



Mayor
 Erik Craythorne
 Council
 Gary Petersen, Mayor Pro Tem
 Jerry Chatterton
 Andy Dawson
 R. Kent Henderson
 Roger Woodward
 City Manager
 Gary Hill

**West Point City Council Meeting
 3200 West 300 North
 West Point City, UT 84015
 October 16, 2012**

ADMINISTRATIVE SESSION

6:00 pm – Council Room

Minutes for the West Point City Administrative Session held October 16, 2012 at the West Point City offices, 3200 West 300 North, West Point City, Utah 84015 with Mayor Craythorne presiding.

MAYOR AND COUNCILMEMBERS PRESENT - Mayor Erik Craythorne, Council Member Gary Petersen, Council Member Jerry Chatterton, Council Member Roger Woodward, Council Member Andy Dawson, and Council Member Kent Henderson

CITY EMPLOYEES PRESENT - City Manager Gary Hill, Assistant City Manager Kyle Laws, City Engineer Boyd Davis, Public Work Superintendent Paul Rochell, Public Works Assistant Superintendent Adam Favero, City Planner Jeff Oyler, and City Recorder Misty Rogers

VISITORS PRESENT - Angela Hunter, Brett Zaugg, Mark Murphy, Natalie Murphy, and two unnamed persons.

Mayor Craythorne welcomed all in attendance, and opened the Administrative Session by turning the time over to Mr. Favero

1. Fire Hydrant Fee Schedule – Mr. Adam Favero

Mr. Favero explained that upon review of the West Point City Schedule of Fees it was discovered there is no specific fee associated with the setup of a fire hydrant meter or the water usage. The Fire Hydrant Meter Setup Fee would allow for a Staff to educate the customer on the West Point City Water system and the rules associated with the use of the hydrant and meter. Staff recommends implementing following items into the West Point City Schedule of Fees.

Fire Hydrant Meter Setup Fee	\$50.00
Short Term Meter Usage (3 days or less)	\$10.00 plus water usage fee
Long Term Meter Usage (3 days or more)	\$40.00 plus water usage fee
Water Usage Fee	Same as current fee schedule (Based on gallons used)

Council Member Woodward asked if Staff has considered requiring a deposit for the rental of the hydrant meter, in case the meter is damaged or not returned. Mr. Rochell stated a deposit had been discussed, however other entities have found a large deposit deter people who only need use of the hydrant for a short period from obtaining permission. Staff believes the proposed fees will encourage customers to obtain permission for the use of a West Point City fire hydrant. Mr. Rochell also said the hydrant meter application will state if a meter is lost or damaged, the customer will be responsible to pay for replacement of the meter.

Council Member Henderson asked how often a customer requests the use of a fire hydrant. Mr. Favero stated approximately every six months a request is made for the use of a hydrant. Mr. Rochell stated metered water is typically used by horizontal boring companies, Contractors, and the North Davis Sewer District to assist with the cleaning of lines.

Council Member Chatterton asked if a specific hydrant is used each time a request is made for metered water. Mr. Rochell stated typically Staff will meet with the customer at a good location with a newer hydrant. Mayor Craythorne stated the lining of the pipe could be stripped if overuse of one hydrant occurs; therefore it is good to use more than one hydrant when requests are made for metered water.

Mr. Hill stated the current practice to bill construction water is the same tiered rate as the residential culinary water.

Council Member Chatterton asked if any part of the \$50.00 setup fee will be reserved for the wear and tear of the hydrant meter. Mr. Favero stated the setup fee along with the rental fee will assist with repair and maintenance of the meter. Council Member Chatterton asked the cost of a new hydrant meter. Mr. Rochell stated the cost of a new hydrant meter and required fittings costs approximately \$1000.00. Council Member Chatterton asked Staff to consider increasing proposed fees to help support the replacement cost of the meters.

Council Member Woodward asked the maximum amount of time a customer could keep a hydrant meter. Mr. Rochell stated the customer would be allowed to keep the meter as needed. He also stated Staff will keep in contact with the customer, and if the meter is kept for more than one month a monthly fee could be assessed.

Council Member Petersen recommended Staff consider how customers would be charged, specifically repeat customers being charged multiple setup fees for the rental of a hydrant meter.

Mr. Hill summarized the direction given from Council. The Council appeared comfortable implementing set-up, short-term, and long-term usage fees for the meter as presented by Staff. Staff will review the following items and return with a recommendation:

- How do other cities charge for the use of hydrants?
- Do other cities charge for construction usage?
- Compare the proposed hydrant and water usage rates with other cities

Mayor Craythorne recommended if use of a hydrant and hydrant meter is for a city project, the contractor should be allowed to use the metered water without charge.

2. Discussion of Rezone and Amended Plat for Mountain Shadows Subdivision – Mr. Boyd Davis

Mr. Davis reminded the Council that discussion of the Rezone and Amended Plat for Mountain Shadows Subdivision lot 132, had occurred during the October 2, 2012 City Council meeting.

Update: Staff recommended this item be tabled, as the current application is incomplete. Two parcels are listed on the rezone application, one parcel is owned by Brett Zaugg and the other is owned by Mark and Natalie Murphy. At this time, Mr. and Mrs. Murphy have decided not to sign the rezone application, as they would like to keep their property zoned agricultural. Staff recommended holding the noticed public hearing as it was advertised and there may be public comment regarding this matter.

Mr. Davis apologized for having moved forward to this point with an incomplete application. He stated Mr. Brett Zaugg will submit a new rezone application for the property he owns and a new public hearing will be scheduled and noticed. Mr. Davis stated Mr. Zaugg is proposing his parcel be split into two building lots; this would change the current zoning of the property from an Agriculture zone to an R-3 zone. Council Member Woodward asked what the current zoning is for the rest of subdivision. Mr. Davis stated the subdivision is currently zoned R-3.

Mr. Davis outlined the new timeline:

- Mr. Zaugg will submit a new rezone application and plat amendment for his property. Mr. Davis stated if the Planning Commission is scheduled to discuss the rezone and the application on November 8, 2012.
- If the Planning Commission recommends the rezone and plat amendment, the City Council will then discuss the rezone and plat amendment on November 20, 2012, and a public hearing will be held at that time.

Council Member Petersen expressed concern with the proposed timeline; he recommended holding the public hearing at one meeting and action in another meeting. Mr. Hill stated it has been the standard practice of Council to discuss an item in a work session, and at a future meeting hold a public hearing and take action on the item in the same meeting, but that Council could change that process if they want to. The Council Members stated they are ok with the current process as long as there is an option to table an item if necessary.

Council Member Petersen clarified the Murphy's did not file the rezone application and they have chosen not to be a party to the application. Council Member Chatterton asked how Mr. and Mrs. Murphy became aware of the proposed rezone. Mr. Murphy stated his neighbors had received letters informing them of the possible rezone and it was in fact the neighbors who had informed the Murphy's. Mr. Murphy stated he did not receive any notification of the rezone.

There was a brief discussion between Mr. Murphy and Mr. Zaugg regarding information shared between the two parties. Both parties expressed differing opinions on the amount of information shared with one another. Mayor Craythorne thanked both Mr. Zaugg and Mr. Murphy for their patience and their comments; he then returned the conversation back to the Council.

Mr. Davis stated Staff assumed the Murphy's knew of the application, as their name was included on the plat. He also stated the City typically doesn't send a notice to those listed on the application because Staff assumes they are aware of the application. Mr. Davis then apologized for the breakdown of communication between the City and Mr. and Mrs. Murphy. Mr. Davis stated the Murphy's will be removed from the rezone, but they will be part of amended plat. He also stated the Murphy's will need to sign the amended plat before it is taken to the Planning Commission.

Mr. Hill asked the Murphy's if they are comfortable participating in the amended plat but not the rezone. Mrs. Murphy stated they agree as long as the homes built are under the existing covenants. Mr. Hill stated according to the City Attorney, it would be inappropriate for the city to consider CC&R's in the approval process.

Council Member Petersen stated he believes it is against CC&R's to divide a lot under one acre in that development. He believes what is being proposed is against the CC&R's of the development. Mayor Craythorne stated the concerns of Council Member Petersen could be discussed in the future and if anyone has questions regarding this process he recommended they contact Mr. Davis.

3. Resolution 10-16-12, Consenting to the Annexation of Territory Within West Point City, Davis County, Utah to the North Davis Fire District, Davis County, Utah – Mrs. Misty Rogers

Since the creation of the North Davis Fire District, additional territory has been annexed into West Point City. As property is annexed into West Point City, it does not automatically become annexed into the boundaries of the Fire District. Therefore it is necessary as a participating entity to adopt by Resolution the newly annexed property into the boundaries of the North Davis Fire District.

Council Member Chatterton asked if North Davis Fire District had requirements for this process. Council Member Petersen stated the Fire District must also approve the rezone, and it is on their agenda for an upcoming meeting. He also stated without the adoption of the Resolution, the annexed property will not be listed on the property tax assessment for the fire district.

Mayor Craythorne recommended if anyone has questions or is in need of more information for any of the discussed items to please contact City Staff.

Council Member Dawson stated the North Davis Sewer District sold bonds for the \$25 million dollar revenue bond and they received a 2.5% interest rate over 11.993 years. The ratings for the North Davis Sewer District are AA + and the bid was awarded to Janney Montgomery Scott LLC.

Mayor Craythorne thanked those in attendance and adjourned to the General Session.



West Point City Council Meeting
3200 West 300 North
West Point City, UT 84015
October 16, 2012

Mayor
Erik Craythorne
Council
Gary Petersen, Mayor Pro Tem
Jerry Chatterton
Andy Dawson
R. Kent Henderson
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GENERAL SESSION

7:00 pm – Council Room

Minutes for the West Point City Administrative Session held October 16, 2012 at the West Point City offices, 3200 West 300 North, West Point City, Utah 84015 with Mayor Craythorne presiding.

MAYOR AND COUNCILMEMBERS PRESENT – Mayor Erik Craythorne, Council Member Jerry Chatterton, Council Member Roger Woodward, Council Member Kent Henderson, Council Member Petersen, and Council Member Andy Dawson

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

VISITORS PRESENT – Angela Hunter, Korey Kap, Guy & Kylee Salazer, Logan Chapman, Daulton Whatortt, Lanny & Michael Merriman, Jessica Davidson, Ryan Zaugg, Caleb Davidson, Lance Young, Lance Young, Katie Duncan, Lauren Garrett, Savannah Wayment, Jordan Anderson, Lynn Bennington, Michelle Dalby, Tyler Payne, Julie Hawkins, Kyler Cullimore, Ortons's, Jennifer Naegle, Kevin & Gail Perkes, Natalie Murphy, Nikki The, Kristina Yamada, Gabrielle Silvester, Erin O'Connell, Brett Zaugg, Charlie Cutler, Valerie Hart, Sierra Hart, Tami O'Neil, Bailie Johnson, Breanna Maddox, Michael O'Neil, Chenille Morris, Austin Morris, Adam Porter, Donette Huckaby, Melanie Huckaby, Logan Kelley, Avin Checketts, Kirwan Checketts, Everton Checketts, Darla Checketts, Alison Coleman, Carole Draper, Tyler McKae, Cameron Speyar, Candise Smith, Cherylee Smith, Austin Turgoose, Tabi Ward, Curtis Kemp, Heidi Kemp, Campbell Hall, Diouhna Martinez, Sadie Roylance, Kyle Hamblin, Myles Naisbitt, Derrick VanSchyndel, Brooke Hawes, Youth Council Members, and School Students.

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

Council Member Henderson – no comment

Council Member Petersen – no comment

Council Member Woodward – no comment

Council Member Dawson – The North Davis Sewer District sold a \$25 million revenue bond and the bid was awarded to Janney Montgomery Scott LLC for a 2.58% interest rate.

Council Member Chatterton – Mosquito Abatement has an annual budget of \$1.9 Million, of which \$1.5 Million dollars has been spent thus far. The total number of acres sprayed by airplane in the month of September and one day in October was approximately 58,000 and the total number acres sprayed by airplane for the 2012 year is approximately 226,363 acres. The Ground sprayed in the month of September was approximately 93,716 acres and a total of ground sprayed for 2012 is approximately 416,923 acres.

Mayor Erik Craythorne – No City Council Meeting will be held on November 6, 2012 due to the Elections.

5. **Communications from Staff** – no comment
6. **Citizen Comment** – no comment
7. **Swearing in of Youth Council** - Mayor Craythorne

Mayor Craythorne expressed thanks to the leaders of the Youth Council, the parent of the Youth Council Members, and those affiliated with the program. He also stated the Youth Council members provide a great service to the community. Mayor Craythorne then invited the following Youth Council members to be sworn in for the 2012-2013 year:

Aaron Stanger, Hunter Stanger, Cherylee Smith, Caitlin Steed, Kamryn Hawkins, Avin Checketts, Kirwan Checketts, Everton Checketts, Sami Zvonkovic, Brandon Davidson, Campbell Hall, Noelle Olsen, Kylie Bouwmeester, Brayden Bowemeester, Ashley Porter, Adam Porter, Austin Turgoose, Julianne Orton, Katie Orton, Kylie Kap, Anika Hansen, Zoe Miyawaki, Megan Miyawaki, Courtney Christensen, Loren Bateman, Scott Seffker, Kaitlyn Beckstead, Jessica Davidson, Tyler Payne, Lisel Kurzius, Valerie Hart, Marissa Mayer, Dallen Mayer, Eliza Marshall, Sierra Fessler, Vanessa Fessler, Kelsey Perkes, Melanie Huckaby, Logan Kelly, Jennifer Naegle, Jared Seffker, Caleb Davidson, Kylee Salazar, Lauren Steed, and Kelsey Larsen

The 2012-2013 Youth Council Leadership positions are as follows:

Historian - Charlie Cutler, **Head Chair Person** - TJ Pehrson, **Treasurer** - Austin Morris, **City Recorder** - Nathan Seffker, **City Manager** - Chenille Morris, **Mayor Pro-Tem** - Hannah Steed, **Mayor** - Sierra Hart

Mayor Craythorne then excused the Youth City Council Members and their families to the east room for refreshments and information regarding Youth Council.

8. **Ordinance No. 10-16-2012A, Amendment to the West Point City General Plan** – Mr. Boyd Davis

Mr. Davis stated the proposed plan has been discussed over the past several months with both the Planning Commission as well as the City Council. Staff recommends the approval of Ordinance No 10-16-2012A, Amendment to the West Point City General Plan Land Use Map.

a. **Public Hearing**

Mr. Lynn Bennington - 445 N 3000 W. Mr. Bennington asked city Staff to clarify the proposed zones. Mr. Davis gave the following description for the proposed zones.

- C-C (Community Commercial) allows for retail businesses such as grocery stores.
- R/I-P (Research and Industrial Park) allows for light manufacturing and a business park setting.
- M/U (Mixed Use) allows for a mixture of residential and small retail uses. This zone will also allow for higher density residential.
- R-3 (Residential) allows for single family residential zone.

Council Member Woodward motioned to close the public hearing
Council Member Dawson seconded the motion

The Council unanimously agreed

b. **Action**

Council Member Henderson motioned to approve Ordinance No. 10-16-2012A, Amendment to the West Point City General Plan
Council Member Woodward seconded the motion

Council Member Chatterton – yes
Council Member Dawson – yes
Council Member Woodward – yes
Council Member Petersen – yes
Council Member Henderson –yes

The Council unanimously agreed

Mayor Craythorne thanked City Staff and the Planning Commission for the work in which they have provided in behalf of the General Plan. He also informed those in attendance that as an ordinance is passed a roll call vote is required by each of the Council Members.

Council Member Petersen stated with regards to the General Plan, when the zoning is changed for a general plan, it does not change the current zoning to the property. Mayor Craythorne stated the General Plan is a desire of what the city is to become in the future.

9. Approval of Developers Agreement for Wise Country Meadows Subdivision – Mr. Boyd Davis

Mr. Davis stated he would be discussing items 9, 10, and 11 as they pertain to one another. Castle Creek Homes is proposing a new subdivision located at the intersection of 550 North and 3000 West. The subdivision would consist of 60 lots, and would be constructed in three phases; the first phase of the subdivision would include 21 lots and a detention pond.

Mr. Davis stated the landscaping along 3000 West where the lots back the street had been discussed by both the Planning Commission and the City Council. The Planning Commission has approved and is recommending a six foot sidewalk attached to the curb. The landscape plan submitted by the Developer was found to be acceptable by the Planning Commission with one change, the sprinkler system be changed to a drip irrigation system as this will conserve on water.

Mr. Davis also stated a payback agreement should exist between West Point City and the Developer, as the extension of 550 North is listed on West Point City's list of impact fee eligible projects. The impact fees collected from this subdivision will be used towards the agreement. The agreement states the following:

- The City agrees to reimburse the Developer for the actual costs incurred as documented on invoices from the contractor. The costs for the road are estimated at \$149,549. The cost for the water line is estimated at \$21,437.
- Payment to the Developer shall be done according to the City's impact fee rebate policy, which states that payment shall be remitted to the Developer on or before the end of each fiscal year (June 30). The City will determine the amount of road impact fees and water impact fees collected from the Subdivision during the fiscal year and will remit that amount to the Developer.

The agreement has been reviewed by both the City Attorney and the Developer and is found to be acceptable.

Mr. Davis stated Mrs. Eldeen Barnes; the adjacent lot owner has requested driveway access on 550 North. Mr. Davis stated it would be a possibility to give Mrs. Barnes driveway access on 550 North; however the driveway access must be kept at an adequate distance away from the intersection for safety. Mrs. Barnes also expressed concern with the amount grass she would need to maintain, therefore Mrs. Barnes has requested a six foot side walk in front of her property and the possibility of the Developer installing a mow strip with the fence.

Mr. Davis stated the Landscape maintenance section of the Developers Agreement clearly states the owner of lot one is required to maintain the landscaping along 3000 West on the east side of the subdivision and the owner will agree to incorporate CC&R's as part of the subdivision. It also states if the landscaping is not, in the opinion of West Point City, properly maintained, then West Point City reserves the right to enforce remedies within the agreement.

Council Member Woodward asked how any owner of lot one will be aware they will be responsible to maintain the landscaping. Mr. Davis stated the plat and the title report will show the lot as a "restricted lot", and the property owner selling the home has a legal obligation to disclose the information.

Council Member Petersen motioned to approve the Developers Agreement for Wise Country Meadows Subdivision
Council Member Woodward seconded the motion

The Council unanimously agreed

10. Approval of Payback Agreement with Wise Country Meadows Subdivision – Mr. Boyd Davis

Council Member Dawson motioned to approve the payback agreement with Wise Country Meadows Subdivision
Council Member Henderson seconded the motion

The Council unanimously agreed.

11. Approval of Wise Country Meadows Subdivision – Mr. Boyd Davis

Council Member Chatterton asked if all required items have been completed to approve Country Wise Meadows Subdivision. Mr. Davis stated all required items have been completed; the items not completed are items which are not required until recording. Mr. Davis stated Staff is comfortable with the approval of Wise Country Meadows Subdivision.

Council Member Chatterton motioned to approve Wise Country Meadows Subdivision
Council Member Dawson seconded the motion

The Council unanimously agreed

12. Ordinance No. 10-16-2012B, Prohibiting Billboards in West Point City – Mr. Boyd Davis

Mr. Davis stated the definition of a billboard has been changed since the last time this was discussed with the Council from 300 sq. ft. to 250 sq. ft, as to keep consistency with existing city code.

a. Public Hearing – no comment

Council Member Woodward motioned to close public hearing
Council Member Petersen seconded the motion

The Council unanimously agreed

b. Action

Council Member Petersen motioned to approve Ordinance No. 10-16-2012B, Prohibiting Billboards in West Point City
Council Member Woodward seconded the motion

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

The Council unanimously agreed

13. Ordinance No. 10-16-2012C, Prohibiting Apartments within Commercial Zones in West Point City – Mr. Boyd Davis

Mr. Davis stated with the change to the General Plan it is necessary to revise the Table of Land Use Regulations.

a. Public Hearing – no comment

Council Member Woodward motioned to close public hearing
Council Member Henderson seconded the motion

The Council unanimously agreed

b. Action

Council Member Woodward motioned to approve Ordinance No. 10-16-2012C, Prohibiting Apartments within Commercial Zones in West Point City.
Council Member Petersen seconded the motion

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

The Council unanimously agreed.

14. Ordinance No. 10-16-2012D, A Rezone of two acres from A40 (Agriculture) to R3 (Residential) zone at approximately 1949 West Ridge Point Drive – Mr. Boyd Davis

Mr. Davis explained that the applicant proposed that lot number 132 of the Mountain Shadows Subdivision be rezoned from agricultural to residential and then split to create two additional lots (for a total of three) Mr. Davis explained, however, that the rezone application is incomplete; therefore Staff recommends this item be tabled after the public hearing.

a. Public Hearing – no comment

Council Member Henderson motioned to close public hearing
Council Member Dawson seconded the motion

The Council unanimously agreed

b. Action

Council Member Peterson motioned to table Ordinance No. 10-16-2012D, A Rezone of two acres from A40 to R3 zone.
Council Member Chatterton seconded the motion

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

The Council unanimously agreed

15. Approval of Amended Plat for Mountain Shadows Subdivision, approximately 1949 W Ridge Point Drive – Mr. Boyd Davis

a. Public Hearing – no comment

Council Member Petersen motioned to close public hearing
Council Member Woodward seconded the motion

The Council unanimously agreed

b. Action

Council Member Chatterton motioned to the table the Amended Plate for Mountain Shadows Subdivision
Council Member Woodward seconded the motion

The Council unanimously agreed

Mr. Hill stated the applicant plans to submit a new application for the rezone. The new application will be reviewed by the Planning Commission on approximately November 8, 2012. If the Planning Commission approves the item, the rezone and the amended plat will then be brought to the City Council on approximately November 20, 2012 and a public hearing will be held.

16. Resolution No. 10-16-12, Consenting to the Annexation of Territory Within West Point City, Davis County, to the North Davis Fire District, Davis County, Utah – Mrs. Misty Rogers

Mrs. Rogers stated since the creation of the North Davis Fire District, additional territory has been annexed into West Point City. As property is annexed into West Point City, it does not automatically become annexed into the Fire District boundaries. Therefore is necessary to adopt by Resolution 10-16-12 the newly annexed property into the boundaries of the North Davis Fire District.

Council Member Woodward motioned to approve Resolution No. 10-16-12, consenting to the Annexation of Territory within West Point City, Davis County, to the North Davis Fire District, Davis County, Utah
Council Member Dawson seconded the motion

The Council unanimously agreed.

17. Adoption of minutes from the October 2, 2012 Council Meeting – Mrs. Misty Rogers

Council Member Henderson motioned to approve minutes from the October 2, 2012 Council Meeting
Council Member Petersen seconded the motion

The Council unanimously agreed.

18. Motion to Adjourn

Mayor Craythorne thanked those in attendance.

Council Member Chatterton motioned to adjourn
Council Member Petersen seconded the motion

The Council unanimously agreed.


ERIK CRAYTHORNE
MAYOR

11/20/12
DATE


MISTY ROGERS
CITY RECORDER

11-20-2012
DATE

