

WEST POINT CITY COUNCIL MEETING
3200 West 300 North
August 17, 2010
6:00 P.M.

Minutes for the administrative session and regular West Point City Council Meeting held at the West Point City offices at 3200 West 300 North, West Point, Utah, with Mayor Erik Craythorne presiding.

MAYOR AND COUNCILMEMBERS PRESENT: Mayor Pro-Tem Gary Petersen, Roger Woodward, and Andy Dawson,

CITY EMPLOYEES PRESENT: Assistant City Manager Tom Hanson, City Engineer Boyd Davis, City Recreation Director Kelly Ross, and City Recorder Amy Jensen,

VISITORS PRESENT: Mr. Johnathan Ward and Mrs. Alyson Price from Zion's Bank

EXCUSED: Mayor Erik Craythorne, Councilman Kent Henderson, and Councilman Jerry Chatterton

ADMINISTRATIVE SESSION

Mayor Pro-Tem Gary Petersen welcomed everyone to the meeting and excused the Mayor, Councilman Henderson, and expressed great concern on behalf of Councilman Chatterton. He spoke briefly of his atv accident, and wished him and his wife a speedy recovery.

1. Water Rate Discussion

Mr. Boyd Davis said this is a continuation of the water rate discussion. He recapped by saying this all started last December with the staff approaching the Council and advising them it was time to begin a water rate study. The City hired Zion's Bank to assist in the study. In July the staff made the first presentation. The actual revenue requirements have been reported and the need to prepare the City's budget for bonding in the future has been discussed. At the last Council Meeting, the Council gave the staff direction on the type of rate structure they would approve of. It was a base rate of 6000 gallons to start, with a climbing rate for those who use a great deal more than that each month, with another step at 15,000 gallons. Mr. Davis said the staff has an actual dollar amount tonight to propose to the Council. The proposal is a base rate of \$20.00 which includes 6000 gallons of water. The overage charge for each 1000 gallons after that will be \$1.25 between 6000 and 15,000 gallons. And once a resident uses more than 15,000 gallons in a month, they will pay \$1.35 per 1000 gallons. Mr. Davis then asked the Council if they want an increase after 5 years or a small increase each year. He explained the increase will allow the City to have what they need in reserve to bond.

Mr. Dawson asked if it will be a larger amount in reserve if the rate increases every year than at one time, and he also asked if there will need to be an increase after the 5 year mark.

Mr. Johnathan Ward from Zion's Bank explained that the City will need to continue raising the rate based on the current projection cost of usage and maintenance. In reality, the cost could stay the same. He said the analysts who will provide the bond to the City will explore the management of the system, and it looks much better to make small rate increases.

Mr. Woodward asked if the cost to bond will be different for the different scenarios.

Mr. Hill said the difference would be increasing our fund balance sooner to be more responsive for unexpected emergencies, separate from the bond.

Mr. Dawson asked if there needs to be a public hearing each time the rate is increased, or can we hold one showing the future rate changes.

Mr. Hill said it could be done either way.

Mr. Ward said it might be wise to do one each year to take the current inflation into account. He suggested presenting the rate increase as a percentage as well instead of a set dollar amount.

Mr. Gary Petersen asked if the monthly charge figured to be \$23.75 in 2014 is the amount the City needs to collect to be prepared for bonding. And if the City needed to bond tomorrow, would the City have to raise the resident's monthly bill to that immediately.

Mr. Ward said yes, that would meet the coverage ratio. He said it is not unheard of to go to the bond market without having adopted the rate years in advanced, but it is not recommended. He said the proposed rate structure is a fantastic schedule for the City. The cash on hand each day has been figured and will put the City in a great position for bonding.

Mr. Petersen asked if the higher users should pay more per 1000 gallons.

Mr. Davis said the amount of residents that use more than 15,000 gallons a month is less than 2% of the City. He said it can be set up to charge them more if the Council wants it that way. It is 2% of the users.

The Council decided there are not that many residents in this situation after Mrs. Price checked the amounts for them.

Mr. Dawson asked if the amount of high users goes up, can the rate go down.

Mrs. Price said the long term amount of savings would be affected, so no, it should not be adjusted.

The Council liked the idea of an equal raise in cost each year, whether it is determined by percentage or dollar amount. The timing of the rate increase needs to be decided. And the Council still wondered if the gallon amount should be adjusted to create another level. They decided to have a level from 0 to 6,000 gallons, 6,000 to 10,000, and over 10,000. They also decided to charge users of 10,000 and over \$1.50 a month instead of \$1.35. Mrs. Price will adjust the other price increments based on what the City will need for days cash on hand.

The Council said they would be ready to hold a public hearing on this at the next meeting.

Mr. Hill said he recommends it be a continued public hearing so residents will have 2 chances to make comments. He also asked if the Council would like to pass an Ordinance each year with the increase.

Mr. Petersen said he would like to not commit future Councils to what they have decided tonight. He thinks it should be written this is what the Council recommended tonight, and then it can be voted on each year.

The other Council members liked that suggestion, but felt the future Councils can always amend an Ordinance.

They all agreed to have an Ordinance with wording in the beginning that explains it can be modified as needed.

Mr. Hill said the implementation is suggested to take place in the billing of November for the usage of October. The issue has been discussed for the last 5 years, and has been studied for the last 10 months.

Mr. Hanson said having PR focus and good articles in the newsletter will help residents understand this increase.

Mr. Petersen recommends having a short discussion at the next meeting when all of the Council is present.

2. Excavation Permit Fee Discussion

Mr. Davis said it was brought to his attention that the fee the City had currently in place would not cover all situations. There needs to be a fee for larger projects. Staff discussed 4 principals that the fees should be based on.

1. A bond should be required on every street cut to guarantee that it will be replaced to its original condition. And if the road is replaced the bond will be given back. At the present time a fee is charged and not returned.
2. There should be a maintenance fee charged because after the company cuts the road and replaces it, it will still need a fund for future potholes.
3. If a newer road is being cut there should be an additional fee to bring the road back to the current condition.
4. The fourth recommendation is that there should be a separation between small street cuts and large street cuts.

This subject will be discussed further in the main meeting.

3. Recreation Code of Conduct (this was discussed 2nd, and Excavation Permits 3rd)

Mr. Kelly Ross said at the end of last year's football season, he and the Council decided a Code of Conduct would be a good idea. The coaches and fans actions had become a concern. He has presented it to the coaches already and each parent has been asked to sign it as they have signed up their child for football.

Mr. Andy Dawson said he really likes it and feels it will be effective. He hopes it will be used with every sport West Point sponsors.

Mr. Ross said when he presented it to the coaches they accepted it very well.

Mr. Petersen said he is very glad Mr. Ross did this. He asked about the part that discussed appropriate dress for coaches. He wondered if there has been a problem.

Mr. Ross said he asked the coaches to wear clothes that do not have distractive images or words on them. He told the story about how the NBA players were asked to wear suits when they traveled, and the coaches noticed an improvement in their behavior. Also he will remind the parents and coaches to not voice opinions on internet sites or in texts or emails. Everything should be positive when people talk about the City and its programs.

GENERAL SESSION

Visitors: There were no visitors

Excused: Mayor Erik Craythorne, Councilman Kent Henderson, and Councilman Jerry Chatterton

1. CALL TO ORDER
2. PLEDGE: Repeated by all
3. PRAYER: Councilman Andy Dawson
4. COMMUNICATIONS AND DISCLOSURES FROM CITY COUNCIL AND MAYOR

Mayor Pro-Tem Petersen said Mayor Craythorne was excused along with Councilman Henderson and Chatterton. He said Mr. Chatterton and his wife Terri had been in a terrible ATV accident.

Mr. Hill said he had dropped by Mr. Chatterton's house yesterday and he is doing pretty well. His wife is still in the hospital, but should be able to come home within 2 weeks.

Mr. Roger Woodward had no comments.

Mr. Andy Dawson said the North Davis Sewer District held a Truth in Taxation meeting to talk about the tax raise. It passed with a 5 to 3 vote, which will raise resident's taxes about \$.53 a month on the average \$200,000.00 home. The increase will enable the Sewer District to maintain their bond and meet other obligations.

Mr. Gary Petersen had no comments.

5. COMMUNICATIONS FROM STAFF

Mr. Tom Hanson wanted to publicly thank Mr. Blair Dahl for his generous contribution of \$5000.00 worth of trees for Bingham Park. He had originally thought he would purchase a sign to be placed at the future Blair Dahl Park, but the tree issue came up and he felt it was a worthy cause. He is currently at the care center north of the Tanner Clinic for treatment of gout in his feet.

Mr. Petersen asked what the schedule was for planting the trees.

Mr. Hanson said the trees will be purchased in a few weeks and then planted. There are hoping to purchase 35 to 40 trees.

Mr. Petersen asked if the trees will go in the same location as the ones that have been removed.

Mr. Hanson said he hopes they will go there and along the corridor. They removed 49 trees from Bingham Park.

Mr. Petersen asked if the sprinkling system needs to be modified for the new trees.

Mr. Hanson said he will look at it.

Mr. Dawson asked Mr. Hanson about the plan to name the current East Park.

Mr. Hanson said he will get Council's direction. He hopes to add a tree adoption to the process as well.

6. CITIZEN COMMENT

There were no comments.

7. MOTION TO AWARD CONTRACTS FOR THE 2010 STREET MAINTENANCE PROJECT

Mr. Boyd Davis said there were good bids presented to the City. The bid was written in such a way that the contractors could bid on one area or all areas. Then the City could award the bid to one contractor or many to stay within budget. By awarding the bid to 3 different contractors, it will save the City \$20,000.00, so that is what the staff is recommending tonight. Mr. Davis is confident in the 3 contractor's abilities as well. The different areas will include old roads and new roads in the City. Mr. Davis told the Council if they receive questions from residents about treating a brand new road, they should know the project being completed will add 10 years or more to the life of the street. The staff recommends awarding bids to Staker Parson for \$182,181.62, to Geneva Rock for \$93,253.33, and Advances Paving for \$46,098.31. If approved tonight, the contractors could start working as soon as next week.

Mr. Petersen asked what micro surfacing means.

Mr. Davis said it is the procedure that was just done to 300 North. It is similar to a slurry seal, but a different process.

Mr. Woodward made the motion to award the contracts for the 2010 street maintenance project.

Mr. Dawson seconded it.

All voted aye.

8. MOTION TO APPROVE THE AMENDED PLAT IN GLENDALE SUBDIVISION PHASE II

Mr. Davis said the property owner would like to buy two building lots and build one home on them. State code normally requires the signature of every property owner within the subdivision and a public hearing be held, but in this case where they are lowering the density in the subdivision, the public hearing has been waived and the notices. The only action required is that the City Council approves it. There was an easement on the lot line between the two lots and this purchase will vacate it.

Mr. Dawson made the motion to approve the amended plat in GlenDale Subdivision Phase II.

Mr. Woodward seconded it.

All voted aye.

9. MOTION TO PLACE GLENDALE PHASE II ON WARRANTY

Mr. Davis said they have completed all of the requirements with the exception of the slurry seal and the sidewalk which is not required until the end of the warranty period. The staff recommends they be placed on a 1 year warranty.

Mr. Woodward made the motion to place GlenDale Phase II on a 1 year warranty.

Mr. Dawson seconded it.

All voted aye.

10. MOTION TO APPROVE THE SALE OF CULINARY WATER TO GARY PRICE FOR HIS BUILDING LOT AT 2933 W 550 N

Mr. Boyd Davis said Mr. Price has purchase a lot just west of the West Point Junior High and he does not have water shares. The City Ordinance allows it to sell some of the excess water. The price will be approximately \$1300.00. The staff recommends the sale of this water share.

Mr. Dawson made the motion to sale culinary water to Gary Price for his building lot at 2933 W 550 N.

Mr. Woodward seconded it.

All voted aye.

11. APPROVAL OF MINUTES FROM JUNE 15, 2010 AND JULY 6, 2010 CITY COUNCIL MEETINGS

Mr. Andy Dawson made the motion to approve the minutes from June 15, 2010 and July 6, 2010 City Council meetings.

Mr. Roger Woodward seconded the motion.

All voted aye.

Mr. Boyd Davis continued his discussion about excavation permit fees. The proposal contains the 4 parts mentioned earlier. The first part would be anything under 360 square feet. A large project would be over that. Another category would be for curb, gutter or sidewalk, and the fourth category for any other project. The fee that is proposed would stay the same for the small projects. The change would be with the large street excavations. They would need to give a performance bond of \$4.20 per square foot, which represents 150% of the original cost.

Mr. Petersen said he agrees with that suggestion.

Mr. Davis said the contractor gets the bond back after a year if the road holds up. In addition to the bond, the staff suggests the contractor pay a long term maintenance fee of \$.55 per square foot. That would be used to repair potholes and repair seams and include City inspection time. If it is a brand new street, meaning it was treated or paved within the last 2 years, they pay an additional \$.22 per square foot. The next category for curb, gutter, or sidewalk would require a refundable bond of \$20.00 per lineal foot. There is not a time frame attached to this section; as soon as the curb, gutter, or sidewalk is replaced they will get the bond back.

Mr. Woodward asked what the policy is on new subdivisions for curb, gutter, and sidewalk.

Mr. Davis said they can install it just before the warranty period ends. There is not a waiting period to make sure it is done correctly or will last. He feels comfortable with the situation.

The last section is for contractors that do not dig up asphalt or concrete. There is not a fee, but a permit will need to be obtained from the City.

The exemptions will include large utility companies that have a franchise agreement with the City and are doing small excavations.

Mr. Petersen said the issue is how well they put things back together.

Mr. Davis said the larger utility companies do a good job. If they do not fix it, the City can use the bond to repair the site.

Mr. Dawson asked if the Sewer District is considered a utility.

Mr. Davis said it was. He said when they did their project recently on 5000 W they were not charged a fee.

The Council suggested a list be made of who qualifies for not being charged. The utility company would be responsible for any small company they sub-contract to.

Mr. Dawson wondered if the large companies have to get a bond even though they do not have to pay a fee.

Mr. Davis said he thought it would be a good addition to the policy for the large company to acquire a bond.

Mr. Petersen said he would like to see everyone that digs a hole in a road pay a fee so the road is repaired like new.

Mr. Woodward agreed.


Mr. Hill wondered if entities that collect fees from residents of the City should not have to pay a fee for excavation. He sees good reason to charge the utility companies the maintenance money, but not a bond.

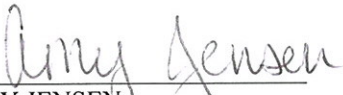
Mr. Davis will take the suggestions from the Council and bring back the policy to be discussed.

12. MOTION TO ADJOURN.

Mr. Roger Woodward made the motion to adjourn at 7:37 pm.

Mr. Dawson seconded it.


ERIK CRAYTHORNE,
MAYOR


AMY JENSEN,
CITY RECORDER

