



West Point City Council Notice and Agenda (Amended)

West Point City Municipal Center
3200 West 300 North
West Point City, UT 84015
April 1, 2014

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

ADMINISTRATIVE SESSION

6:00 pm – Council Room

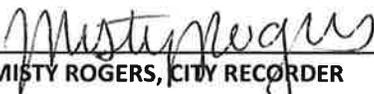
1. Discussion of Part-time Code Enforcement Officer – Mr. Kyle Laws [page 5](#)
2. Discussion of “80% of Lots Sold” Rule, West Point City Code, Section 16.05.090 (d)(10) – Mr. Boyd Davis [page 7](#)
3. Discussion the proposal from Gardner Engineering for the design of 3000 West – Mr. Boyd Davis [page 9](#)
4. Discussion of Amendments to Interlocal Agreement Between Davis County and West point City for Animal Control Services – Mr. Kyle Laws [page 15](#)

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 March 18, 2014 Council Meetings – Mrs. Misty Rogers
7. Citizen Comment. (If you wish to make comment to the Council, please use the podium and clearly state your name and address, keeping your comments to a maximum of 2 ½ minutes. Please do not repeat positions already stated. Public comment is a time for the Council to receive new information and perspectives).
8. Youth Council Update
9. Presentation of Rocky Mtn. Power Sub-Station – Mr. Steve Rush
10. Consideration of Adoption of the Youth Council Charter – Mr. Kyle Laws [page 35](#)
11. Consideration of Approval of Part-time Code Enforcement Officer Position – Mr. Kyle Laws
12. Motion to Adjourn

Posted and dated this March 27, 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: 4/15/2014

Administrative Session

1. Quarterly Financial Report – Mr. Evan Nelson
2. Discussion of Pheasant Creek wetlands area between Phase I and II – Mr. Boyd Davis

General Session

1. Consideration of Ordinance 04-15-2014A, Amending Section 16.05.010 (d)(10) of the West Point City Code, Relative to the 80% of Lots Sold Requirement – Mr. Boyd Davis
 - a. Public Hearing
 - b. Action
2. Consideration of Adoption of Resolution No. 04-15-2014, Amendments to Interlocal Agreement Between Davis County and West point City for Animal Control Services – Mr. Kyle Laws
3. Resolution No. 04-01-2014, Consideration of Adoption of Personnel Policies & Procedures – Mr. Kyle Laws

Date: 5/6/2014

Administrative Session

1. Discussion of Budget – Mr. Evan Nelson

General Session

1. Davis and Weber Counties Canal Company – Mr. Ivan Ray
2. Budget Hearing – Mr. Evan Nelson
 - a. Public Hearing

Date: 5/20/2014

Administrative Session

1. Continuation of Budget Discussion – Mr. Evan Nelson

General Session

1. Continuation of Budget Hearing – Mr. Evan Nelson
 - a. 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

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: Part-time Code Enforcement Officer
Author: Kyle Laws
Department: Executive
Date: April 1, 2014



Background

For several years we have been operating with our Building Inspector acting as Code Enforcement Officer. This has been working out okay, particularly with the slow growth in residential development. During the last year we have seen a significant increase in development which has demanded more time from the Building Inspector to conduct inspections. As a result, Code Enforcement has been neglected a little.

During the Council Retreat in January we discuss the option of hiring a Part-time Code Enforcement Officer. Normally that would come as a budget option during the budget process; however, we would like to discuss the possibility of hiring for the position now to help with code issues this spring. During the Council retreat, Staff was asked to provide more information on actual costs for the position and more information on the budget supporting this addition to personnel.

Analysis

The annual costs associated with this position include the following:

- \$25,000 – Salary & Benefits
- \$3,500 – Estimated Fuel Costs
- \$1,000 – Estimated Vehicle Maintenance
- \$500 – Estimated cost uniforms/supplies
- \$30,000 – Total Estimated Annual Costs

Staff believes the need for this position justifies the expense. We feel, as a City, we need to take a more active approach to code enforcement than we have the past few years. Over the last twelve months, we have received about 65 formal written complaints and dozens more verbal complaints who were not willing to fill out a complaint form. Not to mention other issues that could be taken care of by an employee solely dedicated to code enforcement.

FY2014 Budget - Because our City Planner position has been vacant for 4 months and will likely be vacant for at least another month, we have saved enough money in the current year budget to pay for this position.

FY2015 Budget – As we have been going through the budget process we have been looking at personnel allocations among funds. In some cases, the Utility Funds are not paying their fair share of personnel costs and the General Fund is carrying that burden. We realize it might not be possible to come up with a perfect allocation among funds but there are changes that can be made. Based on our allocations so far we have more than enough money left in the General Fund to support this position next year and into the future. Allocating personnel costs in a fairer manner has freed up a significant amount of money in the General Fund.

Additionally, our General Fund revenues, particularly Sales Tax has been coming in higher than expected month after month. As a result, Staff has no concerns about the addition of this position.

Recommendation

Staff recommends we advertise and hire a part-time Code Enforcement Officer as soon as possible during the current budget year to help with code issues this spring. Staff would like direction from Council on whether to proceed with the hiring of a part-time Code Enforcement Officer.

During the budget process in the coming months we will discuss this position as it relates to next year's budget and get official approval for the position in the FY2015 budget at that time. However, we are comfortable that the budget can support this position going forward.

Significant Impacts

There are no significant impacts. We anticipate an annual cost of about \$30,000 for this position. No increase or impact will take place to the current year (FY2014) budget due to the savings incurred from the vacant Planner position.

Attachments

None

City Council Staff Report

Subject: "80% of lots sold" rule amendment
Author: Boyd Davis
Department: Community Development
Date: April 1, 2014



Background

Section 16.05.090 of the City Code requires that 80 percent of the lots be sold in one phase of a subdivision before a developer may submit the next phase of a development. This rule has always been somewhat difficult to enforce because there is no clear definition of "sold". The City Council suggested staff review the code and propose a change.

Analysis

It is difficult to determine if a lot has actually been sold or if it has simply been transferred to a different holding company owned by the same developer. The only thing we can verify is if the ownership name has changed. Staff believes the intent of the rule was to ensure that the first phase of a project is successful before allowing another phase to be constructed. Staff believes a better measure of success is to count the number of building permits that have been issued in the subdivision.

Building permits can more easily be verified and more clearly indicate the success of the project. However, staff believes that if the rule is changed to the number of building permits rather than the number of lots sold, then the percentage required should be changed from 80% to 50%. Staff believes when building permits have been issued on at least half of the lots in a single phase then enough progress has been demonstrated by the developer and he should be allowed to move on to the next phase.

Staff recommends the following changes to the code:

16.05.090(D)(10)

10. Developments over 30 lots shall be done in phases. A phase shall consist of no more than 30 lots unless specifically approved by the city. Each phase must be completed with both on- and off-site improvements within two years. The city shall not approve more than 30 lots in a development or single phase without requiring the construction of a second access road that connects to an existing public street.

When the off-site improvements have been 100 percent completed within the boundaries of the recorded plat of any phase and approved by the city, and on-site improvements have been 70 percent completed, and ~~80 percent of the lots are sold~~ building permits have been issued on at least 50 percent of the lots, then the

developer may submit the next phase of the development. In no case shall more than two phases be developed consecutively.

Recommendation

No action required. This is for discussion purposes only.

Significant Impacts

None

Attachments

None

City Council Staff Report

Subject: 3000 West Engineering Design Contract
Author: Boyd Davis
Department: Community Development
Date: April 1, 2014



Background

The funding for the reconstruction of 3000 West is now available. The next step in the process is to begin the detailed engineering design work. We have received a proposal from Gardner Engineering to do the design for us, but before giving them the “notice to proceed,” staff would like the City Council’s consent.

Analysis

Gardner Engineering is already under contract with the City to do projects as they are assigned to them. A new contract is not necessary in order for them to do the design work for 3000 West, but because it is a larger than normal project we have asked them to give us a proposal specific to this project. We also felt it was appropriate to present the proposal to the City Council before proceeding.

A copy of the proposal is attached to this report which indicates that the overall cost will be approximately \$199,625, depending on the amount of surveying work. That amount can be broken down into the following tasks or items:

- Design - \$85,000
- Roundabout design (3) - \$18,000
- Bidding - \$13,500
- Construction management - \$72,000
- Construction staking - \$11,125

The estimated project cost is \$2.2M. The proposed engineering costs would be 9% of the overall project. This seems to be a very reasonable number when considering that the proposal not only includes design, but also bidding, construction management, and construction staking. Generally design alone will be around 10%. Also, when comparing this project to the 800 North Project, that was recently completed, the proposal seems very reasonable. The engineering costs for 800 North were approximately \$900,000.

Staff has reviewed the proposal and is comfortable with the tasks described in the document and with the proposed costs.

Recommendation

No action required. However, staff would like any feedback that the council may have.

Significant Impacts

None

Attachments

Proposal



West Point City Engineering
3000 West Reconstruction and Widening Project
Scope of Work for Design, Bid Assistance, and Construction Management

January 29, 2014

Gardner Engineering appreciates the opportunity to submit this proposal to provide services for the above-mentioned project. Gardner Engineering's qualifications for this project include the completion of a similar road reconstruction on 3500 West in West Haven City. We have prepared the following for your consideration.

As was discussed, in our initial scoping meeting in January 2014, this proposal has been separated into 3 subprojects. The subprojects are as follows – Design, Bid Assistance, and Construction Management. A detailed scope of each subproject is included below.

We would appreciate the opportunity to discuss the tasks and associated costs in detail. If you have any questions or concerns with the terms of the proposal, please contact me so we can establish mutually agreeable terms for completion of this project.

Again, thank you for allowing us to submit a proposal for completion of the 3000 West Reconstruction and Widening Project.

Kris Nilsen, PE
Gardner Engineering

Subprojects

Design Tasks

01 Public Involvement

It is anticipated that public involvement, in the design stage of the project will include the following: placement of stakes and flagging to identify the proposed right of way and slope easement on each property; placement of flyers at each residence; hold an open house at West Point City offices to inform the public; handling calls and complaints of impacted residents.

02 Preliminary Engineering

Preliminary engineering will include verifying all existing utilities through survey and review of utility mapping provided by the individual companies. Potholing may be required in areas of concern (potholing costs are not included and will be coordinated with the City if needed). Verification of the existing right of way and identification of the proposed right of way impacts. Coordination will impacted utility companies.

03 Roadway Design

Design and production of project plan set will be included in this task. The roadway will be designed in accordance with AASHTO standards as required by UDOT. Existing improvements will be evaluated to determine if removal is required. Roadway design including centerline grade, curb and gutter design, and sidewalk / driveway improvements will be completed under this task. Intersection design will consist of widening the existing stop sign controlled intersections with consideration being taken to allow for future signalized intersections. Additional costs for roundabout design has been included as requested. Design of street lighting and landscape restoration along the length of the project is also included under this task. Storm drain improvements will be designed to utilize existing improvements where possible. It is anticipated that upgrades to the water system will include connection of existing laterals on the east side of 3000 West to the new waterline.

04 Review Coordination

City coordination and necessary review processes with UDOT are included in this task. Support and coordination with Lamar Mabey is included. Because it is unknown at this time how many easement descriptions will be needed, easement description costs have been included as a per parcel basis. For use in budgeting and bidding the project, an engineer's estimate will be completed.

*Design Total - \$85,000
(Roundabout Design - \$6000 / per roundabout)
(Easement Descriptions - \$200 / parcel)*

Bid Assistance Tasks

01 Bid Documents

Gardner Engineering will prepare bid documents and specifications to the City standard. Bid documents will include bid items and quantities including detailed bid descriptions. Bid document format will be in the form of PDF files to be distributed to Bidders.

02 City Review / Prebid Conference

A review of the bid documents with the City will be completed prior to finalizing the bid documents. A prebid conference will be held as determined by the City.

03 Evaluation / Bid Award

Bid will be received and evaluated with representatives of the City. Gardner Engineering will review bids and check references as needed prior to making recommendation to the City. The necessary bid award and notice to proceed documents will be completed and distributed to the contractor and the City

Bid Assistance Total - \$13,500

Construction Management Tasks

01 Public Involvement

It is anticipated that public involvement, in the construction management stage of the project will include flyers to inform residents of project schedule, contact with property owners to field concerns or complaints. Calming concerns and identifying problems that need to be resolved will be a major part of the public involvement task. This will be done by communication with residents and with the appropriate contractor.

02 Construction Inspection / Utility Relocation Coordination

Gardner engineering will perform construction inspection throughout all aspects of the project. An inspector will be available as needed to ensure that plans and specifications are being followed. Some phases of the project will require daily inspection. Coordination with utility companies, such as Rocky Mountain Power, Century Link, and Comcast, will be completed to make sure that the required relocations are scheduled and coordinated with the awarded contractor.

03 Weekly Coordination Meetings

Weekly coordination meetings will be held on site or at the West Point City offices with necessary parties involved to discuss schedule, concerns, questions etc. It is anticipated that weekly meetings will be needed. Meetings will be adjusted as necessary throughout the project.

04 Pay Request Review

Gardner Engineering will receive and review all pay request submitted by the contractor. Questions and concerns will be resolved with the contractor prior to payment recommendation to the City. It is anticipated that pay requests will be processed once per month.

Construction Management Total - \$72,000

Construction Staking

Construction staking including road centerline (subgrade and finished grade), curb and gutter, and storm drain will be provided. Estimated cost for construction staking is \$11,125. Due to the unknowns on utility and intersection design, this cost should be used for budgeting purposes only. Gardner Engineering would like the opportunity to finalize a staking cost proposal after plans have been completed to ensure that all items are accounted for.

Exceptions

The following items are not included: Geotechnical Engineering, Additional traffic studies, Major utility improvements (West Point or Clinton) (unless otherwise noted above).

Acceptance and Approval

	"Client"		"Consultant"
Client Name:			TGE Inc, d/b/a Gardner Engineering
By:	_____	By:	_____
Title:	_____	Title:	<u>Principal Engineer</u>
Date:	_____	Date:	_____
Client Phone:	_____		
Client Address:	_____ _____		

Terms and conditions as set forth in the Engineering Services Agreement between Gardner Engineering and West Point City dated September 4, 2012.

DRAFT

City Council Staff Report

Subject: Interlocal Agreement with Davis County Animal Services
Author: Kyle Laws
Department: Executive
Date: April 1, 2014



Background

The Interlocal Cooperation Agreement between Davis County and West Point City for Animal Control Services states that the compensation amount will be reviewed annually and adjusted by a written amendment to the Agreement as may be agreed upon by the County and the City. Davis County Animal Care & Control has submitted the attached amendment to the Interlocal agreement for our review and approval.

Analysis

Last year (Calendar Year 2013) the City's cost for animal control services was \$20,575.77. As in the past, the charges are based on the previous year's usage of Animal Care & Control by our residents. The fee paid by the City provides full 24-hour animal care and control services, including the housing and processing of stray animals. The City's costs will either increase or decrease based on the number of calls received the previous year. The cost for this next year (Calendar Year 2014), as outlined in the amended agreement is \$22,115.20.

Wildlife calls are billed separately at a rate of \$25.75 per call. Wildlife fees for Calendar Year 2014 are \$1,030.00.

The current Interlocal Agreement goes through December 31, 2017, after which it will automatically renew on a year-to-year basis.

Recommendation

No action is required at this time. If Council is comfortable with the changes outlined we will bring this agreement to the next City Council Meeting for approval. Staff will take any input or questions back to the County for their consideration.

Significant Impacts

No significant impacts at this time.

Attachments

- Interlocal Agreement between Davis County and West Point City for Animal Control Services.
- Letter from Davis County Animal Care & Control



Davis
COUNTY

Animal Care & Control

1422 East 600 North - Fruit Heights, Utah 84037
Telephone: (801) 444-2200 - TDD: (801) 451-3228 - Fax: (801) 444-2212

Dear West Point City,

Thank you for your continued support of Davis County Animal Care and Control. Your support is vital to insure that the County has the most efficient and cost effective method for providing animal services to the citizens of Davis County.

Enclosed you will find a contract amendment for the 2014 year. As in the past, the charges are based upon the usage of Animal Care and Control by your citizens. The two year average is divided by the grand total of averaged calls to get a percentage of the total calls. That percentage is then taken out of the total amount needed from the cities as set by Davis County. The fee paid by the city provides full 24 hour animal care and control services, including the housing and processing of stray animals. Wildlife is billed separately at a rate of \$25.75 per call. Below is a breakdown of the 2014 charges for West Point City:

2014 County Portion of Animal Care and Control Budget	\$1,555,567.09
2014 City Portion of Animal Care and Control Budget	\$567,206.91
2 Yr. Average for Davis County Total Billable Calls	14,748
2 Yr. Average for West Point Billable Calls	575
2013 West Point Usage Rate	3.90%
2014 West Point City Animal Service Fees	\$22,115.20
2014 West Point City Wildlife Calls	40
2014 West Point City Wildlife Fees	\$1,030.00

Please review and sign the included contract amendment. Please scan the entire signed amendment and email it back to me. Indicate in your email if you would like a signed original. You may also mail the signed amendment. If you mail the signed amendment and want an original sent back to you, please include two signed copies. If a copy of the original is satisfactory, it will be sent to you automatically.

Thank your for your cooperation and patience. It is a privilege to serve in West Point City. If you have any questions or concerns please contact me.

Sincerely,


Clint Thacker

Director
Davis County Animal Care & Control
1422 E 600 N
West Point, UT 84037
Office: 801-444-2204
Cell: 801-200-9325

**AMENDMENT TO INTERLOCAL COOPERATION AGREEMENT
BETWEEN DAVIS COUNTY AND THE CITY OF WEST POINT FOR
ANIMAL CONTROL SERVICES**

This Amendment to Interlocal Cooperation Agreement Between Davis County and the City of **WEST POINT** for Animal Control Services (this “Amendment”) is made and entered into by and between **DAVIS COUNTY**, a political subdivision of the State of Utah (hereinafter the "County"), and **WEST POINT CITY**, a municipal corporation of the State of Utah (hereinafter the "City"). The County and the City may be collectively referred to in this Amendment as the “Parties”.

RECITALS

This Amendment is made and entered into by and between the Parties based, in part, upon the following recitals:

A. The Parties previously entered into an Inter-local Cooperation Agreement Between Davis County and the City of **WEST POINT** for Animal Control Services, dated March 12, 2013 (the “Agreement”), which is labeled Davis County Contract No. 2013-74, and by which the County agreed to provide animal services to the City. The term of the Agreement is for the five-year period from January 1, 2013 through December 31, 2017.

B. Paragraph 5 of the Agreement specified the amount of compensation to be paid by the City to the County for the calendar year 2013 and further provided that the compensation amount shall be reviewed annually and adjusted by a written amendment to the Agreement as may be agreed upon by the County and the City. The County and the City have agreed to the adjusted compensation specified in this Amendment.

Now therefore in consideration of the terms set forth in this Amendment, the Parties

**Amendment No. 1: Inter-local Agreement for Animal Services
City of WEST POINT**

Page 1 of 3

hereto do hereby agree as follows:

1. Compensation and Costs

Paragraph 5 of the Agreement is amended to read:

A. The City shall pay compensation in the amount of twenty two thousand one hundred fifteen Dollars and twenty Cents (\$22,115.20) to the County for the animal care services provided and performed by the County under this agreement for the Calendar Year 2014 and thereafter subject to annual review. The compensation shall be payable in twelve (12) equal monthly installments of one thousand eight hundred forty two Dollars ninety three Cents (\$1,842.93) with the first monthly payment due on or before January 1, 2014, and subsequent payments due on or before the 1st day of each month thereafter until paid in full.

B. The City shall pay the County \$1,030.00 for nuisance animals picked up and/or euthanized by the County under Paragraph 1. C. of this agreement.

(1) The County shall submit quarterly invoices to the City for pick-up and euthanization of wild nuisance animals.

(2) The City shall render payment within thirty (30) days after receipt of each such invoice.

2. Continuing Effect of Contract for Services

Except to the extent specifically modified by this Amendment, the terms and conditions of the Agreement, shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties have executed this Amendment in duplicate, each of which shall be deemed an original.

Dated this ___ day of _____, 2014.

DAVIS COUNTY

By: _____

Louenda Downs, Chairperson

Davis County Board of County Commissioners

Date: _____, 2014

ATTEST:

**Amendment No. 1: Inter-local Agreement for Animal Services
City of WEST POINT**

Steven S. Rawlings
Davis County Clerk/Auditor

CITY OF WEST POINT

By: _____
Mayor
Date: _____, 2014

ATTEST:

City Recorder

Attorney Review

The undersigned, being the authorized attorney for the City of **WEST POINT**, reviewed this Amendment and found it to be in proper form and compliance with applicable law.

City Attorney

Attorney Review

The undersigned, being the authorized attorney for Davis County, reviewed this Amendment and found it to be in proper form and compliance with applicable law.

Davis County Attorney



**West Point City Council Meeting
3200 West 300 North
West Point City, UT 84015
March 18, 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 18, 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, Council Member Andy Dawson, Council Member Kent Henderson, and Council Member Jeff Turner (arrived at 6:25 pm)

CITY EMPLOYEES PRESENT – Kyle Laws, City Manager; Paul Rochell, Public Works Director; Evan Nelson, Administrative Services Director; Jolene Kap, Community Affairs Specialist; and Misty Rogers, City Recorder

VISITORS – Marc Edminster, Lewis Young Robertson & Burningham, Inc; Eric Johnson, Blaisdell, Church & Johnson, LLC

Mayor Craythorne turned the time over to Mr. Laws to discuss the bids for the 2000 West Waterline Project.

1. Discussion of Bids for 2000 West Waterline Project – Mr. Boyd Davis (presented by Mr. Kyle Laws)

Mr. Laws stated that twelve Contractors attended the pre-bid meeting for the 2000 West Waterline Project. However, West Point City received only three bids. He then informed the Council that bids received were lower than originally anticipated.

The waterline replacement project is located on 2000 West between 300 North and 200 South and includes the following:

- The installation of 2,600' of 12" PVC pipe on the west side of 2000.
- Relocation of all service connections from the old waterline to the new waterline.
- Installation of new fire hydrants.

Mr. Laws informed the Council that the 2000 West Waterline Project will likely impact the front yards of properties in the area. Therefore, Staff met with property owners to discuss the project and to alleviate concerns. The City has agreed to make necessary repairs to the effected landscaping within the construction area. The majority of property owners along 2000 West are supportive of the project. Mr. Laws stated one resident has expressed concern with project, as they do not want their bushes to be removed. Staff has addressed the concern, if the original bushes are unable to be saved; they will be replaced with bushes of the property owner's choice.

Council Member Chatterton asked if the new fire hydrants will be installed far enough back as not to interfere with the widening of 2000 West. Mr. Laws stated the installation of the new fire hydrants should not interfere with the 2000 West widening.

Council Member Henderson asked if the construction company who submitted the lowest bid has their own equipment for the project. Mr. Laws stated yes, each of the companies who submitted bids have their own construction equipment.

Mr. Laws then presented the bid tabulations to the Council. The tabulations included the Engineer's Estimate as well as bids from Leon Poulsen Construction, Ormond Construction, and Knudson Construction. Mr. Laws stated that Leon Poulsen Construction was the lowest bidder and the bid is approximately \$60,000 below the Engineer's Estimate.

Mr. Laws stated West Point City has \$316,000 budgeted in FY2014 for the 2000 West Waterline Project and, if needed, additional funding has been budgeted for FY2015. Because it is likely the 2000 West Waterline Project will be completed under budget, the additional funding available in FY2015 could be utilized for another project.

Council Member Chatterton asked if the Waterline Project will include adequate piping for the designated commercial zones along 2000 West. Mayor Craythorne stated no, as commercial areas are developed they will then connect into the waterline.

Mr. Rochell informed the Council that the new waterline will be installed on 2000 West, within an easement area obtained from Mr. Gary Wright. The waterline will not be installed within the road.

Council Member Henderson asked why only 3 of the 12 construction companies who attended the pre-bid meeting submitted bids. Mr. Laws stated it was unclear as to why only 3 bids were received. Mr. Rochell stated a large construction conference was held at the same time as the bidding process and that may have affected the amount of bids received.

Mr. Laws stated Leon Poulsen Construction has successfully completed two phases of storm drains on 2000 West and a 16" waterline on 800 North from 2000 West to the West Point water tank.

Council Member Dawson asked if the price of \$2.00 per ton for select backfill services found on the bid from Leon Poulsen Construction was correct. Mayor Craythorne stated it was likely correct, as the contractor may have access to free dirt.

Council Member Henderson asked who is responsible for the dumping of excavating material on the corner of 2000 West and 300 North. Mayor Craythorne stated he was unsure as to who is dumping the excavating material. He then recommended Staff speak with Mr. Gary Wright.

Council Member Henderson expressed concern with the weed potential and aesthetics for the corner of 2000 West and 300 North. The Council Members agreed.

Council Member Petersen expressed concern with allowing dumping to occur. He stated if the material is being sold, a conditional use permit and business license must be obtained. Council Member expressed the need to communicate with the person responsible for the dumping, as they may be unaware of acceptable practices.

Mr. Laws recommended the Council award the 2000 West Waterline Project to Leon Poulsen Construction Inc., for the bid amount of \$240,603.35. He then stated construction for the 2000 West Waterline Project is scheduled to begin the first week of April 2014 and should be completed within 100 days.

2. Youth Council Charter – Mrs. Jolene Kap

Mrs. Kap stated the Council Members had previously discussed the Youth Council Charter. She then presented the following revisions to the Youth Council Charter:

- Service members must attend 75% of all meetings and activities.
- Officers must attend at least 90% of all meetings and activities.
- Officers will be allowed 3 excused absences but must have a fill attend for them.
- Officers will be allowed 2 unexcused absences.

Council Member Petersen asked that “fill in” be defined. Mrs. Kap stated a “fill in” is another Youth Council Member who would fulfill the positions Officers duties for a specific meeting.

Council Member Chatterton stated the Youth Council hold approximately 36 meetings or activities per year.

Mrs. Kap stated the Youth Council had recently attended Legislative Affairs Day. While there, the Youth Council had the opportunity to tour the Capital.

The Council expressed support of the Youth Council Charter.

- 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**

Mr. Laws welcomed Mr. Marc Edminster (Lewis Young Robertson & Burningham) and Mr. Eric Johnson (Blaisdell, Church and Johnson).

In 2001, West Point City issued Excise Tax Revenue Bonds Series 2001, to build City Hall building, the Public Works Facility and other related improvements. A few years ago, the City renegotiated the rate on those bonds from approximately 6% to 4.3%. It has recently been brought to the attention of the City Manager that those bonds are callable. To obtain the best interest rate possible, Mr. Edminster has recommended that the City refund the bonds as quickly as possible.

Resolution No. 03-18-2014B is an authorizing resolution that outlines details of the refunding of the Excise Tax Revenue Bonds, Series 2001. Adoption of Resolution 03-18-2014B begins a 30 contestability period and also sets a Pricing Committee who will approve the Master Resolution. The Pricing Committee will consist of the Mayor (Erik Craythorne), City Manager (Kyle Laws), and the City Recorder (Misty Rogers).

Mr. Laws stated the Master Resolution had not been included in the Council Packet. Therefore, the City Recorder provided a copy of the Master Resolution to the Council prior to the Administrative Session.

Resolution No. 03-18-2014B has specific restrictions that must be followed.

- The principal amount of the refunding is capped at \$775,000
- The interest rate will not exceed 2.50%
- The bond must mature in not more than 8 years (Mr. Laws stated 8 years remain on the Excise Tax Revenue Bond, Series 2001).
- The sold price is not less than 97% of the total principal amount, in addition to the accrued interest to the date of delivery.

Mr. Laws turned the time over to Mr. Marc Edminster.

Mr. Edminster informed the Council that they could choose to collect the lump sum savings during the first year of the bonds or spread the savings out over the remaining life of the bonds.

Mr. Laws stated he and Mayor Craythorne have discussed both options, and in their opinions, collecting the lump sum savings would better benefit the community.

Mayor Craythorne stated because there are needs in within the City, the community would better benefit from the lump sum payment option.

Council Member Petersen asked what projects could be paid for using the money from the lump sum savings. Mayor Craythorne stated there are many needs throughout the City, but specifically the Loy Blake Park needs upgrades to the playground equipment and repairs to the tennis court. Council Member Petersen agreed that West Point City has plenty of needs and that the Community could benefit from the lump sum payment.

Council Member Chatterton stated the funds received from the lump sum payment option would be deposited into the General Fund. He then asked if the \$45,000 received from the lump sum payment option could be paid directly to the principle amount of the bond. Mr. Edminster the bond could be structured in a way to apply the lump sum payment to the principle amount of the bond; however it would not significantly decrease the life of the bond.

Council Member Petersen stated because the interest rate is low and the term is minimal, that the City wouldn't see much of a benefit from applying the \$45,000 to the principle. The City and the Community could see a better benefit from the lump sum payment.

The Council expressed satisfaction with the lump sum payment option, as the residents of the City could better benefit from this method.

Mr. Edminster stated the 2.5% interest rate referenced in the resolution is the maximum rate which could be received. He stated they anticipate the actual interest rate closer to 1.8%.

Mr. Johnson informed the Council that his company will publish a "Notice of Bonds to be Issued" in the newspaper on Sunday, March 23, 2014.

Mr. Edminster stated upon approval of Resolution No. 03-18-2014B, a solicitation for bids will be released.

Council Member Henderson asked if the 1.8% interest rate quoted was an actual possibility. Mr. Edminster stated yes, a 1.8% rate is definitely a possibility.

Council Member Dawson asked if the City could acquire additional money with the bond. Mr. Edminster stated yes additional funding is a possibility; however the resolution would need to be amended. Mr. Edminster stated refunding more debt would require additional steps and amending the resolution.

To free up debt, Council Member Dawson recommended the remaining balance of the Blair Dahl Park debt (\$270,000) be added to the bond. Mr. Laws stated a payment of \$135,000 would be made within the next month, leaving one payment left of \$135,000.

Council Member Petersen stated because only 2 payments remain for the Blair Dahl Park, he disagreed with adding the debt to the bond.

Mr. Laws stated if the Council were concerned with freeing up debt, the two remaining payments could be made in FY2014. Council Member Dawson stated if the remaining balance added into the bond, the money paid for the purchase of Blair Dahl Park would be freed up for the next several years.

Staff then recommended the Council adopt Resolution 03-18-2014B. Mr. Laws informed the Council that after the 30 day contestability period, the final bonding documents can be completed.

On behalf of the Council, Mayor Craythorne thanked Mr. Edminster and Mr. Johnson for assistance.

4. Discussion of Personnel Policies and Procedures – Mr. Kyle Laws

Mayor Craythorne stated the discussion of the Personnel Policies and Procedures was a continuation of discussions held from past Council meetings. He then turned the time over to Mr. Laws.

Mr. Laws stated the Council has discussed Personnel Policies and Procedures during the past several Administrative Sessions. He then stated the policies being presented to the Council include recommendations given from both the City Attorney as well as the City Council.

Mr. Laws stated the Resolution No. 03-18-2014A has been amended to approve Probation, Compensation, and leave. Employment Classifications has been removed from the resolution, as Staff needs to verify compliance with E.R.I.S.A (Employee Retirement Income Securities Act). He then briefly outlined the Probation, Compensation, and Leaves.

Compensatory Time Provisions

- g. All accrued compensatory time shall be compensated and paid to zero on December 1st of each year for any employee with a compensatory time balance.

Employment Classifications

Council Member Petersen recommended clarification be added as to when a BCI background check is applicable. Mr. Laws stated he anticipates the implementation of a detailed section for volunteers. He then stated anyone working with children and the youth should be required to complete a background check.

Mr. Laws stated Employment Classifications would not be approved with Resolution 03-18-2014A. Amendments to the Employment Classifications section will be brought before the Council in the future.

Probation

All new hires will be required to complete a six month probationary period.

Vacation Leave

- 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.

Sick Leave

- 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.

Council Member Chatterton asked for clarification with regards to sick leave payout for an employee who has accusations placed against them.

Mayor Craythorne stated if an employee resigns employment, terminates or retires under favorable circumstances, the employee will be paid for unused sick leave. If the City terminates an employee for cause or if the employee resigns with discipline pending, the employee will 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.

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.

Jury or Witness Duty

- 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.

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.

Mr. Laws stated as he reviewed Long Term Disability requirements, he discovered it is impossible to bridge the gap between Leave Without Pay and Long Term Disability. Additionally, the Long Term Disability program only applies to the employee and not the dependents of the employee.

- 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 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.
 - 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.

Mr. Laws stated allowing the City Manager to grant additional leave without pay would be a benefit to both the City as well as the employee. If a medical issue arose and the employee required additional leave, the City Manager could have the ability to work with the employee.

Mayor Craythorne expressed the need for the City Manager to use discretion when determining leave without pay options, as each request may be unique.

Council Member Petersen expressed satisfaction with allowing up to 12 weeks leave without pay.

Mr. Laws stated during a medical issue that lasts longer than 12 weeks, the City Manager to use his discretion and to either grant or deny employee the ability to pay the employee's portion of the benefit cost. He then stated if the leave without pay request were for other reasons, the City Manager could deny the request or require the employee to pay 100% of benefit costs, including the costs shared by the City and the employee.

Council Member Chatterton stated that while reviewing the sick leave policy, he questioned as to why the policy reads, "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". He recommended using the term "shall", requiring any employee who uses 3 or more sick days consecutively be required to submit a doctor's excuse. This may prevent potential abuse of the sick leave policy.

Mayor Craythorne stated there are both pro's and con's to the policy. There are times when it is necessary to receive a doctor's excuse; however there may be situations in which it is not sensible to obtain doctor's assistance. Mayor Craythorne stated if the sick leave policy is abused in the future, the Council has the ability to amend the policy.

Mr. Laws stated using "may" instead of "shall" allows for flexibility. If an employee has a minor illness, they may not need to see a physician.

Mayor Craythorne stated because of the High Deductible Health Plan in which the City participates in, the City should not force the employee to seek medical attention for all circumstances to obtain a doctor's excuse.

Council Member Petersen stated the comments and concerns made by Council Member Chatterton were appreciated and valid. However he stated requiring any employee to submit a doctor's excuse after 3 days may actually deter an employee from staying home when they are actually sick. He then expressed his support with using the word "may" found in the proposed policy.

Mr. Laws stated there could be several reasons as to why someone is sick, not all illnesses require medical attention.

Council Member Chatterton expressed his support with the proposed policy.

Council Member Dawson expressed the need for management to use consistency.

Council Member Henderson stated it is wise to have the ability to request a doctor's excuse at the discretion of the City Manager.

Mayor Craythorne and Mr. Laws reminded the Council that because the City participates in a High Deductible Health Plan, the employee is paying for the entire doctor's office visit. To obtain a doctor's excuse could be expensive and burdensome.

Staff recommended the Council approve of amended Resolution No. 03-18-2014A. He then stated Employment Classifications will be brought before the Council in a future meeting.

The Council then adjourned into the General Session.



**West Point City Council Meeting
3200 West 300 North
West Point City, UT 84015
March 18, 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 18, 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, Council Member Andy Dawson, Council Member Kent Henderson, and Council Member Jeff Turner

CITY EMPLOYEES PRESENT – Kyle Laws, City Manager; Paul Rochell, Public Works Director; Evan Nelson, Administrative Services Director; Jolene Kap, Community Affairs Specialist; and Misty Rogers, City Recorder

VISITORS PRESENT – Thad Davis, Ashton O’Neil, Sam Graham, Alexis Phinney, Jayce Williams, Josh Smith, Rylee Pack, James McCarrey, Dylan Shakespear, Kyle Hamblin, Hayden, Jared Henson, Riley Holbrook, Josh Herfel, Matt Seamans, Braden Hall, Trevor Grotepas, Braden Stoddard, Ashtyn Hall, Jared Godfrey, Trent Cramer, Brittany Vasquez, Braxton Baugh, Makenzie Evans, Dana Pixton, Garrett Seeds, Latie D., EJ Otto, Alen Cox, and Helen Cox

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

Council Member Henderson - no comment

Council Member Turner - no comment

Council Member Petersen - no comment

Council Member Dawson stated the North Davis Sewer District recently released solicitations for a \$50 million dollar bond. He then stated 18 companies bid on the bond, and a 20 year bond has been issued with a 3.1% interest rate.

Council Member Chatterton - no comment

Mayor Craythorne - no comment

5. **Communications from Staff**

Mr. Laws stated the Legislative Session recently ended. There were several bills discussed during the session with regards to local control which were concerning to cities. He then informed the Council that several local representatives have expressed interest with attending a future Council meeting.

6. Adoption of Minutes from the January 31, 2014 and March 4, 2014 Council Meetings – Mrs. Misty Rogers

Council Member Petersen motioned to approve the Minutes from the January 31, 2014 and March 4, 2014 Council meeting.

Council Member Henderson seconded the motion.

The Council unanimously agreed.

7. Citizen Comment – no comment

8. Announcement of Essay Contest Winners – Mrs. Jolene Kap

Mayor Craythorne stated each year the West Point City Youth Council sponsors an essay contest. West Point City received 81 essay contest entries, and 77 of the entries were submitted from Lakeside Elementary. Mayor Craythorne welcomed Principal Holt from Lakeside Elementary and thanked him and his staff for their support. Mayor Craythorne introduced the 2014 Essay Contest Winners:

3rd Place Winner – Karlie Hamblin (1st grade)

2nd Place Winner – Sadie Jo Goble (1st grade)

1st Place Winner – Ed Otto (West Point City Resident)

Mrs. Kap took a photograph of the 2014 Essay Contest Winners and Council Members.

Mayor Craythorne thanked those in attendance for the support in which they show to the contestants. He then thanked the Youth Council for their participation in the community and invited anyone interested in the program to contact the City or the Youth Council for information.

Council Member Petersen asked if the winning essays would be posted on the City website. Mrs. Kap stated the winning essays are posted in City Hall and the winners will be recognized in the City Newsletter. Council Member Dawson and Council Member Petersen recommended posting the winning essays on the City website.

9. Award Bid for 2000 West Waterline Project – Mr. Boyd Davis (presented by Mr. Kyle Laws)

Mr. Laws stated the 2000 West Waterline Project will replace an existing waterline from 300 North to 200 South. He then stated the waterline replacement project will replace approximately 2,600' of 12" pipe.

Mr. Laws stated 12 contractors attended the pre-bid meeting for the 2000 West Waterline Project. However only three bids were received and the bids received were lower than anticipated. The FY2014 budget allows approximately \$316,000 for the project and the Engineer's Estimate is \$300,000. The 3 bids received were from Leon Poulsen Construction, \$240,000; Ormond Construction, \$249,000; and Knudson Construction \$327,000, with Leon Poulsen Construction submitting the lowest bid.

Mr. Laws stated Leon Poulsen Construction has previously worked for West Point City. Staff recommended the Council award the 2000 West Waterline Project to Leon Poulsen Construction Inc., for \$240,603.35.

Council Member Henderson motioned to award the 2000 West Waterline Project to Leon Poulsen Construction Inc. for \$240,603.35.

Council Member Turner seconded the motion.

The Council unanimously agreed.

Mayor Craythorne stated the current 2000 West waterline is extremely old and in need of replacement.

10. Consideration of Resolution No. 03-18-2014A, Consideration of Adoption of Personnel Policies & Procedures – Mr. Kyle Laws

Mr. Laws stated the Personnel Policies & Procedures have been discussed over the past several Council meetings. He stated the policies being considered in Resolution No. 03-18-2014A are related to probationary period for employees, compensation, and leave benefits. Much of the context has been reworded as policies were out of date and revisions were needed.

Council Member Chatterton motioned to approve Resolution No. 03-18-2014A, Adoption of Personnel Policies & Procedures.

Council Member Petersen seconded the motion.

The Council unanimously agreed.

11. Consideration of Ordinance 03-18-2014, Consideration of Adoption of the Building Valuation Schedule – Mr. Boyd Davis (presented by Mr. Kyle Laws)

Mr. Laws stated the cost of building permits is based on square footage as well as a valuation of the proposed structure. The valuation of a building is obtained from a schedule published by the International Conference of Building Officials. The Building Valuation Schedule is revised periodically and it would be beneficial for West Point City to amend the Code to automatically adopt the new schedule each time it is published. Mr. Laws then stated Ordinance 03-18-2014 provides the following language:

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.

Mr. Laws stated the average building permit for new construction will increase approximately \$75. Staff then recommended the Council approve Ordinance No. 03-18-2014, Adoption of the Building Valuation Schedule.

Mayor Craythorne stated the approval of Ordinance No. 03-18-2014 will slightly increase the cost of West Point City building permit.

Council Member Chatterton asked when Ordinance No. 03-18-2014 will become effective. Mr. Laws stated it will become effective upon passage. Moving forward, each time Building Valuation Schedule is revised, the City Code will automatically become effective upon the date of passage.

Council Member Dawson motioned to approve Ordinance No. 03-18-2014, Adoption of the Building Valuation Schedule.

Council Member Chatterton seconded the motion.

Roll Call Vote:

Council Member Chatterton – yes

Council Member Dawson – yes

Council Member Petersen – yes

Council Member Turner – yes

Council Member Henderson –yes

The Council unanimously agreed.

12. Consideration of Approval of Reagail Estates Amended Plat – Mr. Boyd Davis (presented by Mr. Kyle Laws)

Mr. Laws informed the Council that one lot within Reagail Estates did not meet lot size requirements. To meet lot size requirements, the property owner has purchased additional property from Rocky Mountain Power. The developer has submitted the required petition to amend the original plan to include the recently acquired property. All required documents and signatures have been received.

Mr. Laws informed the Council that State Code does not require notification or a public hearing if the subdivision plat amendment is only for a lot line adjustment. Staff recommended the approval of the Reagail Estates Amended Plat.

Council Member Henderson motioned to approve the Reagail Estates Amended Plat.
Council Member Dawson seconded the motion.

The Council Unanimously agreed.

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

Mr. Laws stated in 2001, West Point City issued Excise Tax Revenue Bonds Series 2001, to build the City Hall building, the Public Works Facility and other related improvements. A few years ago, the City renegotiated the rate on those bonds from approximately 6% to 4.3%. It was recently brought to the attention of the City Manager that those bonds are callable and it has been recommended that the City refund the bonds as quickly as possible to acquire the best interest rate possible.

Mr. Laws recommended the Council the proposed authorizing resolution, Resolution No. 03-18-2014B. He then informed the Council that the resolution provides the following:

- The principal amount of the refunding is capped at \$775,000
- The interest rate will not exceed 2.50%, it is anticipated that West Point could receive an interest rate lower than 2%
- The bond must mature in not more than 8 years (Mr. Laws stated 8 years remain on the Excise Tax Revenue Bond, Series 2001).
- The sold price is not less than 97% of the total principal amount, in addition to the accrued interest to the date of delivery.
- The resolution appoints a Pricing Committee, consisting of the Mayor (Erik Craythorne), City Manager (Kyle Laws), and City Recorder (Misty Rogers). The Pricing Committee will approve the Master Resolution and negotiate the final process.
- The resolution starts a 30 contestability period. At the end of the contestability period, the City can complete the bonding process.

Mr. Laws stated the anticipated savings can be realized in the following ways:

1. The City could see savings every year for the remaining life of the bond.
2. The City could receive the savings in a lump sum the first year of the bond.

Mr. Laws stated if the City realizes the savings in a lump sum; the City could free up approximately \$45,000 the first year and utilize the savings for needed projects. He requested the Council consider the lump sum option. Staff then recommended the Council approve Resolution No. 03-18-2014B.

Mayor Craythorne stated the interest rate for the bonds had been renegotiated approximately 2 years ago from an interest rate of approximately 6% to 4%. He then stated the Council is supportive of the bonding process, and the possibility of received an interest rate of under 2.5%.

Council Member Petersen motioned to approve Resolution No. 03-18-2014B
Council Member Turner seconded the motion

For clarification, Mrs. Rogers requested a roll call vote.

Roll Call Vote:

- Council Member Henderson – yes
- Council Member Turner – yes
- Council Member Petersen – yes
- Council Member Dawson – yes
- Council Member Chatterton – yes

The Council unanimously agreed.

14. Motion to Adjourn

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

The Council unanimously agreed.

Mayor Craythorne thanked those in attendance.

ERIK CRAYTHORNE, MAYOR

DATE

MISTY ROGERS, CITY RECORDER

DATE

City Council Staff Report

Subject: Youth Council Charter
Author: Jolene Kap
Department: Executive
Date: April 1, 2014



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 7th, 8th, 9th, 10th, 11th, 12th grade.
3. Service members must attend at least 75% of all meetings and activities.
4. To be an officer you must be in 9th-12th 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.