

West Point City Council Meeting

SCANNED

3200 West 300 North

December 20, 2011

7:00 P.M.

Minutes for the general 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 Council Members Present: Mayor Erik Craythorne, Council Member Jerry Chatterton, Council Member Andy Dawson, Council Member Kent Henderson, Council Member Roger Woodward

Excused: Council Member Gary Petersen

City Employees Present: City Manager Gary Hill, City Engineer Boyd Davis, Interim City Recorder Laura Gamon. Assistant City Manager Kyle Laws, to-be-appointed City Recorder Misty Rogers, and Public Works Superintendent Paul Rochelle.

VISITORS PRESENT: Angela Hunter, Standard Examiner, Davis County Commissioner John Petroff, Clint Thacker, Davis County Director of Animal Service and Bryan Smith, Davis County Animal Control Officer.

ADMINISTRATIVE SESSION

6:00 pm – Board Room

1. DAVIS COUNTY ANIMAL CONTROL ORDINANCE – MR. GARY HILL, CITY MANAGER

Mayor Erik Craythorne welcomed everyone with a special welcome to Commissioner Petroff then turned the time over to Mr. Gary Hill. Mr. Gary Hill introduced Clint Thacker, Director of Animal Control Services and Brian Smith, Animal Control Officer. Mr. Hill introduced Commissioner Petroff who oversees the Davis County Animal Control Services Department. Mr. Hill stated that he recently attended a meeting with the County to discuss changes in the animal control ordinances. Mr. Hill said that despite changes to the ordinance they have not seen any changes in the amount of number of animals that they are euthanizing. He stated that the City and County have a great desire to lower the amount of euthanized cats and increase the amount of animals returned to their owners, as well as reduce the feral cat population. The County has made some changes to the ordinance which was approved earlier today by the County Commission. The County wanted to educate the City of what the new ordinance is and possibly move forward to implementing some of the changes in the City's ordinance. Mr. Hill said that the City has in the past adopted an ordinance similar to the County Animal Control ordinance with a few exceptions and City can still do that. Mr. Hill wanted to outline the major changes in the ordinance which he explained were:

- To begin to license cats because there are a high number of cats being euthanized. Many times the cats were being euthanized before people even know that their cat is missing.
- There would be a new limit number of cats per household changing it to three cats per households requiring to be licensed instead of the current ordinance which allows five cats per households. The City does not require cats to be licensed at this time.
- Increase the number of dogs from two to three. Provided that the third animal is from the shelter.

- Significant change would be that the mix of dogs and cats would be three per household instead of the current allowance which is two dogs and five cats per household.
- Mr. Hill passed out the new and updated ordinance. One of the changes is in regards to cruelty animals from people who tie animals to the back of the truck was removed because Animal Control Officers do not have the authority to pull people over. Also the addition that the owners are responsible for the animal in the event that the animal attacked someone; which was not clear in the previous ordinance.

Mr. Hill introduced Mr. Clint Thacker and stated that the purpose of this meeting is to give the Council information regarding the ordinance passed by the county as well as to get direction from the Council on what changes if any they would like to see to the City's current ordinance.

Mr. Thacker passed a copy of the presentation. Mr. Thacker stated that the County since 2006 has not seen any changes to the euthanasia numbers. He stated that the goals are that they want to reunite the animals to the owners, make the animals safe by providing education to the owners and future adoptees as well as educating the children about being safe around stray animals, and provide enforcement. Mr. Thacker said that their main challenge is with cats because the shelter intake of cats is really high, 44% annual intake rate in 2010 with only 10% being adopted and 4% being return to owner which means that they euthanizing a lot of cats.

Council Member Andy Dawson said that he recently visited the shelter with his daughter to drop of some collars. His daughter was interested in adopting a cat which cost \$85 and he could see why people were not adopting cats. Mr. Thacker said that the \$85 fee does include sterilization, vaccinations, the license fee and the insertion of a microchip; which in his opinion is a really good deal. Mr. Thacker showed a chart that outline how the animals are being adopted. He stated that the County wants to start licensing and micro chipping cats because there will be a better chance of getting the cat home. He explained that the microchip is inserted in the cat and can be scanned by the Animal Control Officer or shelter and they will be able to access the owners contact information.

Council Member Jerry Chatterton asked what percent of the return to owner percentage is due to the cat wearing a collar with identification. Mr. Thacker thinks it is probably low because most people do not put collars on their cats. The shelter does their best to keep the friendly cats but sometimes no one comes to claim them because they may not know they are gone and the shelter has no way of knowing who the owners are. The licensing and microchip will allow them to make this process better.

Commissioner Petroff said he wanted to ask again how many of the ones with collar are returned to the owner not the ones euthanized. Mr. Thacker said probably low. Mr. Smith said about 1%. Council Member Dawson asked if the cat will be required to wear collar. Mr. Thacker said that it would be ideal but if they are not wearing a collar and has a microchip that will help a lot because they can identify who the owner is. Mr. Thacker explained that another reason to license the animals is because before they are licensed they are required to have a rabies vaccine. Since cats are notorious for

playing with dead rats or bats which may carry rabies but by requiring them to be vaccinated it will help insure the safety of the community.

Mr. Thacker said that the reason they are going to three dogs is because many people have three dogs but they are unlicensed because they are only allowed two dogs. By allowing three dogs then more dogs will be licensed and more people will be in compliance and will help with the safety of the community. Also by requiring that one of the animals be a rescue dog hopefully more dogs will be adopted.

Council Andy Dawson asked if this was just for the County or for West Point. Mr. Thacker stated that currently it is just for the County at this time. Mayor Craythorne stated what will happen to people who already have three dogs but the third is not from the shelter. Mr. Thacker stated that they could possibly look at an amnesty period for those instances because the goal is to get the animal licensed.

Commission Petroff stated that for some people 1 dog may be too many and others 3 or 4 dogs is just fine. He stated that it is hard to find a subjective way to see how the animals are being taken care of. He stated that they would be surprised how many favorable emails regarding increasing the number of dogs. He said that some people expressed an interest in wanting to rescue dogs from the shelters especially the older dogs.

Mayor Craythorne stated that then if someone had three dogs and one was not from the shelter then they would have to apply for a kennel license. Mr. Thacker stated yes.

Council Member Dawson stated that he would like to consider weight because he would rather have three house dogs instead of three big dogs barking. He stated that both of his dogs are rescued and he thinks if you rescue a dog you should get a reduction of fees. But for some people owning three big barking dogs sounds like insanity when they are not caring for them.

Council Member Chatterton asked that when they mentioned amnesty what is it really and how long of a period does that mean? Mr. Thacker stated that it is hard to determine a time frame because a lot will have to do with the circumstances. That is something that they will need to sit down and discuss. Council Member Chatterton stated then maybe attrition is the best idea.

Commission Petroff stated that in the case that Council Member Dawson brought up about the barking dog there are things that Animal Control can do to help with this. Council Member Dawson stated that he could care less if someone has eight dogs in the house and they are not barking. But if someone has one dog that is always barking then there is a problem.

Council Member Henderson asked if they were going to address the pilot program

Council Member Dawson asked what amount will be for the licenses for cats. Mr. Thacker said that currently it is \$5 sterilized and \$10 non-sterilized. Council Member Dawson mentioned that recently

there was a program where feral cats were sterilized and then let go he inquired about the plan for these cats. Mr. Thacker said that those cats are considered community cats, no one owns them and are usually identified if their ears are clipped, and in that case there is no one that can license them.

Council Member Henderson asked how much does it cost to euthanize a cat. Mr. Thacker said that there are a lot of factors that go into it. He said they just had their auditors figure out that to keep an animal is about \$46 a day. He stated that it would take more research to come up with a number because they rarely euthanize only one animal. He stated he would look into it to get a number.

Council Member Henderson asked how much it costs to spay or neuter an animal. Mr. Thacker said that it costs about \$32 an animal.

Mr. Hill asked Mr. Thacker if he wanted to talk about the pilot program for feral cats. Mr. Thacker stated that Best Friend approached the county to start a program because the high number of feral cat in the area. They modeled this program from a pilot program in Jacksonville, Florida that had positive outcomes. Basically the citizens catch a feral cat contacts Animal Control who then spays or neuters them. Once they are ready to be moved they will drop the animal in the same area. It is controversial because they are sent to back same area. However only 3% of the animals they spayed or neutered were retrapped. Mr. Thacker said that they have flown to Florida and have seen that this program really works. He stated that it is free because Best Friends has agreed to fund it for two years making the cost for the county almost zero. Mr. Thacker informed everyone that is possible for this program to work.

Commissioner Petroff stated that it may take time to see results and the purpose is not to make someone mad because the same cat keeps coming back. Euthanizing almost 3000 cats in 2010 is a crummy job that is about 10 cats per day. They are just trying to think of other reasonable approaches.

Mayor Craythorne stated that it is exciting that there is a pilot program. Although he has had bad luck with cats and when his neighbor got a cat he used to complain about it until he noticed that the mouse population has decreased. So he does see the value in cats.

Council Member Chatterton wanted to know what would happen if they saw a dog running from Syracuse to West Point who would get charged? Mr. Thacker stated that it is charged to where the animal was first spotted. Council Member Chatterton had a second point which was that he had a small schnauzer that did not come home so he called the shelter and they did have a schnauzer. When he got to the shelter he verified that it the dog was his but the person in charge told him that he could not have the dog because someone had already put money down on the dog. He stated that he does not know if the procedures have changed but there has to be a better process.

Commissioner Petroff stated that in the past Animal Control would pick up an animal and that was the end. However things are not like that anymore they are trying their best to reunite pets and to save as many pets as possible.

Mr. Hill stated that if there were more questions because time was running out they could have Mr. Thacker come back. He stated that either way they will need to make changes to the ordinance such as the new language about attacking animals. If the Council is interested in the pilot program then they can start looking at it more closely so all questions can be answered.

Council Member Henderson asked what the cost will be for the feral cats pilot program, because they will have some cost difference between euthanizing them versus being spayed or neutered?

Mr. Thacker stated that the turnaround is fairly fast to reduce the cost. Basically the first day they would get them ready for sterilization, day two sterilization and then the third day the cats will receive some food and water and once they seem okay they will be released. He stated that for him to get an exact dollar amount some research will be needed to see what the cost really is.

Mr. Hill stated that they can come back with a more accurate number regarding cost. Mr. Hill stated that one thing to consider is the impact to the resident because they will now be required to license their cat where now they do not. Also staff may receive some calls regarding this issue.

Commissioner Petered stated that he doesn't think there will be many calls because people treat cats very differently now. There is not any repercussion if they do not license their cats but by licensing them they might be able to reunite with them easier. He stated that he think people will see the value of being able to notify the owner in the instance that a cat is lost or in an accident.

Mr. Hill stated that it seems that the big issue is the number of cats and dogs.

Council Member Jerry Chatterton asked what the increase to the Animal Control Contract will be with these changes. Commissioner Petroff said that they should not see a big increase from animal control unless West Points call volume has increased.

Council Member Dawson wanted to say that he really appreciates what they do. He recently attended an open how and the shelter was very clean nice and comfortable. He stated that one of the workers asked if he wanted another dog but he said that they did not because he could only own two. The worker informed him it might change.

Mr. Hill stated that it sounded like there seems that more discussion is needed in regards of number. Mayor Craythorne stated that this was a good discussion to get everyone thinking about what direction the City would like take in regards to changing the ordinance.

2. UTILITY WAIVERS FOR DEPLOYED MEMBERS OF THE MILITARY – MR. KYLE LAWS, ASSISTANT CITY MANAGER

Mayor Craythorne turned over the time over to Mr. Laws to discuss utility waivers for deployed members of the military. Mr. Law said that a practice has been developed where families can apply for a military waiver that will reduce the utility rates for services while they are on active duty. Mr. Laws stated that there is not a written policy and it is unclear if this was ever discussed with Council. Council Member Chatterton said that he thought that this was discussed before and that they did agree to offer this program for those who came in and asked for this waiver. Council Member Chatterton asked how many people have used this program. Mr. Laws stated that very few have used it but they did want to make it available. Mr. Laws stated that he would like to make a recommendation that they require deployment papers for verification. Mr. Laws reported that they did survey several other cities and most offered some kind of waiver. Some of the Cities did report that they would be increasing the fee but would offer the waiver. Mayor Craythorne said that the consensus is that City would like to continue to offer this program.

3. FINAL APPROVAL OF BARTHOLOMEW LANE PHASE 2 & 3 – MR. BOYD DAVIS, CITY ENGINEER

Mayor Craythorne turned over the time to Mr. Davis who explained that this discussion pertains to the property on the north side of the city on 1300 N 3600 W located on Bartholomew Lane. Mr. Davis informed everyone that the first phase has been under construction for a while and phase two is small just 13 lots in a cul-de-sac which was given approval by the Planning Commission about a year ago. Mr. Davis explained that they did not the developer did not go to City Council because they did not meet code because they had not sold 80% of the lots however now they have sold over 90% of the lots which now they meet code. Council Member Chatterton asked for clarification on where the lot is located. Mr. Davis showed the property location on the map and explained the street would be extended to a cul-de-sac. Mr. Davis stated that Eric Hayes who is representing the developer will be at the meeting.

Council Member Chatterton asked for clarification of where the lot lines up and does it meet the lot requirements. Mr. Davis said that it does meet the requirement and minimum. He stated that on the plat you can see where the curb is and it meets the requirement. Mr. Davis stated that the does meet the requirement for the square footage and also the frontage. He stated to keep in mind that the new lots are now required to have a 90 foot frontage to meet Zone R2 requirements. Mr. Davis stated that the other significant thing to note is that this subdivision is exempt from the land drain ordinance that was just adopted. However; the City is recommending that they still follow the requirements from the geo tech report. Mr. Davis stated that Phase 1 was the first subdivision in the City to install the backyard drains and they are working great. Mayor Craythorne asked if there were any questions. Mr. Hill stated that when council makes a motion for this item to just clarify that it is phase 2 because the agenda says phase 2 and 3 which is not the case.

Mayor Craythorne wanted to let everyone know of something that he was just told about. He stated that there is a group called Homes for our Troops that is building a home for a resident named Isaac Jensen. Mr. Jensen is a military veteran who lost both of his legs in November 2008 in Iraq. Mayor

Craythorne stated that there is a video on YouTube that shows what this home will mean to Mr. Jensen and his family. Mr. Hill stated that the builder called and asked if the City is willing to waive the fees. Mr. Hill stated that they can waive the fees from the City but the City cannot waive other entities fees such as the sewer connection which cannot be waived. Mr. Hill stated that the fees that the City can waive they will waive. Mr. Hill stated that he has asked the builder to submit a formal request in writing.

GENERAL SESSION

7:00 pm – Main Council Chamber

Mayor and Council Members Present: Mayor Erik Craythorne, Council Member Jerry Chatterton, Council Member Andy Dawson, Council Member Kent Henderson, Council Member Roger Woodward

Excused: Council Member Gary Petersen

City Employees Present: City Manager Gary Hill, City Engineer Boyd Davis, Interim City Recorder Laura Gamon. Assistant City Manager Kyle Laws, to-be-appointed City Recorder Misty Rogers, and Public Works Superintendent Paul Rochelle.

VISITORS PRESENT: Angela Hunter, Standard Examiner, and Erik Hayes.

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE:** Repeated by all
3. **PRAYER:** Mayor Erik Craythorne
4. **COMMUNICATIONS AND DISCLOSURES FROM CITY COUNCIL AND MAYOR**

Mayor Erik Craythorne welcomed everyone to the Council Meeting.

Council Member Jerry Chatterton did not have anything to report.

Council Member Andy Dawson wanted to let everyone know about the sewer districts upcoming fee increase. He stated that the sewer district has reached its capacity and the increase is for the 3.3 million dollar project. He stated that the sewer district will be looking for an increase of \$1 per month per connection. Council Member Jerry Chatterton asked if this fee was effective calendar year or fiscal year. Council Member Dawson said that he thought it was calendar year. He also stated that the fee would probably be \$1 the first year and then \$1.50 the second year.

Council Member Kent Henderson did not have anything to report

Council Member Roger Woodward did not have anything to report

Mayor Craythorne said that he wanted to wish everyone a Merry Christmas and wished Angela from the Standard Examiner a Merry Christmas. He wanted to let everyone know that the newly elected council members will be sworn in on the third of January at noon. He stated that is important for those

who were re-elected to be there. He also wanted to remind everyone that the council and staff retreat is on January 6th. This will be a one day event.

5. **COMMUNICATIONS FROM STAFF**

City Manager Gary Hill stated that the council retreat will begin with continental breakfast at 8:30 am and then starting meetings at 9:00 am the going until 4:00 pm. Then they will reconvene at 6:00 pm for dinner with the council members and spouses like they did last year. Mr. Hill stated that details for agenda will be available in the next week as well as a packet. If anyone is interested in adding anything to the agenda for retreat to please contact him or Mayor Craythorne.

6. **CITIZEN COMMENT.** None

7. **APPOINTMENT OF MS. MISTY ROGERS AS WEST POINT CITY RECORDER:**

Mr. Craythorne turned the time over to Mr. Gary Hill who stated that it is a good thing when you have good employees who want to stay with the City and want to take on more responsibility such as in this case and like Mr. Paul Rochelle, Public Works Superintendent. Mr. Hill stated that Ms. Amy Jensen, former City Recorder did a great job and will be missed. He stated that he thought Ms. Misty Rogers will do a great job as well. Mr. Hill said that the City received about 60 applications and he is confident that Ms. Rogers will do an excellent job based on her qualifications, experience and work she has done so far. Mr. Hill wanted to make the recommendation that they appoint Ms. Rogers as the new City Recorder.

Council Member Roger Woodward made the motion that the Mayor and Council appoint Ms. Misty Rogers

Council Member Andy Dawson seconded the motion.

All of the Council voted aye.

Mayor Craythorne congratulated Ms. Rogers and thanked Ms. Gamon for helping during the transition.

8. **ADOPTION OF ORDINANCE 12-20-11 TO APPROVE THE CITY COUNCIL 2012 MEETING SCHEDULE:**

Mayor Craythorne stated that Utah State Code requires cities of the third, fourth and fifth class and towns to pass an ordinance that prescribes the time and place for holding its regular meeting.

Council Member Roger Woodward made the motion that the Council adopt ordinance 12-20-11 to approve the City Council 2012 meeting schedule.

Council Member Andy Dawson seconded the motion.

Roll Call Vote:

Council Member Kent Henderson voted yes.

Council Member Roger Woodward voted yes.

Council Member Gary Petersen not present.

Council Member Andy Dawson voted yes.

Council Member Jerry Chatterton voted yes.

4. FINAL APPROVAL OF BARTHOLOMEW LANE PHASE 2 & 3 :

Mayor Craythorne stated that the next item is in regards for the final approval of the Bartholomew Lane phase 2 only. Mayor Craythorne wanted to disclose that his father is a partner in this subdivision and Mr. Erik Hayes is in attendance to represent the subdivision. Mr. Davis stated that the Bartholomew Lane phase 1 has been under construction for several years and has been waiting for 80% of the lots to be sold, they have now sold over 90% of the lots which qualifies them to move on to phase 2. He stated that phase 2 has 13 lots in one cul-de-sac. Mr. Davis stated that they do have the required 90 foot frontage for each lot and they are exempt from the new land drainage requirement however the City is recommending that the recommendations from technical engineers be followed. Mr. Davis explained that the developer will also install yard drains in the back yards. Mr. Davis recommends that final phase for phase 2 be approved.

Council Member Woodward made the motion that the Bartholomew Lane Phase 2 be approved.

Council Member Dawson seconded the motion.

All of Council voted aye.

5. REMOVE LINDON ESTATES PHASE 2 FROM WARRANTY:

Mayor Craythorne turned the time over to Mr. Davis. Mr. Davis explained that this item is in regards to Lindon Estates phase 2 located on 4700 W 1650 N. He explained that subdivision has been under warranty for two years even though they are only required to be under warranty for one year. Mr. Davis stated that they have taken time to complete the requirements however at this time they have completed everything on list and everything has been inspected. Mr. Davis recommends that the Lindon Estates phase 2 be taken off warranty.

Council Member Jerry Chatterton made the motion to remove the Lindon Estates phase 2 from warranty.

Council Member Andy Dawson seconded the motion.

All of Council voted aye.

Council Member Chatterton asked that if it was possible that before they adjourn if the City Council could view the video of the West Point resident and military veteran Mr. Isaac Jensen. Homes for the Troops will be building a home for Mr. Jensen who has lost both of his legs in November 2008 in Iraq. Mr. Davis explained that due to technical difficulties the video will have to be viewed another day. Mr. Hill stated that he will send the link to everyone so they can view the video.

6. MOTION TO ADJOURN

Council Member Jerry Chatterton made the motion to adjourn the Council meeting.

Council Member Roger Woodward seconded the motion.

All of Council vote Aye.



**ERIK CRAYTHORNE,
MAYOR**



**LAURA GAMON,
INTERIM RECORDER**

