

WEST POINT CITY COUNCIL MEETING
3200 West 300 North
March 15, 2011
5:30 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 Gary Petersen, Councilman Jerry Chatterton, Councilman Roger Woodward, and Councilman Andy Dawson

CITY EMPLOYEES PRESENT: Assistant City Manager Kyle Laws, City Engineer Boyd Davis, City Recorder Amy Jensen, and Public Works Director Paul Rochell

VISITORS PRESENT: Randy Jefferies, Vince Izzo, and Carrie Hulet

ADMINISTRATIVE SESSION

1. West Davis Corridor

Mayor Craythorne introduced Mr. Randy Jefferies, Mr. Vince Izzo, and Ms. Carrie Hulet from the West Davis Corridor part of UDOT.

Mr. Jefferies said they were happy to be here. He said UDOT is at the tail end of the screening process for picking a route for the West Davis Corridor that will go through many Davis and Weber Cities. He said there will still be two years before the final decision is made. He showed wetland areas on the map that have become preserved land from the Army Corp of Engineers. The 2001 Corridor was dropped because it went through the wetlands, and they could go around them. Mr. Jefferies explained that a checklist was used by biologists to study the wetlands. They used one checklist per area to rate and grade it. They checked soil type, saturation, and vegetation. Mr. Jefferies reminded everyone that UDOT is taking public comment until March 25, 2011.

Mayor Craythorne asked Mr. Jefferies when the final route will be on a map.

Mr. Jefferies said early next year UDOT will release the draft Environmental Impact Survey (EIS) and then UDOT will have a round of public hearings. The final EIS will not be made until the spring of 2013. Until then UDOT will look closer at the individual city needs and make any needed adjustments.

Mayor Craythorne asked Mr. Izzo if the study did not go into detail about jurisdiction because it will be done in the next process.

Mr. Izzo said the biologists have done a general study, but to do each one will take a lot of time.

Mayor Craythorne wondered if any information will cause changes in the alignments.

Mr. Jefferies said it is possible.

Mayor Craythorne mentioned that he has learned that the Army Corp of Engineers has a ruling about isolated wetlands. It only has to be wet 2 months out of the year to be graded a wetland, but if the area flows into a lake the Army does not have jurisdiction over it. This means that where there is a pattern of water flow in West Point, that area could be changed from wetland to non-wetland, which could change the route of the road.

Councilman Petersen asked if it is out of line to say the refining process could move the route back to the 2001 Corridor.

Mr. Jefferies said it is still a possibility.

Councilman Petersen wondered if it will be allowed to be studied if it is not an alternative right now.

Mr. Jefferies said with all of the comments from residents concerning the road, he feels it will be a possibility.

Mayor Craythorne said Alan Bennett's Farm, which is in the C alignment, is a Century Farm, meaning it has been there more than 100 years. Mayor Craythorne also said the road will take out half of the golf course and go right past the Elementary which is not desirable.

Councilman Petersen also mentioned that the city to the south of us has not preserved the 2001 Corridor, and he hopes we are not penalized when we have preserved it.

Councilman Chatterton asked if the biologists had any criteria other than numbers on a page that rate the farmers and schools the road would effect.

Mr. Izzo said they do take those things into account.

Councilman Chatterton said if the West Davis Corridor is not built on the wetlands, he feels developers will build homes and businesses on them and they will still not be preserved.

Mr. Izzo said land developers have to go through the same process UDOT does, but they are not building something as big, so they may be able to build something.

Councilman Chatterton said he remembered an instance where a subdivision was going to be built on some wetlands, and the developer traded them to create 25 more wetland acres in another area.

Mr. Izzo said there have been instances where a right of way has been narrowed a little or the route changed slightly to save some wetlands.

Councilman Chatterton asked if there is acreage of wetlands that can be mitigated to reach the goal.

Mr. Izzo said their process is to avoid, minimize, and mitigate.

Councilman Dawson asked how many acres have already been delineated.

Mr. Davis said he did not know, but the copies of wetland studies that have been done near the 2001 Corridor have been given to UDOT. He said there were 6 studies done, and 4 of them show a lot less wetlands than the studies done by UDOT. He is hopeful it will help West Point.

Mayor Craythorne said he hopes the wetlands are not jurisdictional so the route can be put back close to the 2001 Corridor.

Councilman Woodward asked if there are 2 different parts regarding the mitigation and the designation of the wetlands acreage.

Mr. Izzo said again their process is to avoid first.

Councilman Petersen asked if the process UDOT is following for the West Davis Corridor and the wetlands coming from the Federal Law and the same as the one used for the Mountain View Corridor.

Mr. Izzo said there are 7 criteria that have to be met to label land as wetlands and the Army Corp of Engineers has set the standard.

Ms. Carrie Hulet said in closing that she recommends the City state in a Resolution which of the alternatives will have the most negative impact to the City if the 2001 Corridor is not returned as an alternative. This is the opportunity for the City to state their opinion in that matter.

2. Youth Council Project Update

Mrs. Jolene Kap explained to the Council that the Youth Council wants to hold a yearly activity that will include the community. They want to have a 5K run with games in the park after, called "5K for Food Summer Games". They plan to gather food items for the local food banks. They want to have it June 11, 2011, at the East Park from 9:00 am until 2:00 pm. The charge to participate in the run would be 5 cans of food. After the run they are planning a motivational speaker. They plan to invite other local Youth Council's and their families. They estimate 50 to 60 people will participate. The YC has outlined the 5K route and have it ready to provide to the staff and Council. They plan to contact the Davis County Sheriff's Office to provide officers at busy intersections.

Councilman Chatterton wondered if the race should start earlier so it is not too hot.

Mayor Craythorne thought the race is not long enough to worry about the heat.

Councilman Petersen thought it would not be too warm, but he hopes it does not rain. He also wondered which other Youth Councils will be invited.

Mrs. Kap thought the advisor would invite several cities. They had originally thought of inviting all of the West Point residents as well, but felt the participation would be too large to manage.

Councilman Chatterton wondered about inviting even more Youth Councils so the numbers will be high enough.

Mrs. Kap said they are trying to invite what will be appropriate for the activity.

Councilman Petersen said he has been involved with the planning and he feels like they are inviting an amount that will be just right.

Councilman Chatterton wondered if they use RSVP they can invite some more cities if necessary.

Mrs. Kap said that is a good idea.

Councilman Petersen suggested that Mrs. Kap contact Councilman Henderson about planning the 5K. He plans the one for the West Point 4th of July Celebration each year.

3. Lot Frontage requirements

Mr. Boyd Davis said he wanted to give the Council some background on the lot frontage requirement issue. In November the City Council and Planning Commission met in a joint session and discussed lot frontages. The Staff had received a letter from a property owner requesting the City re-look at its lot frontage requirements since the economy had changed so much in the recent years. If this property owner had to follow current standards, they would lose out on some lots in their subdivision. The Planning Commission has now discussed the issue at 3 different meetings and realized that the frontages and density requirements are in conflict with each other in many cases. Mr. Davis said properties that have an irregular shape make it hard to get the density while maintaining the required frontage. He said if you have a property that is the perfect shape the owner would be able to get more lots than designed, but on one that is a little shorter or fatter, the owner will lose lots. This happens more often than not.

The Planning Commission feels there should not be conflict for the developer to achieve the full density allowance. It was decided to have an average lot frontage. There was already a part of the code that referred to this, so an addition was made to say "the frontage shall be measured at the front yard setback and shall be measured along the arc at the setback if the lot frontage is curved". A footnote will be added to explain this further.

Mr. Davis said the Planning Commission likes this and proposes it to be approved by the City Council within an Ordinance at a future meeting.

Councilman Chatterton asked about subdivisions that are sold half way through development. How will the new developer know the lot requirements?

Mr. Davis said the Planning Commission had that discussion, and they still do not have the final answer. More thought will go into that question.

4. Amendment to the Animal Control Contract

This item was moved into the main meeting

5. Legislative Update

This item will be discussed at a later date.

GENERAL SESSION

Visitors: Randy Brown, Ryan Garner, Bryce Garner, Zach Watson, Bre Corgiat, Jake Hewitt, Savannah Galbraith, A. Naylor, Adelyn Naylor, Josh Carlson, Diego Ballesteros, Cortsin Gatten, Jessica Watson, Madeline Carson, Milyssa Law, and Patti Seffker

Excused: Councilman Kent Henderson

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

Councilman Petersen had no comments.

Councilman Woodward had no comments

Councilman Dawson had no comments.

Councilman Chatterton had no comments.

Mayor Craythorne said in the recent newsletter he talked about the Junior Jazz teams in West Point and the good sportsmanship they have shown this year. One team even got invited to Salt Lake to spend the evening with some Jazz players to receive an award.

5. COMMUNICATIONS FROM STAFF

Mr. Boyd Davis reminded the Council that Mr. Kelly Ross, the City Recreation Director, has arranged for a tour of the Legacy Junior High in Layton. This junior high has been built as a combined effort between the Davis County School District and the City of Layton. West Point would like to join with the School District on a junior high here.

6. CITIZEN COMMENT

There were no comments.

7. AMENDMENT TO THE DAVIS COUNTY ANIMAL CONTROL CONTRACT

Mr. Boyd Davis said the City Planner, Chad Wilkinson, wrote the staff report in regards to the animal control contract, and had the agreement reviewed by our attorney. Mr. Davis said in 2009, an Interlocal Agreement was signed between the Davis County Animal Control and West Point to provide animal control services. This agreement allows for an amendment to the agreement each year adjusting the fees charged based on the number of service calls received. This year they are asking for an increase of \$112.00. They also do wildlife calls, and the City pays \$25.75 per call for those. This number fluctuates each year. The Staff recommends the Council approve the amendment to the agreement.

Councilman Woodward made the motion to approve the amendment to the Davis County Animal Control Contract.

Councilman Petersen seconded it.

Councilman Chatterton asked if we are approving an agreement for the service calls, but an undetermined amount for the wildlife calls.

Mr. Davis said that is the way it is written, but the animal control gives the City an estimate of what the total should be. The dollar amount will not go up.

All voted aye.

7A. LOT FRONTAGE REQUIREMENTS

Mr. Davis said right now in the R-1 zone, the code says that lots need to be 100 feet wide. The city received a request from a property owner that the Council considers changing the code to allow lot frontages to be smaller than that. The owner suggested it be lowered to 75 feet. The City Council asked the Planning Commission to review this and make a recommendation to the City Council. The Planning Commission has recommended that the minimum frontage be allowed to go to 85 feet, but that an average of 100 feet is required in the subdivision. Mr. Davis said if someone wants to do a bigger lot that is ok. Some lots are cluster lots where there are a few large ones, and then some smaller ones. These are not seen as much now.

Councilman Petersen wondered if having 3 plots in a row with this minimum would be most appropriate.

Mayor Craythorne said when they do plot averaging, they take the whole acreage into account. So he is not sure any amount of lots in a row could be regulated.

Mr. Davis said it is easy to get the first phase the perfect size. The last phase is difficult, so it is necessary to average the size through the whole subdivision. He will bring examples to a future meeting.

The Council will discuss this further.

Councilman Chatterton asked if there was a time limit to the Ordinance being passed.

Mr. Davis said there is not, so this will be discussed at a future meeting.

Councilman Petersen said when a developer divides up a subdivision they use an engineer to create the lots. The more lots they can create, the more money they will make, but the City needs to make the regulations.

7B. SYRACUSE HIGH DONATION REQUEST

Mayor Craythorne said a request has been made by Syracuse High School for their graduation party. Grant and donation money had been removed from the budget last year due to a lack of funds, but if the Council wants to amend it, they can.

Mr. Hill said the City was beginning to see an increase in requests for donations over a few years time. A committee was formed to say yes or no to the requests, but last year when it came down to what costs to cut instead of increasing property taxes, this item was chosen to be removed. At this point, to follow the policy, the City would tell the High School that funds were not available. Mr. Hill reminded the Council that the policy can be amended if they choose.

Councilman Petersen said he appreciates Mr. Hill following the policy that has been set in place. But he does believe the budget is in better shape than it was last year, and he would like to see the High School get a donation and amend the budget.

Councilman Chatterton said since all of the West Point students attend Syracuse High School, he would like to see them get a donation.

Mr. Hill said that because the Staff and Council budgeted everything so conservatively, we do have a healthier bottom line. Sales tax has been higher than expected also. There will be a few contracts that will increase, so we still need to be cautious of spending. Mr. Hill recommends that the Council wait until the next budget process to see if there is money. He would like to consider all of the budget requests at the same time.

Councilman Chatterton asked if this item will come back to the agenda at another meeting.

Mayor Craythorne said when the budget is discussed, it will come up then.

Mr. Hill said the City has not received an official request from the High School, so the staff will follow up with them and get a timeline. If it requires action before the budget discussions it will be put on the agenda. Mr. Hill would like to discuss the policy at that time as well.

Councilman Woodward said he would like to donate to them if it is possible.

8. APPROVAL OF MINUTES FROM FEBRUARY 15, 2011 CITY COUNCIL MEETING

Councilman Petersen made the motion to approve the minutes from the February 15, 2011 City Council meeting.

Councilman Dawson seconded it.

All voted aye.

9. MOTION TO ADJOURN INTO A CLOSED SESSION

Councilman Dawson made the motion to adjourn into a closed session at 7:35 pm.

Councilman Woodward seconded it.

Councilman Petersen said yes.
Councilman Woodward said yes.
Councilman Dawson said yes.
Councilman Chatterton said yes.

CLOSED SESSION
Board Room

Councilman Chatterton made the motion to open the Closed Session

Councilman Dawson seconded it.

Councilman Woodward said yes.
Councilman Dawson said yes.
Councilman Chatterton said yes.
Councilman Petersen said yes.

1. PROPERTY

2. MOTION TO ADJOURN FROM CLOSED MEETING

Councilman Dawson made the motion to close the Closed Session

Councilman Chatterton seconded it.

Councilman Woodward said yes.
Councilman Dawson said yes.
Councilman Chatterton said yes.
Councilman Petersen said yes.

3. MOTION TO ADJOURN

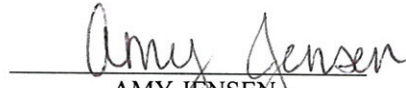
Councilman Petersen made the motion to adjourn.

Councilman Woodward seconded it.

All voted aye.



GARY PETERSEN,
MAYOR PRO TEM



AMY JENSEN,
CITY RECORDER

