

WEST POINT CITY COUNCIL MEETING
3200 West 300 North
January 17, 2012
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 Erik Craythorne, Councilman Kent Henderson, Councilman Gary Petersen, Councilman Roger Woodward and Councilman Andy Dawson

CITY EMPLOYEES PRESENT: City Manager Gary Hill, Assistant City Manager Kyle Laws, City Engineer Boyd Davis and City Recorder Misty Rogers

EXCUSED: Councilman Jerry Chatterton

VISITORS PRESENT: Angela Hunter (Standard Examiner)

ADMINISTRATIVE SESSION

1. General Curbside Recycling – Mr. Kyle Laws

Mr. Laws informed the Council he had taken the feedback he received from the Council Retreat and reviewed specific areas and contacted Val Sanders with EconoWaste to clarify information.

One specific area the Council requested that he review was a way to reduce the original rate of \$5.50/can proposal. The Council had also requested that he try to negotiate with the hauler a third tier in can prices if the city has 70 % participation or higher.

The Council had asked why other cities with the same hauler are able to charge less than \$4.00 per can, specifically Farr West City who was paying \$3.15 per can plus a \$0.50 can fuel charge which is actually a charge of \$3.65 per can. Mr. Sanders' answer was "I don't know," he then indicated that they must have other methods to cover their fuel charge.

Mr. Laws asked Mr. Sanders how West Point City could get a \$3.15 rate. He stated that if they paid for 100% participation of the homes in the city, regardless if they participate or not they could have a rate of \$3.15 per can, but they would also be charged a \$0.50 fuel charge per can. This is essentially \$3.65 per can the same low rate the city had already been given.

Mr. Laws reported that the tiered amount for green waste recycling was the same for general recycling because EconoWaste doesn't receive any profit or percentage from recycled materials. He was informed that all of the recycled materials are taken to the Weber County Transfer Station which is owned by Weber County. The County gets a percentage of the fee to help maintain the facility. The recycling material is taken to the transfer station and then sent to another facility to be recycled.

EconoWaste said, they aren't charged a tipping fee for recycling. Which is why West Point City isn't assessed a tipping fee.

Mr. Laws reported that Mr. Sanders agreed to implement a third tier rate of \$3.45 per can if the City has more than 70% participation in general recycling. After renegotiating with EconoWaste, the following fees are what were obtained:

- For between 30% and 50% participation: \$3.85/can (per month)
- For between 50% and 70% participation: \$3.65/can (per month)
- For more than 70% participation: \$3.45/can (per month)

In consideration of these fees, the hauler would like to extend the current contract for one more year, which would be a new five year term contract and adding general curbside recycling. General recycling pick up will be every other week and will go for 12 months. All general recycle cans will be owned, maintained and delivered by EconoWaste. Upon delivering general recycle cans, EconoWaste will provide flyers to each resident with pertinent information regarding recycling.

As Mr. Laws looked further into the previous analysis there were a few errors found and corrected. One of which was the overall fund surplus verses the recycling surplus. This program is designed to break even and maintain the fund surplus. In the previous audit the surplus was mistakenly double counted. The second error which was discovered was not accounting for a possible additional fuel charge. The fuel charge had been considered but was mistakenly left off the analysis.

Mr. Laws informed the Council that the errors had been corrected and he has come up with three new scenarios.

Scenario 1 – Includes 40% participation, the resident would be charged \$5.25 per recycle can. West Point City would pay the hauler \$3.85 per can which would leave a surplus in the recycling program of about \$729.00. The surplus of \$729.00 added to the projected fund surplus of \$11,500.00 then subtract the additional fuel charge of \$4,050 would leave an estimated fund surplus of approximately \$8,179.00.

Scenario 2 - Includes 50% participation, the resident would be charged \$4.75 per recycle can. West Point City would pay the hauler \$3.65 per can which would leave a surplus in the recycling program of about \$405.00. The surplus of \$729.00 added to the projected fund surplus of \$11,500.00 then subtract the additional fuel charge of \$4,050 would leave an estimated fund surplus of approximately \$7,855.00.

Scenario 3 - Includes 70% participation, the resident would be charged \$4.25 per recycle can. West Point City would pay the hauler \$3.45 per can which would leave a surplus in the recycling program of about \$729.00. The surplus of \$729.00 added to the projected fund surplus of \$11,500.00 then subtract the additional fuel charge of \$4,050 would leave an estimated fund surplus of approximately \$8,179.00.

Mr. Laws stated that the staff recommends the following:

- The fee to charge residents be advertised as \$4.75 per can; with the possibility of \$4.25 per if they have more that 70% participation.
- Extend the contract with EconoWaste by one year (for a total of five years) and add general recycling
- Mandatory participation after a 30 day grace period for current residents and required participation for all new residents.

The exact rate will be determined after the 30 day grace period. Mr. Laws stated that by having a shorter grace period, it will allow for a rate to be set and it may avoid having to return in the near future to make rate adjustments due to fluctuation in participation.

Councilman Petersen asked if the general recycling cans would be similar to the green recycling cans. Mr. Laws stated that EconoWaste would use a similar can the difference would be that the general recycle can would be blue.

Mayor Craythorne and the Council strongly believe that they will have 70% participation. They believe that mandatory participation and recycling education will keep the participation level high. He also stated that they need to educate to the residents.

Mayor Craythorne asked the question, "Why do we need to recycle and why is it so important?" It's a diversion rate to our landfill. The higher diversion rate to our landfill, the longer the landfill will last. He also stated that the longer they can wait to transfer the waste to another facility the lower the costs will be.

Councilman Woodward asked if the landfill currently does any a recycling at the facility. Mayor Craythorne stated that the landfill has a drop off location where you can sort your own recycling and it is then collected, bundled and shipped to another facility to be recycled.

Councilman Woodward then specifically asked if any of West Point City's black can waste is currently being recycled at the landfill. Mayor Craythorne informed the Council that all of the waste from West Point City's black cans are currently being taken to the landfill or to the Waste Energy Facility. He also stated that even using the Waste Energy Facility there are ashes, by products and other remnants left from the waste that end up in the landfill.

Councilman Dawson asked if the landfill is being overrun with green waste since the recycling of green waste began. Mayor Craythorne said, no and the facility is learning a lot about the Process.

Mr. Laws then stated the next step will be to draft a resolution for council to adopt the recycling fee and to work with EconoWaste to write up a contract. The estimated start date for general recycling is April 2012. Notice will be given to all residents by inserting information into the city newsletter, city website and sending an extra mailer with pertinent information to each resident.

Councilman Dawson asked Mr. Laws if there would be an open house. Mr. Laws said it was discussed, but decided not to, due to the low attendance of the green waste recycling open house. Councilman Petersen asked if we could possibly use the reverse calling to notify residents of the general recycling program. Mr. Hill stated that it was possible, but they have chosen to only use the reverse

calling for an emergency situation. Mr. Hill is concerned that by using the reverse calling for anything other than an emergency, residents might disregard the reverse calling in the future.

The Council thanked Mr. Laws for the time he has spent on the recycling analysis.

2. Davis County Animal Services Ordinance – Mr. Boyd Davis

Mr. Davis informed the council that Davis County has adopted the new animal control ordinance which was discussed with them on the December 20, 2011 Administrative Session. The ordinance is now being enforced in cities which have adopted it. West Point City's ordinance adopts Davis County ordinance with a few exceptions.

Mr. Davis informed the Council that Davis County Animal Services has added additional items and made changes to its ordinance. The County has updated the language in its animal cruelty and attacking animal's section. They have also changed the number of cats and dogs a residence can have.

Mr. Davis informed the council that currently West Point City's code allows for 5 cats and 2 licensed dogs, for a total of 7 animals, and residents with 3 or more dogs are required to obtain a kennel license. He then said that Davis County's new animal ordinance allows for a total of 3 animals of any combination. However if the resident has 3 dogs then 1 of those dogs must be a shelter dog. Under the new Davis County ordinance the County will not require residents to obtain a kennel license. The County will rely on each city to enforce kennel licensing. The current West Point City code does not require cats to be licensed, but the new Davis County code does require all cats to be licensed.

The Davis County Community Cat Program has also been added to the new Davis County ordinance. This is a pilot program, when a complaint has been made about a stray cat, instead of euthanizing the cat, animal control will pick it up, clip its ear, sterilize it and micro-chip it then return it near the area it was picked up. The idea of the Community Cat Program is that if the cats are sterilized it will help control the cat population. If the same stray cat is picked up two times, then the cat will be euthanized. Mr. Hill stated that by sterilizing the cat and returning it to the pick up location it will maintain its territory but not reproduce, therefore it will help control the cat population.

Councilman Petersen asked who will pay for the Community Cat Program, the sterilization, the pick up of the animal etc. Mr. Davis said that Animal Control will pay for the cost. He also said that they believe they will be able to use the funds that were used to euthanize the cat to pay for some of the program. Mr. Hill stated that he had received an email from Davis County Animal Services showing the cost savings. He said that the biggest cost of euthanizing an animal is sheltering the animal for 5 days before it can be euthanized. Mr. Hill stated that the Community Cat Program is cheaper by approximately \$40.00. Councilman Dawson also stated that some of the funding will come from "No More Homeless Pets." Mayor Craythorne said that Animal Control will only respond to stray cats if there is a complaint and if the cat is contained. Councilman Woodward asked if West Point City could choose to license cats or not. Mr. Davis said that yes they could make the choice. Mr. Davis stated the County has tried techniques over the years to control the cat population, but nothing has been very effective. They are trying new innovative techniques to control the cat population.

The staff recommendation is they adopt the Davis County Animal Ordinance as written. It's simple, it would be consistent from city to city (assuming other city adopts the ordinance), the County believes this program will work to control the cat population, and the County will shoulder most of the responsibility.

Councilman Dawson expressed concern about increasing 2 dogs to 3. Mr. Davis explained that the County knows of several residents who currently have 3 dogs and have not obtained a kennel license. He stated that this was one of the reasons why they want to increase the number of dogs. Mayor Craythorne asked if the ordinance would only allow a combined total of 3 animals. This would be any combination of dogs and/or cats which is currently the County Ordinance. Mr. Davis said yes, that was correct.

Councilman Petersen stated that he has a couple of concerns about the ordinance. His first concern is that, he is aware there are cat issues, but he's not aware of anyone who has actually been harmed by them. Councilman Petersen suggested watching to see if this works in other areas first and if it does make a change then.

Councilman Henderson said from his prospective cats can be a real nuisance. He stated that he would rather decrease the number of cats not increase the number of cats. Councilman Petersen reiterated that he doesn't believe that the County has a justified reason to decrease the number of cats. Councilman Dawson expressed doubt that licensing cats would work as they don't keep collars on.

Councilman Woodward said he thought it was a revenue generator. Mayor Craythorne stated that it isn't just a revenue generator; it's more to place the cat into a home instead of having to euthanize it. He also stated that his understanding was the County wouldn't necessarily be issuing citations for unlicensed cats; it would be to help return them to their homes. Councilman Dawson said that he isn't in favor of licensing cat but he does like the Community Cat Program and the animal cruelty changes.

Mayor Craythorne asked if the council wanted to decrease the number of cats from 5 cats to 3 cats. The consensus of the council was to leave the number of cats the same.

Mayor Craythorne then asked how the council feels about increasing the dog number from 2 to 3. He stated that the call volume for West Point had gone down from 2010 to 2011. The Council preferred to leave the number of dogs at 2 per household.

Mr. Davis asked the council how they feel about licensing the cats. The council said they would like to inform and encourage the residents to license their cats. Councilman Petersen said to make cat licensing optional. The rest of the Council concurred.

Mr. Davis then asked the Council how they feel about the Community Cat Program. The Council's response was to go ahead with the Community Cat Program.

Mr. Hill stated that the next step will to bring back an Ordinance to adopt the Davis County Animal Ordinance with the exceptions. Mr. Hill stated that because there will be no change in the ordinance, there wouldn't need to be a public hearing, unless directed by the council to do so. Councilman Petersen

said that as long as the numbers of animals are not going to change there wouldn't be need for a public hearing.

Mr. Hill requested the council to update their contact information for public use.

Mayor Craythorne closed the meeting.

GENERAL SESSION

Visitors: Angela Hunter (Standard Examiner), Lowell Mielke, Karen Mielke, Nancy Wade, Jaxon Thayne and Kaden Parker

MAYOR AND COUNCILMEMBERS PRESENT: Mayor Erik Craythorne, Councilman Kent Henderson, Councilman Gary Petersen, Councilman Roger Woodward and Councilman Andy Dawson

CITY EMPLOYEES PRESENT: City Manager Gary Hill, Assistant City Manager Kyle Laws, City Engineer Boyd Davis and City Recorder Misty Rogers

Excused: Councilman Jerry Chatterton

1. CALL TO ORDER: Mayor Eric Craythorne welcomed all in attendance
2. PLEDGE: Repeated by all
3. PRAYER: Councilman Gary Petersen
4. COMMUNICATIONS AND DISCLOSURES FROM CITY COUNCIL AND MAYOR

Councilman Andy Dawson had no comments.

Councilman Woodward had no comments.

Councilman Gary Petersen had no comments.

Councilman Henderson - The first planning meeting for the 4th of July celebration will be held on January 25, 2012.

Mayor Eric Craythorne – Cert training will be available in the spring

5. COMMUNICATIONS FROM STAFF

There were no communications

6. CITIZEN COMMENT

There were no comments.

7. RECOGNITION OF LOWELL MIELKE

Mayor Craythorne gave a tribute of Lowell Mielke for the service he provided to West Point City.

- Lowell served 3 terms on the Commission. 2003 – 2011,

- He worked on the General Plan and the General Plan Update, The Trail Master Plan, and the Central Business District.
- He was the Chairman 3 different times. 2005, 2006, 2010, and the Vice Chair in 2009
- He attended 149 out of 162 meetings held over his nine years of service, which is 92% attendance. He was dedicated to the Commission and took his position very seriously as shown in his attendance record.
- He was involved in 34 rezones, 28 ordinances – new and revised combined and 48 subdivisions – this number includes phases of subdivision, one-lot subdivisions, and flag lots.

Mayor Craythorne invited Mr. Mielke to the podium where he thanked him for the service which he rendered to West Point City. He then presented Mr. Mielke with an award on behalf of the West Point City Council. Mayor Craythorne also expressed his thanks to Mr. Mielke's wife and family for the support they gave to him during his years of service.

Mr. Mielke then addressed the council by saying when he first began his service on the Planning Commission, he was "green". He stated that with the help of Andy Dawson and other great people he served with he was well trained and educated. He said loved being involved with and also to know what was happening in the city. He stated that he will miss serving the city and he also thanked the council for allowing him to serve.

Councilman Dawson addressed Mr. Mielke by saying he worked with Mr. Mielke on the Planning Commission. He also said that Mr. Mielke brought a calm and direct approach to the Planning Commission. When Mr. Mielke took over being Chair on the Planning Commission, Councilman Dawson felt it was a great move. Councilman Dawson told him that he appreciated having the opportunity to work with him and he thanked him.

Councilman Petersen said that the Planning Commission really gets into the "nitty-gritty" of what is happening in the city at a much more in-depth than the City Council does. He stated how the Council relies heavily on the Planning Commission and he thanked him for his service.

Mayor Craythorne stated what a great Planning Commission West Point has and how it has been great having Mr. Mielke be a part of it.

8. REMOVAL OF PAICE FARMS PHASE 2 FROM WARRANTY

Mr. Davis stated that Paice Farms 2 has completed their requirements. Paice Farms 2 is located at 300 North 4750 West. The subdivision has been on Warranty since November 2006. This subdivision was guaranteed by a letter of credit and expired several years ago. Mr. Davis stated there were several warranty issues with this subdivision but because of the expiration of the letter of credit the City didn't have any leverage over the developer. The bank holding the letter of credit recently contacted the City and asked if they could have a letter releasing the subdivision from warranty. Mr. Davis informed the bank that because the subdivision hadn't been completed they were unable to release it. The bank knew that the letter of credit had expired, but they chose to have the developer complete the punch list which mostly consisted of repairing broken sidewalks and curb and gutter. The project is now complete and Mr. Davis recommended that Paice Farms 2 be released from warranty.

Councilman Woodward made the motion to release Paice Farm 2 from warranty. Councilman Henderson seconded it and all voted aye.

9. RESOLUTION 01-17-2012, APPOINTMENT OF CITY COUNCIL LIAISONS

Mayor Craythorne informed the Council that Exhibit A in their Staff Report shows the 2012 City Council Liaison Positions. Councilman Petersen requested the Youth Council Liaison be added to Exhibit A.

Councilman Woodward made the motion to adopt Resolution 01-17-2012, Appointment of City Council Liaisons with the adding of the Youth Council Liaison. Councilman Petersen seconded the motion and all voted aye.

Mayor Craythorne thanked everyone for their hard work in their different responsibilities.

10. ADOPTION OF MINUTES FROM THE DECEMBER 6, 2011, DECEMBER 20, 2011 AND JANUARY 3, 2012 COUNCIL MEETINGS.

Councilman Petersen made the motion to adopt the minutes from December 6, 2011, December 20, 2011 and January 3, 2012 meeting. Councilman Henderson seconded it and all voted aye.

11. MOTION TO ADJOURN

Councilman Woodward made the motion to adjourn at 7:25 pm and Councilman Dawson seconded it.


ERIK CRAYTHORNE,
MAYOR


MISTY ROGERS,
CITY RECORDER

