting Schedule for the Issuer, attached hereto, specifying the date, time and place of the regular meetings of the governing body of the Issuer to be held during the calendar year 2014 was (a) posted on \_\_\_\_\_, 201\_\_, at the principal offices of the Issuer, (b) provided to at least one newspaper of general circulation within the geographic jurisdiction of the County on \_\_\_\_\_, 201\_\_; and posted on the Utah Public Notice Website on \_\_\_\_\_, 201\_\_.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this March 18, 2014.

\_\_\_\_\_  
City Recorder

( S E A L )

(Attach Schedule 1: Agenda of Meeting and proof of posting on Public Notice Website)  
(Attach Annual Meeting Notice and proof of posting on Public Notice Website)

**(Attach Affidavit of Publication of Notice of Bonds to be Issued)**

Attachments:

Form Master Resolution (*See* Transcript No. \_\_)

4832-1740-7513, v. 1

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# City Council Staff Report

**Subject:** Personnel Policies & Procedures  
**Author:** Kyle Laws  
**Department:** Executive  
**Date:** March 18, 2014



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## **Background**

We have spent time during our last two City Council Meetings (February 18<sup>th</sup> & March 4<sup>th</sup>) discussing personnel policies and procedures dealing with employment classifications, compensation, and leaves. The Council has provided feedback to these policies included changing some of the language proposed by Staff.

The City Attorney, Felshaw King, has reviewed these policies and the recent changes and has offered a few suggestions.

## **Analysis**

During this Council Meeting, we will discuss the final revisions to the policies including the recommendations by the City Attorney.

In order to help the Council understand the changes we will be discussing and to help facilitate that discussion, I have used different text colors.

- Language in **black** is language that has been reviewed with no further changes being recommended by the Council or Staff.
- Language in **red** are changes or follow up items discussed at previous meetings where the Council recommend a change be made or research be done. The red text is the new recommended language.
- Language in **blue** is new language recommended by the City Attorney.

We will go through the document and discuss each of the sections that include changes mentioned above in blue and red text.

## **Recommendation**

Staff recommends Council approve Resolution 03-18-2014A adopting personnel policies and procedures relating to employment classifications, compensation, and leaves.

## **Significant Impacts**

There are no significant impacts at this time.

## **Attachments**

Personnel Policies & Procedures: Employment Classifications, Compensation, and Leaves  
Resolution 03-18-2014A



## Personnel Policies & Procedures: Employment Classifications, Compensation, and Leaves

### EMPLOYMENT CLASSIFICATIONS

Employment Status - All employees shall be classified as one of the following:

- (a) Full-time/Regular: An employee hired to work a minimum of 40 hours per week or applicable full-time work schedule, and eligible for City benefits.
- (b) Part-time/Regular:
  - 1) Benefited - An employee hired to work a minimum of 30 hours per week on a regular, year-round basis, and eligible for City benefits.
  - 2) Partial Benefited - An employee hired to work less than 30 hours per week (1,560 hours per year) on a regular, year-round basis, are at-will, and eligible for some reduced City benefits, as explained in the Compensation, Leaves, & Benefits section of this manual.
  - 3) Non-Benefited - An employee hired to work less than 30 hours per week (1,560 hours per year) on a regular, year-round basis, are at-will, and not eligible for City benefits.
- (c) Seasonal/Intern: An employee hired to work up to 40 hours per week to a maximum of 1560 hours during a rolling year (from hire date), are at-will, and not eligible for City benefits. Seasonal employees are normally employed for up to six (6) months but may be employed for up to twelve (12) months provided they do not exceed 1560 hours during the rolling year.
- (d) Volunteer: Any person who donates service without pay or other compensation.
  - 1) Department Directors shall provide required volunteer information to the human resources division, prior to the rendering of any volunteer services, to ensure worker's compensation and liability coverage, and BCI background checks when applicable.

### PROBATION

- a) Probationary Period – Unless specified otherwise by this policy, all new hires shall fulfill a six (6) month probationary period. During probation, such employees may be terminated at any time, with or without cause or prior notice, for any reason or no reason at all.
- b) Evaluations - Probationary employees shall meet regularly with their supervisor or Department Director to discuss their performance and work expectations. Prior to the expiration of any employee's probationary period, the Department Director shall notify the City Manager, in writing, indicating whether the services of the employee have been satisfactory and whether the Department Director is willing to continue the employee in the position and remove them from probationary status.

- c) Extensions – In unusual circumstances, probationary periods may be extended beyond the initial probationary period as authorized by the City Manager. Probation extensions shall be documented and notice given to the employee prior to the conclusion of the original probationary period.

## COMPENSATION, LEAVES, & BENEFITS

### COMPENSATION

**Work Hours** – Work hours for employees are determined by the City Manager. The City Manager may change employee work hours on a permanent basis as determined to be in the best interest of the City. Temporary changes to employee work hours shall be at the Department Director’s discretion.

**Classification** – The City assigns each position a pay range as established by the City’s pay plan. The pay plan reflects internal and external equities, based upon assigned duties and responsibilities, and market comparisons.

Market research is typically conducted bi-annually, but may be adjusted as needed by the City Manager by the Human Resources Manager.

**Payroll** – All employees are paid bi-weekly. Each paycheck will include earnings for all work performed through the end of the previous payroll period or applicable work period.

- a. The work week begins at 12:01am on Monday and ends on Sunday night at 12:00 midnight for all employees, except as otherwise authorized in writing by the City Manager.
  - i) The Public Works Department works a 9/80 work schedule. Their work week begins at 10:31am on Friday and ends at 10:30am Friday. Timecards shall be adjusted to accommodate the same pay periods and pay dates as all other employees.
- b. Employees and supervisors are responsible for accurately recording and reporting time worked and leave used on their timecards.
- c. Employees may voluntarily authorize deductions from their paychecks to cover the costs of participation in City approved programs. Employees should review any discrepancies in payroll deductions with the City Treasurer, Finance Director, or Human Resources Manager.
- d. Upon receipt of a valid garnishment, the City shall withhold wages from an employee’s paycheck. The City shall continue to withhold the garnishment wages until a court order is received indicating satisfaction of the indebtedness.
- ~~e. An employee may not receive an unearned pay advance, except as authorized by the City Manager.~~

**Merit Increases** – Employees may receive merit increases based on performance evaluations and according to availability of funds as allocated by the City Council through the budget process.

**Market Adjustments/COLA** – Employees may receive a market adjustment as determined appropriate and according to availability of funds as allocated by the City Council through the budget process.

**Overtime Provisions** – It is the general policy of West Point City to not have employees work overtime. However, employees may be required to work overtime as deemed necessary and pre-authorized by the City Manager or Department Director.

- a. Overtime is paid at the rate of one and one-half times the regular rate of pay.
- b. Overtime is calculated based on actual time worked.
  - 1) Time worked includes those hours an employee is working, as well as jury duty, or witness duty.
  - 2) Time worked does not include vacation leave, sick leave, holiday leave, paid military leave, or compensatory time.
- c. Overtime is payment received for time worked:
  - 1) In excess of 40 hours per work week for non-exempt employees.
  - 2) On the day of the City Celebration (Independence Day) for authorized employees.
- d. In situations where the mayor has declared a “Local State of Emergency,” Fair Labor Standards Act (FLSA) non-exempt employees whose work assists the response during the designated emergency will be paid time and a half for any emergency hours worked in addition to their normal work schedule. Compensatory time will not be accrued.

**Compensatory Time Provisions** – When it is in the best interest of West Point City, the City reserves the right to grant compensatory time in lieu of overtime wages to FLSA non-exempt employees. Compensatory time must be pre-authorized by the City Manager or Department Director.

- a. Compensatory time accrual and time worked calculations are the same as overtime provisions.
- b. An employee with accrued compensatory time leave that requests use of the time will be permitted to use it within a reasonable period after making the request if it does not unduly disrupt the operations of the Department.
- c. The City may require an employee to use accrued compensatory time.
- d. The maximum hours of compensatory time which may be accrued is 80 hours.
- e. Compensatory time accrued will be deducted prior to any use of requested vacation leave.
- f. The accrued compensatory time of an employee transferred between divisions or moving to FLSA exempt status shall be compensated prior to such action.

- g. All accrued compensatory time shall be compensated and paid to **zero on December 1<sup>st</sup> of each year** ~~during the last pay period of the calendar year~~ for any employee with a compensatory time balance.
- h. The City Manager may authorize compensatory time for part-time employees as deemed appropriate.

**Call Back Compensation** – Any FLSA non-exempt employee called back to work shall be entitled to call back compensation for actual time worked. The minimum call back compensation shall be two (2) hours. Call back time outside of regular work hours will be compensated at the overtime rate.

**On Call Compensation** – As required, a schedule of on call FLSA non-exempt employees may be prepared in advance and maintained by the Department Director

- a. Any position requiring an on-call status shall be on a one week rotation basis.
- b. On-call employees must be able to respond to work site within a thirty (30) minute time frame and in compliance with the City’s Drug/Alcohol Policy.
- c. On call employees shall be paid \$20 per day.

**IRS Requirements for City Vehicle Use for Commuting**

- a. Personal use of City take-home or on-call vehicles is restricted to commuting to and from work and de minimis use.
- b. Consistent with IRS regulations, use of a City vehicle for commuting is considered taxable compensation. This includes commuting use as a passenger. The City has adopted the IRS commuting rule as the method of reporting as outlined in IRS Publication15-B.
- c. To ensure proper reporting on W-2s and liability coverage, Department Directors shall ensure that both Payroll and Risk Management are promptly notified of changes in which employees are authorized to use take-home vehicles, including vehicles allowed to be taken home to facilitate on-call responsibilities.

**LEAVES**

**Vacation Leave** – Vacation time off with pay is available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. Vacation accrual is based on bi-weekly pay periods. Vacation leave may not be used until the pay period following its accrual.

- a. Vacation Accrual Rates:
  - 1) Full-time/Regular employee:

Years of Consecutive  
City Service  
 Less than 5

Hours of Vacation Accrued  
per Bi-weekly Pay Period  
 3.08 (80 hours annually)

5 – 9	3.69 (96 hours annually)
10 – 14	4.31 (112 hours annually)
15 or more	4.92 (128 hours annually)

2) Part-time/Regular - Benefited/Partial Benefited employee:

Part-time employees authorized to accrue vacation leave shall accrue at a rate equal to the percentage of full-time hours (40) the employee is hired to work per week. For example, an employee hired to work 32 hours per week would accrue vacation leave at a rate of 80% of the full-time accrual rate.

b. Maximum Vacation Accrual Allowed:

Vacation time accrued cannot be carried forward from one calendar year to the next in excess of 320 hours.

c. Vacation leave shall be requested and pre-approved by the employee’s supervisor.

d. Accrued vacation leave will be paid out upon termination of employment up to a maximum of 320 hours [at their last rate of pay](#).

e. Employees who wish to exhaust accrued vacation during the period of time immediately preceding their last day worked before retirement, resignation, or termination may be allowed to do so, if approved by the City Manager, but shall not be eligible for accrual of leave-on-leave.

f. Employees do not accrue vacation leave while on a leave without pay status.

**Sick Leave** – Sick time off with pay is available to eligible employees for periods of temporary absence due to illness, injury, or to obtain necessary medical care for themselves, their spouse, their children, and their parents, except as otherwise authorized by the City Manager. Sick leave may also be used for any City approved Family Medical Leave Act (FMLA) leave use. Sick leave hours are intended to provide income protection in the event of illness, injury, medical care, or approved FMLA use. An employee is prohibited from working secondary employment during the actual hours of sick leave. Sick leave may not be used until the pay period following its accrual.

a. Full-time/Regular employees shall accrue 3.69 hours of sick leave per pay period (96 hours annually).

b. Part-time employees authorized to accrue sick leave shall accrue at a rate equal to the percentage of full-time hours (40) the employee is hired to work per week. For example, an employee hired to work 32 hours per week would accrue vacation leave at a rate of 80% of the full-time accrual rate.

c. Maximum Sick Leave Accrual Allowed:

Sick leave accrued will be capped at 750 hours.

- d. Employees do not accrue sick leave while on a leave without pay status.
- e. Employees who are unable to report to work due to illness or injury shall notify their direct supervisor before the scheduled start of their workday, if possible. The direct supervisor must also be contacted on each additional day of absence.
- f. Employees may convert one-third of all sick leave accrued between December 1st and November 30th of the preceding year to vacation leave. All sick leave used during that 12 month period shall be deducted from that one-third. For example, if an employee accrued 96 hours of sick leave between December 1st and November 30th and they used 16 hours of sick leave during that same period, they would be eligible to convert 16 hours to vacation leave (one-third of 96 hours (32 hours) less the 16 hours used (32-16=16)).
- g. Employees who resign their employment, terminate or retire under favorable circumstances shall be paid for any unused sick leave at a rate of one-third of their sick leave balance at their last rate of pay, provided they have at least five (5) years of full-time service with West Point City. Employees terminated for cause **or resign with discipline pending**, shall not receive a sick leave pay out.
- h. Employees may be required to demonstrate the ability to perform essential job duties and/or provide a medical release before returning to work. **The Department Director or City Manager may require additional documentation supporting the employee's sick leave if the sick leave exceeds more than 3 days.**
- i. Transitional Duty:
  - 1) Worker's compensation related transitional duty is covered in Section ??.
  - 2) For any non-worker's compensation related injury or illness where an employee is unable to perform essential job duties, the employee's Department Director may assign transitional duty, rather than the employee having to use paid leave or leave without pay. Such transitional duty is normally limited to employees with prognosis for return to full duty, and for no more than six weeks. Such transitional duty will be coordinated through the Human Resources Division if productive work is not available in the employee's Department.
- j. Donated Leave:
  - 1) An employee may donate leave to another employee so long as the following conditions are met:
    - i) Only vacation leave or compensatory leave can be donated to another employee and shall become sick leave for the receiving employee.
    - ii) A receiving employee must request in writing to the City Manager the need to receive donated leave and shall have exhausted all available accrued leave (i.e., vacation, sick, comp, etc.)

- iii) A donating employee shall not be reimbursed for the donated leave, either by the receiving employee or the City.
- iv) Donated leave will be used on a first in first out method. Any leave not used by the receiving employee shall be given back to the employee(s) who donated and shall begin with those who donated last.
- v) All donated leave shall be kept confidential.

**Holiday Leave** – Holiday time off with pay is available to eligible employees (any employee who receives other leave benefits as part of their employment). West Point City recognizes the following 12 holidays for purposes of paid holiday leave:

New Year’s Day	January 1st
Dr. Martin Luther King, Jr. Day	3rd Monday in January
Presidents Day	3rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4th
Pioneer Day	July 24th
Labor Day	1st Monday in September
Veteran’s Day	November 11th
Thanksgiving Day	4th Thursday in November
Thanksgiving Holiday	4th Friday in November
Christmas Day	December 25th
Christmas Holiday	Determined by City Manager

- a. If a holiday falls on a Saturday, the holiday shall be observed on the preceding Friday. If the holiday falls on a Sunday, the holiday shall be observed on the following Monday or as designated by the City Manager.
- b. For City Hall Work Schedule: Employees are eligible for holiday pay based on the number of hours they are scheduled to work that day of the week.
- c. For Alternative Work Schedules (9/80, 4/10, etc.): Employees are eligible for 8 hours of holiday pay per holiday. Employees must make up the difference, if any, with compensatory time or vacation leave.
- d. If a holiday falls on an employee’s regular day off, as per their regular work schedule, and that employee’s regular day off is Monday through Thursday, then the employee shall be allowed a floating holiday to be used during the same calendar year for the number of hours most commonly worked per day of the week, up to 9 hours, and shall request and have the time off pre-approved by the employee’s supervisor.
  - 1) Employees working a 9/80 or 4/10 work schedule and having a holiday fall on their day off, will be given an 8-hour floating holiday to be used during the same calendar year.

- e. Employees required to work on a holiday shall be paid at the rate of time and a half. Employees shall be allowed to use accrued holiday hours on a floating basis or shall be paid the holiday pay in addition to hours worked. Holiday leave used on a floating basis shall be requested and pre-approved by the employee's supervisor.
- f. Unused holiday hours, including floating holidays, may not be carried from one calendar year to the next, unless pre-approved by the City Manager.
- g. The City Manager may also provide reasonable paid time off to employees for office parties or other special events. Such accommodations shall be posted at City Hall notifying residents of regular office hour changes at least 24 hours in advance.

**Bereavement/Funeral Leave** – Bereavement/Funeral leave is available to eligible employees (any employee who receives other leave benefits as part of their employment). An employee may receive up to three (3) days bereavement leave per occurrence with pay, at the Department Director's discretion, following the death of a member of the employee's immediate family.

- a. Immediate family for purposes of bereavement/funeral leave means the following relatives of the employee or spouse (including in-laws or step-relatives):
  - 1) spouse,
  - 2) parents,
  - 3) siblings,
  - 4) children,
  - 5) all levels of grandparents, or
  - 6) all levels of grandchildren.
- b. An employee may receive funeral leave with pay to attend non-immediate family funerals at the City Manager's discretion.
- c. Bereavement/Funeral leave shall be pre-approved by an employee's Department Director.

**Military Leave** – Military leave is time off granted to eligible employees who are members of the National Guard, **Coast Guard**, or any reserve branch of the United States Armed Forces.

- a. An employee on official military orders is entitled to paid military leave which shall not exceed 100 hours per calendar year to attend annual training.
  - 1) Unused paid military leave may not be carried over from one year to the next.
  - 2) An employee ordered to active duty shall be eligible to use the paid military leave upon commencement of the active duty only if such leave has not been previously used during the calendar year.
  - 3) No additional paid military leave will be granted while the employee is activated.
- b. Employees on qualifying active military leave will be reinstated in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA).

- c. Additional unpaid military leave shall be granted consistent with Uniformed Services Employment and Reemployment Rights Act (USERRA).
- d. An employee must notify their supervisor and the Human Resources Division of their military orders as soon as possible.

**Jury or Witness Duty** – The City recognizes the duty of every employee, as a citizen of the United States, to perform jury duty or serve as a witness in court on behalf of another party.

- a. The City pays an employee’s regular salary when the employee is absent during a scheduled shift, except for court appearances on their own behalf as a defendant or plaintiff. The employee is required to remit any such jury or witness fee(s) received to the City. If the employee elects to keep those fee(s) rather than remit them to the City, they must take the time spent in court as annual leave.
- b. Any mileage expenses paid by the court to reimburse the employee for travel to and from the courtroom may be retained by the employee.
- c. An employee must show the Jury or Witness Duty Summons or Subpoena to their supervisor as soon after receipt as possible so the supervisor may make arrangements to accommodate their absence.

**Administrative Leave**

- a. Administrative leave with pay may be assigned by the City Manager under the following circumstances:
  - 1) Pending the outcome of an investigation to determine possible disciplinary action against the employee.
  - 2) With regard to incidents resulting in extreme stress.
  - 3) To protect City interests during an end of employment process.
  - 4) Other circumstances determined to be in the best interest of the City and employee.
- b. An employee shall not engage in secondary employment during the actual hours designated as administrative leave. The City may, at its discretion, additionally restrict the activities of an employee on administrative leave with pay. Examples include being required to remain at the employee’s residence during designated working hours (except to obtain medical care, to fulfill religious obligations, or as specifically authorized), remain readily available and immediately respond to phone contact or return to work, modification of working hours, or restrictions on secondary employment outside of administrative leave hours.
- c. After review by the City Attorney and with the authorization of the City Manager, an employee charged with a job related felony may be placed on administrative leave without pay.

**Leave Without Pay** – A leave of absence without pay is an approved temporary absence from work in which the employee does not lose status as a regular employee. Unauthorized absence after an employee has exhausted all accrued leave or FMLA leave may be subject to disciplinary action and may be considered a voluntary resignation. **All accrued leave must be exhausted in order to qualify for leave without pay.**

- a. Full-time/Regular and all Part-time employees working at least 20 hours per week on a year round basis are eligible to request a leave without pay (unrelated to FMLA leave) for up to **12 months weeks** as described in this policy.
  - 1) **Additional leave without pay may be granted by the City Manager upon receipt of a written request.**
- b. Eligible employees interested in leave without pay must submit a written request to their Department Director, to be approved by the City Manager, detailing the nature of the leave.
  - 1) Requests for leave without pay will be considered based on criteria such as the nature of the request, the impact to the organization, and the benefit to the employee and/or the City. The City does not grant leave without pay, unless it is believed the employee will remain employed by the City at the end of the leave. The City may end an approved leave without pay at its discretion, upon reasonable notice to the employee.
  - 2) Prior written approval must be obtained from the City Manager
  - 3) Vacation leave, sick leave, holiday leave, and other City benefits will not continue to accrue during the approved leave of absence period.
  - 4) Employees that are granted leave without pay are required to pay for **the employee's portion of the benefits costs** that are normally taken through payroll deduction. **At the City Manager's discretion, employees may be required to pay 100% of the costs normally shared between the City and employee.**

**Breaks and Meal Periods** – The City offers breaks and meal periods as work allows.

- a. The City may provide two paid breaks of up to 15 minutes each during a standard workday for full-time employees, as determined and approved by the Department Director. Breaks shall not be used:
  - 1) together for a 30 minute break;
  - 2) at the end of the day to leave early;
  - 3) at the beginning of the day to arrive late; or
  - 4) during lunch to extend the lunch break.

- b. The City normally provides a one hour unpaid meal period for full-time employees during a standard workday.
- c. Employees under the age of 18 are entitled to a meal period of at least 30 minutes no later than 5 hours from the beginning of their shift. A rest break of at least 10 minutes is required for employees under the age of 18 for every three-hour period or part thereof that is worked.



**RESOLUTION NO. 03-18-2014A**

**A RESOLUTION ADOPTING PERSONNEL POLICIES AND PROCEDURES  
RELATING TO EMPLOYMENT CLASSIFICATIONS, COMPENSATION, AND  
LEAVES FOR WEST POINT CITY**

**WHEREAS**, West Point City, a Municipal Corporation, hereinafter referred to as the “City,” is a public body of the State of Utah; and,

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

**WHEREAS**, the City desires to adopt personnel policies and procedure; and

**WHEREAS**, the West Point City Council has reviewed the personnel policies and procedures as attached hereto, specific to employment classifications, compensation, and leaves;

**NOW, THEREFORE, BE IT RESOLVED, FOUND AND ORDERED** by the West Point City Council that the personnel policies and procedures, attached hereto, are hereby adopted, and shall be effective immediately upon passage.

**PASSED AND ADOPTED** this 18<sup>th</sup> day of March, 2014.

**WEST POINT CITY,**  
A Municipal Corporation

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

**ATTEST:**

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





**West Point City Council Meeting  
3200 West 300 North  
West Point City, UT 84015  
January 31, 2014**

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

**City Council Visioning Retreat**

Minutes for the West Point City Council Visioning Retreat held January 31, 2014 at the West Point City offices, 3200 West 300 North, West Point City, Utah 84015 with Mayor Craythorne presiding.

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

**CITY EMPLOYEES PRESENT** – City Manager Kyle Laws, Assistant City Manager Boyd Davis, Administrative Services Director Evan Nelson, Public Works Director Paul Rochell, Recreation Director Kelly Ross, and City Recorder Misty Rogers

**1. Continental Breakfast (8:30 am)**

**2. Welcome & Call to Order (9:05 am) – Mayor Craythorne**

Mayor Craythorne thanked the West Point City Staff for their time and preparations for the Council Visioning Session. He then thanked the Council Members for their attendance and willingness to serve West Point City. Mayor Craythorne stated the Council and members of Staff would meet socially for dinner at 6:30 pm at Ruby River Steakhouse.

**3. City Finances and Upcoming Budget Issues (9:15 am) – Mr. Evan Nelson**

Mr. Nelson stated the West Point City budget is organized into funds. He then defined a fund as a tool used to track revenues and expenditures used for a specific purpose.

Utility Funds are typically known as “proprietary funds or enterprise funds.” The Utility Funds are supported through user fees. The fees collected for each utility are intended to support that specific fund. Mr. Nelson stated periodically, utility rates must be adjusted to allow for sufficient revenue.

The Governmental Funds include the General Fund, Capital Projects Fund, Debt Service Fund, and Special Revenue Fund. Governmental Funds are primarily supported by taxation, some user fees such as recreation fees and building fees also support the fund. The Special Revenue Fund is supported by impact fees and Class C revenue.

The General Fund is supported by taxes, permit fees, recreation fees, and other miscellaneous fees. The General Fund feeds into the Capital Projects Fund and Debt Service Fund. The Debt Service Fund is a minor fund and is used to pay the debt on the West Point City Hall building.

Council Member Dawson asked if money could be borrowed from one fund to another, with the stipulation of a payback to the lending fund. Mr. Nelson stated a Government Entity could borrow from one fund to another; however it is frowned upon by Auditors.

Council Member Petersen also agreed, a City could borrow from one fund to another with the stipulation of a payback; however he agreed it is not a wise action. He stated a City should charge enough for utility services to keep the system functioning properly and for future repairs. Other funds should not be used as a source to keep a City operating.

Governmental Funds and Fund Balance - Fund balance refers to resources or available cash from year to year.

In the past, Class C Road money had been tracked within the General Fund. In 2011, it was determined that Class C Road money should be tracked in the Special Revenue Fund. This change decreased the General Fund Balance and increased the Special Revenue Fund Balance. An increased number of building permits and collected impact fees has also caused an increase to the Special Revenue Fund balance.

Mr. Nelson asked how long impact fees could be held by the City. Mr. Davis stated impact fees could be held for approximately six years. He then stated in the past, collected impact fees had been used to pay for the 4500 West Sewer Project and payment for the Blair Dahl Park.

Capital Projects are funded by the General Fund surplus which is transferred to the Capital Projects Fund each year. Mr. Nelson stated the Capital Projects Fund continues to steadily increase.

Proprietary Funds – With the assistance from the tiered water rate increase over the past three years, the Water Fund continues to show a healthy increase. The Storm Water Fund has remained steady. The Waste Fund showed decline in FY2013, a portion of the waste fund had been used for the 4500 West Sewer Project, reducing the amount of fund balance. Mr. Laws stated it was typical for Enterprise Funds to show dips within the funds as projects were in progress.

Mr. Nelson then showed a graph of Proprietary Funds (the cash on hand) and Capital Improvements (assets). In 2013, the Water Fund, the Waste Fund, and the Storm Water Fund showed an increase because of developer contributions, infrastructure, and excess revenues.

Mr. Davis stated the net position of a City did not reflect the same net position as that of a larger company. A City could not sell streets and infrastructure. Council Member Petersen agreed, he then expressed the importance of reviewing the cash position of the City and not only the net position of the City. Council Member Petersen requested that as financial statements are given to the Council for review, the balance sheet be included.

Revenues per Capita - In 2011, the Per Capita slowly began to increase in the General Fund and Class C Revenues. Council Member Petersen asked if in the future the Property Tax per Capita report could be presented to Council.

The Quarterly Financial Report as of December 2013 stated that 50% of the fiscal year had elapsed. Sales Tax Revenues were under reported, because sales tax collection lags. The Special Revenue Fund shows an increase, as the number of building permits had been projected conservatively. Mr. Davis stated West Point City ended the 2013 calendar year with approximately 75 building permits. With an increase in revenue, there was also an increase in expenses, collected fees were passed on to the North Davis Fire District and the North Davis Sewer District. Mr. Nelson stated the FY2014 Budget would be amended to allow for the increases.

General Fund by Department – All departments are in line with the FY2014 budget, however due to audit and risk management fees, the Administration Department has used a higher percentage of the budgeted amount. Mr. Nelson stated as the fiscal year ends the Administration Department should fall in line with the budget.

Mr. Nelson informed the Council that many cities have a policy where funds are placed into reserve. The reserve could be utilized for operating costs of the City in case of a catastrophic event. Mr. Nelson stated West Point City could carry over surplus money from the FY2013 budget to the FY2014 General Fund budget. Mr. Laws informed the Council that the General Fund is regulated by Utah State Law, only a certain percentage of surplus within that fund could be carried over to a new fiscal year. Mr. Nelson then presented the fund balance graph to the Council. Mr. Laws stated as a percentage, the Storm Water Fund was high because of the low operating cost.

Fund Balance

	2013 Fund Balance	2014 Operating Budget	% of Operating
<b>General</b>	\$461,514.00	\$1,916,164.00	24%
<b>Waste</b>	\$429,787.00	\$1,208,393.00	36%
<b>Water</b>	\$799,671.00	\$1,564,327.00	51%
<b>Storm</b>	\$537,145.00	\$187,753.00	286%

**Future**

Mr. Nelson stated Sales Tax has been and is projected to increase. Property Tax Revenue has maintained and is beginning to show increase. As property values increase and West Point City maintains the Property Tax rate, it is projected to see an increase to Property Tax Revenue. Mr. Nelson then presented information published in the Utah Economic Outlook for calendar year 2014. Mr. Nelson stated the information provided in the 2014 Utah Economic Outlook are only projections.

2014 Projections

- State Sales Tax is expected to rise 4.8%
- Personal income expected to rise 5.3%
- Construction expected to rise 10-20%
- Unemployment expected to drop to 4.2%

**Budget Proposals - FY2015**

The budget is used to balance out both community needs and community resources. The budget process is completed by allocating resources to meet the needs of the West Point Community according to priorities determined by Council and Staff.

**Upcoming Budget Issues**

- Vehicle Replacement – Mr. Rochell stated in FY2014, two vehicles were replaced. He then stated the 2006 Chevrolet Dump Bed has been scheduled to be replaced in FY2015.

Mr. Nelson informed the Council that the Vehicle Replacement Schedule could be obtained from Mr. Rochell. Council Member Petersen stated funding for vehicle replacements were allocated by the City each year, lessening the impact to the budget when replacements are needed. Mr. Laws stated funding for vehicle replacements is budgeted within the Capital Projects Fund. Council Member Petersen requested that Mr. Rochell provide the Council with a copy of the Vehicle Replacement Schedule.

Discussion was then turned to how vehicles are removed from the fleet. Mr. Rochell stated there are several ways to remove vehicles from fleet such as auctions, KSL, etc. He then informed the Council that West Point City has previously advertised on KSL for the removal of vehicles from fleet and a bid process was conducted.

Council Member Henderson asked when West Point City would take over the plowing of 300 North. Mr. Rochell stated that he has been working with UDOT State Shed with regards to the plowing of 300 North. Currently UDOT and West Point City are working together to maintain the area, whichever entity arrives to the discussed location first plows and salts the area.

Mayor Craythorne stated that West Point City would not take ownership of 300 North until the bridge on the east end 300 North has been repaired. Council Member Petersen asked when Clearfield City would take ownership of the bridge on 300 North. Mayor Craythorne stated it was unclear, but not until UDOT made necessary repairs.

- **Health Insurance** – In the past, West Point City has budgeted for a 10-12% increase each year for health insurance. West Point City is scheduled to renew health insurance in December 2014, halfway through the fiscal year. Because of the renewal date, it may become difficult to project the increase for FY2015. Mr. Laws reminded the Council that West Point City chose to renew in December to avoid approximately five months of increases caused by the Affordable Health Care Act. He then asked the Council to give recommendations with regards to the employee's health benefits. Mr. Laws stated the FY2015 budget would need to be approved in June. Staff recommended continuing to budget for a 10-12% increase for health insurance. Mr. Nelson stated if West Point City receives a higher than anticipated increase for health insurance, the budget could be amended at a later date.

The Council agreed to budget for a 10-12% increase to the health insurance for FY2015. The Council agreed to review employee health benefits in further detail once we receive renewal numbers. Mayor Craythorne stated West Point City may need to complete the bid process for the health insurance to keep health insurance rates as low as possible. Mr. Laws agreed that West Point City would complete the bidding process as the renewal period approaches.

- **Retirement** – West Point City participates in the Utah Retirement Systems (URS). Rates are determined by the URS, it is projected that West Point City will see an increase of 6.8% to the FY2015 budget.
- **Davis County Sheriff Contract** – The contract for law enforcement services with Davis County Sheriff's Department allows for an annual increase based on inflation. Staff projects a 3-5% (\$2,400 - \$4,000) increase to the contract amount. Council Member Petersen asked what the current contract amount was for the police protection. Mr. Laws stated the contract with the Davis County Sheriff is approximately \$78,000 and has been extended to the year 2020.
- **Code Enforcement Officer** - Mr. Davis stated that West Point City has previously employed a Code Enforcement Officer. Several years ago, the Code Enforcement Officer left employment with West Point City and because of economic difficulties the position and its duties were passed on to other City employees. Since that time, West Point City Code Enforcement has been solely complaint driven. Mr. Davis stated the level of code enforcement throughout West Point City has diminished. Staff recommended hiring a part time Code Enforcement Officer to assist with bringing the City into a higher level of compliance.

Council Member Dawson agreed that West Point City should consider hiring a part-time Code Enforcement Officer, as several areas within the City could use assistance. He then recommended a fine system for violations to assist with the actual cost of hiring an officer. Mr. Davis & Mayor Craythorne expressed concern with issuing fines to violators, as Code Enforcement should be a level of service provided from the City to the community. Mayor

Craythorne then expressed concern with areas in the City which are deteriorating because there has not been constant enforcement of the City Code.

Council Member Henderson asked if there were penalties for violators who do not comply with the current code. Mr. Davis stated if needed Davis County Animal Services and/or Davis County Sheriff's Office could be involved and citations could be issued. He then stated the West Point City Attorney could file a complaint through the court system if necessary.

Mr. Laws stated his opinion that Code Enforcement should be used as an educational tool. Both Mr. Laws and Mr. Davis agreed that a letter and follow-up from staff or the City Attorney typically solve the code enforcement issues.

Mayor Craythorne expressed the need for West Point City to take a proactive approach with code enforcement. Council Member Chatterton expressed the need for a Code Enforcement Officer to conduct their self in a professional yet welcoming manner.

Council Member Chatterton asked Staff what the proposed Code Enforcement Officer position would actually cost the City, including vehicle and maintenance costs. Mr. Laws stated the Code Enforcement Officer position would cost approximately \$25,000 including salary and benefits, and that West Point currently has an extra vehicle within the fleet which could be used. The only additional cost to the City would be for fuel although this cost is currently included in the budget. Council Member Chatterton asked that Staff provide the Council with an actual cost estimate of the Code Enforcement position.

Mr. Laws recommended the Code Enforcement position allow for 20 hours per work week with a salary and benefit cost of approximately \$25,000. Mr. Davis and Mr. Laws stated they had anticipated implementing the Code Enforcement position in FY2015. However due to the recent departure of the West Point City Planner, the current budget would allow for a hiring of a Code Enforcement Officer now. Mayor Craythorne stated there would be a benefit to hiring a Code Enforcement Officer during the spring, as this is typically the time we have weed complaints and residents are in the process of cleaning up their property after the winter months.

Council Member Petersen asked if the West Point City budget could support the code enforcement position. Mr. Laws stated the budget for the remainder of FY2014 would allow for the position and he believed the FY2015 budget could also support the position. Mr. Laws stated that last year, West Point City budgeted \$775,000 in sales tax revenue, but actually received \$849,000. This year West Point City budgeted \$815,000 in sales tax revenue and actually collected \$890,000. Staff projects West Point City will continue to see an increase in sales tax revenue for FY2015.

Council Member Petersen expressed the need for the Code Enforcement to be an educational service to the residents of West Point City. He then recommended the vehicle driven by the Code Enforcement Officer be marked as a Code Enforcement vehicle.

The Council requested Staff provide them with more information with regards to the Code Enforcement position.

- **Utility Expenses** – In years past, some utility expenses were incorrectly charged. Each City Department must pay for their own utility use. Mr. Nelson stated adjustments would be made to the current budget to allow for the utility expenses. This will increase the cost to the General Fund. Mr. Laws stated if necessary, salary allocations could be made in order to offset the impact to the General Fund.

- **Salary Adjustments** – A market study was been completed in FY2013 and the following changes were made to the pay plan process:
  - The pay plan process would no longer include a pay plan committee, as it is a function of the Human Resources Department.
  - Depending on the budget, provide a merit increase every year up to 2% based on performance and a 2% market adjustment every other year.
  - All ranges were expanded.

The market adjustments made in FY2014 would allow for a 2% merit increase for FY2015 and a 2% merit increase and 2% market adjustment in FY2016. All increases would be subject to availability of funds to be determined during the budget process.

Mayor Craythorne stated the proposed 2% merit increase is standard. Mr. Laws stated a merit increase is based on an employee’s performance evaluation. The full 2% merit increase would require the employee to meet specific goals and exceed expectations.

Council Member Henderson stated if an employee isn’t receiving a full 2% merit increase, there should be documentation. Council Member Petersen recommended informing employees if they are not meeting expectations.

Mayor Craythorne recommended Council Members speak with members of Staff if they had questions or concern with the upcoming budget process. The Council thanked Mr. Nelson for the information provided.

A short break was taken

**4. Recreation Update (10:10 am) – Mr. Kelly Ross**

Mr. Ross stated West Point City originally offered three sports and over the years, the City has implemented three additional programs. In addition to the recreational sports offered, the community can participate in Football Camp, Jr. Golf, Swimming Lessons, Basketball Camp, Speed Camp, Karate, and a 3 on 3 Basketball Tournament.

Mr. Ross stated participation levels for most of the sports have leveled off, however soccer has been consistently growing.

In 2013, West Point City had 1,131 youth participants in at least one sport offered by West Point City. Mr. Ross stated participation grows during the years of fourth and fifth grade. As kids reach Junior High age; they begin to fall away from recreation sports due to academics, competition leagues, school sports, and other extracurricular activities.

Council Member Dawson asked how many 5th and 6th grade basketball teams West Point City currently had. Mr. Ross stated West Point City has approximately eight 5th and 6th grade boys basketball teams. Council Member Dawson asked why the Junior High girls have fewer participants. Mr. Ross stated Junior High participation for the Junior High girls is lower because basketball signups through the City conflict with basketball tryouts at the Junior High. Mr. Ross stated in the future he may extend the girls basketball registration for the Junior High aged girls, as to not conflict with basketball tryouts.

Jr. Jazz - Mr. Ross stated that West Point City subsidizes the Jr Jazz program more than any other sport offered by the City. Council Member Chatterton asked if the City would need to subsidize the Jr Jazz program. Mr. Ross stated the Council has the option to increase participation fees to lessen the impact to the City. Mr. Ross stated the Jr.

Jazz program is the largest basketball league in the world, covering five states. West Point City is one of the top Jr. Jazz programs with cities that have a population of less than 15,000. The Jr Jazz program is successful and participation remains constant.

Spring and Fall Soccer - Spring Soccer was started as an alternative to AYSO. The soccer teams remain co-ed and participation continues to grow.

Baseball and Softball – The baseball and softball programs are currently the largest program offered by West Point City; however, participation has slightly declined.

Football - Mr. Ross stated the year-to-date budget for Football looks like it is overspent. However \$10,000 in revenue from the sale of clothing, clinics, etc. have been applied into the General Fund lessening the impact to the football budget.

Council Member Chatterton asked if the budget process could change to show the discussed funds being returned to football program. Mr. Laws clarified that the funds received were being applied to the General Fund, but where it is not a reimbursement those revenues cannot be applied to the football expenditure line.

Mr. Ross stated people believe that he is partial to the football program. He expressed his love for football; however he stated that he also has a love of other sports offered by the City. Mr. Ross informed those in attendance that he and Staff have worked hard to implement a number of sports for girls.

Council Member Dawson recommended the Recreation Department consider selling West Point City hoodies and hats during the Fourth of July celebration. Mr. Ross stated that he would feel more comfortable having interested persons prepay for items.

Volleyball – A volleyball clinic was held last year and this year instructional clinics were held. Mr. Ross stated he is hoping to hold volleyball matches next year. Mr. Ross stated he has received positive feedback from participants in the volleyball program. Mr. Laws stated there were both male and female participants.

Mr. Ross stated that West Point City must always look to the future. He expressed the importance of West Point City remaining 10 years ahead of the upcoming Jr High. Mr. Ross stated the City should want to participate in both the gym space as well as the green space located at the proposed Jr. High.

Council Member Turner asked if in the future the Davis County School District would continue to allow the City to use their facilities. Mayor Craythorne stated yes, he believed the school district would continue to let the City utilize their facilities. In the past, the Davis County School District charged the City to utilize their facilities. Recently, the school district has allowed the City to have more access to the facilities without being charged for the use. Mayor Craythorne said the Davis County School Board and their current administration have been great to work with.

Council Member Chatterton recommended Mr. Ross contact Mary Nichols from Chanel 2 News for a possible volleyball clinic. He then recommended Staff consider implementing Lacrosse into the recreation department. Mr. Ross stated he has and will continue to consider the implementation of Lacrosse.

Mr. Ross stated as recreation programs offered in West Point City continue to grow, he will eventually need assistance. Mr. Ross expressed his love for the recreation program. He then thanked the Council for their continued support.

5. **Break** (10:55 am)

6. **Policies and Priorities Discussion** (11:05 am) – Mr. Kyle Laws

Mr. Laws presented the current West Point City Policy Priorities to the Council. He stated the policy priorities are used heavily in the operation of West Point City. Mr. Laws requested that as Council reviewed the policy priorities, they give feedback or recommendations to Staff. He then asked the Council to explain differences between Tier 1 and Tier 2.

Mr. Davis stated that the items listed on Tier 1 were in order of importance and Tier 2 was a continuation of Tier 1.

Council Member Henderson stated Tier 1 was necessities of a responsible city and Tier 2 added quality to the city.

Council Member Dawson recommended the current policy priorities read more as a mission vision statement.

Council Member Chatterton stated he understood Tier 1 as the priority of the City.

Tier 1

- Fiscal Balance and Accountability - Balanced budget every year, reviewing all budget options, and budgeting conservatively.
- Develop, Plan and Maintain Infrastructure
- Community-Compatible Economic Development
- Sustainable Growth through Vision and Planning
- Quality Recreation Programs and Regionally Coordinated Infrastructure and Facilities

Tier 2

- Community Celebrations and Events
- Parks, Trails, and Open Spaces
- Open and Responsive Government
- Regional Cooperation, Coordination, and Involvement by Council and Staff
- Active Emergency Preparedness

Mr. Davis asked the Council what “accountability” meant to them.

Council Member Henderson stated that Staff and Council were accountable to the citizens of West Point City. He then stated the West Point City Policy Priorities were not only for Council and Staff, but also the community.

Mr. Laws informed that Council of the following mission statement found in the budget document.

“The mission of West Point City is to enhance quality of life in our community by providing the structure, environment, and services that promote the general health, safety and welfare of each resident”.

Council Member Chatterton stated the items listed on Tier 1, should be focused on first. He then stated items listed on Tier 2, were more wants than necessities. Council Member Chatterton then recommended moving the Active Emergency Preparedness and Open and Responsive Government from Tier 2 to Tier 1, as they should be listed as a priority.

Mr. Laws stated that West Point City actively provides an open and responsive government. Residents are welcome to contact members of Staff and Council Members for inquiries or complaints. Mr. Laws stated another way the City provides an open government is by producing a community newsletter and web page. He then stated that not all residents within the City receive a monthly newsletter, therefore he recommended West Point City obtain and maintain an active Facebook and Twitter page, as another form communication with the residents.

The Council agreed the current West Point City Policy Priorities should be reviewed, updated, and amended if needed.

Mr. Laws recommended additional language be added, stating that West Point City seeks to attract and retain quality employees.

Council Member Turner asked how often the West Point City Policy and Priorities were reviewed by the Council. Mr. Laws stated the current policy and priorities hadn't been discussed by the Council for several years.

Mr. Laws stated his opinion that the West Point City Policy and Priorities should be the goals of the Council. He also stated that he felt the City Manager and Staff should set goals which coincide with the policy priorities. Mr. Laws stated he would review the West Point City Policy Priorities and bring suggestions to Council in a future meeting.

**7. Open & Public Meetings Act Training (11:25 am) – Mr. Felshaw King**

Mr. King stated he has been the West Point City Attorney for many years. He expressed his appreciation to the West Point City Staff and members of the Council. Mr. King stated the Open and Public Meetings Act could be found in Utah State Code §52-4. He then educated the Council and Staff on USC §52-4.

- 52-4-102 – Declaration of public policy
- 52-4-103 – Definitions
- 52-4-104 - Training – The public body is required to obtain annual training
- 52-4-201 – Meetings open to the public
- 52-4-202 – Public notice of meetings – Emergency meetings
- 52-4-203 – Written minutes of open meetings – Public records – Recording of meetings

Council Member Chatterton asked if written minutes should include each Council Member by name and vote or if the minutes could state "the Council unanimously agreed". Mr. King stated if the voting was unanimous by all members present, language such as "the Council unanimously agreed" would be sufficient.

Mrs. Rogers asked Mr. King if the presiding officer at the meeting should state the date, time, location, and the names of Council Members in attendance. Mr. King stated yes, the recordings should contain the date, time, location, and those in attendance.

- 52-4-204 – Closed meeting held upon vote of members – Business – Reasons for meeting recorded
- 52-4-205 – Purposes of closed meetings – Certain issues prohibited in closed meetings
- 52-4-206 – Recorded of closed meetings
- 52-4-207 – Electronic meetings – Authorization – Requirements
- 52-4-208 – Chance or social meetings

Mr. Laws asked if the Council met socially for dinner if it would be considered a meeting. Mr. King stated no, if business was not being discussed or action was not being taken the gathering would not be considered a meeting.

- 52-4-209 – Electronic meetings for charter school board (not applicable)
- 52-4-210 – Electronic message transmissions
- 52-4-301 – Disruption of meetings
- 52-4-302 – Suit to void final action – Limitation – Exceptions
- 52-4-303 – Enforcement of chapter – Suit to compel compliance

On behalf of the Council and Staff, Mayor Craythorne thanked Mr. King for the Open and Public Meetings training in which he provided.

**8. Lunch (provided) (12:15 pm)**

**9. 2013 Accomplishments (12:40 pm) – Mr. Kyle Laws**

Mr. Laws stated the Management Team recently met and discussed West Point City's accomplishment for 2013. He then presented those accomplishments to the Council.

**Capital Improvement Projects:**

- 300 North Water Line – Because of a bad contractor, this project was taken over and completed by the Public Works Department. We paid the contractor what we owed him and also had to pay for some mediation costs. When all was said and done the project came in under budget by \$300. The total project budget was \$100,000.
- 300 North Sidewalk & Grant - Additional funding was obtained for the installation of curb, gutter, and paving.
- Loy Blake Park Restroom
  - Sewer and Water Line
  - Demolition and Construction
  - The epoxy floor, landscaping, and a few minor items remain to be finished
- 4500 West Sewer Line & Lift Station
- Fleet Vehicle Replacement – Purchased 10 Wheeler and Ram Dump Bed
- 200 South Trail Project Grant & EIS (will be completed in 2014)
- 300 North Widening Grant (1000 W to 2000 W) Mr. Davis stated it would be unlikely that West Point City would receive a grant in 2014 as part of the WFRC grant process because the City received grants this last year. However, we did submit applications for the following projects:
  - Grant application submitted for 300 North widening (2000 W to 3000 W)
  - Grant application submitted with Clinton City for 800 North (2000 W to 3000 W) Grant application submitted for a trail project.
- Backup Generator at 300 North Well – 1750 West, Mr. Rochell stated the generator had been purchased several years ago, after purchase it was discovered that it required a natural gas connection. It recently has been connected to natural gas and has been working properly. Mr. Rochell stated he believed that a \$200 demand charge would be removed from the power bill at that location.
- Road Maintenance
  - HA5, Crack, & Chip Seal
  - Reconstruction
- Well Motor – The starter turns the well motor into a soft start motor; the speed of the motor can be adjusted for better control. Mr. Rochell stated the well motor starter will be a great emergency backup source. Mr. Davis

stated the well is currently pumped once per week for approximately 10 minutes and the water is emptied into the storm drain system.

- City Hall Remodel – The majority of the City Hall remodel has been completed, only a few items remain
- Tree Stump Removal at Bingham Park and Loy Blake Park

**Community Development:**

- Increased number of building permits received
- Amended the Brick Rule
- Implemented the Rooster Rule
- Collector Street Landscaping Policy
- Subdivision Approvals
  - Wise Country Meadows
  - Bartholomew Lane

**Other Accomplishments:**

- Renewed the Davis County Sheriff's Contract for Police Services (7 year contract)
- Pay Plan
  - Market Study & Adjustments
  - Change in Process
- Switched banking services from Wells Fargo to Zion's Bank.
- Discussion and Planning of Cemetery Expansion.
- Health Insurance Early Renewal
- Maintain Property Tax Rate
- Detention Pond Orifice Plates
- Organizational Changes:  
Kyle Laws, appointed as the West Point City Manager  
Boyd Davis, appointed as the West Point City Asst. City Manager/City Engineer  
Evan Nelson, appointed as the West Point City Administrative Services Director
- Federal to State Funding Swap.
- Opening of SR-193, and landscaping.
- Successful 4<sup>th</sup> of July Celebration
- Implementation of the Volleyball Program

Mr. Laws stated that the Management Team is satisfied with the accomplishments in 2013. He stated in 2013, West Point City completed more Capital Projects than in any other year.

Council Member Henderson asked when 3000 W would begin construction. Mr. Davis stated the design phase would be completed in 2014 and construction in 2015.

**10. Future Projects and Priorities Discussion (1:00 pm) - Mr. Boyd Davis & Mr. Paul Rochell**

On behalf of the West Point City Staff, Mr. Davis thanked the Council for their continued support. Mr. Davis stated that Capital Projects and Road Maintenance Projects are projected five years in the future, as this allows for planning and budgeting.

**Capital Projects:**

- 3000 West Widening Project (300 north to 1300 north) - West Point City received a \$2.5 million dollar grant for the 3000 West Widening Project. The grant requires that West Point City pay 10% of the match and fortunately, Clinton City has agreed to pay ¼ of the 10% match. The project will allow for street widening, installation of curb, gutter, and sidewalk. Mr. Davis stated the installation of three roundabouts may be included in the project. However, there are challenges which would need to be addressed with the locations of the possible roundabouts. He then stated striping for the project would be determined at a future date. The environmental review has been completed for the project and the design phase would begin soon.
- SR193 Trail and Landscape Design - UDOT has released the landscaping funds to West Point, Syracuse, and Clearfield. The landscape design has been completed and the bidding process will be advertised within the next few months. Staff anticipates construction to begin in the spring of 2014.
- Trail Extension located at 200 South - In 2013 West Point City received a grant for the extension the SR-193 trail from 2000 West to Bluff Road (Immigrant Trail).

Council Member Dawson asked why the cement wall along SR193 was taller in West Point City than in Clearfield City. Mr. Davis stated the portion of the cement wall located in Clearfield was an actual sound wall. The location of the sound wall had qualified for its installation because of the sound level within that area. He then informed the Council that the residents within that area voted for the installation of the sound wall.

- 2000 West Water Line – Mr. Rochell stated the 2000 West Water Line project has been listed as a high priority. He stated there have been numerous leaks within the pipe and that there is insufficient flow for commercial areas. The 2000 West Water Line will be split into two phases, the South Phase and North Phase. The South Phase will include the area from 200 South to 300 North and the North Phase will include the area from 300 North to 800 North. The South Phase has been budgeted for FY2014, the design phase has been completed and preparations are being made for the advertisement. Mr. Rochell stated that the City will contact residents within the construction area to inform them of the project. He then informed that Council that Mr. Gary Wright has granted the City an easement on his property for the installation of the water line. Staff anticipates construction to begin in the spring of 2014.

Council Member Henderson asked how long the installation of the South Phase would take. Mr. Rochell stated approximately three weeks for the completion of the South Phase.

Council Member Chatterton asked if the old asbestos waterline would be removed or left abandoned. Mr. Rochell stated the pipe being replaced was made of cast-iron, not asbestos and the pipe would be abandoned after completion.

**Sewer, Water, Road, & Storm Drain Projects:**

- Design a new water line on 200 South from 1700 W to 1875 W
- Replace asbestos cement pipe on 1300 N from 3200 W to 3600 W, Staff anticipates construction in 2017

Council Member Dawson asked if the old pipes could be relined. Mr. Rochell stated that relining pipes would not be an option, as the size of the current pipe is not adequate for the area.

**Road Projects:**

- 3000 West reconstruction 2015 (north of 300 North)

- 3000 West overlay 2015 (South of 300 North)
- 2300 West 800 North, installation of curb, gutter, and intersection improvements.
- 300 North street lights from 3000 West east to 2800 West
- Routine Maintenance Work
- Sidewalk 800 North 2525 West to 2700 West
- 300 North 1000 West to 2000 West widening joint project with Clearfield.

**Storm Drain Projects:**

- 4000 West 1300 North and 650 North Storm Drain Project planned for 2016 and 2017

**Loy Blake Park:**

- Completion of Loy Blake Park Restroom
- Tennis courts, bids will be received for the repair or replacement
- Playground equipment, bids will be received for the replacement
- Nature Park, possibly connecting 3650 West to 3830 West

**Cemetery Expansion:**

Mr. Davis stated the Cemetery could reach capacity in approximately seven years. He then stated that Council Member Dawson recommended expanding the cemetery to the West, and creating parking on the Layton Canal Property. Staff has filed an application with the U.S. Bureau of Reclamation for the ability to construct and utilize a portion of their property for cemetery patron parking and trail parking. The proposed expansion could allow for an additional seven to nine years.

Council Member Henderson asked Staff to bring cost estimates for the expansion before the Council in a future meeting.

**Blair Dahl Park:**

Mr. Davis stated the debt for the Blair Dahl Park is scheduled to be paid off in 2015, and a balance of \$270,000 remains on the debt. He stated in the future, the master plan, road access, and construction detail should be reviewed.

Council Member Henderson asked the size of the Blair Dahl Park property. Mr. Davis and Mr. Rochell stated the park is approximately 20 to 22 acres.

**Military Memorial:**

Mr. Laws stated the City received a proposal from an architect for the design of the Military Memorial Monument. The cost of the design without an aircraft is \$9,000 and with an aircraft is \$12,000. The West Point City purchasing policy requires the City to receive 3 bids for any purchase over \$10,000; therefore, Staff will seek two additional bids. Mr. Laws stated in the near future, the Council should determine if an aircraft is appropriate for the memorial.

Mr. Laws informed the Council that the West Point Military Memorial Committee is seeking donations and have scheduled several fundraisers. He then stated the West Point City Utility Bill has been updated to allow residents to donate to the Memorial with their utility payment.

**Miscellaneous Projects**

- West Point City Marque - Council Member Chatterton asked if the new module for the marque had been installed. Mr. Laws stated the module has been installed. Mr. Rochell informed the Council that he has been working with a sign company for the repair of the marquee; however they have been unsuccessful with repairing the sign.

Council Member Chatterton recommended replacing the old marquee. Council Member Petersen stated with other forms of communication, he was unsure the City needed a marquee. Mr. Laws stated the replacement of the marquee has been listed on the Capital Projects Matrix. He then asked if the Council would like to eliminate the old marquee or replace the marquee. Mr. Laws stated with the installation of SR193, he questioned if the current location of the marquee was the right location.

- Pedestrian trail crossing (800 North) - The pedestrian crossing lights have been ordered and would be installed within the next few months.
- Road master plan and Road impact fee study would be updated in the near future.

Mr. Rochell stated that several different types of LED street lights have been placed throughout the City. Council Member Turner asked if the heads or bulbs were being replaced. Mr. Rochell stated mostly the heads were being replaced.

Council Member Petersen asked the cost of each bulb being replaced. Mr. Rochell stated some bulbs were approximately \$400 and rebates were available through Rocky Mountain Power. Mr. Davis stated the payback for the bulb replacement and pole purchase is approximately four years.

Council Member Dawson recommended West Point City landscape the Rocky Mountain Corridor on 450 North with grass and sprinklers. He stated the residents and children in that area could benefit from the open space. Mr. Rochell stated a significant amount of the Rocky Mountain Corridor has been leased to individuals. He then stated Staff could contact Rocky Mountain Power for more information. Mayor Craythorne stated the cost of improvements and maintenance to the area could have a significant impact on the City.

Mr. Davis informed the Council that a location for a future park existed in the Pheasant Creek Subdivision. Council Member Turner stated residents of the Pheasant Creek Subdivision have discussed the neighborhood developing a park at that location. Council Member Petersen stated that Bingham Park began as a volunteer effort.

Council Member Petersen asked when curb and gutter on 300 North across from the marquee would be installed. Mr. Davis stated the design phase has been completed and the project could be put out for bid anytime. Mr. Laws stated that Clearfield City hadn't committed to the installation of their portion of the sidewalk. He then stated West Point City and Rocky Mountain Power could install their portions and leave a gap for Clearfield City. Council Member Petersen recommended West Point City proceed with the installation of the sidewalk on 300 North. Mr. Laws informed the Council that in approximately five years, the area discussed would be widened.

#### **11. Break (1:50 pm)**

#### **12. Long-Range Vision for the City regarding Commercial Dev. & Sales Tax Base (2:05 pm) – Mayor Craythorne**

Mayor Craythorne stated that he and Mr. Laws had recently discussed long term visions for West Point City. He then stated there are some residents who would like West Point City to remain as a "bedroom community". Mayor Craythorne expressed his opinion that commercial sales tax will either make or break West Point City. He stated with little or no commercial sales tax base, fees and property taxes could drastically increase.

Mayor Craythorne stated there were several reasons why West Point City needs commercial space and business. As the population of West Point City increases, the City will need a commercial sales tax base to lessen the burden of the residents.

Mayor Craythorne expressed concern with police protection as the population increases. He then informed the Council that Weber County recently elected a new Sheriff and the rates for police protection increased drastically. For example, Hooper City which has a much smaller population than West Point will now pay \$455,000 per year for police protection. Currently, West Point City pays Davis County Sheriff's office approximately \$78,000 per year for police protection. The protections provided to both cities are similar; he then reminded the Council that West Point's police protection contract with Davis County will expire in 2020. Mayor Craythorne stated if West Point City received an increase similar to that of the surrounding areas and has minimal tax base, the City would have no choice than to drastically increase property taxes.

Mayor Craythorne asked the Council if the budget for West Point City could afford a \$455,000 contract. He stated in his opinion, the West Point City budget could not afford a \$455,000 contract for police protection. He then stated as West Point City grows and/or as County officials change, fees for services such as police and fire protection will increase.

Mayor Craythorne stated that Davis County will be participating in a Sheriff's election in 2014. He recommended the Council remain neutral throughout the election.

Mayor Craythorne stated West Point City has some savings or fund balance; however the City could not afford a large increase for the cost of police protection, along with increases to other services. Collecting commercial sales tax would be a way for West Point City to offset the cost of future fee increases. Mayor Craythorne stated because of population growth, aging infrastructure, cemetery expansion, etc. it is necessary for West Point City to preserve the potential commercial space within West Point City.

Mayor Craythorne then stated West Point City has limited amounts of commercial area along 2000 West. He then stated it was critical that the Council plan responsibly and preserve the best locations for commercial growth.

Mayor Craythorne then discussed recent rezones within the City. He stated there had been several opinions shared with the Council with regards to what type of commercial business could fit on the Heslop property. Mayor Craythorne stated he believed that a Winco type business could fit on the discussed property. He stated despite others opinions, West Point City does have viable locations for commercial growth. Mayor Craythorne recommended the Council consider preserving some commercial areas by buffering them with higher density housing. He then informed the Council that many businesses prefer high density housing around their establishment.

Mayor Craythorne posed the question, how much commercial is too much? He stated as City grows, West Point residents will have a need for options within the City. Mayor Craythorne also stated commercial areas and businesses have lifecycles and available commercial property will become essential to the City.

Council Member Dawson recommended Staff attend retail conferences as a way to entice business into the area. Mayor Craythorne stated that he and Mr. Laws have discussed this as a possibility; he recommended working with Commercial Real-Estate Agents as another way to attract businesses to an area.

Council Member Petersen expressed the need to view the entire corridor of 2000 West for potential commercial area.

Mr. Davis stated that he recently met with a real-estate developer and discussed the property to the West of the end of SR-193 on 2000 West. The developer stated that this corner will become the most valuable corner in that intersection.

Council Member Chatterton stated the corner of 2000 West and 300 North also has many possibilities.

Mayor Craythorne recommended that the Planning Commission and Staff also review the mixed use areas throughout the City.

Council Member Chatterton asked if West Point City has a role in helping property owners develop their commercial property. Mayor Craythorne stated in his opinion, the economy must support the development, demographics must be present, and relationships must be built with commercial real-estate developers and property owners.

Mayor Craythorne stated the City cannot control everything; however the city can regulate the amount of commercial property preserved within West Point. Mayor Craythorne expressed the need for the Council to consider future needs of the City. If the population of West Point City increases and a minimal commercial sales tax base is collected, West Point City may not be able to provide quality services or sustain itself in the future.

Council Member Henderson stated the information provided from the Mayor had been enlightening. He too expressed his concern with increasing fees for services. He also recommended the Council consider locations within the City which should be preserved for commercial use.

Mayor Craythorne stated the information in which he shared was his opinion. He expressed the need for the Council to have a vision for West Point City.

Council Member Turner asked what the property tax base is for the residents of West Point City and where it fits within the cities in the County. Mayor Craythorne stated without the Fire District, West Point City has one of the lowest property tax rates. He then stated if the Fire District is included then West Point City is the third highest in the County. He stated you cannot compare a city such as Bountiful to West Point because they have their own police and fire services; therefore it is included in their taxes. Larger cities have the tax base to support their own police and fire services.

Council Member Turner stated a resident recently told him that he moved to West Point City for the "bedroom community" atmosphere, and he would be willing to pay higher fees and property taxes in order to keep the feel of the community. Mayor Craythorne stated he has heard a few similar comments with regards to West Point. Mayor Craythorne expressed his understanding with regards to the concerns of the community. However, to maintain a viable and tax responsible City; West Point must have a commercial sales tax base. Mayor Craythorne stated if the population of West Point City doubled, and there were little or no sales tax base, the City may not have the ability to sustain itself and provide quality services to the residents.

Council Member Henderson stated that he has received comments from residents stating they would like to keep the "bedroom community". However, he receives just as many complaints from residents expressing concern over rate increases.

Council Member Chatterton recommended the areas of light industrial found on the General Plan should be reviewed again by Staff. Council Member Henderson asked if light industrial or commercial business would provide the greater amount of revenue for the City. Mayor Craythorne stated commercial would allow for higher revenue, light industrial only allows for a commercial property tax base.

Mr. Ross recommended West Point City capitalize on 2000 West. He stated there are areas to the West of 2000 which could remain “bedroom community” atmosphere.

Mr. Ross asked if Davis County has the ability to increase fees associated with the Sheriff’s contract if higher density housing and commercial businesses were developed within the next seven years. Mayor Craythorne stated West Point City currently pays for a certain level of service. If the City requested additional service, the police protection contract amount would increase.

The Council agreed that Staff and the Planning Commission should review the General Plan, zoning, specific language, and the possibility of buffering areas within the City to preserve commercial property.

Mayor Craythorne and the Council agreed that West Point City has a bright future and great potential. Mayor Craythorne thanked Staff and the Council for their support.

**Other Item:** Mayor Craythorne stated a large number of the population uses social media as a way of gathering information and communication. He stated that using social media could be a positive way to reach the West Point City residents. Mr. Laws expressed the importance of keeping the social media site updated. The Council agreed, West Point City should begin using social media as a way of communication to the West Point City residents.

**13. City Council Rules of Procedure (3:05pm) – Mr. Kyle Laws**

Mr. Laws stated Utah Code §10-3-606 requires that the Municipal Legislative Body adopt rules of order and procedure to govern a public meeting. Mayor Craythorne stated West Point City closely follows the proposed rules of procedure. Mr. Laws recommended the Council formally adopt the proposed City Council Rules of Procedure.

Mr. Laws informed the Council that he has reviewed rules of procedure for Syracuse, Washington Terrace, Layton, South Ogden, and South Weber. He then stated the proposed rules of procedure were similar to that of Layton City. Mr. Laws then presented the proposed rules of procedure to the Council.

**PROPOSED  
CITY COUNCIL RULES OF PROCEDURE  
CITY COUNCIL MEETINGS**

**1. Regular City Council Meetings**

- a. **Time:**
- b. **Place:**
- c. **Agenda Listing Required:**
- d. **Continued Meetings:**
- e. **Cancellation:**

**2. Adjourned Meeting**

3. **Emergency Meeting**

4. **Work Meetings (Study Sessions)**

5. **Agendas:** A set agenda is prepared by the City Manager for the regular Council Meetings by the Thursday before the meeting. The agenda can be changed up to 24 hours prior to the meeting. To avoid confusion, only the City Manager and the Mayor are authorized to put items on the agenda. Council Packets are placed in Councilmembers mailboxes by noon on the Friday prior to Council Meeting unless the Council Member requests other arrangements. Agendas are also e-mailed by the City Recorder's office and are posted at the West Point City Municipal Building and posted on the City website.

1. Call to Order, Pledge, Opening Ceremony, Approval of Minutes
2. Communications and Disclosures from City Council and Mayor
3. Communications and Disclosures from Staff
4. Municipal Event Announcements
5. Citizen Comments
6. Public Hearings
7. Consent Items
8. New Business
9. Adjournment

Council Member Chatterton recommended including that an agenda would be posted on the Utah Public Noticing Website.

6. **Council Decorum**

7. **Call to Order**

8. **Roll Call**

9. **Quorum**

10. **Open Meetings**

11. **Approval of the Minutes**

12. **Rules of Discussion:** Robert's Rules of Order, Revised, although not officially adopted, has informally been followed in the conduct of City Council meetings. Some common practices are listed as follows:

- a. **Wanting to Speak:** The Council Member should raise their hand and wait until the Mayor calls on them.
- b. **Interruptions:** A member, once recognized, shall not be interrupted while speaking unless to be called to order by the presiding officer or as hereinafter provided. If a member, while speaking, is called to order, the member shall cease speaking until the questions of order are determined and if in order, shall be allowed to proceed.
- c. **Motion to Reconsider:** A motion to reconsider any action taken by the Council may be made on the same day or on the day of the next regular or special meeting. Such motions must be made by one of the prevailing side, but may be seconded by any member. Such motions shall have precedence over all other motions and shall be debatable.

13. **Public Discussion:** Persons may address the Council on any item of community business when the Mayor calls for public discussion on that item. Not every item is a public discussion item.

14. **Ordinances, Resolutions and Motions**

- a. Resolutions and ordinances are to be reduced to writing before the vote is taken thereon; and the vote of each member of the Council shall be recorded.
- b. All proposed ordinances shall be in writing and shall be prepared by the City Attorney, or other person designated by the City Manager and shall be submitted to the City Attorney for approval as to the form and content.
  - (1) After discussion, a motion and a second are required before a vote can be taken.
  - (2) The Mayor may repeat the motion so the Council, City Recorder and others present clearly understand the motion.
  - (3) Vote Taken: The Mayor calls for the vote on the motion, first calling for the affirmative and then for the negative vote. An affirmative vote of three members of the Council shall be required for the adoption of any action, or in case of a tie, the Mayor's vote may be included in the required three-vote affirmations. The Mayor does not have a veto vote.
  - (4) The effective date of the ordinance can be accomplished as follows: Ordinances shall become effective 20 days after publication or posting or 30 days after final passage by the Governing Body, whichever is closer to the date of final passage, but ordinances may become effective at an earlier or later date after publication or posting if so provided in the ordinance.
  - (5) The Mayor or person exercising the duties of the Mayor's office shall sign all passed ordinances and resolutions. (Only certain circumstances found in State Code allow for the Mayor to issue a vote)

15. **Voting**

- a. The Mayor shall not vote except in case of a tie vote of the Council.
- b. The minimum number of yes votes required to pass any ordinance, resolution or to take any action by the Council shall be three.
- c. Any ordinance, resolution or motion of the Governing Body having less than three favorable votes shall be deemed defeated.

16. **Citizen Petition to be filed with the City Recorder:** All citizen petitions shall be filed with the City Recorder and receipt thereof noted in the minutes. The full copy of the petition shall be retained by the City Recorder as a public record.

### COUNCIL RULES OF PROCEDURE

The following are some suggested guidelines or rules of conduct for Council Members to use in relations and contact with each other, City Staff and members of the public. The points contained herein are intended to assist in maintaining the important distinction between the policy and legislative role of Council versus the administrative/management role of the City Manager/Staff. Although written to Council Members, these guidelines are also applicable to the Mayor, except as noted.

1. **Council Relations**

- a. **Representing the Council:** Council Members should be careful not to commit the City to positions without a vote or consent of the entire Council. This may include individually initiating contact with developers, involvement in negotiations, etc., unless specifically assigned or authorized. Members should refer potential developers to Staff for information on development. Staff receives direction from the Council through the City Manager.

Mayor Craythorne expressed the importance for those serving on boards to use caution when representing the City and Council. Council Members should express the view of the entire Council.

- b. **Complaints from Citizens:** Citizen complaints received by individual Council Members should be referred to Staff for investigation and resolution. A vast majority of complaints concern enforcement issues handled by a City department. Personal Council involvement in enforcement (which requires the interpretation of ordinances and laws) could cause legal problems or embarrassment. Citizen complaints should be handled quickly and routinely by referral to the appropriate department as soon as possible.

Complaints to Staff should be made objectively so that all sides of the matter can be reviewed. Having a Council Member personally accompany a complainant to a staff member (especially by way of *surprise* visits) could place an undue demand on Staff, as well as an undue expectation by complainant. The Council Member should give Staff the background on the problem before Staff contacts the citizen so Staff can be better prepared to respond to the citizen's concerns.

- c. **Approval of Minutes:** Council minutes convey a brief summary of discussion and action taken on items of business. They do not contain lengthy discourse from testimony given or all individual comments of Council Members or participants. Generally, meetings are digitally recorded on a laptop. Backup copies are made and stored for three years as required by law.
- d. **Ordinance / Resolution Preparation:**
- e. **Role in Negotiations:**
- f. **Lobbying:** Lobbying of Council Members by fellow Council Members outside of or even during discussion on matters at a meeting sometimes occurs and may be helpful. However, attempts by Council Members to influence individual Staff members' views on issues that are under study or review for later consideration by the entire Council should be avoided. The reason for this is that Staff is trying to be as objective as possible in their work and their recommendations to the Council.
- g. **Private Disputes:** On occasion, individual residents or neighborhoods will come forth with problems of a purely private nature. These typically include overhanging trees, boundary line disputes and fence problems. The City has no legal jurisdiction in such matters, and therefore Council should not get involved. Intercession in such matters will needlessly consume time and taxpayers' dollars and could potentially expose the City to liability. If Council is not clear whether a reported problem is properly within the City's jurisdiction, he/she should ask the City Manager or appropriate department director for their input.
- h. **Use of Staff for City Business and Private Business:** Asking Staff for help on personal business or problems can present definite problems and conflicts and should be avoided.
- i. **Policing Problems:** It is the Council's responsibility to police and correct any problems among its members. Hopefully difference of opinions on issues will be handled with the attitude that individuals can *agreeably disagree*.

Council Member Turner asked if the Council should provide any type of follow up process for those who have raised an issue during the public comment period. Council Member Petersen stated during a City Council meeting,

those giving public comment are typically not addressed by the Council. Mayor Craythorne, stated citizens want to be heard; however there are some items in which the City cannot be involved with. He stated citizens should be thanked for their comment. Mr. Davis stated depending on the issue, the Council can give the information to Staff to review.

2. **Council / Manager and Staff Relations:** In addition to the items mentioned under Council Relations, the following may be helpful for both the Governing Body and City Staff:
  - a. **Everyone is Equal:** All Council Members will receive the same information about a matter, particularly as it relates to business items for consideration as a body. No one should receive different or special information that would put one Council Member at an advantage over the others. Staff reports will be prepared for the entire Council to avoid such problems.
  - b. **Favoritism:** Individual Council Members have more of an interest in some departmental functions than others do. However, that should not give cause for Staff to show special deference to certain Council Members or vice-versa.
  - c. **Lobbying Council Members:** Individual Council Members are not to be lobbied by Department Directors for support of their projects. Their proposals or programs must stand on their merits; as opposed to their success in lobbying and lining up Council votes. Department Directors work through the City Manager.
  - d. **Council Orders:** As the Municipal Code requires, Council Members are not to individually order the City Manager, Department Directors, or other employees to do anything. Only a majority of the Council may give direction to the City Manager.
  - e. **Use of Staff Resources:** Staff resources are limited and are fully devoted to carrying out Council determined priorities and programs. There are no resources available to pursue special interest projects of individual Council Members. There will be a number of situations when a Council Member will call and request information. This is encouraged and helpful and to the extent that it is available, the information will be furnished. However, special research efforts or requests involving a lot of time could divert Staff from working on priorities and goals of the entire Council and Staff's day-to-day responsibilities.
  - f. **Office Visits:** Council Members are welcome to frequent any City department or office. Usually these will be for business matters, information inquiry or observation. Social visits are also made from time to time.
  - g. **Office Space:** The Mayor has an office to meet citizens in and to carry out his/her duties. If a Council Member, by assignment, needs to meet with anyone officially, conference rooms may be scheduled. Arrangements for these meetings can be made through the City Manager's office.
  - h. **Council Meetings:** Council meetings have an agenda that is set in advance to assist in having the meeting and business conducted in an orderly fashion. Work meetings are held before Council meetings to discuss both set items and miscellaneous matters. A Council Member should contact the City Manager or Mayor if he/she wants to discuss a matter or has a question. Many matters can be resolved faster and better by talking to Staff rather than bringing up the matter for the first time in a Council meeting.
  - i. **City Manager Contact:** The Council Members' primary contact is the City Manager. Questions, requests for information, etc. should first be made to the City Manager, if possible, then to the appropriate Department Director or employee as determined by the City Manager. There are good reasons for this approach: the City Manager will then know what is going on, and he/she can determine which department(s) should become involved.
  - j. **Department Director Contact:** If a Department Director is contacted by the Mayor or a Council Member, the

Department Director is to let the City Manager know what the problem was, if any, in a reasonable time.

- k. **Personnel Complaints:** Council Members may receive complaints about City personnel. Problems do occur from time to time, and information on a possible problem is welcome from any source. These complaints should be mentioned to the City Manager to investigate or resolve. In some cases, disciplinary action may be required, and protection of both the City's rights and the employees' rights are a paramount consideration in dealing with employee complaints.

The Council Members were supportive of the proposed Council Rules of Procedure.

Council Member Petersen expressed the need for the Council to work in unity even if there may be differing opinions.

He and Mayor Craythorne then expressed their appreciation to the Council and Staff for their professional manner.

Mr. Laws thanked the Council for their ability to unite and work together. He stated the Council's positive behavior resonates to Staff.

#### 14. **Miscellaneous Items** (4:00 pm) – Mr. Kyle Laws

Mr. Laws stated he has been thinking about the operating hours of West Point City Hall for over the past year. He stated he feels the Friday afternoon traffic is extremely light. West Point City Hall currently operates Monday through Friday from 8:00 am to 5:00 pm. Mr. Laws proposed a similar schedule to that of South Weber, Monday through Thursday (9 hour days) and Friday (4 hour day). He proposed working Monday through Thursday from either 7:00 am to 5:00 pm or 7:30 am to 5:30 pm and Friday 7:00 am to 11:00 am or 7:30 am to 11:30 am.

Mr. Laws stated there doesn't seem to be a lot of traffic at City Hall on Friday afternoons, both in phone calls and walk-ins. Extended operating hours could be a benefit to the community, as City Hall would be available outside of traditional business hours.

Council Member Chatterton expressed concern with one employee being left alone in the office; he stated two employees should remain in the office at all times. Mayor Craythorne stated with the proposed schedule, all employees stationed at City Hall will work within the proposed hours. He couldn't foresee an employee ever being left alone in office.

Mayor Craythorne stated he was in support of the proposed City Hall hours, as long as the level of service didn't diminish. He stated if the Council approved of the of proposed office hours, Staff place signs on the doors and website notifying residents of the change.

Council Member Petersen asked that Mr. Laws provide the Council with additional information and logs of Friday traffic. He then stated during the all Council Visioning Session, he did notice very minimal amounts of traffic within City Hall. Council Member Petersen expressed concern with being closed on Fridays for those residents who have Friday's off. Mayor Craythorne stated that Staff had been tracking Friday traffic; and he didn't feel as if it would be an issue. Mayor Craythorne stated education of residents was the key to successfully changing hours.

Mr. Ross stated many residents work the same traditional hours as West Point City. He stated Friday afternoons are extremely slow, he believed the residents would be better served if they have the opportunity to contact City Hall either earlier or later in the day.

Mr. Laws stated the Public Works Department would continue to work their current schedule, a 9/80 schedule, which allows them to be off every other Friday. He then informed the Council that the Public Works Department is half stacked on Fridays.

Council Member Turner expressed concern being closed on Fridays if a resident has had their water shut-off. Mr. Laws informed the Council that water shut-offs typically occur on the last Wednesday of the month. In most cases, residents have paid their bill and their water service restored by Thursday at 5:00 pm. He stated "shut-off" day could be moved to Tuesdays if needed. Council Member Turner expressed support of the New City Hall hours.

Council Member Henderson asked if there were a potential for savings for the City. Mr. Laws stated there could be a cost savings to the City, but it was unlikely since City Hall would be open for about the same number of hours per week.

Council Member Chatterton asked if employees working 40 hours per week would keep their full time hours. Mr. Laws stated, yes employees working 40 hours per week would work nine hour days, Monday through Thursday and a four hour day on Fridays.

Mr. Davis stated the office will continue to be opened 40 hours per week.

Mayor Craythorne asked if the Council were supportive with the proposed City hour changes. He expressed his support of the proposed plan; as long as West Point residents continue to receive a high level of service.

Council Member Henderson asked who would receive the benefit from changing office hours. Mr. Laws stated more productivity during the week, would likely occur and that the schedule could be a benefit to residents but employees are likely to benefit the most from this schedule. Mr. Davis stated the residents would benefit from extended hours, as West Point City could be reached before or after most individuals work schedule. Mayor Craythorne stated it would also be a benefit to the employees of West Point. He stated the employees at his place of employment operate ten hour days, four days a week the majority of the year and the morale of the employees has increased.

Mr. Ross stated he believed that the four hours worked on Fridays will be more productive.

Council Member Henderson and Council Member Turner stated the proposed schedule change could be a benefit to the employee.

Council Member Chatterton asked if the Building Department would also work the proposed hours. Mr. Laws stated yes, the Inspector would also work the proposed schedule.

Mr. Laws informed the Council that several Cities participate in a non-traditional work schedule.

The Council Members were supportive of the proposed hour changes, as long as the level of service to the residents continues to remain high.

Mr. Laws stated for a period of time there may be a level of complaints. He stated the proposed change in hours could be a trial if the Council wanted it to be; West Point could revert back to the traditional business hours of 8:00 am to 5:00 pm, Monday through Friday if necessary. Mr. Laws thanked the Council for their support.

Mr. Laws asked if the Council if would prefer a schedule of 7:30 am to 5:30 pm or 7:00 am to 5:00 pm. Council Member Dawson recommended 7:30 am to 5:30 pm and Council Member Chatterton recommended 7:00 am to 5:00 pm. The Council agreed to let Mr. Laws determine City Halls hours of operation. The Council also agreed that a change in hours

was okay and that this decision could be left up to Mr. Laws to determine and didn't need to come back to the Council for action.

Mr. Laws stated on an average, Staff assisted approximately 30 people per day during the afternoons of Monday through Thursday and only an average of nine people of Friday afternoons.

Mayor Craythorne stated the items discussed during the Council Visioning Session were beneficial to everyone. He thanked members of Staff for their efforts and the Council for their time and consideration.

**15. Adjourn (4:30 pm)**

Council Member Chatterton motioned to adjourn.  
Council Member Henderson seconded the motion.

The Council unanimously agreed.

At 6:30 pm following the Council Visioning Session, Council Members and members of staff met socially for dinner at Ruby River Steakhouse – 4286 Riverdale Rd, Ogden, UT 84405

\_\_\_\_\_  
ERIK CRAYTHORNE, MAYOR

\_\_\_\_\_  
DATE

\_\_\_\_\_  
MISTY ROGERS, CITY RECORDER

\_\_\_\_\_  
DATE



**West Point City Council Meeting  
3200 West 300 North  
West Point City, UT 84015  
March 4, 2014**

**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**

Minutes for the West Point City Council Administrative Session held March 4, 2014 at the West Point City offices, 3200 West 300 North, West Point City, Utah 84015 with Mayor Craythorne presiding.

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

**EXCUSED** – Council Member Jeff Turner and Council Member Kent Henderson

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

Mayor Craythorne excused Council Member Henderson and Council Member Turner; he then turned the time over Mr. Rochell.

**1. Discussion of Municipal Wastewater Planning Program – Mr. Paul Rochell**

Mr. Rochell stated that Mr. Kenny England an employee of the Public Works Department had completed the majority of the Municipal Wastewater Planning Annual Report.

Mr. Rochell informed the Council that the Utah Department of Environmental Quality had implemented a Municipal Wastewater Planning Program Report. The annual report brings awareness to the condition of the sewer system within the city. Upon completion of the Municipal Wastewater Planning Report, the Council is required to adopt it by Resolution.

Mr. Rochell informed the Council that Part V of the Municipal Wastewater Planning Report asked if West Point City has a written safety plan. He informed the Council that West Point City follows OSHA guidelines, but does not have their own written safety plan. In the future, the Public Works Department will implement a Sewer System Management Plan which will include a safety plan as part of that document.

Mr. Rochell clarified that the points assessed on the report were for informational purposes only. Mr. Rochell recommended the Council adopt Resolution indicating they have reviewed and are aware of the Wastewater Planning Report.

Council Member Chatterton asked if both the North Davis Sewer District and West Point City were responsible for sewer lines within the city. Mr. Rochell stated yes, the trunk lines within West Point City are the responsibility of the North Davis Sewer District and West Point City is responsible for City owned lines. Mr. Davis stated both the North Davis sewer lines and the West Point City sewer lines are identified on maps.

Council Member Dawson read aloud the following question and answer found in Part VI B:

Question: "Describe the physical condition of the sewer collection system".

Answer: "We have 1 lift station that provides sewer to approximately 80 homes, and the rest of our system flows to the North Davis Sewer District".

Council Member Dawson asked if question B. found in Part VI had been answered correctly. Mr. Rochell stated yes, Mr. England had contacted the Department of Environmental Quality and had asked them to clarify how to answer question B. They requested that specifics about the West Point sewer system be listed.

Mr. Rochell stated the overall information found in the Municipal Wastewater Planning Program Report is practical; however it seems to have been designed for larger cities that may have their own treatment facilities.

Council Member Dawson asked how often West Point City cameras City owned sewer lines. Mr. Rochell stated each year \$20,000 is budgeted in the sewer fund for preventative maintenance. For the past for six or seven years, sections of sewer lines throughout the City have been inspected by camera. Mr. Rochell and Mr. England agreed that it takes approximately 10 years to camera all of the sewer lines within West Point City.

Council Member Chatterton asked if a sewer line could be relined instead of being replaced. Mr. Rochell stated several factures are used to determine if a pipe should be relined or replaced. For example, is the existing line adequate in size and does it meet the capacity requirements in the general plan.

Council Member Dawson recommended using the relining process whenever possible. Mr. Rochell stated the City had previously used the lining process on sections of pipe on 725 North. He then informed the Council that many of the future projects will require installation of bigger lines to meet future development needs.

The Mayor and Council thanked both Mr. Rochell and Mr. England for the preparation of the Municipal Wastewater Planning Report.

## **2. Discussion of Personnel Policies & Procedures – Mr. Kyle Laws**

Mayor Craythorne informed the Council that discussion of Personnel Policies & Procedures was a continuation discussion from the February 18, 2014 Administrative Session. Mr. Laws then presented the following information to the Council.

**Holiday Leave** – 12 holidays throughout the year, with the recommendation to change the language with regards to the Christmas Holiday being determined by the City Manager.

- a. If a holiday falls on a Saturday, the holiday shall be observed on the preceding Friday. If the holiday falls on a Sunday, the holiday shall be observed on the following Monday or as designated by the City Manager.
- b. For City Hall Work Schedule: Employees are eligible for holiday pay based on the number of hours they are scheduled to work that day of the week.
- c. For Alternative Work Schedules (9/80, 4/10. etc.): Employees are eligible for 8 hours of holiday pay per holiday. Employees must make up the difference, if any, with compensatory time or vacation leave.

Mr. Laws stated this is the current practice by the Public Works Department.

- d. If a holiday falls on an employee's regular day off, as per their regular work schedule, and that employee's regular day off is Monday through Thursday, then the employee shall be allowed to a floating holiday to be used during the same calendar year for the number of hours most commonly worked per day of the week, up to 9 hours, and shall request and have the time off pre-approved by the employee's supervisor.
  1. Employees working a 9/80 or 4/10 work schedule and having a holiday fall on their day off, will be given an 8-hour floating holiday to be used during the same calendar year.

Mr. Laws stated in the past, employees working the 9/80 schedule had been using their floating holiday within the same week, which they can continue to do if desired.

- e. Employees required to work on a holiday shall be paid at the rate of time and a half. Employees shall be allowed to use accrued holiday hours on a floating basis or shall be paid the holiday pay in addition to hours worked. Holiday leave used on a floating basis shall be requested and pre-approved by the employee's supervisor.

Mr. Laws stated this gives an employee the option to either collect holiday pay and overtime on a holiday worked or to only collect overtime and save their holiday to be used at a later date.

Council Member Chatterton asked if an employee required to work on a holiday must obtain supervisor approval for the way in which they collect their overtime and holiday pay? Mr. Laws stated, typically an employee is paid out for the overtime and holiday pay at the same time unless the employee has requested to keep their holiday as a floating holiday. Arrangements must be made with their supervisor.

Council Member Petersen asked if a floating holiday received 8 hours. Mr. Laws stated yes, a floating holiday is 8 hours.

For example, an employee working on the 4<sup>th</sup> of July would receive overtime (time and a half). Because the 4<sup>th</sup> of July is a holiday, the employee could choose to either float their holiday to a future date or collect an additional 8 hours of time. If the employee chose to float the holiday, the employee would be paid time and a half. If the employee chose to be paid the overtime and the holiday pay, the employee would be paid double time and a half for 8 hours. After 8 hours worked, the employee would only receive time and a half.

- f. Unused holiday hours, including floating holidays, may not be carried from one calendar year to the next, unless pre-approved by the City Manager.
- g. The City Manager may also provide reasonable paid time off to employees for the office parties or other special events. Such accommodations shall be posted at City Hall notifying residents of regular office hour changes at least 24 hours in advance.

**Bereavement/Funeral Leave** - Bereavement/Funeral leave is available to eligible employees (any employee who receives other leave benefits as part of their employment). An employee may receive up to three (3) days bereavement leave per occurrence with pay, at the Department Director's discretion, following the death of a member of the employee's immediate family.

- a. Immediate family for the purposes of bereavement/funeral leave means the following relatives of the employee or spouse (including in-laws or step-relatives): Spouse, parents, siblings, children, all levels of grandparents, or all levels of grandchildren.
- b. An employee may receive funeral leave without pay with pay to attend non-immediate family funerals at the City Manager's discretion.
- c. Bereavement/Funeral leave shall be pre-approved by and employee's Department Director.

**Military Leave** – Military leave is time off granted to eligible employees who are members of the National Guard or any reserve branch of the United States Armed Forces.

- a. An employee on official military orders is entitled to paid military leave which shall not exceed 100 hours per calendar year to attend annual training.
  - 1. Unused paid military leave may not be carried over from one year to the next.

2. An employee ordered to active duty shall be eligible to use the paid military leave upon commencement of the active duty only if such leave has not been previously used during the calendar year.
3. No additional paid military leave will be granted while the employee is activated.

Council Member Dawson recommended the addition of the Coast Guard, National Guard, or any reserve branch.

- b. Employees on qualifying active military leave will be reinstated in accordance with Uniformed Services Employment and Reemployment Rights Act (USERRA).
- c. Additional unpaid military leave shall be granted consistent with Uniformed Services Employment and Reemployment Rights Act (USERRA)

**Jury or Witness Duty** – The City recognizes the duty of every employee, as a citizen of the United States, to perform jury duty or serve as a witness in court on behalf of another party.

- a. The City pays an employee’s regular salary when the employee is absent during a scheduled shift, except for court appearances on their own behalf as a defendant or plaintiff. The employee is required to remit any such jury or witness fee(s) received to the City. If the employee elects to keep those fee(s) rather than remit them to the City, they must take the time spent in court as annual leave.
- b. Any mileage expenses paid by the court to reimburse the employee for travel to and from the courtroom may be retained by the employee.
- c. An employee must show the Jury or Witness Duty Summons to their supervisor as soon after receipt as possible so the supervisor may make arrangements to accommodate their absence.

#### **Administrative Leave**

Mr. Laws stated the Administrative Leave section is a new addition to the Personnel Policies and Procedures. He then expressed the importance of an Administrative Leave Policy.

- a. Administrative leave with pay may be assigned by the City Manager under the following circumstances:
  1. Pending the outcome of an investigation to determine possible disciplinary action against the employee.
  2. With regard to incidents resulting in extreme stress.
  3. To protect City interests during an end of employment process.
  4. Other circumstances determined to be in the best interest of the City and employee.
- b. An employee shall not engage in secondary employment during the actual hours designated as administrative leave. The City may, at its discretion, additionally restrict the activities of an employee on administrative leave with pay. Examples include being required to remain at the employee’s residence during designated working hours (except to obtain medical care, to fulfill religious obligations, or as specifically authorized), remain readily available and immediately respond to phone contact or return to work, modification of working hours, or restrictions on secondary employment outside of administrative leave hours.
- c. After review by the City Attorney and with the authorization of the City Manager, an employee charged with a job related felony, after judicial review, may be placed on administrative leave without pay.

Council Member Chatterton asked if “civil action” should be referenced somewhere within the Administrative Leave section. Mr. Laws felt that the language found in subsection (c) covered that.

**Leave Without Pay** – A leave of absence without pay is an approved temporary absence from work in which the employee does not lose status as a regular employee. Unauthorized absence after an employee has exhausted all accrued leave or FMLA leave may be subject to disciplinary action and may be considered a voluntary resignation.

- a. Full-time/Regular and Part-time employees working at least 20 hours per week on a year round basis are eligible to request a leave without pay (unrelated to FMLA leave) for up to 12 months as described in the policy.
- b. Eligible employees interested in leave without pay must submit a written request to their Department Director, to be approved by the City Manager, detailing the nature of the leave.
  1. Requests for leave without pay will be considered based on criteria such as the nature of the request, the impact to the organization, and the benefit to the employee and/or the City. The City does not grant leave without pay, unless it is believed the employee will remain employed by the City at the end of the leave. The City may end an approved leave without pay at its discretion, upon reasonable notice to the employee.
  2. Prior written approval must be obtained from the City Manager.
  3. Vacation Leave, sick leave, holiday leave, and other City benefits will not continue to accrue during the approved leave of absence period.
  4. Employees that are granted leave without pay are required to pay for employee benefits costs that are normally taken through payroll deduction.

Council Member Petersen asked why an employee would request to use leave without pay. Mr. Laws stated if an employee had a medical issue and had exhausted all of their leave option, the employee may need to request leave without pay for an extended amount of time. He then informed the Council that West Point City is a small organization and is not required to offer FMLA.

Council Member Petersen asked if an employee were responsible for all benefit costs if they were granted leave without pay. Mr. Laws stated no, the employee will only be responsible for their normal benefit contribution amount. Council Member Petersen recommended clarifying item 3.

Mr. Laws stated item 3 would be clarified with wording such as “vacation leave and sick leave will not continue to accrue and holidays will not be paid while an employee is on leave without pay”.

Council Member Petersen expressed concern with granting leave without pay to an employee for up to one year. Mr. Laws informed the Council that an employee could utilize leave without pay for up to one year in the previous policy. He then stated had reviewed the leave without pay policy for South Jordan and their policy also allowed for maximum of one year. Both Council Member Dawson and Council Member Chatterton agreed with Council Member Petersen.

Council Member Dawson recommended a maximum of 12 weeks leave without pay.

Council Member Petersen agreed to a maximum of 12 weeks leave without pay, with the possibility of an extension.

Council Member Chatterton recommended a leave without pay extension at the discretion of the City Manager. He then stated if an employee has a serious medical issue, 12 weeks of leave without pay may not be adequate.

Council Member Petersen expressed concern with allowing leave without pay for an extended period of time. The City contributes to the employee’s health benefits even while an employee is on leave without pay. He stated an extended leave without pay could be costly to the City.

Mr. Davis asked the Council if an employee could periodically use a leave without pay if they had exhausted all available leave. Mayor Craythorne and the Council agreed.

Mr. Davis recommended after 12 weeks of leave without pay, requiring the employee to pay 100% of the benefit. Council Member Petersen expressed interest with Mr. Davis’s suggestion.

Council Member Dawson expressed concern with allowing an employee over 12 weeks of leave without pay, as it may become difficult for the City's day to day operations. He then asked if West Point offered short term disability. Mr. Laws stated no, West Point City does not offer short term disability and that sick leave is essentially our short-term disability; however long term disability is available to benefited employees.

Council Member Petersen asked when long term disability takes effect. Mr. Laws stated he was unsure; however he would research the requirement for long term disability and report to the Council in the future.

Council Member Petersen expressed concern with the City Manager having the sole responsibility to determine if leave without pay could be extended.

Mayor Craythorne, Council Member Dawson, Council Member Petersen, and Council Member Chatterton recommended a maximum of 12 weeks of leave without pay, with the possibility of an extension at the discretion of the City Manager. Mayor Craythorne recommended trying to link leave without pay with long term disability.

Council Member Dawson recommended that Mr. Laws discuss the discussed options with Mrs. Gamon, in Human Resources.

Council Member Chatterton stated the Council is trying to protect both the employee as well as the City.

Mr. Laws stated many employees of the City are within child bearing years. If there are medical issues or complications, the employee may need an additional leave options.

Mayor Craythorne recommended adding language for extreme circumstances after 12 weeks of leave without pay have been exhausted.

Council Member Petersen stated the leave without pay policy should have a cap. He stated the Council and the City Manager have the authority to change policy in extreme circumstances.

**Breaks and Meal Periods** – The City offers breaks and meal periods as work allows.

- a. The City may provide two paid breaks of up to 15 minutes each during a standard workday for full-time employees, as determined and approved by the Department Director. Breaks shall not be used:
  - I. Together for a 30 minutes break;
  - II. At the end of the day to leave early;
  - III. At the beginning of the day to arrive late; or
  - IV. During lunch to extend the lunch break.
- b. The City normally provides a one hour unpaid meal period for full-time employees during a standard workday.
- c. Employees under the age of 18 are entitled to a meal period of at least 30 minutes no later than 5 hours from the beginning of their shift. A rest break of at least 10 minutes is required for employees under the age of 18 for every three-hour period or part thereof that is worked.

Mayor Craythorne thanked Mr. Laws for his recommendations and report. Mr. Laws stated the recommended changes would be made to the Personnel Policies and Procedures and it would be brought before the Council in a future meeting for action.

### **3. Discussion of the Building Valuation Schedule – Mr. Boyd Davis**

Mr. Davis stated the Building Valuation Schedule is used to determine building permit fees. He then stated building permit fees are based on the square footage of the home being built as well as the value per square foot. Mr. Davis informed the Council that the fee being discussed does not include impact fees or the value of the property.

Mr. Davis informed the Council that the Valuation Schedule is published yearly by the International Conference of Building Officials. He stated the Building Valuation Schedule is updated each year and the schedules are required to be adopted by the Council.

Mr. Davis informed the Council that if they adopt the updated Building Valuation Schedule, permit fees will increase between \$50 and \$75 dollars per permit. Mr. Davis stated the language added to the Code would automatically adopt the new Building Valuation Schedule each year.

Mr. Davis recommended the following language be added to code:

*Adoption of the Valuation Schedule:* The City hereby adopts by reference the valuation schedule from the Building Standards Magazine published by the International Conference of Building Officials to be used in determining the valuation of new construction. Updated editions shall be incorporated herein by reference and shall be effective upon the date of publishing. West Point City will use the regional modifier for Utah using average cost per square foot as may apply.

Council Member Chatterton asked if West Point City uses a modifier of 75%. Mr. Davis stated yes.

Council Member Chatterton asked if other fees being collected for on the building permit were adequate. Mr. Davis stated yes, the impact fees being collected are updated regularly. He then stated the transportation impact fee will likely be the fee to be reviewed. Mr. Davis then informed the Council that it is recommended that adjustments made to impact fee collection occur approximately every five years.

Mr. Davis then recommended the Council consider adopting the current Building Valuation Schedule by Ordinance in a future meeting.

#### **4. Discussion of Amended Plat for Reagail Estates – Mr. Boyd Davis**

Mr. Davis stated the Reagail Estates Subdivision is located at approximately 1600 West 350 North. He then stated that lot 5 located in the subdivision does not meet the minimum lot size requirement found in the West Point City Code.

Recently, the developer Doug Hamblin formed an agreement with Rocky Mountain Power to obtain additional property to meet the minimum lot size requirement. Mr. Hamblin has submitted to West Point City an amended plat application and petition.

Mr. Davis stated that West Point City Staff and the Planning Commission have reviewed and approved the amended plat application and the petition. He then informed the Council that a public hearing would not be held, as a lot line adjustment did not warrant a public hearing or noticing.

Council Member Chatterton asked Mr. Davis to explain why lot 5 didn't meet the size requirements. Mr. Davis stated the square footage of the lot was smaller than required and also, the lot didn't meet setback requirements.

The Council then adjourned into the General Session.



**West Point City Council Meeting  
3200 West 300 North  
West Point City, UT 84015  
March 4, 2014**

**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 March 4, 2014 at the West Point City offices, 3200 West 300 North, West Point City, Utah 84015 with Mayor Craythorne presiding.

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

**EXCUSED** – Council Member Jeff Turner and Council Member Kent Henderson

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

**VISITORS PRESENT** – Kobe Carlson, Conner Manning, Carson Davis, Damian Johnson, Dallin Jensen, Gary Hatch, Cody Kelley, Leisha Jones, MaKenna Stephens, Kambrie Bennett, Karissa Jacob, Hunter Hiatt, Tanner Tremea, Brady Cook, and Braxton Goode

- 1. Call to Order** – Mayor Craythorne welcomed all in attendance and then excused both Council Member Henderson and Council Member Turner.
- 2. Pledge of Allegiance** – Repeated by all
- 3. Prayer** – Council Member Petersen
- 4. Communications and Disclosures from City Council and Mayor**

Council Member Chatterton – no comment

Council Member Dawson – no comment

Council Member Petersen – no comment

Mayor Craythorne informed those in attendance that he and Mr. Laws had the opportunity to meet with Senator Jerry Stevenson to discuss the needs of West Point City. He then stated over the past several weeks, he and Mr. Laws have been heavily involved with the Legislative Session and Utah League of Cities and Towns. Mayor Craythorne then informed the Council that he along with many other Mayors within Davis County have been and will continue to work with Farmington City with regards to the West Davis Corridor and the EIS process. He stated many of the Mayors within the north Davis area understand the need for roads and mobility throughout the area.

## 5. Communications from Staff

**Legislative Session:** Mr. Laws stated the Legislative Session is nearing completion, as one week remains for the session. He stated there have been many bills on the legislative floor with regards to local control. He stated the Utah League of Cities and Towns has worked diligently with the legislature to help maintain local control.

Mayor Craythorne stated there is a bill being proposed that would make it illegal for a city to regulate what breeds of dogs were allowed within their city. He informed those in attendance that several cities throughout the state prohibit pit-bulls within their city. Mayor Craythorne stated this was only one example of the legislature trying to take local control.

**Excise Bond:** Mr. Laws informed the Council that he had been contacted by Lewis Young Robertson and Burningham. While reviewing a bond, it was discovered that a provision was missed to allow the bonds to be callable. Lewis Young Robertson and Burningham informed Mr. Laws that the bonds were now callable and recommended the bonds be called and purchased by a smaller institution. The preliminary interest rates were less than 2%, and the City could see a significant savings. Mr. Laws stated bond counsel has been secured. On March 18, 2014 a resolution to approve the contestability period will be brought before Council for approval. He then stated the contestability period will close 30 days after the published noticed.

Mr. Laws stated the bond being discussed is the Excise Tax Revenue Bond or the debt from the construction of the West Point City Hall. He then stated the remaining life of the bond is approximately 8 years. Mr. Laws informed the Council that the City could choose to receive a lump sum savings or the possibility of lowering payments for the next 8 years.

Mr. Laws stated he had given direction for Lewis Young Robertson and Burningham to proceed with the lump sum option, as the City has several projects which could benefit from the funds.

Council Member Petersen requested Mr. Laws provide the Council with a cost savings analysis for both methods, the lowering of the payment for the next 8 years and the collection of the lump sum payment.

Mayor Craythorne stated the Council will have the opportunity to review cost savings for both methods and then determine which method would be most beneficial to the City.

**Weber Basin Water Update:** Mr. Laws stated that he and Mr. Davis had recently met with Weber Basin Water to discuss the water situation. Tage Flint, the Weber Basin General Manager stated that four weeks ago the presentation in which he showed would have been drastically different. However, because of the moisture receive over the past few weeks; the snow pack is measuring 100 % of normal. Mr. Laws cautioned those in attendance that because of the dry soil, the 100% of snowpack would only equate to approximately 65% runoff. Weber Basin is hopeful within the next several weeks; the state will receive additional moisture. Mr. Laws stated there will likely be similar secondary water restrictions to that of 2013, with secondary water shut-offs around October 1<sup>st</sup>.

Council Member Chatterton asked Mr. Davis to explain the work being done at the Sunset City retention pond as well as the progress with Echo Reservoir. Mr. Davis stated that the Echo Reservoir project is nearly complete and the Echo Reservoir gates should be completed in a timely manner. He then informed the Council that the work being performed at the Sunset reservoir will increase the inlet size and allow for the installation of a meter.

Mr. Laws stated Weber Basin expressed the need for water conservation. He then informed those in attendance that water conservation information and helpful tips could be found on the Weber Basin website or by calling their office.

## 6. Adoption of Minutes from the January 31, 2014 and February 18, 2014 Council Meetings – Mrs. Misty Rogers

Mayor Craythorne stated the City Council minutes from January 31, 2014 would not be approved until a future date.

Council Member Petersen motioned to approve the Council minutes from the February 18, 2014 Council meeting. Council Member Dawson seconded the motion.

The Council unanimously agreed.

Mr. Laws informed the Council that the January 31, 2014 Council minutes were not ready for approval because he hadn't had an opportunity to review the 20 plus pages of minutes from that meeting.

**7. Citizen Comment** – no comment

**8. Youth Council Update** – no comment

**9. Presentation by Gary Hatch, General Manager of the Mosquito Abatement District Davis (MADD)**

Mayor Craythorne introduced and welcomed Mr. Gary Hatch, the General Manager of the Mosquito Abatement District Davis.

Mr. Hatch stated in December 2013 and January 2014 areas between Box Elder County and Utah County reported 62 positive cases of West Nile Virus in Bald Eagles. Of the 62 infected Bald Eagles, 58 have died and 4 are currently in rehab. He then stated that there have been no new cases reported since January 2014.

Mr. Hatch expressed concern for the Eagles; however, the Mosquito District is more concerned with the Eared Greeb. The Greeb is a migratory bird which arrives in the fall and leaves in approximately December. In mid-September and early October the Fish and Game discovered that Greeps were dying, and it was assumed they were dying from bird cholera. However it has been determined the Greeps were actually dying from West Nile Virus. Because of frozen water ways, throughout the fall, Bald Eagles were feeding off of the Greeps. It is now believed that the Bald Eagles were infected with West Nile Virus from eating the Greeps.

Mr. Hatch stated they know why how the Eagles were infected with the West Nile Virus but it is unclear as to how the Greeps were infected with the virus.

Mr. Hatch then presented the following Mosquito Abatement District Davis highlights of 2013 to the Council:

Mosquito Larvae Areas Treated

- Ariel – 4,939
- Ground – 1057

Mosquito Adult Acres Treated

- Ariel 179,000
- Ground 395,000

MADD Bike Crew

- 5,000 miles
- 60,000 catch basins
- 1,200 fish ponds

Surveillance

- 1,925 Mosquito Pools Tested
- 159,059 Adult Mosquitoes Tested

#### Chicken Testing

- 11 flocks tested and 2 chickens within West Point tested positive for West Nile Virus
- 440 test samples taken

Mr. Hatch then expressed concern with several species of mosquitos heading in the direction of the United States and Northern Utah. He stated these mosquitos are known to spread serious illnesses and disease.

Bee Study: Mr. Hatch stated an employee of MADD recently completed a study of Bee's and the effects of residue from Permethrin. He then informed the Council that Permethrin is a fog which is sprayed out of trucks to treat for mosquitos.

Mr. Hatch stated 5 bee hives and cages of mosquitos were placed on Antelope Island. Bees which had been directly exposed to the Permethrin died and the mortality rate for bees which were only exposed only to residue were low. Mr. Hatch concluded that if MADD sprayed during the recommended hours for treatment, the mortality rate for bees is low.

Council Member Petersen stated because of the knowledge that Mr. Hatch possess, Davis County as well as the Mosquito Abatement District of Davis is fortunate to work with Mr. Hatch. He then stated the efforts provided by MADD to keep the mosquito population under control is appreciated.

On behalf of the Council, Mayor Craythorne thanked Mr. Hatch for his report.

Council Member Chatterton informed the Council that the study of Bee's by MADD was well received by many organizations. The MADD had recently been invited to present their findings at the International Mosquito Abatement Conference in Seattle Washington.

#### **10. Resolution No 03-04-2014A, Consideration of Adoption of Municipal Wastewater Planning Program – Mr. Paul Rochell**

Mr. Rochell informed those in attendance that the Council had discussed the Municipal Wastewater Program during the Administrative Session. He then stated the Municipal Wastewater Planning Program is an annual report required by the Department of Environmental Quality. The report allows cities to review and assess their wastewater collection system. Mr. Rochell recommended the Council approve Resolution No. 03-04-2014A, Adoption of Municipal Wastewater Planning Program.

Mayor Craythorne thanked both Mr. Paul Rochell and Mr. Kenny England for their report.

Council Member Chatterton motioned to approve Resolution No 03-04-2014A, the Adoption of the Municipal Wastewater Planning Program.

Council Member Dawson seconded the motion.

The Council unanimously agreed.

#### **11. Motion to Adjourn**

Council Member Dawson motioned to adjourn.

Council Member Chatterton seconded the motion.

The Council unanimously agreed.

Mayor Craythorne thanked those in attendance.

\_\_\_\_\_  
ERIK CRAYTHORNE, MAYOR

\_\_\_\_\_  
DATE

\_\_\_\_\_  
MISTY ROGERS, CITY RECORDER

\_\_\_\_\_  
DATE

DRAFT

# City Council Staff Report

**Subject:** Building Valuation Fee Schedule  
**Author:** Boyd Davis  
**Department:** Community Development  
**Date:** March 18, 2014



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## **Background**

The cost of a building permit is based upon the square footage and the valuation of the proposed structure. The valuation of the building is obtained from a schedule that is published by the International Conference of Building Officials. As this schedule is updated from time to time, it would be advantageous to amend our code in such a way as to automatically adopt the new schedule when published.

## **Analysis**

Staff recommends the following language be added to the code:

ADOPTION OF THE VALUATION SCHEDULE: The City hereby adopts by reference the valuation schedule from the Building Standards Magazine published by the International Conference of Building Officials to be used in determining the valuation of new construction. Updated editions shall be incorporated herein by reference and shall be effective upon the date of publishing. West Point City will use the regional modifier for Utah using average cost per square foot as may apply.

After reviewing the most recent edition of the valuation schedule it is determined that an average building permit fee for a new house will increase by approximately \$75.

## **Recommendation**

Staff recommends approval of ordinance 03-18-2014 adopting the Building Valuation Schedule.

## **Significant Impacts**

None.

## **Attachments**

Valuation Schedule  
Ordinance 03-18-2014



## Important Points

- The BVD is not intended to apply to alterations or repairs to existing buildings. Because the scope of alterations or repairs to an existing building varies so greatly, the Square Foot Construction Costs table does not reflect accurate values for that purpose. However, the Square Foot Construction Costs table can be used to determine the cost of an addition that is basically a stand-alone building which happens to be attached to an existing building. In the case of such additions, the only alterations to the existing building would involve the attachment of the addition to the existing building and the openings between the addition and the existing building.
- For purposes of establishing the Permit Fee Multiplier, the estimated total annual construction value for a given time period (1 year) is the sum of each building's value (Gross Area x Square Foot Construction Cost) for that time period (e.g., 1 year).
- The Square Foot Construction Cost does not include the price of the land on which the building is built. The Square Foot Construction Cost takes into account everything from foundation work to the roof structure and coverings but does not include the price of the land. The cost of the land does not affect the cost of related code enforcement activities and is not included in the Square Foot Construction Cost.

### Square Foot Construction Costs <sup>a, b, c, d</sup>

Group (2012 International Building Code)	IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
A-1 Assembly, theaters, with stage	224.49	217.12	211.82	202.96	190.83	185.33	196.14	174.43	167.83
A-1 Assembly, theaters, without stage	205.71	198.34	193.04	184.18	172.15	166.65	177.36	155.75	149.15
A-2 Assembly, nightclubs	177.15	172.12	167.31	160.58	150.83	146.74	154.65	136.68	132.81
A-2 Assembly, restaurants, bars, banquet halls	176.15	171.12	165.31	159.58	148.83	145.74	153.65	134.68	131.81
A-3 Assembly, churches	207.73	200.36	195.06	186.20	174.41	168.91	179.38	158.02	151.41
A-3 Assembly, general, community halls, libraries, museums	173.36	165.99	159.69	151.83	138.90	134.40	145.01	122.50	116.89
A-4 Assembly, arenas	204.71	197.34	191.04	183.18	170.15	165.65	176.36	153.75	148.15
B Business	179.29	172.71	166.96	158.70	144.63	139.20	152.43	126.93	121.32
E Educational	192.11	185.49	180.05	171.90	160.09	151.62	165.97	139.90	135.35
F-1 Factory and industrial, moderate hazard	108.42	103.32	97.18	93.38	83.24	79.62	89.22	68.69	64.39
F-2 Factory and industrial, low hazard	107.42	102.32	97.18	92.38	83.24	78.62	88.22	68.69	63.39
H-1 High Hazard, explosives	101.53	96.44	91.29	86.49	77.57	72.95	82.34	63.02	N.P.
H234 High Hazard	101.53	96.44	91.29	86.49	77.57	72.95	82.34	63.02	57.71
H-5 HPM	179.29	172.71	166.96	158.70	144.63	139.20	152.43	126.93	121.32
I-1 Institutional, supervised environment	177.76	171.50	166.52	159.45	146.31	142.45	159.13	131.29	126.72
I-2 Institutional, hospitals	302.44	295.85	290.11	281.84	266.80	N.P.	275.58	249.09	N.P.
I-2 Institutional, nursing homes	209.38	202.79	197.05	188.78	175.72	N.P.	182.52	158.01	N.P.
I-3 Institutional, restrained	204.27	197.68	191.94	183.67	171.10	164.68	177.41	153.40	145.80
I-4 Institutional, day care facilities	177.76	171.50	166.52	159.45	146.31	142.45	159.13	131.29	126.72
M Mercantile	132.04	127.01	121.20	115.47	105.47	102.39	109.54	91.33	88.45
R-1 Residential, hotels	179.14	172.89	167.90	160.83	147.95	144.10	160.52	132.93	128.36
R-2 Residential, multiple family	150.25	143.99	139.01	131.94	119.77	115.91	131.62	104.74	100.18
R-3 Residential, one- and two-family	141.80	137.90	134.46	131.00	125.88	122.71	128.29	117.71	110.29
R-4 Residential, care/assisted living facilities	177.76	171.50	166.52	159.45	146.31	142.45	159.13	131.29	126.72
S-1 Storage, moderate hazard	100.53	95.44	89.29	85.49	75.57	71.95	81.34	61.02	56.71
S-2 Storage, low hazard	99.53	94.44	89.29	84.49	75.57	70.95	80.34	61.02	55.71
U Utility, miscellaneous	75.59	71.22	66.78	63.37	56.99	53.22	60.41	44.60	42.48

- a. Private Garages use Utility, miscellaneous  
b. Unfinished basements (all use group) = \$15.00 per sq. ft.  
c. For shell only buildings deduct 20 percent  
d. N.P. = not permitted



**ORDINANCE NO. 03-18-2014**

**AN ORDINANCE AMENDING WEST POINT  
CITY CODE CHAPTER 15.05, ADOPTING  
THE BUILDING VALUATION SCHEDULE**

**WHEREAS**, the West Point City Council for and on behalf of West Point City, State of Utah (hereinafter referred to as the “City”) has determined to amend Chapter 15.05 of the West Point City Code, and

**WHEREAS**, the City Council has duly considered said amendments; and,

**WHEREAS**, the City Council, after due consideration of said amendments, has concluded that it is in the best interest of the City and the inhabitants thereof that said amendments be adopted;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF WEST POINT CITY, UTAH as follows:**

**Section One: Adoption of New Provisions**

The following section of the West Point City Code is adopted to read as follows:

**15.05.100 Building Valuation Schedule.**

**ADOPTION OF THE VALUATION SCHEDULE:** The City hereby adopts by reference the valuation schedule from the Building Standards Magazine published by the International Conference of Building Officials to be used in determining the valuation of new construction. Updated editions shall be incorporated herein by reference and shall be effective upon the date of publishing. West Point City will use the regional modifier for Utah using average cost per square foot as may apply.

**Section Two: ORDINANCES TO CONFORM WITH AMENDMENTS**

The West Point City Director of Community Development is hereby authorized and directed to make all necessary changes to the West Point City Code to bring the text into conformity with the changes adopted by this Ordinance.

**Section Three: Severability**

In the event that any provision of this Ordinance is declared invalid for any reason, the remaining provisions shall remain in effect.

**Section Four:**            **Effective Date**

This Ordinance shall take effect immediately upon passage and adoption and publication of a summary as required by law.

DATED this \_\_\_ day of \_\_\_\_\_, 20\_\_.

WEST POINT CITY, a Municipal Corporation

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

ATTEST:

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

DRAFT

# City Council Staff Report

**Subject:** Reagail Estates Amended Plat  
**Author:** Boyd Davis  
**Department:** Community Development  
**Date:** March 18, 2014



## **Background**

Lot 5 of the Reagail Estates subdivision is too small and does not meet the requirements of the City Code. The developer has been working on this issue for a number of years and has finally made an agreement with Rocky Mountain Power to acquire the additional area required to make the lot large enough to build on. The developer has submitted a petition to amend the original plat to include the new area.

## **Analysis**

State code allows a subdivision plat to be amended without holding a public hearing or sending out notices if the amendment is essentially to adjust a lot line and if it does not create any additional lots. This amendment simply adds a small amount of property to an existing lot within the subdivision and no new lots are being created. Therefore a public hearing is not required.

State code also requires that a petition to amend the plat be submitted that includes the signatures of all of the affected property owners. In this case there are four affected property owners: Rocky Mountain Power, and M&D Developers, and the two property owners to the north and south.

## **Recommendation**

Staff recommends approval of the amended plat.

## **Significant Impacts**

None

## **Attachments**

Engineer's Review Letter, Plat



MEMORANDUM

To: Reeve & Associates

From: Boyd Davis, P.E.

cc: West Point City Planning Commission

**RE: REGAIL ESTATES SUBDIVISION 1<sup>ST</sup> AMENDMENT PLAT REVIEW**

Date Plans Received: February 14, 2014

Date Reviewed: February 25, 2014

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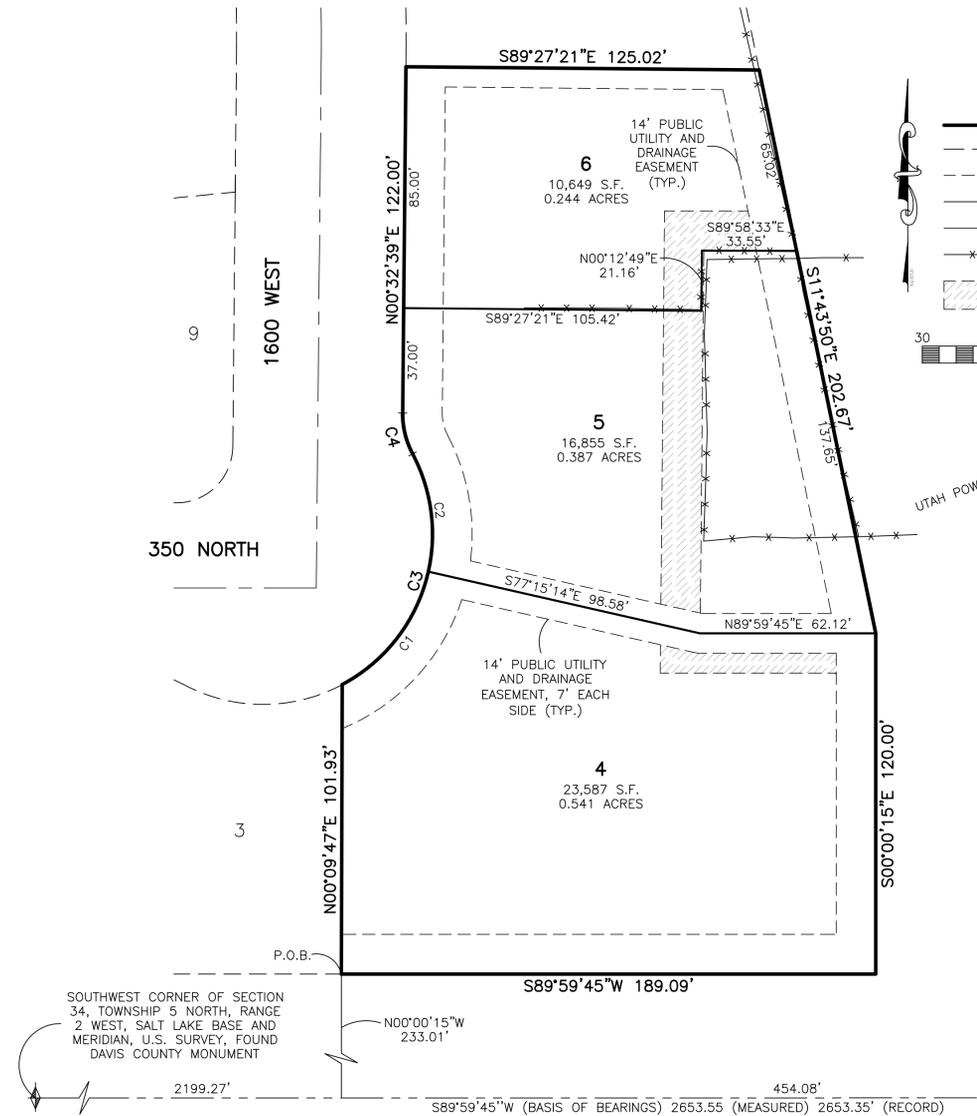
I have completed a review of the amended plat for the subject subdivision and offer the following comments for your review:

1. Plat
  - b. The boundary of the amended lot 5 does not match the existing lot 4.
  - c. Lot 6's fence line overlaps the amended lot 5 by 20 ft. Lot 6 should also be amended.
  - d. The existing public utility easement must be shown with a note indicating that it will be vacated with the recording of this plat and replaced with a new easement in the correct location.
  - e. Two corporate acknowledgements may be needed depending on the signers of the plat. The current owners are Rocky Mountain Power and M&D Developers.
  - f. The tie to the section corner does not match the tie to the section corner on the original plat.



# REAGAIL ESTATES SUBDIVISION 1ST AMENDMENT

AMENDING LOT 4, 5, AND 6  
PART OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY  
WEST POINT CITY, DAVIS COUNTY, UTAH  
MARCH, 2014



## LEGEND

- = SECTION CORNER
- = BOUNDARY LINE
- = ADJOINING PROPERTY
- = EASEMENTS
- = SECTION TIE LINE
- = ROAD CENTERLINE
- = EXISTING FENCE
- = EASEMENT TO BE VACATED

## BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS PLAT IS THE SECTION LINE BETWEEN THE SOUTH QUARTER CORNER AND THE SOUTHWEST CORNER OF SECTION 34, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY. SHOWN HEREON AS: S89°59'45"W

## NARRATIVE

THE PURPOSE OF THIS PLAT IS TO AMEND LOT 5 OF REAGAIL ESTATES SUBDIVISION. ALL BOUNDARY CORNERS AND REAR LOT CORNERS WERE SET WITH A 3/4" REBAR AND PLASTIC CAP STAMPED "REEVE & ASSOCIATES". ALL FRONT LOT CORNERS WERE SET WITH A LEAD PLUG IN THE TOP BACK OF CURB AT THE EXTENSION OF THE SIDE LOT LINES.

## BOUNDARY DESCRIPTION

PART OF THE SOUTH HALF OF SECTION 32, T.7N., R.1W., S.L.B.&M., U.S. SURVEY. DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 4 OF REAGAIL ESTATES SUBDIVISION, WHICH POINT LIES S89°59'45"W 454.08 FEET AND N00°00'15"W 233.01 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE N00°09'47"E 101.93 FEET; THENCE ALONG A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 94.52 FEET, A RADIUS OF 60.00 FEET, A CHORD BEARING OF N17°03'04"E, AND A CHORD LENGTH OF 85.05 FEET; THENCE ALONG A REVERSE CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 14.99 FEET, A RADIUS OF 30.00 FEET, A CHORD BEARING OF N13°46'03"W, AND A CHORD LENGTH OF 14.83 FEET; THENCE N00°32'39"E 122.00 FEET; THENCE S89°27'21"E 125.02 FEET; THENCE S11°43'50"E 202.67 FEET; THENCE S00°00'15"E 120.00 FEET; THENCE S89°59'45"W 189.09 FEET TO THE POINT OF BEGINNING.

CONTAINING 51,091 SQUARE FEET OR 1.173 ACRES

## CURVE TABLE

#	RADIUS	ARC LENGTH	CHD. LENGTH	TANGENT	CHD. BEARING	DELTA
C1	60.00'	51.77'	50.18'	27.62'	N37°27'50"E	49°26'08"
C2	60.00'	42.75'	41.85'	22.33'	N07°40'00"W	40°49'32"
C3	60.00'	94.52'	85.05'	60.27'	N17°03'04"E	90°15'40"
C4	30.00'	14.99'	14.83'	7.65'	N13°46'03"W	28°37'25"

## SURVEYOR'S CERTIFICATE

I, **ROBERT D. KUNZ**, DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT; AND THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THIS PLAT, AND THAT THIS PLAT OF **REAGAIL ESTATES SUBDIVISION 1ST AMENDMENT AMENDING LOT 4, 5, & 6 IN WEST POINT CITY, DAVIS COUNTY, UTAH**, HAS BEEN DRAWN CORRECTLY TO THE DESIGNATED SCALE AND IS A TRUE AND CORRECT REPRESENTATION OF THE HEREIN DESCRIBED LANDS INCLUDED IN SAID SUBDIVISION, BASED UPON DATA COMPILED FROM RECORDS IN THE **DAVIS COUNTY** RECORDER'S OFFICE AND FROM SAID SURVEY MADE BY ME ON THE GROUND, I FURTHER CERTIFY THAT THE REQUIREMENTS OF ALL APPLICABLE STATUTES AND ORDINANCES OF **WEST POINT CITY, DAVIS COUNTY** CONCERNING ZONING REQUIREMENTS REGARDING LOT MEASUREMENTS HAVE BEEN COMPLIED WITH.

SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

150228

UTAH LICENSE NUMBER

ROBERT D. KUNZ



## OWNERS DEDICATION AND CERTIFICATION

WE THE UNDERSIGNED OWNERS OF THE HEREIN DESCRIBED TRACT OF LAND, DO HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND STREETS AS SHOWN ON THE PLAT AND NAME SAID TRACT **REAGAIL ESTATES SUBDIVISION 1ST AMENDMENT AMENDING LOT 4, 5, & 6**, AND DO HEREBY DEDICATE TO PUBLIC USE ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS STREETS, THE SAME TO BE USED AS PUBLIC THOROUGHFARES ALSO TO GRANT AND DEDICATE A PERPETUAL RIGHT AND EASEMENT OVER, UPON AND UNDER THE LANDS DESIGNATED HEREON AS PUBLIC UTILITY, STORM WATER DETENTION PONDS, DRAINAGE EASEMENTS AND CANAL MAINTENANCE EASEMENT, THE SAME TO BE USED FOR THE INSTALLATION MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINE, STORM DRAINAGE FACILITIES, IRRIGATION CANALS OR FOR THE PERPETUAL PRESERVATION OF WATER CHANNELS IN THEIR NATURAL STATE, WHICHEVER IS APPLICABLE AS MAY BE AUTHORIZED BY THE GOVERNING AUTHORITY, WITH NO BUILDINGS OR STRUCTURES BEING ERRECTED WITHIN SUCH EASEMENTS.

SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

## ACKNOWLEDGMENT

STATE OF UTAH )ss.  
COUNTY OF \_\_\_\_\_ )

ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, (AND) \_\_\_\_\_ (SIGNER(S) OF THE ABOVE OWNER'S DEDICATION AND CERTIFICATION, WHO BEING BY ME DULY SWORN, DID ACKNOWLEDGE TO ME \_\_\_\_\_ SIGNED IT FREELY, VOLUNTARILY, AND FOR THE PURPOSES THEREIN MENTIONED.

COMMISSION EXPIRES \_\_\_\_\_ NOTARY PUBLIC

## ACKNOWLEDGMENT

STATE OF UTAH )ss.  
COUNTY OF \_\_\_\_\_ )

ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, (AND) \_\_\_\_\_ BEING BY ME DULY SWORN, ACKNOWLEDGED TO ME THEY ARE \_\_\_\_\_ AND \_\_\_\_\_ OF SAID CORPORATION AND THAT THEY SIGNED THE ABOVE OWNER'S DEDICATION AND CERTIFICATION FREELY, VOLUNTARILY, AND IN BEHALF OF SAID CORPORATION FOR THE PURPOSES THEREIN MENTIONED.

COMMISSION EXPIRES \_\_\_\_\_ NOTARY PUBLIC

## PROJECT INFORMATION

Surveyor: **R. KUNZ**  
Designer: **N. ANDERSON**  
Begin Date: **02-14-14**  
Project Name: **REAGAIL 1ST AMD 4, 5, & 6**  
Number: **3442-14**  
Scale: **1"=30'**  
Revision: \_\_\_\_\_  
Checked: \_\_\_\_\_

## DAVIS COUNTY RECORDER

ENTRY NO. \_\_\_\_\_ FEE PAID \_\_\_\_\_  
FILED FOR RECORD  
AND RECORDED, \_\_\_\_\_ AT \_\_\_\_\_  
IN BOOK \_\_\_\_\_ OF  
THE OFFICIAL RECORDS, PAGE \_\_\_\_\_

RECORDED FOR:

DAVIS COUNTY RECORDER

DEPUTY,

## WEST POINT CITY PLANNING COMMISSION

APPROVED THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY THE WEST POINT CITY PLANNING COMMISSION.

CHAIRMAN, WEST POINT CITY PLANNING COMMISSION

## WEST POINT CITY ENGINEER

I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.

WEST POINT CITY ENGINEER DATE

## WEST POINT CITY COUNCIL

PRESENTED TO THE WEST POINT CITY COUNCIL THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

WEST POINT CITY MAYOR ATTEST: \_\_\_\_\_ CITY RECORDER

## WEST POINT CITY ATTORNEY

APPROVED BY THE WEST POINT CITY ATTORNEY THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

WEST POINT CITY ATTORNEY



**Reeve & Associates, Inc.**  
200 OWENS STREET, SUITE 14, OGDEN, UTAH 84403  
TEL: (801) 621-3100 FAX: (801) 621-3168 WWW.REEVE-ASSOCIATES.COM  
LAND PLANNERS • CIVIL ENGINEERS • LAND SURVEYORS  
TRAFFIC ENGINEERS • STRUCTURAL ENGINEERS • LANDSCAPE ARCHITECTS

