



West Point City Council Meeting
3200 West 300 North
West Point City, UT 84015
February 5, 2013

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

Interim City Manager
Kyle Laws

Administrative Session

6:20 PM

Minutes for the West Point City Administrative Session held February 5, 2013 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 Andy Dawson, Council Member Roger Woodward (arrived at 6:25 pm), and Council Member Kent Henderson (arrived at 6:40 pm)

EXCUSED – Council Member Petersen

CITY EMPLOYEES PRESENT - Interim City Manager Kyle Laws, City Engineer Boyd Davis, Public Work Superintendent Paul Rochell, and City Recorder Misty Rogers

VISITORS - None

1. Discussion of Secondary Water and Commercial Sewer Fees – Mr. Kyle Laws

Secondary Water - Recently Davis and Weber Canal Company has conducted an audit of secondary water users within West Point City. Davis and Weber Canal compared county records with West Point City records to determine if the City has been charging the accurate secondary water rate to property owners. It was discovered in many instances secondary water charges have been assessed at a lesser rate, as these properties were not being charged for the actual size of property. Adjustments were made to those accounts, and it was discovered the secondary water fee in which West Point City assesses does not coincide with the Davis and Weber Canal Fee Schedule. Davis and Weber Canal Company had a rate increase which took effect on July 1, 2011. Unfortunately, this rate increase was overlooked by West Point City for the past two budget cycles.

The table list below shows the current secondary water fee being assessed by West Point City as well as the Davis and Weber Canal Company secondary water fee which took effect on July 1, 2011.

Monthly Fee	West Point City Current Fee	Davis & Weber Canal Co. Effective 7/1/2011
Secondary Water (3/4 in) Up to 1/3 acre	\$ 21.41	\$21.58
Secondary Water (3/4 in) Greater than 1/3 acre	\$23.08	\$23.58
Secondary Water (1 in) Greater than 1/2 acre	\$26.58	\$27.50
Secondary Water (1 in) Greater than 3/4 acre	\$29.08	\$30.05

Staff recommended amending the West Point City Schedule of Fees to coincide with the Davis and Weber Canal Companies Fees.

Mr. Davis informed the Council of a possible rate increase by Davis and Weber Canal Companies which could take effect July 1, 2013. The Davis and Weber Canal Company budget has been based on a 2% growth rate; however this rate of growth has not happened.

Commercial Sewer Fees – Currently the North Davis Sewer District fee is \$8.00 per commercial connection per month in addition to \$0.80 per 1,000 gallons over 10,000 gallons per connection. The current fee for all properties in the City including residential is \$14.70 per month.

Recently West Point City conducted an analysis of commercial sewer rates being assessed to commercial properties within the City. Mr. Laws informed the Council that for a commercial property using over 15,000 gallons of water, the City would pay \$20.00 per month to the North Davis Sewer District; however the City is currently collecting \$14.70 per month per commercial connection. Mr. Laws stated the sewer fees being assessed to commercial properties are not covering the monthly charges due by the City to the North Davis Sewer District.

Staff recommended implementing a tiered rate of \$0.85 per 1,000 gallons used over 10,000 gallons and leaving the base rate as is. Council Member Chatterton asked how Mr. Laws decided on the number of \$0.85 to charge. Mayor Craythorne stated \$0.80 would cover the charge from North Davis Sewer District and the additional \$0.05 would be used to offset administrative costs. Mayor Craythorne and the Council Members recommended implementing a charge of \$0.90 for 1,000 gallons over 10,000 gallons for commercial connections.

Further discussion and a Resolution to amend the West Point City Schedule of Fees relative to Secondary Water Fees and Commercial Sewer Fees will be brought before Council on February 19, 2013.

No significant impact for Secondary Water Fees. Commercial entities will see an increase in their sewer fees.

Council Member Dawson asked how these items were overlooked. Mayor Craythorne stated it was an oversight which occurred because an audit hadn't been performed by either Davis and Weber Canal and West Point City in quite some time.

2. Discussion of warranty issue for Pheasant Creek Subdivision – Mr. Boyd Davis
(Pheasant Creek Subdivision is located at 1300 North 4350 West)

Mr. Davis informed the Council that the Pheasant Creek Subdivision has been on Warranty since 2008. Mr. Davis stated this item had been discussed and recommended for release from warranty on December 4, 2012. It was during the December 4th Council meeting when Mr. Leo Famuliner addressed Council and expressed concern with a repair which had occurred to an irrigation pipe within the Pheasant Creek Subdivision. Mr. Famuliner then requested the warranty phase for the Pheasant Creek Subdivision be extended one year or West Point City warranty the irrigation pipe for one year if the subdivision is released from warranty. During the December 4th meeting, Council recommended Staff further review this item with Mr. Felshaw King, the West Point City Attorney and bring the findings before Council in a future meeting.

Mr. Davis stated during the construction of the Pheasant Creek Subdivision Mr. Famuliner informed the City of an irrigation line located within the subdivision. The Developer was informed of the irrigation line and he agreed to realign and re-pipe the irrigation line with a higher quality pipe. The owner of the irrigation line requested concrete pipe be used to re-pipe the line. The Developer did as requested and re-piped the line with concrete pipe; however the concrete pipe began to leak due to the amount of water pressure. The Developer then removed the concrete pipe and re-piped the line for a second time using pvc pipe. After being in service a joint on the irrigation pipe began to leak due to the type of fitting which was used. The fitting on the joint was replaced with a mega lug fitting and used for an entire irrigation season without signs of a leak. West Point City inspected the repair and it was deemed satisfactory.

All items on their punch list have been completed to the satisfaction of West Point City. After consulting with Mr. Felshaw King, the West Point City Attorney, it has been determined the City cannot legally extend the warranty

period for the Pheasant Creek Subdivision. Mr. King advised West Point City not to warranty the pipe, as it is a private pipe. Mr. King also stated the inspection of the City is adequate and it is not required for the owner of the pipe to have the opportunity to inspect the repair. Staff recommends that Pheasant Creek Phase One and Two be released from warranty.

Council Member Dawson asked how when the repair took place. Mr. Davis stated the repair was completed approximately a year and a half ago.

3. Discussion of Renewal of Interlocal Agreement with Davis County Animal Control – Mrs. Misty Rogers

The Current Interlocal agreement with Davis County Animal Services is set to expire in December 2013. Davis County is requesting West Point City enter into a new five year Interlocal agreement for animal control services one year early due to an effort by the County to get all cities on the same five year term agreement. A few minor changes to the contract are:

- Coverage – Current patrol hours by Animal Control Officers are Monday – Saturday, 8 am to 5 pm. Because of officer turnover and coverage issues, Davis County is proposing regular patrol hours be changed to Monday – Friday from 8 am to 5 pm. This change will exclude regular Saturday patrols.
- Response Time For Emergency Incidents – The current agreement allows for a 15 minute officer response time for emergency animal incidents. However, due to the size of the County and the location of available officers it can be difficult to meet this response time. The County proposes the emergency incident response time be changed to 30 minutes.
- Contract Duration – This is a five year Interlocal Agreement, beginning January 1, 2013 and ending December 31, 2017, this contract will automatically renew on a year-to-year basis.

No action is required at this time. This item is scheduled to be brought before Council on February 19th for approval.

4. Discussion of Building Lot Regulations, West Point City Code 16.05.085 – Mr. Boyd Davis

Discussed held during the General Session

5. Discussion of Ditch Piping Regulations, West Point City Code 16.05.100 – Mr. Boyd Davis

The Planning Commission has been discussing ditch piping regulations for subdivisions, including single lot subdivisions. The Planning Commission recommends additional language be added to the Ordinance to give clarity for who is exempt or who is responsible to pipe a ditch. Mr. Davis stated each situation is unique and done on a case by case basis. Staff recommends the following:

- Require all open ditches within the boundaries of subdivision be piped
- Allow the City to determine what to do with ditches outside of the boundaries
- Designate who has the authority to design the pipe
- The City to determine the appropriate length of the ditch to be piped

The Planning Commission has approved and recommends the following amendments to West Point City Code, 16.05.100.

16.05.100 Subdivision Improvements Required

E. Irrigation Water/Open Ditches. Open ditches shall be piped within the subdivision. If the ditch is owned by a ditch company or some landowner has rights to water running through the ditch, then the City will work with the appropriate party to determine the size and type of pipe to be placed. If no company or individual can prove their rights to the ditch then the City Engineer will determine the appropriate size, type, and length of ditch to be piped. Some ditches that are presently piped may be required to be re-laid to meet City standards. In some cases ditches may be abandoned.

The Council adjourned into the General Session.



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Council
Gary Petersen, Mayor Pro Tem
Jerry Chatterton
Andy Dawson
R. Kent Henderson
Roger Woodward
Interim City Manager
Kyle Laws

General Session

7:00 pm – Council Room

Minutes for the West Point City General Session held February 5, 2013 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 Andy Dawson, Council Member Roger Woodward, and Council Member Kent Henderson

EXCUSED – Council Member Petersen

CITY EMPLOYEES PRESENT - Interim City Manager Kyle Laws, City Engineer Boyd Davis, Public Work Superintendent Paul Rochell, Events Coordinator Jolene Kap, and City Recorder Misty Rogers

VISITORS PRESENT – Nathan Seffker, Hannah Steed, Jared Seffker, Scott Seffker, Austin Morris, Chenille Morris, Patti Seffker, Gail Perkes, Kelsey Perkes, Julianne Orton, Katie Orton, Kaitlyn Beckstead, and ??

1. **Call to Order** – Mayor Craythorne welcomed all in attendance and thanked the Youth Council Members for their participation. A few of the Youth Council representatives sat on the dais with the City Council Members.

Youth Council Representatives:

Acting Mayor – Hannah Steed
Mayor Pro Tem - Jared Seffker
City Manager - Chenille Morris
Recorder - Nathan Seffker
–Treasurer – Austin Morris
Head Chair - Kelsey Perkes
Historian - Kaitlyn Beckstead

Mayor Craythorne expressed his appreciation for the Youth Council Members, their Advisors, and the Youth Council program.

2. **Pledge of Allegiance** – Youth Council Mayor Hannah Steed
3. **Prayer** – Council Member Woodward
4. **Communications and Disclosures from City Council and Mayor**

Council Member Chatterton informed the Council that in December 2012, he was appointed as the President of the board of the Mosquito District of Davis. The next Mosquito Abatement District of Davis (MAAD) meeting will be held on February 13, 2013.

Council Member Dawson – No Comment

Council Member Woodward – no Comment

Council Member Henderson thanked the Mr. Paul Rochell and the Public Works Department for their efforts with snow removal.

Mayor Craythorne informed the Council the State Legislature is in session. He also informed the Council that he and Mr. Laws will be attending meetings at the Capital each Monday over the several weeks. He then asked that any Council Member wishing to attend those meetings contact Mr. Laws.

5. **Communications from Staff**

Mr. Boyd Davis - Discussion of Building Lot Regulations, West Point City Code 16.05.085

The Proposal would require a survey plat for all subdivisions including:

- Single lot subdivisions
- Conversion of existing parcels to building lots

Purpose – The purpose of a plat is to accomplish several tasks with one document

- Prevent poor quality drawings, this will preserve accurate records for the future
- Provide a recorded document
- Prove the lot meets the requirements of the ordinance in place at the time of recording
- Avoid confusion with existing parcels (are they a building lot or not)
- Survey of property
- Boundary line agreements with neighboring properties
- An address can be assigned to the property
- Can dedicate any roads or right of ways
- Can dedicate public utility easements
- Can be used as a site plan

The Ordinance approved by the Planning Commission would include:

- An existing parcel of property does not constitute a building lot, a plat must be recorded
- A plat is required for all building lots, including single lots and existing parcels. (A single lot subdivision may be streamlined)
- Construction drawings may be waived.
- Guarantee of improvements not required unless there are public improvement being installed.
- Review fees must be paid.

Staff asked for recommendations from the Council. Council Member Woodward recommended lowering the plat fee for a single lot subdivision. Mayor Craythorne stated this item would be brought before Council in a future meeting.

Mayor Craythorne informed the Youth Council Members and those in attendance of a packet received by Council Members for each Council meeting. The “packet” includes a list of possible upcoming items, and a Staff Report for each item which will be discussed at the meeting. The Staff Reports included information, recommendations, and possible attachments.

Mr. Laws reminded the City Council Members of the following dates:

- The Utah League of Cities of Towns Midyear Conference (April 10-12, 2013) in St. George.
- West Point City Easter Egg Hunt will be held on March 30th.
- Council Retreat has been rescheduled for January 10-11, 2014.

6. Citizen Comment – No Comment

7. Youth Council Update

Julianne and Katie Orton stated the Youth Council Members have been sanding and painting cars for “operation care” a military service project for kids in less fortunate areas. Recently the Youth Council donated 30 jerseys and shorts for refugee youth in Salt Lake City. Currently, the Youth Council Members are assembling hygiene kits to be sent to China with Sierra Hart, a West Point City Youth Council Member. The Youth Council program is running smoothly and the members are learning leadership skills. Julianne and Katie then thanked the City Council for the support they give to the Youth Council.

Mayor Craythorne thanked the Youth Council for their report.

8. Removal of Pheasant Creek Subdivision Phase One and Two from Warranty – Mr. Boyd Davis

Mr. Davis stated the subdivision had been on warranty since 2008. All punch list items have been completed to the satisfaction of West Point City. Mr. Davis stated recently a concern was expressed from the property owner of an irrigation pipe and Staff reviewed this concern with Mr. Felshaw King, the West Point City Attorney. It was determined the City could not legally extend the warranty period for the Pheasant Creek Subdivision. Therefore, Staff recommends release of Pheasant Creek Subdivision Phase One and Two from Warranty.

Council Member Henderson motioned to release Pheasant Creek Subdivision Phase One and Two from Warranty. Council Member Chatterton seconded the motion

The Council unanimously agreed

9. Adoption of Minutes from the January 15, 2013 Council Meeting – Mrs. Misty Rogers

Council Member Chatterton motioned to approve the minutes from the January 15, 2013 City Council Meeting. Council Member Dawson seconded the motion.

The Council unanimously agreed


10. Motion to adjourn

Mayor Craythorne asked if any Youth Council Members had questions for the City Council Members. No questions were asked. Mayor Craythorne thanked the Youth Council Members for their participation.

Council Member Dawson requested the West Point City radio station be updated. Mayor Craythorne informed those in attendance of the West Point City radio station, 1530 AM. This station is used for emergency communication and on occasion upcoming events may be advertised.

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

The Council unanimously agreed


ERIK CRAYTHORNE
MAYOR

2/19/13
DATE


MISTY ROGERS
CITY RECORDER

2/19/2013
DATE

