



3200 W 300 N, West Point, UT 84015
801.776.0970

WEST POINT CITY COUNCIL NOTICE OF ELECTRONIC MEETING & AGENDA

NO PHYSICAL MEETING LOCATION

April 7, 2020

Mayor
Erik Craythorne
Council
Gary Petersen, Mayor Pro Tem
Jerry Chatterton
Andy Dawson
R. Kent Henderson
Annette Judd
City Manager
Kyle Laws

This public meeting will be held electronically in accordance with the
March 18th, 2020 Executive Order 2020-5 issued by Governor Herbert:
2020-5: *Suspending the Enforcement of Provisions of Utah Code § 52-4-202 and § 52-4-207,
and Related State Agency Orders, Rules, and Regulations, Due to Infectious Disease COVID-19 Novel Coronavirus*

The public may monitor or listen to the meeting electronically and provide public comment when appropriate by following the instructions below:

- **Join Zoom Meeting at:** <https://zoom.us/j/935657085> or
- **Connect via Telephone:** Dial 1(669) 900-6833 and enter **Meeting ID:** 935657085

Members of the public may also participate in the Citizen Comment item via email prior to the meeting.

Comments must be received prior to the 7PM City Council Meeting

- **Email:** carold@westpointcity.org
- **Subject Line:** Must be designated as "Citizen Comment - April 7, 2020 City Council Meeting"
- **Email Body:** Must include First & Last Name and Address and a succinct statement of your comment.

ADMINISTRATIVE SESSION

6:00 PM – OPEN TO THE PUBLIC

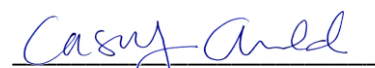
1. **Discussion Regarding Amendments to the Animal Care Contract with Davis County** – Mr. Kyle Laws pg. 5
2. **Discussion Regarding the Sunview Estates Subdivision** – Mr. Boyd Davis pg. 15
3. **Discussion Regarding the Emergency Paid Sick Leave Policy** – Ms. Casey Arnold pg. 17
4. **Other Items**

GENERAL SESSION

7:00 PM – OPEN TO THE PUBLIC

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Prayer** (Please contact the City Recorder to request meeting participation by offering a prayer or inspirational thought)
4. **Communications and Disclosures from City Council and Mayor**
5. **Communications from Staff**
6. **Citizen Comment** (If you wish to make comment to the Council, please email your comments prior to the meeting using the instructions above, or if you have joined the electronic meeting, use the "raise hand" icon if on a computer or dial *9 to indicate that you would like to make a comment. When it is your turn, the meeting host will unmute you. Please clearly state your name and address, keeping your comments to a maximum of 2 ½ minutes. Please do not repeat positions already stated. Public comment is a time for the Council to receive new information and perspectives)
7. **Consideration of Approval of the Minutes from the January 10th – 11th City Council Visioning Session** pg. 25
8. **Consideration of Approval of the Minutes from the March 3, 2020 West Point City Council Meeting** pg. 41
9. **Proclamation of Sexual Assault Awareness Month** – Mayor Erik Craythorne
10. **Consideration of Approval of Resolution No. 04-07-2020A, Adopting the Emergency Leave Paid Policy of West Point City's Personnel Policies and Procedures** – Ms. Casey Arnold pg. 17
11. **Consideration of Approval of Resolution No. 04-07-2020B, Amending the Interlocal Agreement with Davis County for Animal Control Services in West Point City** – Mr. Kyle Laws pg. 11
12. **Consideration of Approval of Resolution No. 04-07-2020C, Approving a Postponement Agreement Between Kaleb Galbraith and West Point City for the Installation of Street Improvements at 2737 W 300 N** – Mr. Boyd Davis pg. 49
13. **Consideration of Final Approval of the Red Fox Ranch Estates Subdivision** – Mr. Boyd Davis
14. **Consideration of Approval of Ordinance No. 04-07-2020A, Amending Section 15.15.120 of the WPCC Code Regarding Accessory Buildings** – Mr. Boyd Davis pg. 57
 - a. **Public Hearing** - If you wish to make comment to the Council during this public hearing, use the "raise hand" icon if on a computer or dial *9 to indicate that you would like to make a comment. When it is your turn, the meeting host will unmute you. Please clearly state your name and address, keeping your comments to a maximum of 2 ½ minutes. Please do not repeat positions already stated.
 - b. **Action**
15. **Consideration of Approval of Ordinance No. 04-07-2020B, Amending Section 17.35 of the WPCC Code Regarding the PRUD Overlay Zone** – Mr. Boyd Davis pg. 65
 - a. **Public Hearing** - If you wish to make comment to the Council during this public hearing, use the "raise hand" icon if on a computer or dial *9 to indicate that you would like to make a comment. When it is your turn, the meeting host will unmute you. Please clearly state your name and address, keeping your comments to a maximum of 2 ½ minutes. Please do not repeat positions already stated.
 - b. **Action**
16. **Motion to Adjourn the General Session**

Posted this 3rd day of April, 2020


CASEY ARNOLD, CITY RECORDER

If you plan to attend this meeting and, due to disability, will need assistance in understanding or participating therein, please notify the City at least twenty-four (24) hours prior to the meeting and we will seek to provide assistance.

TENTATIVE UPCOMING ITEMS

Date: *TBD*

JOINT MEETING w/ PLANNING COMMISSION – 5:00 PM

Date: *04/21/2020*

Administrative Session – 6:00 pm

1. Discussion Regarding the FY2020 Amended Budget and the FY2021 Tentative Budget for West Point City and All Related Agencies – Mr. Ryan Harvey
2. Discussion Regarding the Trailer Parking in Front Yards – Mr. Boyd Davis
3. Discussion Regarding Technology Updates to City Hall – Mr. Kyle Laws

General Session – 7:00 pm

1. Davis County Sheriff's Office Quarterly Update
-

Date: *05/05/2020*

Administrative Session – 6:00 pm

1. Quarterly Financial Report – Mr. Ryan Harvey
2. Code Enforcement Update – Mr. Bruce Dopp
3. Discussion Regarding the FY2020 Amended Budget and the FY2020 Tentative Budget for West Point City and All Related Agencies – Mr. Ryan Harvey

CDRA Meeting

1. Consideration of Approval of Resolution No. R05-05-2020A, Approving the FY2020 Amended Budget for the CDRA of West Point City – Mr. Ryan Harvey
 - a. Public Hearing
 - b. Adoption
2. Consideration of Approval of Resolution No. R05-05-2020B, Approving the FY2020 Tentative Budget for the CDRA of West Point City – Mr. Ryan Harvey
 - a. Public Hearing
 - b. Action

General Session – 7:00 pm

1. Youth Council Update
2. West Point City Youth Council Essay Contest Winners – Mayor Erik Craythorne
3. Consideration of Approval of Resolution No. 05-05-2020A, Approving the FY2020 Amended Budget for West Point City and All Related Agencies – Mr. Ryan Harvey
 - a. Public Hearing
 - b. Action
4. Public Hearing Regarding the FY2021 Tentative Budget for West Point City and All Related Agencies – Mr. Ryan Harvey

Date: *05/19/2020*

Administrative Session – 6:00 pm

General Session – 7:00 pm

Invocation by Rajan Zed, Hindu Leader

Date: *06/02/2020*

Administrative Session – 6:00 pm

1. Discussion Regarding the FY2021 Tentative Budget for West Point City and All Related Agencies – Mr. Ryan Harvey

General Session – 7:00 pm

1. Davis County Sheriff's Office Quarterly Update
 2. Consideration of Approval of Resolution No. 06-02-2020A, Approving the FY2021 Tentative Budget for West Point City and All Related Agencies – Mr. Ryan Harvey
 - a. Public Hearing
 - b. Action
-

Date: *06/16/2020*

Administrative Session – 6:00 pm

1. Discussion Regarding the FY2021 Final Budget for West Point City and All Related Agencies – Mr. Ryan Harvey
2. Discussion Regarding the FY2021 Schedule of Fees for West Point City and All Related Agencies – Mr. Ryan Harvey

CDRA Meeting

1. Consideration of Approval of Resolution No. R06-16--2020A, Approving the FY2021 Final Budget for the CDRA of West Point City – Mr. Ryan Harvey
 - a. Public Hearing
 - b. Adoption

General Session – 7:00 pm

1. Consideration of Approval of Resolution No. 06-16-2020A, Adopting the FY2021 Schedule of Fees for West Point City and All Related Agencies– Mr. Ryan Harvey
-

Date: *07/07/2020*

Administrative Session – 6:00 pm

1. Discussion Regarding the Property Tax Rate for the 2020 Taxable Year for West Point City – Mr. Ryan Harvey



WEST POINT CITY 2020 CALENDAR

2020

IMPORTANT DATES

JANUARY

SUN	MON	TUE	WED	THU	FRI	SAT
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

JULY

SUN	MON	TUE	WED	THU	FRI	SAT
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
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FEBRUARY

SUN	MON	TUE	WED	THU	FRI	SAT
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AUGUST

SUN	MON	TUE	WED	THU	FRI	SAT
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30	31					

MARCH

SUN	MON	TUE	WED	THU	FRI	SAT
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15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

SEPTEMBER

SUN	MON	TUE	WED	THU	FRI	SAT
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

APRIL

SUN	MON	TUE	WED	THU	FRI	SAT
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OCTOBER

SUN	MON	TUE	WED	THU	FRI	SAT
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18	19	20	21	22	23	24
25	26	27	28	29	30	31

MAY

SUN	MON	TUE	WED	THU	FRI	SAT
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10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

NOVEMBER

SUN	MON	TUE	WED	THU	FRI	SAT
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22	23	24	25	26	27	28
29	30					

JUNE

SUN	MON	TUE	WED	THU	FRI	SAT
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21	22	23	24	25	26	27
28	29	30				

DECEMBER

SUN	MON	TUE	WED	THU	FRI	SAT
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

JANUARY

1	New Year's Day - CLOSED
9	Planning Commission - 6 PM
10-11	City Council Planning & Visioning Session
13	Senior Lunch - 11:30 AM
20	MLK Jr. Day - CLOSED
21	City Council - 6 PM
23	Planning Commission - 6 PM

FEBRUARY

4	City Council - 6 PM
10	Senior Lunch - 11:30 AM
12	Council/Staff Lunch - 11:30 AM
13	Planning Commission - 6 PM
17	President's Day - CLOSED
18	City Council - 6 PM
27	Planning Commission - 6 PM

MARCH

3	City Council - 6 PM
3	PRESIDENTIAL PRIMARY ELECTION
12	Planning Commission - 6 PM
16	Senior Lunch - 11:30 AM
17	City Council - 6 PM
26	Planning Commission - 6 PM

APRIL

7	City Council - 6 PM
9	Planning Commission - 6 PM
11	EASTER EGG HUNT - 10 AM
13	Senior Lunch - 11:30 AM
17-18	SPRING CLEAN-UP
21	City Council - 6 PM
23	Planning Commission - 6 PM

MAY

5	City Council - 6 PM
7	CEMETERY CLEANING
13	Council/Staff Lunch - 11:30 AM
14	Planning Commission - 6 PM
16	TAKE PRIDE DAY
18	Senior Lunch - 11:30 AM
19	City Council - 6 PM
25	Memorial Day - CLOSED
28	Planning Commission - 6 PM

JUNE

2	City Council - 6 PM
6	MISS WEST POINT @ SHS - 7 PM
11	Planning Commission - 6 PM
12	MOVIE IN THE PARK
15	Senior Lunch - 11:30 AM
16	City Council - 6 PM
25	Planning Commission - 6 PM
30	GENERAL PRIMARY ELECTION

JULY

3-4	PARTY AT THE POINT EVENTS
6	Independence Holiday - CLOSED
7	City Council - 6 PM
9	Planning Commission - 6 PM
13	Senior Lunch - 11:30 AM
17	MOVIE IN THE PARK - 7PM
21	City Council - 6 PM
23	Planning Commission - 6 PM
24	Pioneer Day - CLOSED

AUGUST

4	City Council - 6 PM
TBD	Summer Party - 6:30 PM
13	Planning Commission - 6 PM
14	Senior Dinner - 5 PM
14	MOVIE IN THE PARK - 7PM
18	City Council - 6 PM
27	Planning Commission - 6 PM

SEPTEMBER

1	City Council - 6 PM
7	Labor Day - CLOSED
10	Planning Commission - 6 PM
11	MOVIE IN THE PARK - 7 PM
14	Senior Lunch - 11:30 AM
15	City Council - 6 PM
24	Planning Commission - 6 PM

OCTOBER

1	CEMETERY CLEANING
6	City Council - 6 PM
8	Planning Commission - 6 PM
12	Employee Training - CLOSED
14	Council/Staff Lunch - 11:30 AM
16	HALLOWEEN CARNIVAL - 7 PM
19	Senior Lunch - 11:30 AM
20	City Council - 6 PM
22	Planning Commission - 6 PM

NOVEMBER

3	ELECTION DAY
9	FLAGS ON VETERANS' GRAVES
11	Veterans Day - CLOSED
12	Planning Commission - 6 PM
16	Senior Lunch - 11:30 AM
17	City Council - 6 PM
26-27	Thanksgiving - CLOSED
30	CITY HALL LIGHTING - 6 PM

DECEMBER

1	City Council - 6 PM
4	Christmas Party - 7 PM
6	CHILD REMEMBRANCE - 7 PM
10	Planning Commission - 6 PM
14	Senior Lunch - 11:30 AM
15	City Council - 6 PM
16	Staff Christmas Party
18	CEMETERY LUMINARY - 4 PM
24-25	Christmas - CLOSED

*UPDATED AS OF FEBRUARY 27, 2020

City Council Staff Report

Subject: Interlocal Agreement with Davis County Animal Services
Author: Kyle Laws
Department: Executive
Date: April 7, 2020



Background

Davis County and West Point City renegotiated the Interlocal Agreement for Animal Control Services that goes through December 31, 2020. However, this agreement will be amended each year to update the fees to be paid based on previous year calls.

Analysis

Last year (Calendar Year 2019) the City's cost for animal control services, as outlined in the contract, was:

- \$37,415.32 for general animal control services
- \$1,339.00 for wild animal calls and services
- \$2,202.80 for the capital projects fund regarding the shelter

As in past years, the charges are based on the previous year's usage of Animal Care & Control by our residents. The fee paid by the City provides full 24-hour animal care and control services, including the housing and processing of stray animals. The City's costs will either increase or decrease based on the number of calls received the previous year. The cost for this year (Calendar Year 2020) is:

- \$44,746.86 for general animal control services
- \$1,519.25 for wild animal calls and services
- \$2,210.45 for the capital projects fund regarding the shelter

The total cost is \$48,476.56, up from a total \$40,957.12 last year. Our Budget for FY2020 is \$43,000. We will need amend the FY2020 budget to account for the unexpected increase from last year to this year and should increase the budget for FY2021 in anticipation of continued increases in calls.

As previously mentioned, the Interlocal Agreement goes through December 31, 2020. This is an amendment to the Interlocal Agreement to account for annual fees.

In February 2020, the City Council attended an information session and tour of the Animal Shelter. This was very informative and the City Council better understands the needs that exist in Animal Care.

Recommendation

This is for discussion only. No action is required at this time. However, we will need to take action on this amendment at the next City Council meeting so any feedback the Council has would be appreciated.

Significant Impacts

No significant impacts at this time.

Attachments

- Letter from Rhett Nicks, Director of Animal Care of Davis County
- 2019 Statistics
- Amendment No. 4 to Interlocal Cooperation Agreement between Davis County and West Point City for Animal Control Services.



Animal Care of Davis County

1422 East 600 North – Fruit Heights, Utah 84037
Telephone: (801) 444-2200 – TDD: (801) 451-3228 – Fax: (801) 444-2212

Date: February 5, 2020
To: Kyle Laws, City Manager City of West Point
From: Rhett Nicks, Director Animal Care of Davis County
RE: 2019 Animal Care and Control Contracts

Mr. Laws,

Enclosed you will find your city's statistics for 2019, two (2) contracts for 2020, and a self-addressed envelope. If you would like to have an original signed contract returned to your office please see to it that both contracts are signed by your designated party and returned to the shelter. Contracts will be presented to the Davis County Commission during the last regularly scheduled Commission meeting in May 2020. Contracts received after this date will be presented to the Commission at the convenience of the Director.

This past year saw a 12.98% increase in owner surrenders and a 16.77% increase in strays as well as a 2.09% increase in wildlife interaction (6.3% increase in wildlife calls). In addition the field moved to a 7 day a week operation and expanded its operational hours to 07:00 to 20:00 weekdays and 08:30 to 17:00 weekends. For the 5 busiest months, the shelter averaged approximately 20% of its staff out on medical leave or administrative leave. This generated the need to refocus field staff on priority calls. Because of this, there were significant decreases in our ability to provide extra patrols, license follow ups, and middle home quarantine checks. The department intended to refocus on priority calls and seek other means for compliance with licenses and quarantine checks over a 2 year period. The shortage of staff due to illness/injury has accelerated our plans.

2019 Highlights:

- Investigation of a severe injury to a child by two dogs
 - No charges, but this case made national media and consumed a significant amount of the departments' resources for almost 3 months
- Confiscation and subsequent guilty plea for 18 cattle repeatedly at large in a high traffic area
 - This took approximately 3 months and cost between \$6000 and \$9000
- Investigated 50 abandon swine for malnourishment, repeated at large, and causing a vehicular accident (subsequent compliance and the swine removed from the county)
- Bites over all dropped by 5.84%, however bite follow ups and increased investigation to determine if an animal was dangerous, increased by 12.04%
- Two investigations ending in the abatement of 2 dogs due to wellness/cruelty issues
- Answered 2,312 wildlife calls at 1110 address, 48% of calls from addresses with 3 service calls or more, 3 locations with 50+ service calls for wildlife
- Participated in 23 community events from parades to adoption days



Animal Care of Davis County

1422 East 600 North - Fruit Heights, Utah 84037
Telephone: (801) 444-2200 - TDD: (801) 451-3228 - Fax: (801) 444-2212

Activity Report for WEST POINT

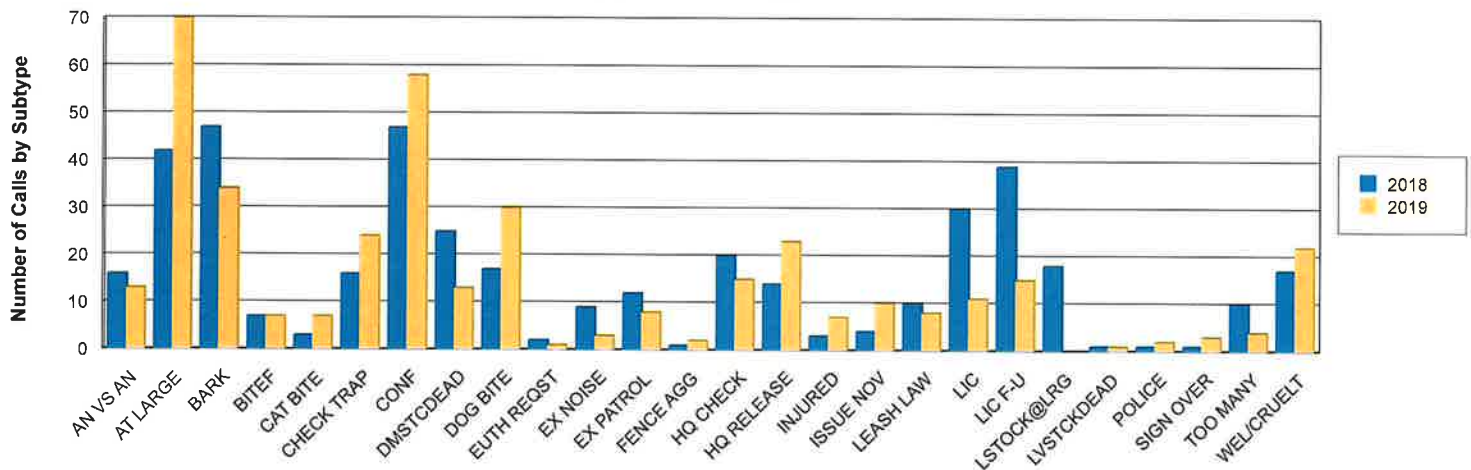
From January 01 to December 31, 2018 compared to 2019

	2018	2019
AN VS AN	16	13
AT LARGE	42	70
BARK	47	34
BITEF	7	7
CAT BITE	3	7
CHECK TRAP	16	24
CONF	47	58
DMSTCDEAD	25	13
DOG BITE	17	30
EUTH REQST	2	1
EX NOISE	9	3
EX PATROL	12	8
FENCE AGG	1	2
HQ CHECK	20	15
HQ RELEASE	14	23
INJURED	3	7
ISSUE NOV	4	10
LEASH LAW	10	8
LIC	30	11
LIC F-U	39	15
LSTOCK@LRG	18	0
LVSTCKDEAD	1	1
POLICE	1	2
SIGN OVER	1	3
TOO MANY	10	4
WEL/CRUELTY	17	22
Total	412	391

	2018	2019	Total
CITATION	1	1	2
Total	1	1	2

Activity Subtype

Year to Year Comparison





Animal Care of Davis County

1422 East 600 North - Fruit Heights, Utah 84037
Telephone: (801) 444-2200 - TDD: (801) 451-3228 - Fax: (801) 444-2212

WILDLIFE LOG FOR WEST POINT

From 01/01/2019 to 12/31/2019

Total	59
BAT	7
BIRD	5
DUCK/GEESE	1
FOX	2
PIGEON	1
RACCOON	33
SKUNK	9
UNKNOWN	1

RESOLUTION NO. 04-07-2020B

**A RESOLUTION AMENDING AN INTERLOCAL
COOPERATION AGREEMENT WITH DAVIS COUNTY FOR
ANIMAL CONTROL SERVICES IN WEST POINT CITY**

WHEREAS, West Point City, a Municipal Cooperation, hereinafter referred to as the “City,” is a public body of the State of Utah; and,

WHEREAS, the City is governed by a Mayor and City Council duly elected according to law; and,

WHEREAS, Davis County provides animal care and control services through the Davis County Animal Care and Control Department under the direction of the Animal Control Director and employees as provided and described in Utah State Code 53-13-105, Utah Code Annotated;

WHEREAS, Davis County and the City desire to amend the existing agreement for Animal Control Services;

NOW, THEREFORE, BE IT RESOLVED, FOUND AND ORDERED AS FOLLOWS:

The West Point City Council affirms that the Mayor is authorized to sign the Amendment to the Interlocal Cooperation Agreement between Davis County and West Point City for Animal Control Services, as attached.

PASSED AND ADOPTED this 7th day of April, 2020

WEST POINT CITY,
A Municipal Corporation

By: _____
Erik Craythorne, Mayor

ATTEST:

Casey Arnold, City Recorder

AMENDMENT NO. 4 TO INTERLOCAL COOPERATION AGREEMENT FOR ANIMAL SERVICES

This Amendment No. 4 to Interlocal Cooperation Agreement for Animal Services (this “Amendment No. 4”) is made and entered into as of January 1, 2020, by and between Davis County, a political subdivision of the state of Utah (the “County”), and West Point City, a municipal corporation of the state of Utah (the “City”). The County and the City may be collectively referred to as the “Parties” herein.

RECITALS

This Amendment No. 4 is made and entered into by and between the Parties based, in part, upon the following recitals:

- A. In 2016, the Parties entered into an *Interlocal Cooperation Agreement for Animal Services*, which is labeled by the County as Contract No. 2016-236 (the “Agreement”); and
- B. The Parties, through this Amendment No. 4, desire to modify certain terms and/or provisions of the Agreement.

Now, based upon the foregoing, and in consideration of the terms set forth in this Amendment No. 4, the Parties do hereby agree as follows:

- 1. **Exhibit A of the Agreement is replaced in its entirety with the Exhibit A below:**

EXHIBIT A

The City’s 2020 calendar year obligation to the County for service calls, excluding calls for wild nuisance animal pick up and/or euthanization:

<u>Title/Category</u>	<u>Subtitle/Subcategory</u>	<u>Amount</u>
Budgeted 2020 Expenditures by Davis County for Animal Care and Control:	Personnel:	\$2,207,222.48
	Operating:	\$314,449.00
	Capital Equipment:	\$139,794.00
	Allocations:	+ \$134,055.24
	Total Expenditures:	\$2,795,520.72
Projected 2020 Revenues of Davis County Animal Care and Control:	Licenses:	\$220,000.00
	Shelter Fees:	\$180,500.00
	Surgical Fees:	\$48,000.00
	Wildlife Fees:	\$59,173.50
	Donations:	+ \$12,500.00
	Total Revenues:	\$520,173.50
Projected 2020 Expenditures Less Projected 2020 Revenues:		\$2,795,520.72
		- \$520,173.50
		\$2,275,347.22
Combined Cities’ 50% Obligation:		\$2,275,347.22
		x 50%
		1,137,673.61
Average of the City’s Total Billable Calls for 2018 and 2019:		401.50
Average of Combined Cities’ Total Billable Calls for 2018 and 2019:		10,208.00
The City’s 2019 Usage Rate:		401.50
		/ 10,208.00
		3.93%
The City’s 2020 Calendar Year Obligation to the County:		\$44,746.86

The City shall pay the foregoing calendar year obligation to the County on a monthly basis and within thirty calendar days of receipt of a monthly invoice from the County.

The City's 2020 calendar year obligation to the County for
wild nuisance animal pick up and/or euthanization calls or services:

Title/Category	Frequency/Amount
The City's Wildlife Calls for 2019:	59
Cost to City for Each Wildlife Call in 2019:	\$25.75
The City's 2020 Calendar Year Obligation to County for Wildlife Calls:	\$1,519.25

The City shall pay its calendar year obligation to the County for wild nuisance animal pick up and/or euthanization calls or services on a monthly basis and within thirty calendar days of receipt of a monthly invoice from the County.

The City's 2020 calendar year obligation to the County for
the capital projects fund regarding the Shelter:

Title/Category	Amount
Total of Capital Projects Fund Regarding the Shelter:	\$562,000.00
Combined Cities' Portion of the Capital Projects Fund Regarding the Shelter:	\$281,000.00
2020 Obligation of the Combined Cities:	\$56,200.00
The City's 2019 Usage Rate:	3.93%
The City's 2020 Calendar Year Obligation to the County:	\$2,210.45

The City shall pay the foregoing calendar year obligation to the County on a monthly basis and within thirty calendar days of receipt of a monthly invoice from the County.

2. **Continuing Effect of the Agreement.** Except to the extent specifically modified by this Amendment No. 4, the terms and conditions of the Agreement shall remain in full force and effect.
3. **Counterparts.** This Agreement may be executed in counterparts, each of which shall be deemed an original, and all such counterparts shall have the same force and effect as original signatures.

[Signature Page Follows]

IN WITNESS WHEREOF, the Parties hereto have caused this Amendment No. 4 to be signed by their duly authorized representatives on the dates indicated below.

DAVIS COUNTY	WEST POINT CITY
By: _____ Chair, Board of Davis County Commissioners Date: _____	By: _____ Mayor Date: _____
ATTEST: _____ Davis County Clerk/Auditor Date: _____ Reviewed and Approved as to Proper Form and Compliance with Applicable Law: _____ Davis County Attorney's Office Date: _____	ATTEST: _____ City Recorder Date: _____ Reviewed and Approved as to Proper Form and Compliance with Applicable Law: _____ City Attorney Date: _____

City Council Staff Report

Subject: Sunview Estates Subdivision
Author: Boyd Davis
Department: Community Development
Date: April 7, 2020



Background

The proposed Sunview Estates Subdivision is located at 1100 N 5000 W. The property was recently rezoned to the R-1PRUD zone and is owned by Mark Thayne. The final plans have been prepared and are being reviewed by the Planning Commission. They will consider it for approval at their next meeting.

Analysis

The first phase of the subdivision contains 1.6 acres and 6 lots ranging in size from 10,140 sqft to 12,749 sqft. This first phase includes those lots along 5000 W that can connect directly to the gravity sewer line and will not require a lift station. There is an existing home on lot 105 that they plan to remodel or rebuild, which required the lots to face 5000 W. Four of the six lots will face 5000 W, while lots 102 and 103 will face the interior street.

Staff has reviewed the plans and all items have been addressed. They have also received approval from the following agencies:

- Hooper Water Improvement District
- Davis & Weber Counties Canal Co.
- North Davis Fire District.

Recommendation

No action necessary. This is for discussion only.

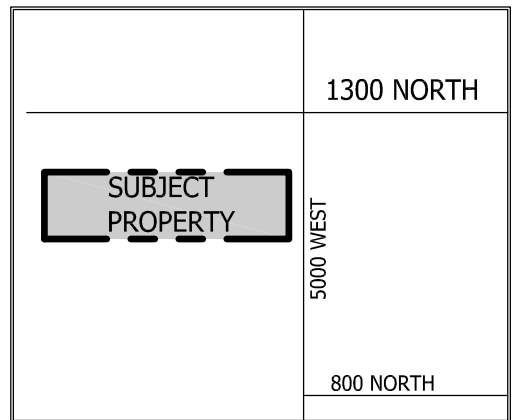
Significant Impacts

None

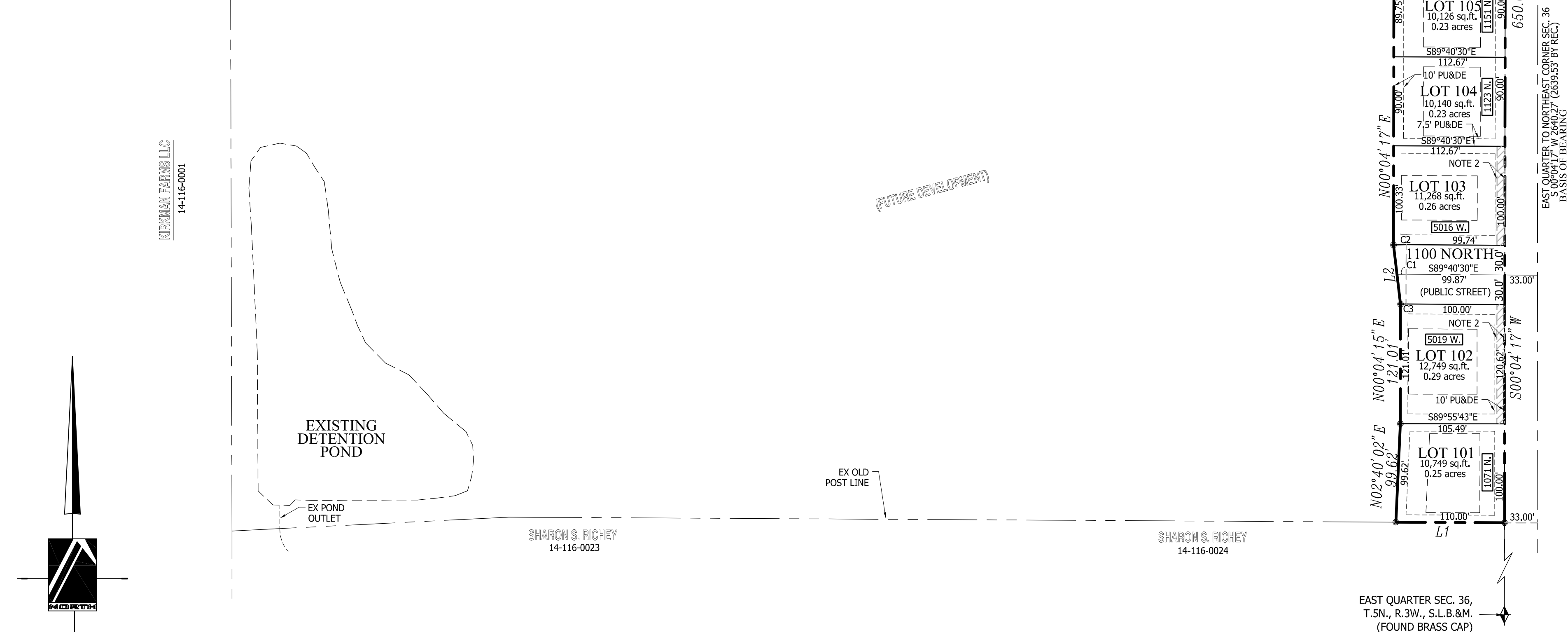
Attachments

Plat

DEVELOPER
Mark Thayne
704 North 3500 West
West Point, Utah
801-726-6141

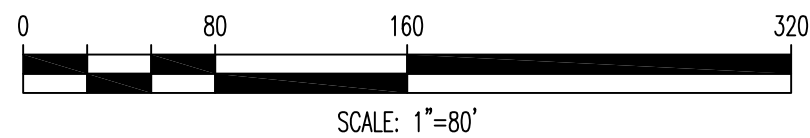


VICINITY MAP



NOTES

1. THE PROPERTY LIES WITHIN LAND DRAINAGE AREA C. FOUNDATION DRAIN AND SUMP PUMP REQUIRED FOR ALL BASEMENTS.
2. 8' WEST POINT CITY LANDSCAPE BUFFER EASEMENT



LEGEND

- PROPERTY LINE
- LOT LINE
- CENTER / SECTION LINE
- STREET RIGHT-OF-WAY LINE
- EASEMENT LINE
- ADJACENT PROPERTY LINE
- NEW CENTERLINE MONUMENT
- SECTION CORNER
- PUB&D PUBLIC UTILITY & DRAINAGE EASEMENT
- SET 5/8" REBAR WITH A ORANGE PLASTIC CAP, OR NAIL & WASHER STAMPED PINNACLE 191517

BUILDING SETBACKS:
25 FOOT FRONT YARD SETBACK
8 & 10 FOOT INTERIOR SIDE YARD SETBACK
20 FOOT STREET SIDE YARD SETBACK
30 FOOT REAR YARD SETBACK

LINE TABLE		
LINE	BEARING	LENGTH
L1	N 89°40'30" W	110.00
L2	N 06°46'39" W	60.21
L3	S 89°48'00" E	112.67

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CH. BEARING
C1	9.22	227.53	2°19'14"	9.22	S 89°09'53" W
C2	12.94	257.53	2°52'44"	12.94	S 88°53'08" W
C3	5.49	197.53	1°35'33"	5.49	S 89°31'44" W

CITY ATTORNEY'S APPROVAL

APPROVED THIS _____ DAY OF _____, 20____, BY THE
WEST POINT CITY ATTORNEY.

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____, 20____, BY THE WEST
POINT CITY PLANNING COMMISSION.

CITY ENGINEER'S APPROVAL

APPROVED THIS _____ DAY OF _____, 20____, BY THE WEST
POINT CITY ENGINEER.

CITY COUNCIL APPROVAL

APPROVED THIS _____ DAY OF _____, 20____, BY THE WEST
POINT CITY COUNCIL.

ATTEST:

WEST POINT CITY RECORDER WEST POINT CITY MAYOR

SURVEYOR'S CERTIFICATE

I, STEPHEN J. FACKRELL DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 191517 AS PRESCRIBED UNDER LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, HEREAFTER TO BE KNOWN AS: SUNVIEW ESTATES PRUD PHASE 1 AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT. I FURTHER CERTIFY THAT ALL LOTS MEET FRONTAGE WIDTH AND AREA REQUIREMENTS OF THE APPLICABLE ZONING ORDINANCES.

DATE _____ STEPHEN J. FACKRELL
LICENSE NO. 191517

BOUNDARY DESCRIPTION

BEGINNING AT A POINT ON THE EXTENSION OF AN EXISTING FENCE LINE, SAID POINT BEING LOCATED SOUTH 00°04'17" WEST ALONG SECTION LINE 757.88 FEET FROM THE NORTHEAST CORNER OF SECTION 36, TOWNSHIP 5 NORTH, RANGE 3 WEST, SALT LAKE BASE & MERIDIAN, SAID POINT BEING ON A BOUNDARY LINE AGREEMENT DESCRIBED IN ENTRY 638849, BOOK 940, PAGE 312, OF DAVIS COUNTY RECORDS, AND RUNNING THENCE SOUTH 00°04'17" WEST ALONG SECTION LINE 650.62 FEET TO A SECOND BOUNDARY LINE AGREEMENT ALSO DESCRIBED IN SAID DOCUMENT; THENCE NORTH 89°40'30" WEST 110.00 FEET ALONG AN EXISTING FENCE LINE AND SAID SECOND BOUNDARY LINE AGREEMENT; THENCE NORTH 02°40'02" EAST 99.62 FEET; THENCE NORTH 00°04'15" EAST 121.01 FEET TO THE SOUTH LINE OF A STREET; THENCE NORTH 06°46'39" WEST 61.21 FEET TO THE NORTH LINE OF SAID STREET; THENCE NORTH 00°04'17" EAST 370.08 FEET TO INITIAL FENCE LINE AND BOUNDARY LINE AGREEMENT; AND THENCE SOUTH 89°48'00" EAST ALONG SAID LINE 112.67 FEET TO THE POINT OF BEGINNING.

CONTAINING: 71,718 SQ.FT. (1.65 ACRES) (6 LOTS)

OWNER'S DEDICATION

WE, THE _____ UNDERSIGNED OWNER(S) OF THE HEREON DESCRIBED TRACT OF LAND, HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND STREETS AS SHOWN ON THIS PLAT, HEREAFTER KNOWN AS SUNVIEW ESTATES PRUD PHASE 1, AND DO HEREBY GRANT, DEDICATE, AND CONVEY TO THE PUBLIC ALL THOSE PUBLIC STREETS AS SHOWN HEREON FOR USE AS RIGHTS-OF-WAY AND UTILITY CORRIDORS, AND DO HEREBY GRANT AND DEDICATE PERPETUAL RIGHTS AND EASEMENTS OVER, UPON, AND UNDER THOSE LANDS DESIGNATED HEREON AS PUBLIC UTILITY AND DRAINAGE EASEMENTS, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE, AND OPERATION OF PUBLIC UTILITY SERVICE LINES AND STORM DRAINAGE CHANNELS, AS MAY BE AUTHORIZED BY THE GOVERNING AUTHORITY, WITH NO UNAUTHORIZED BUILDINGS OR STRUCTURES BEING ERRECTED WITHIN SUCH EASEMENTS, AND FURTHER DO HEREBY RESERVE UNTO THE OWNERS AND IRRIGATION WATER EASEMENT IN FAVOR OF THE REMAINDER PARCEL ON, OVER, OR UNDER THAT 10 FOOT WIDE STRIP OF LAND AS DEPICTED HEREON.

IN WITNESS WHEREOF _____ HAVE HEREUNTO SET _____ THIS _____ DAY OF _____ A.D. 20____.

MARK S. THAYNE

ACKNOWLEDGMENT

STATE OF UTAH
COUNTY OF DAVIS

ON THE _____ DAY OF _____ A.D., 20____, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY

PUBLIC, IN AND FOR SAID COUNTY OF DAVIS IN SAID STATE OF UTAH, THE SIGNER () OF THE ABOVE

OWNER'S DEDICATION, _____ IN NUMBER, WHO DULY ACKNOWLEDGED TO ME THAT HE, SHE, OR THEY SIGNED

IT FREELY, VOLUNTARILY, AND HAVING AUTHORITY FOR THE USES AND PURPOSES THEREIN MENTIONED.

MY COMMISSION EXPIRES: _____ NOTARY PUBLIC
RESIDING IN DAVIS COUNTY

SUNVIEW ESTATES PRUD PHASE 1

LOCATED IN THE NORTHEAST QUARTER OF SECTION 36,
TOWNSHIP 5 NORTH, RANGE 3 WEST, S.L.B.&M.,
WEST POINT CITY, DAVIS COUNTY, UTAH

PINNACLE
Engineering & Land Surveying, Inc.
2720 North 350 West, Suite #108 Phone: (801) 773-1910
LAYTON, UT 84041 Fax: (801) 773-1925

DAVIS COUNTY RECORDER

ENTRY NO. _____ FEE
PAID _____ FILED FOR RECORD
AND RECORDED THIS _____
DAY OF _____, 20____ AT
_____ IN BOOK _____
OF OFFICIAL RECORDS PAGE

DAVIS COUNTY RECORDER
BY _____ DEPUTY RECORDER

City Council Staff Report

Subject: Emergency Paid Leave
Author: Casey Arnold
Department: Executive
Date: April 7, 2020



Background

In response to the worldwide COVID-19 pandemic, on March 18, 2020 President Trump signed into law the Families First Coronavirus Response Act, which requires the payment of sick leave by employers to employees under certain conditions. The Act also expanded certain FMLA provisions and covered employees. Likewise, on March 26, 2020 Governor Herbert issued a “Stay Safe, Stay Home” directive to all of Utah. This directive asks that organizations “respond in a flexible way” and “consider how best to decrease the spread of COVID-19 and lower the impact in the workplace.”

Analysis

In accordance with the Families First Coronavirus Response Act (FFCRA) and the Stay Safe, Stay Home directive, West Point City needs to implement policies and protocols regarding the use of emergency sick leave.

Emergency Sick Leave Policy

The FFCRA requires that sick leave or expanded family and medical leave must be provided to employees for specific reasons related to COVID-19. It should be noted here that West Point City is a covered employer under the regular FMLA provisions, however, none of our employees are considered eligible or entitled to any FMLA rights due to the exemption that the City employs less than 50 people within a 75-mile radius. The FFCRA expands this particular FMLA provision to include ALL employees under covered employers, waiving the ‘50 within 75’ requirement (as long as they have been employed for at 30 days). A quick summary of these emergency paid leave rights are as follows:

- *Two weeks (up to 80 hours) of paid sick leave at the employee’s **regular rate of pay** where the employee is unable to work because the employee is quarantined (pursuant to Federal, State, or local government order or advice of a health care provider), and/or experiencing COVID-19 symptoms and seeking a medical diagnosis; or*
- *Two weeks (up to 80 hours) of paid sick leave at **two-thirds the employee’s regular rate of pay** because the employee is unable to work because of a bona fide need to care for an individual subject to quarantine (pursuant to Federal, State, or local government order or advice of a health care provider), or to care for a child (under 18 years of age) whose school or child care provider is closed or unavailable for reasons related to COVID-19, and/or the employee is experiencing a substantially similar condition as specified by the Secretary of Health and Human Services, in consultation with the Secretaries of the Treasury and Labor; and*
- *Up to an additional 10 weeks of paid **expanded family and medical leave at two-thirds the employee’s regular rate of pay** where an employee, who has been employed for at least 30 calendar days, is unable to work due to a bona fide need for leave to care for a child whose school or child care provider is closed or unavailable for reasons related to COVID-19.*

A draft Emergency Leave Policy is attached and will be reviewed with the Council during the April 4, 2020 City Council Meeting.

Recommendation

Due to the time-sensitivity of this policy and the FFCRA's effective date of April 1, 2020, Staff recommends both discussion of and approval of Resolution No. 04-04-2020A, Approving the Emergency Paid Leave Policy at the April 4, 2020 City Council Meeting.

Attachments

Emergency Leave Policy
Resolution No. 04-04-2020A

3-02 LEAVES

(10) Emergency Paid Leave

I. PURPOSE

West Point City is committed to maximizing the safety of its employees while continuing to provide uninterrupted service to residents during the current COVID-19 global pandemic. In response to the Public Health State of Emergency declared by the United States Department of Health and Human Services, the State of Utah, and Davis County, and in accordance with the Families First Coronavirus Response Act (FFCRA), West Point City has activated response plans and protocols for those employees that may request or be required to take leave from work for certain COVID-19 related causes. Upon the City returning to normal operations, this policy will no longer be in effect.

II. ELIGIBLE EMPLOYEES

An employee eligible for emergency leave under the FFCRA is one who cannot work or telecommute for one of the following reasons:

- a. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
- b. has been advised by a health care provider to self-quarantine related to COVID-19;
- c. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;
- d. is caring for an individual subject to an order described in (a) or self-quarantine as described in (b);
- e. is caring for a son or daughter whose school or place of care has been closed or is unavailable due to COVID-19 precautions; or
- f. is experiencing any other substantially similar condition as determined by the City Manager;

III. LEAVE

A. In accordance with the FFCRA, West Point City is required to provide two weeks of paid sick leave to eligible employees. The amount of paid leave is designated as follows:

- a. Full Pay shall be paid to an employee that is:
 - i. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
 - ii. has been advised by a health care provider to self-quarantine related to COVID-19; or
 - iii. is experiencing COVID-19 symptoms and is seeking a medical diagnosis.
- b. Two-Thirds Pay shall be paid to an employee that is:
 - i. is caring for an individual subject to an order described in (a) or self-quarantine as described in (b); or
 - ii. is caring for a son or daughter whose school or place of care has been closed or is unavailable due to COVID-19 precautions; or
 - iii. is experiencing any other substantially similar condition as determined by the City Manager.

B. In accordance with the Family and Medical Leave Act Expansion of the FFCRA, West Point City is required to provide the following:

- a. Employees are entitled to twelve weeks of leave for their own illness or to care for

- a qualifying family member under the following conditions:
 - i. Employees covered under Section III(A)(a)&(b) are entitled to two weeks paid leave as outlined above. The remaining ten weeks are subject to the City's regular policy regarding leave accrual and use.
 - b. Employees who cannot work or telecommute because he/she must care for a son or daughter under the age of 18 whose school or place of care is closed (or child care provider is unavailable) for reasons related to COVID-19 are entitled to twelve weeks of leave with the following conditions:
 - i. The first two weeks of this leave is unpaid, although an employee may use any paid leave option during this time (including as outlined in Section III(A)(b)(ii)).
 - ii. The remaining ten weeks of this leave shall be paid at two-thirds of the employee's regular rate, for the number of hours the employee would otherwise be scheduled to work with a maximum paid leave amount of \$200 per day and \$10,000 total.
 - iii. An employee may supplement this leave with accrued sick leave to receive full compensation for the pay-period.
 - c. The normal FMLA provisions for intermittent usage still apply under this Act. (i.e. if an employee normally works 40 hours per week, they are entitled to twelve weeks leave at 40 hours, but due to reasons under Section III(B) can only work 20 hours per week, the twelve weeks would be extended to equate to use of total number of hours allotted). However, the need for this leave must still exist.
 - d. If an employee has already exhausted the 12 weeks leave in a rolling 12-month period under a reason covered under FMLA, the employee is not eligible for additional FMLA leave due to COVID-19. The employee is still eligible for the emergency paid leave under the Act subject to the provisions in Section III(A).
 - e. The twelve weeks granted by the FMLA Expansion are not in addition to other FMLA eligible leave. Any leave used under this policy is counted towards the twelve weeks maximum FMLA leave in a rolling 12-month period.
- C. Paid sick time provided under this Act does not carryover from one year to the next. Employees are not entitled to reimbursement for unused leave upon termination, resignation, retirement, or other separation from employment.
- D. If none of the reasons defined in Section II apply to an employee, but he or she is concerned about possible exposure to COVID-19, the following will apply:
- a. Employees may take regular accrued leave or if out of accrued leave, a **reasonable** amount of Leave without Pay may also be granted.
 - b. For Employees with little to no accrued leave available:
 - i. Employees will be allowed to receive two weeks of accrued leave in advance. To access these additional hours, all current accrued leave balances must be exhausted.
 - ii. Upon the city returning to normal operations, the bi-weekly leave accrual will be applied to employee's negative accrued sick leave balance. Example: It would take an employee that normally receives 3.08 hours of accrued leave per pay period the next 26 pay periods (80 divided by 3.08 = 26) to pay back the advance of 80 hours of accrued leave.
 - iii. If taking advantage of these "in advance" accrued leave hours, each pay

period, employee will be allowed to use some accrued leave and take some hours as Leave Without Pay in an effort to not exhaust all of these “in advance” accrued leave hours. It is the employee’s responsibility to notify Department Director and Payroll Administrator each period of accrued leave or Leave Without Pay hours.

- iv. During the pay-back period, the City’s standard Leave Without Pay Policy will be in effect.
 - v. If employee separates employment with the City, any balance of the “in advance” accrued leave hours will be deducted from the employee’s final paycheck.
- E. Employees must fill and submit the Emergency Family & Medical Leave Act paperwork to their Department Director as soon as possible, and submit a written statement of the validity of taking leave and the reason that they cannot telecommute.
- F. This Emergency Leave Policy expires as of December 31, 2020.

RESOLUTION NO. 04-07-2020A

**A RESOLUTION ADOPTING THE EMERGENCY PAID LEAVE POLICY OF WEST
POINT CITY’S PERSONNEL POLICIES AND PROCEDURES**

WHEREAS, West Point City, a Municipal Corporation, hereinafter referred to as the
“City,” is a public body of the State of Utah; and,

WHEREAS, the City is governed by a Mayor and City Council duly elected according to
law; and,

WHEREAS, the City desires to adopt personnel policies and procedures; and

WHEREAS, the West Point City Council has reviewed the personnel policies and
procedures as attached hereto, specific to the Emergency Paid Leave Policy.

NOW, THEREFORE, BE IT RESOLVED, FOUND AND ORDERED by the West
Point City Council that the attached personnel policies and procedures regarding the Emergency
Paid Leave Policy is hereby adopted, and shall be effective immediately upon passage.

PASSED AND ADOPTED this 7th day of April, 2020.

WEST POINT CITY,
A Municipal Corporation

By: _____
Erik Craythorne, Mayor

ATTEST:

Casey Arnold, City Recorder



**WEST POINT CITY COUNCIL
MEETING MINUTES
3200 WEST 300 NORTH
WEST POINT CITY, UT 84015**

Mayor
Erik Craythorne
Council
Gary Petersen, Mayor Pro Tem
Jerry Chatterton
Andy Dawson
R. Kent Henderson
Annette Judd
City Manager
Kyle Laws

January 10 – 11, 2020

Minutes for the West Point City Council Visioning Session held at the Hyatt House Sandy, 9685 South Monroe Street, Sandy UT with Mayor Erik Craythorne presiding.

MAYOR AND COUNCIL MEMBERS PRESENT: Mayor Erik Craythorne, Council Member Jerry Chatterton, Council Member Andy Dawson, Council Member Annette Judd, Council Member Kent Henderson, and Council Member Gary Petersen

CITY EMPLOYEES PRESENT: Kyle Laws, City Manager; Boyd Davis, Assistant City Manager; Ryan Harvey, Administrative Services Director; Paul Rochell, Public Works Director; and Casey Arnold, City Recorder

VISITORS PRESENT: None

JANUARY 10, 2020 – 2:00 PM

Mayor Craythorne welcomed Council Members and Staff and called the meeting to order. The Mayor also thanked all for attending and Staff for their efforts in preparing for and organizing the meetings.

1. Discussion of Council Rules of Order and Procedure – Ms. Casey Arnold

Ms. Arnold stated that the City Council has adopted the “West Point City Council Rules of Order and Procedure” and would like to take this chance to review that document as the new year begins. She also explained that Utah State Code requires that each municipal legislative body adopt rules of order and procedure and that the document must be made available to the public at each meeting of the City Council. A review of these rules and procedures was discussed with the Council and Staff as follows:

Council Meetings – Agendas

The Mayor, as the Governing Body Chairman, conducts City Council Meetings in accordance with the meeting agenda. All meetings MUST be held in accordance with the Utah Open and Public Meetings Act.

- A set agenda is prepared by the City Manager (or delegate) and must be noticed properly. Agendas may not be changed within 24 hours of the meeting.
- Only the Mayor or City Manager are authorized to place items on the agenda.
- The agenda will list the items to be discussed; **only** those items on the agenda can be discussed and/or be considered for action.
- Our typical agenda includes both an Administrative Session and General Session. Closed Sessions should also be listed, when applicable. There are strict restrictions on when a meeting can be closed.

Council Meetings – Agenda Items

A typical agenda for the West Point City Council will consist of the following:

- **Administrative session**
 - **Discussion Items**
 - These are the items that the Council will consider in the future or those that Staff needs direction on how to proceed.
 - Less formal meeting that allows for in-depth, quality discussions between Council Members and Staff.
- **General session**
 - **Public Comments/Hearings, Disclosures, Items for Consideration, etc.**
 - This meeting contains opportunities for the public to make comments to the Council and/or participate in any public hearings, for Staff to relay information to the Council, for Council Members to make comments and state any disclosures, and take official action on the items listed.

Council Meetings – Rules of Discussion

Robert’s Rules of Order, Revised, are informally followed in the conduct of meetings.

- **Wanting to Speak**

A Council Member should raise their hand or ask permission to speak and wait until the Mayor calls on them. A reasonable time limit may be placed on comments in order to give all Members an opportunity to be heard.

- **Interruptions**

Once recognized, no Member should be interrupted when speaking unless called to order by the Chairman. Once questions of order are determined, the Member may or may not be allowed to proceed.

Council Meetings – Motions

1. **Motion:** To propose a decision or action, a motion must be made by a Council Member ("I move that..." or "I make a motion that...", etc.) A second motion must then also be made (say, "I second it."). The Mayor will then ask for any further discussion and call for a vote.
2. **Postpone Indefinitely:** This tactic is used to kill a motion. When passed, the motion cannot be reintroduced at that meeting. It may be brought up again at a later date. This is made as a motion ("I move to postpone indefinitely..."). A second is required. A majority vote is required to postpone the motion under consideration.
3. **Amend:** This is the process used to change a motion under consideration. Perhaps you like the idea proposed but not exactly as offered. Raise your hand and make the following motion: "I move to amend the motion by (explanation)." This also requires a second. After the motion to amend is seconded, a vote is taken on the amended motion. In some cases, a "friendly amendment" is made. If the person who made the original motion agrees with the suggested changes, he/she may amend their own motion.
4. **Question:** To end a debate immediately, the question is called (say "I call the question") and needs a second. A vote is held immediately (no further discussion is allowed). A two-thirds vote is required for passage. If it is passed, the motion on the floor is voted on immediately.
5. **Table:** To table a discussion is to lay aside the business at hand in such a manner that it will be considered later in the meeting or at another time ("I make a motion to table this discussion until the next meeting. In the meantime, we will get more information so we can better discuss the issue.") A second is needed and a majority vote required to table the item being discussed.

In regards to tabling vs. postponing an item, there has been some confusion about when which motion is appropriate. Mr. Laws and Ms. Arnold explained that tabling an item should be with the expectation that the item will be on a meeting in the near future, and is being tabled to gather more information, consult with legal counsel, or some similar reason. To postpone indefinitely should be used with the intent of ending the consideration of an item, without the Council voting in favor or not in favor of the item. Although it can be brought before the Council at a later time, it is intended to "remove it from the Council's foreseeable radar." Ms. Arnold noted that Robert's Rules of Order do state that if the intent of a motion is clear to all, as evidenced through the meeting minutes or audio of the meeting, the motion is valid whether or not the exact language of the motion is technically correct.

Council Meetings – Voting

- There can be no vote on an item that is not listed on the agenda as being noticed that consideration of action is planned to take place. An item identified as for discussion cannot be voted upon. "Consideration" means the ability to take action.
- All Resolutions and/or Ordinances are to be reduced to writing and provided to the Council before a vote is taken thereon.
- A 'Motion' and a 'Second' are required before a vote can be taken. The Mayor will list the motion and the second, ask for any further discussion, and put the motion to vote
- Vote Taken:
 - The Mayor will call for the vote on the motion, first calling for the affirmative and then for the negative vote. A Roll Call of votes shall be taken on all Ordinances.
 - An affirmative vote by three or more Members of the Council shall be required for approval of the motion. The Mayor will only vote in the case of a tie.
 - The Mayor will then announce the result of the vote

City Council Relations and the Public

Adopted Rules of Conduct for Council Members:

1. **Representing the Council:** Council Members should be careful not to commit the City to positions if there has been no vote or consent of the Council.
2. **Complaints from Citizens:** Complaints received by a Council Member should be referred to Staff for possible investigation and resolution according to City processes.
 1. Complaints to Staff should be made objectively. Accompanying a complainant to address a Staff Member could place undue demand on Staff, as well as undue expectation by complainant. Staff cannot, and should not be put in a position expecting to give special treatment to one complainant over another.
3. **Negotiations:** The City gets involved in negotiations on a variety of subject matter, done through City Staff. The Council's proper role is to provide policy direction to Staff, and Staff will inform the Council of all proceedings. The Council will ultimately decide on a matter through a proper vote in a public meeting.

City Council Relations and Staff

Adopted Rules of Conduct for Council Members/Staff Interaction

- City Manager: As dictated by City Code, the City Manager is the Chief Administrative Officer of the City to whom all employees of the City report and Council Members' primary contact.
WPCC Section 2.10.050:
"Except for the purposes of inquiry, the Mayor or Council or any of its members shall deal with the administrative service solely through the City Manager and neither the Mayor or Council or any member thereof shall give orders to any subordinates of the City Manager, either publicly or privately."
 - Questions, concerns, inquiries, etc., should first be made to the City Manager, if possible.
 - There are good reasons for this approach: the City Manager should know what it is going on in order to better serve the Council and be most efficient with Staff.
 - There will likely be situations when a Council Member will request information from Staff, and this is encouraged and helpful. To the extent that it is available, the information will be furnished. However, requests that involve a lot of time or additional effort should be avoided or directed to the City Manager as these requests could divert Staff from working on priorities and projects of the entire Council, as well as their own day-to-day responsibilities.
 - Only a majority of the Council may give direction directly to the City Manager.
 - Staff is fully committed to carry out Council-determined priorities and programs, but Staff resources are limited and are unable to pursue special interest projects of individual Council Members.
- Personnel Complaints: Council Members may receive complaints about City personnel. Problems do occur from time-to-time and information on a possible problem is welcome from any source.
 - City Manager should be informed of any personnel complaints.
 - In investigating and resolving an issue, protection of both the City's rights and the employees' rights are a paramount. This is the responsibility of the City Manager.
- Lobbying: Attempts to influence Staff Members' views on issues should be avoided. Staff is trying to be as objective as possible in their work and recommendations they make to the Council.
- Information: All Council Members will receive the same information about a matter; no one should receive different or special information that would put one Council Member at an advantage over the other.
- Personal Issues: Asking Staff for help on personal business or problems can present opportunities for problems or conflicts and should be avoided.
- Office Visits: Council Members are welcome to frequent any City department or office. However, please be respectful of the above guidelines. Please also be considerate of Staffs' time, as they have important responsibilities that they must complete.

Council and Staff had a good discussion on the City's Rules of Orders and Procedure, and the Council was encouraged to look through the current document for items that they may want to clarify, amend, or add. Mr. Laws stated that these Rules of Order and Procedures can be reapproved by the Council as they see fit. The Council thanked Ms. Arnold for the review of this important information.

2. Discussion of Community Development Projects and Updates to City Code – Mr. Boyd Davis

Mr. Davis stated that Staff would like to review the current projects that are in progress and those that will be coming up this year. The following residential developments have been approved by the Council and are under construction:

- Isla Vista – 30 Lots
- Sun Meadows – 28 Lots
- Bannock Ph. 2 – 24 Lots
- Zaugg Legacy – 15 Lots
- Oleson Fields – 36 Lots
- Bennet Farms – 12 Lots
- Craythorn Homestead 1 – 22 Lots
- Craythorn Homestead 3 – 18 Lots
- Sunset Vistas – 62 Lots
- Wildfire Estate 1 – 18 Lots
- Murray Place PRUD – 16 Lots
- The Point Apartments – 108 Units

There are currently 196 vacant lots in the City, which are all ready to be built upon. The City issued 70 single-family building permits in 2019 and 71 in 2018. Additionally, building permits for three buildings of The Point Apartments have been issued, leaving 24 of the 108 total units still to be constructed.

The following residential projects are in the approval process, or may be in the approval process soon:

- Wildfire Ph. 2 (50 S 4500 W)
- Dahlia Estates (300 N 4400 W)

Mr. Davis noted that this property has been purchased by Ovation Homes and has already received preliminary approval.

- Mark Thayne Property (1100 N 5000 W)
- Wade Property (1200 W 4500 W)

Mr. Davis also noted that the Planning Commission recently approved the most recent proposal for this project by Ovation Homes and will come to the Council for final approval in the near future.

- Stoddard Property (800 N 5000 W)

This property is under contract with Psion Homes, who recently developed the Sun Meadows Subdivision.

- Schreiber Property (3800 W 300 N)
- Matthews Property (3650 W 300 N)

Both the Schreiber's and Matthew's properties are being developed by Mark Thayne and Jake Shepherd.

- Parker Annexation (2400 N 5000 W)

Mr. Davis noted that this property is in the unincorporated portion of Davis County and they have requested an Annexation Application from the City. More information about the project will be known and discussed once and if the application is submitted.

In regards to commercial projects, Mr. Davis stated that the Monticello Academy Charter School and the Ogden Clinic are currently under construction, and the storage units that have been proposed by Tim Gooch on 1800 N are also in progress.

Council Member Petersen inquired as to whether Monticello Academy has yet submitted a traffic plan to the City. Mr. Laws stated that they have indicated that they plan to provide one within the next week.

Mr. Davis explained that much of the last year has focused on the General Plan Update, but the Moderate-Income Housing Report and swimming pool setback codes were also addressed and updated. In regards to upcoming Code issues, the Planning Commission recently approved their recommendations for the PRUD Code revisions and are currently working on changes to accessory building regulations. They will also start discussing the new residential zone designation between the current R-3 and R-4 zones. Additionally, Staff has requested bids for a land use consultant to review the City's Land Use Code, and much time will likely be spent on their recommendations for amendments that will ensure that the City's Code is both enforceable and in compliance with State Code. Staff also suggests a joint meeting with the City Council, Planning Commission, and land use consultant to discuss the General Plan, specifically on whether it should be used as a 'guide' in making zoning decisions or actually determine zoning decisions. There has also been the question raised about whether there should be a formal application process in place to amend the General Plan during a time when it is not open for changes, which could also be discussed at this meeting.

Council Member Chatterton stated that "he is impressed" with the job that Bruce Dopp, the City's Code Enforcement Officer, has been doing. For example, where the Ogden Clinic is being built on 3000 W, the only sidewalk is on the south side of the street and the contractors had parked a cargo trailer, flat bed trailer, and a tractor on it for about a week and a half, blocking it from use. He explained that he had stopped by City Hall and caught Mr. Dopp on his way out the door at the end of the day. He told him about the sidewalk, and Mr. Dopp "got right back into the City truck and went over and told them he wants them off [the sidewalk] today." Council Member Chatterton appreciated that Mr. Dopp understood the safety hazards that blocking the sidewalk creates.

Council Member Dawson commented that in regards to the Moderate-Income Housing Report, he would like to add to upcoming discussions the possibility of allowing in-home accessory apartments. He feels that this could really help the City meet the new affordable housing requirements.

The Council thanked Mr. Davis for his review and looks forward to the upcoming discussions regarding the City's Code.

3. Discussion of Technology Updates to Council Chambers and Conference Rooms – Mr. Kyle Laws

Mayor Craythorne noted that at a recent meeting with UDOT at City Hall, UDOT was unable to share much of the information they had prepared because none of their presentations were able to be displayed. He wanted to share this because it is a recent example of why this issue is being introduced to the Council for consideration.

Mr. Laws stated that Staff has been working with a few different vendors on how to enhance the technology in the Council Chambers and conference rooms used for meetings. A few different quotes have been received, with a wide variety of options and corresponding costs to consider. Mr. Laws explained that of the options that have been discussed, Staff proposes replacing the television in the conference room with one that is larger and has better connectivity to display from different devices. On the actual conference table is an option to have a click-share type unit that up to four devices could connect to at once, which could be toggled between for seamless transition between presentations. Staff would like to propose a similar type option for the conference room at the front of City Hall. Mr. Laws stated that as the Mayor mentioned, UDOT has been meeting with the City about various projects and most of the information that has needed to be discussed is shown on interactive maps and other electronic documents that they have not been able to display. The technological difficulties have really hindered those discussions and effectiveness of the meetings. The Council agreed with Staff's proposal for the conference rooms.

In regards to the Council Chambers, Mr. Laws explained that there are many different options, from simple to advanced upgrades and equipment. One of the simpler, cheapest options would be to upgrade the City's current projector – it is very old and there are much better options out there. The projector could be mounted into the ceiling and lowered with the screen to the right position for the best viewing. Another option would be to install monitors behind the Council dais for the public to look at, rather than strain to the side where the screen is. Another, larger monitor could be installed at the back of the Chambers that the Council could see. Mr. Laws stated that one of the vendors used a projector to display a presentation at the size that this monitor would be, and while the information could be seen from a Council chair, it was smaller than what would be seen on a projector screen and could be difficult to read. Mr. Laws stated that even so, there still could be some advantage to having a monitor on the back wall for other types of meetings and presentations outside of Council sessions.

Mr. Laws stated that he and Mr. Davis recently attended a meeting at a business in Farmington, where there were two screens at both the front and back of the room, side-by-side with projectors showing on both of them, and large monitors on each side wall displaying the information as well. While this is likely more than the City needs, Mr. Laws explained that it did give options for many different arrangements of the room.

Mr. Laws also discussed the option of having monitors installed on the dais for the Council/Planning Commission to see during meetings. Mayor Craythorne stated that from different parts of the room, the screen can be hard to see in its current location. Council Member Dawson commented that even from his Council seat, he has a hard time seeing the screen and often has to stand-up and move closer. Mayor Craythorne agreed. Council Member Petersen suggested that it be a two-step process and that we start with a new projector and decide from there. He continued to state that it needs to be remembered that the Chambers is a multi-purpose room and protecting any new equipment needs to also be considered. Mr. Laws stated that Staff has discussed the idea of installing a gate on each side of the dais to block the access. Council Member Dawson added that the Council chairs are also in need of replacement, as many of them are broken and have ripped or torn arm rests. Council Member Chatterton was in favor of purchasing a new projector, but also installing monitors on the dais as part of the first phase of the upgrades. He also agreed with the need for new chairs.

Lastly, Mr. Laws stated that they have been discussing other options for recording the meetings. One of the quotes includes the installation of drop-down mics that record directly into a recording system, both in the conference room and in the Chambers. Only what is directly picked up by the mic will be recorded, eliminating outside static and audience noise. Council Member Chatterton commented that drop-down mics work very well in meetings he has attended wherein they have been used.

The Council was in agreeance that the technology in these rooms needs to be upgraded and had no further discussion.

While technology was being discussed, Mr. Laws updated the Council on the progress of the fiber-optic installation in the City. There are five different contractors currently installing conduit throughout the City and are moving quickly, with the actual fiber lines beginning to be pulled into the conduit and to some of the fiber huts. Mr. Laws stated that he put together a "Q&A" letter that UTOPIA will send out to each resident, which letter they have reviewed and given suggestions. A copy of the letter was provided to the Council and Mr. Laws gave a brief overview of the information. UTOPIA plans to have them mailed out by the end of the following week.

Break – Meeting resumed at approximately 3:20 PM

4. Discussion of City Events – Mr. Kyle Laws

Mr. Laws reviewed the events that the City sponsors throughout each year, most of which are facilitated by Shelby Sargent, the City's Community Relations Specialist:

- Quarterly Staff/Council Lunch
- Monthly Senior Lunch
- March: Economic Outlook with Zions Bank
 - Administrators and officials from surrounding cities are invited to this event put on by Zions Bank and hosted by the City at City Hall. Zions Bank presents information about the current economy and future trends. Mr. Laws stated that there is usually high attendance
- April: Easter Egg Hunt (Youth Council)
 - This event is largely prepared by the Youth Council, with the City organizing and overseeing
- May: Cemetery Cleaning, Take Pride in West Point
- June: Miss West Point Pageant, Movie in the Park
- July: Independence Day Celebration (Party at the Point), Movie in the Park
- August: Summer Party (Staff/Council Only), Movie in the Park
- September: Movie in the Park
- October: Cemetery Cleaning, Halloween Carnival (Pageant Royalty)
- November: Flags on Veteran's Graves (Youth Council), City Hall Lighting Ceremony
- December: Christmas Party (Staff/Council Only), Child Remembrance Ceremony, Cemetery Luminary

Mr. Laws stated that a particular event he would like to discuss with the Council is the Halloween Carnival held in October. This event has historically been put on by the Miss West Point Pageant Royalty and Committee, with past Pageant Director Erin Davidson largely shouldering most of the work. The Carnival is normally on the Friday of Fall Break, which is likely done to help limit the number of attendees because of how big the event has become. After this year's event, he and Shelby Sargent met with the new Pageant Co-Directors, Ashley Blake and Emily Vorshell, along with Committee Members Josie Bennett and Rynae Bowden. The Committee informed them that they no longer want the responsibility of orchestrating the Halloween Carnival. Mr. Laws stated that he originally explained to them that the City wanted the Pageant Royalty to put on an event for the City and the Halloween Carnival was chosen to be that event. The budget for the event is \$1,000 and is included with the budget for the Pageant (which is \$18,000). Mr. Laws stated that he has indicated to the Committee that putting on the Halloween Carnival is not a lot to ask of the Royalty, especially with the scholarship funds that the City contributes to them. However, the Committee has been adamant in that they do not want to be in charge of the Halloween Carnival, and have indicated that if it was still going to be their responsibility, they would no longer serve on the Committee or as Directors. Some of their reasons for not wanting to do the event are that it is over the Fall Break weekend and interrupts vacation plans that they may have, the building is overcrowded, and Erin Davidson (past Director) was the "one with the passion for the Carnival" and did not ask that any of the Committee Members help with the event. However, with her no longer serving, the responsibility has been put on them yet they don't have the same interest. Mr. Laws let them know that this is an issue that needs to be discussed with the Council and they will meet again after he has received the Council's direction. Mr. Laws offered his opinion on the issue, stating that the original expectation is that the Miss West Point Royalty be the ones actually in charge of the event, and not be the Committee's sole responsibility. It is a fairly simple event that the Youth Council assists with and other adults, like the parents of the girls, could be asked to attend and supervise the event if other Committee Members were not able to be there. It is a fairly expensive program compared to the number of girls that participate and there should be a trade off for that.

Council Member Petersen stated that he does not like the idea that the Carnival was "Erin [Davidson]'s thing" because it is a City event that the City sponsors. He inquired as to whether a different structure for the Pageant could help avoid this type of leadership problem. Mayor Craythorne stated that from his discussions with the women, he gathers that not having the responsibility of the Halloween Carnival is non-negotiable for them and they will remove themselves from the Pageant Committee if it is required. The Mayor feels that the Pageant is a good opportunity for the girls and has been a great experience for those that have participated; he does not want to have the Pageant end over this issue and feels that there are other options for the Carnival. Council Member Dawson stated his opinion that the parents of the girls that are in the Royalty could take on some of the responsibility for the event, especially because the scholarship funds that are given lighten their own financial burden of paying tuition.

Council Member Chatterton stated that he is "really concerned" that the Committee would "pit the Pageant and their involvement with it against the Halloween Carnival" and what kind of precedent that is setting for future things that they may decide they no longer want to do. Council Member Petersen echoed his concern about this as well.

The Council ultimately decided that the Miss West Point Royalty will be fully responsible for the Halloween Carnival and that the Pageant Committee Members and Directors do not need to be involved. Further discussions between Staff and the Committee will be had to facilitate this change and communicate clearly to participants that it is a requirement. Possibly changing the date of the Carnival will be discussed as well.

5. Discussion of Facility and Field Conditions for Recreation Programs – Mr. Kelly Ross

Mr. Ross explained that with the current health of the economy contributing to more and more development in West Point, the City's recreation programs will continue to grow as new, young families move here. Consequently, the City needs to ensure that it has the facilities and resources available to accommodate this growth. He believes that when it comes to our youth, there is a willingness of parents to pay for what is needed to provide recreational opportunities. With this, he feels that it is time to plan for funding some new facilities.

With the new junior high planning to be built in West Point, the City has "a once in a lifetime chance" to contribute the needed funds for a larger gym and extra field facilities to be included with its construction. Mr. Ross stated that if the City does not take advantage of this joint opportunity now, much more will have to be spent on new facilities, likely as soon as 5-6 years down the road, to keep up with the growth of participants.

Mr. Ross stated that Jr. Jazz is one of the City's most successful recreation programs is Jr. Jazz, being the top program in the entire organization for cities with under 15,000. The City has been fortunate to have the West Point Jr. High gym to use for these games and practices, but it already does not provide the space needed; the past few years, the number of practices has had to be cut back and game days not consistent because of the large number of teams and games that need to be scheduled around the scheduling conflicts with school events. Mr. Ross stated that they were able to use Syracuse Jr. High two nights a week this year for practices, which really helped accommodate all of our players, but it is not guaranteed that we will be able to continue using it each year. If the City were to do a joint venture with the Davis School District on a larger gym and field space/facilities with the construction of the new Jr. High, we have a "little more skin in the game" and right to use them. Mr. Ross displayed picture of the recently built Legacy and Shoreline Jr. Highs, which are great examples of how a four-court gym looks, rather than a regular two-court gym.

In regards to the Spring and Fall Soccer programs, the new soccer fields at Loy Blake Park put the City in a great position to accommodate all of the participants. There is excellent parking, Splash Pad, and both the new fields and the old fields at the Park are being utilized. Portable goal posts are used on most of our fields, so they can be taken down and the fields used for other activities.

The Baseball and Softball Program is by far the City's largest program. With that, it is close to or at capacity with the fields that are available. Last season, 60 games per week were played at the three parks (Loy Blake, East Park, and Bingham Park), using all fields, Monday – Thursday until dark; this leaves only Friday and Saturday for those 60+ teams to practice. In addition to space, Mr. Ross stated that the field conditions are also a concern. For example, the infields at Loy Blake Park are the same as when they were created and as the grass has raised, a lip has been created on the edges where the grass meets the dirt. This makes for a dangerous situation for players trying to judge a groundball. The base anchors have also all come loose and do not sit flush with the dirt, creating another safety concern, as well as the backstops that don't always hold foul balls. Mr. Ross stated that the softball fields at East Park are in good shape and only need some dirt added to the infield. The fields at Bingham Park are also in fairly good shape, however, there is an issue with balls going over the left field fence and into Gary Kapp's field, damaging some of his equipment.

Mr. Ross stated that the City's football field at Loy Blake Park is "amazing" and the envy of most of the league. With Public Works doing a great job in maintaining and caring for the grass and the line-painting and preparation by the Recreation Staff, Mr. Ross stated that at every game, he receives compliments from officials, visiting fans, and even opposing coaches about how great our field is and the beautiful setting in which it sits. As a League (Wasatch Front Football), and with the help of USA Football, Mr. Ross stated that this year, we have started 7- and 8-man football for our youngest two teams. Practices are shorter and only twice a week and the teams are smaller and participants are guaranteed more playing time. Results were positive in our first year. With this new program, numbers should increase in the future, as one of the biggest concerns from parents about football is the time commitment that it takes.

The Football Camp is held every year in the first part of May and is open to boys and girls. Mr. Ross stated that the camp has become a parent favorite, as it is a chance for kids to learn skills and track their growth and improvement from year-to-year.

The Basketball Camps are held each June for both boys and girls, and keeps kids excited about basketball season later in the fall. West Point is one of the only cities that separates the boys and girls basketball programs from 1st grade on, which takes away the intimidation factor the girls feel when playing against boys and they are actually able to play the game, instead of the boys never passing to them. This has really created a strong girls basketball program.

Mr. Ross and the Council discussed the benefit of also working with the Davis School District to have the new Jr. High have more field space outside that the City can use – the City could put forth the funds for an outdoor bathroom and contribute to the field costs. All were agreed that this would be a good benefit for both the City and the new school and the opportunity should be taken advantage of.

The Council also discussed where the best place for new pickleball courts should be. Mayor Craythorne stated that it is a popular request from many residents and is something the City needs to do in the near future, regardless of the concerns about the noise, lights, and amount of people it will attract. Mr. Laws noted that the difficulty in finding the best spot is that most of our parks are surrounded by homes and it is hard to mitigate all of those concerns. Council and Staff will discuss this further in future meetings.

The Council thanked Mr. Ross for his report and for his work for the Recreation Department. The items discussed will continue to be discussed and addressed in the future.

6. Discussion of New Residential Zone – Mr. Boyd Davis

Mr. Davis stated that the Council has recently discussed the need for a new residential zone to be created that allows for a density between the existing R-3 and R-4 zones. The R-3 zone allows for 3.6 units per acre and the R-4 zone allows for 8 units per acre. Mr. Davis displayed a picture of the Wise Country Meadows Subdivision, which is a true R-3 zone with about 9,900 – 10,000 sq. ft. A picture of the Sandy Point Townhomes was also shown, which is an R-4 development with a lot size of about 4,300 sq. ft. per unit. The Council has expressed its concern that this is a too big of a difference in density to go directly from one to the next. Mr. Davis stated that Staff would like more direction from the Council on what they would like this zone to look like.

For comparison, Staff has reviewed the zoning codes of neighboring cities. A chart summarizing those zones was presented to the Council and is as follows:

West Point			Syracuse		
Zone	Avg. Lot Size	Base Density	Zone	Avg. Lot Size	Base Density
R-1	15,800	2.2	R-1	15,000	2.3
R-2	12,900	2.7	R-2	11,500	3.0
R-3	9,600	3.6	R-3	8,700	4.0
R-4	4,300	8	R-4	3,200	11.0
R-5	1,700	20	PRD-6	5,800	6.0
			PRD-9	3800	9.0
			PRD-12	2900	12.0
Clinton			Layton		
Zone	Lot Size	Base Density	Zone	Lot Size	Base Density
R-1-15	15,000	2.3	R-S	15,000	2.3
R-1-10	10,000	3.5	R-1-10	10,000	3.5
R-1-9	9,000	3.9	R-1-8	8,000	4.4
R-1-8	8,000	4.4	R-1-6	6,000	5.8
R-1-6	6,000	5.8	R-2	4,000	8.7
PH	6,300	5.5	R-M1	2,500	13.9
R-M	3,500	10.0	R-M2	1,750	19.9
			R-H	1,400	24.9

Although the zones vary, there are obvious similarities. For example, West Point City Zones R-1 to R-3 are very comparable to the other cities in terms of lot size and density. Once you jump to the R-4 zone there is a large increase in density because that zone allows townhomes that occupy a much smaller area. The other cities have a similar gap in density as you transition from single family detached zones to a multi-family attached zone. Syracuse for example, goes from 4.0 to 11.0. Clinton goes from 5.5 to 10.0 and Layton goes from 8.7 to 13.9. Mr. Davis stated that both Clinton and Layton have an “in-between” zone, with an R-1-6 in Layton that allows 5.8 units per acre and the PH zone in Clinton which is for patio homes and allowed 5.5 units per acre. Existing subdivisions in the comparison cities were shown to the Council to give an idea of the types of developments that result from each zone.

Mr. Davis also reviewed Lake Point Village PUD in West Point, which is a mix of three different types of housing. A summary of the lot size and densities of this project as shown to the Council are as follows:

Total acres = 12.7
Total units = 70 (48 detached, 22 attached)
Overall Density = 5.5 units/acre
Detached Density = 4.8 units/acre
Attached Density = 8.1 units/acre
Average Lot Size (detached units) = 7,000 sf
Average Footprint (attached units) = 1,400 sf

Mr. Davis stated that in comparing the different zoning charts and previous comments from the Council, Staff has gathered that the desire is for a zone that allows somewhere around 5.8 – 6 units per acre, but would like to pose the following questions to the Council to help in clarifying and creating this new zone:

1. What is the maximum density that would be acceptable?
2. What is the smallest lot size that would be acceptable?
3. What minimum distance between homes would be acceptable?
4. Would attached units be allowed?
5. Would duplexes be allowed?
6. Would 2 story townhomes be allowed?
7. Would 1 story patio homes be allowed?
8. Do you envision a traditional subdivision with lots, or a common space subdivision?
9. If a zone was created that allowed 5.8 units per acre (half way between R-3 & R-4) with no attached units the average lot size would be 6,000 sf. If the lot depth was 100' the frontage would be 60'. Is this what the Council would envision?

Council Member Petersen posed the question of whether anyone, under the current zoning structure, would actually build patio homes in the R-4 zones with they are allowed to have more units (8/acre)? Mr. Davis answered that the developers of the Schneider's property that was recently rezoned to R-4 have actually indicated that they plan to build patio-homes. Council Member Petersen stated that this is likely because of the location to and influence of the Schneider's Golf Course, but this is a unique property and other areas in the City are not in similar situations; most developers have the monetary incentive to maximum their density. He also expressed his desire that high-density projects are required to establish an HOA to take care of the yards/open space, snow removal, etc. and have restrictions on sheds, storage, junk accumulation, etc. Council Member Petersen also stated that he would potentially like to replace most of the existing R-4 areas in the City to the new, medium-density zone.

Council Member Petersen stated that in his experience, patio-home developments are quite nice subdivisions and he is not opposed to having them in the right parts of the City. The Council agreed, with Council Member Henderson adding that even with that, he is not in favor of attached homes with more than two units, or homes with more than one level in a patio-type subdivision.

In summary, the Council felt that Staff was on the "right track" with a 5.8 – 6 units/acre zone and further discussion will be had about the exact density and what type of home is and is not allowed.

The meeting was adjourned for the day and will resume the following day at 9:00 AM.

JANUARY 11, 2020 – 9:00 AM

MAYOR AND COUNCIL MEMBERS PRESENT: Mayor Erik Craythorne, Council Member Jerry Chatterton, Council Member Annette Judd, Council Member Kent Henderson, and Council Member Gary Petersen

EXCUSED: Council Member Andy Dawson

CITY EMPLOYEES PRESENT: Kyle Laws, City Manager; Boyd Davis, Assistant City Manager; Ryan Harvey, Administrative Services Director; Paul Rochell, Public Works Director; and Casey Arnold, City Recorder

VISITORS PRESENT: None

Mayor Craythorne welcomed Council Members and Staff and called the meeting to order.

7. Discussion of City Website Redesign – Ms. Casey Arnold

Ms. Arnold stated the new City website is nearing completion and Staff would like to get the Council's comments and suggestions on the final draft before making it live. She presented the website and went over the various details, including the calendar modules, quick links, subscribe options, news and notices, parks, etc.

Council Member Petersen stated that he would like to see the Recycling Schedule for each year to be added as a quick link button. He also suggested that the cover photo be changed periodically to keep the website looking fresh. Mr. Laws stated that once the website goes live, if there are any suggestions the Council might have or hear from residents, to please share with Staff because it is going to be a work in progress.

The Council thanked Ms. Arnold for her work and agreed that the website looks great.

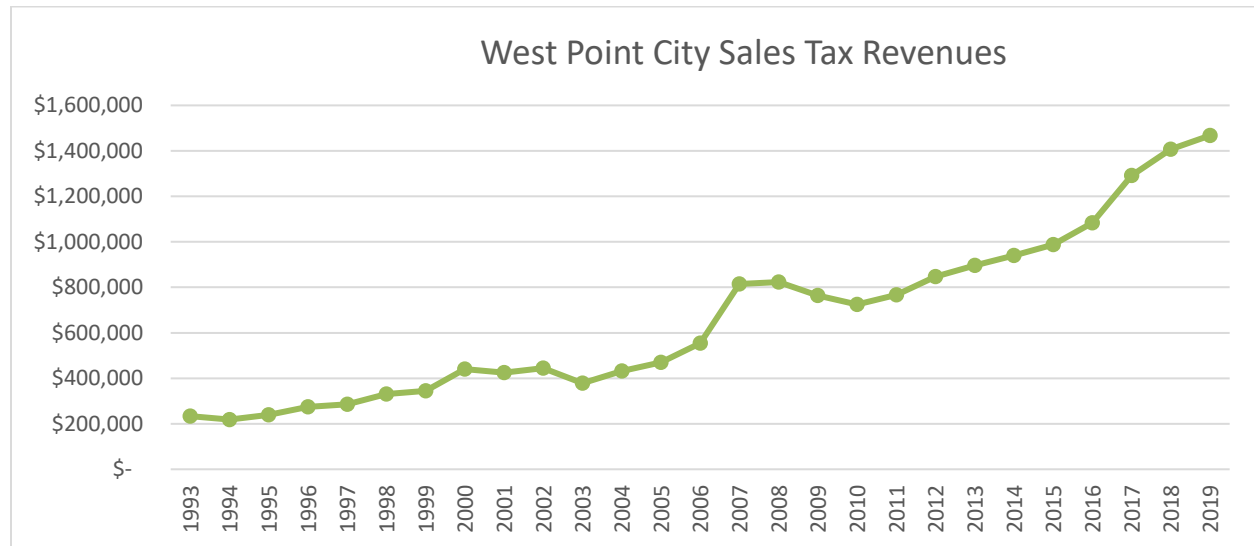
8. Discussion of City Finances and Upcoming Budget Issues – Mr. Ryan Harvey

Mr. Harvey stated that he would like to review the City's current financial standing, which is in great shape. Sales Tax revenue from the commercial businesses in West Point, as well as the State of Utah as a whole, has increased and have been on an upward trend since roughly FY2010. Expenditures the last few years have also held steady, which allows the City to have a sizeable transfer from the General Fund to the Capital Projects fund at the end of each year. In the last five years, the transfer amount has been \$561,610, \$535,000, \$450,000, \$615,000 and \$956,911. The transfer at the end of FY2019 of \$956,911, brought the balance in the Capital Projects Fund to \$3,148,743 as of June 30, 2019. This increases the City's ability to maintain and expand City infrastructure with projects that are funded by the Capital Projects Fund.

In all other Funds, revenues continue to outpace expenditures. The unrestricted net position of the Waste Fund has increased steadily, reaching \$990,995 by the end of FY2017. Last year the City invested a large amount in Capital Projects related to the Waste Fund, and by the end of FY2019 the balance was \$526,110. The Water Fund has also been able to build up a balance of unrestricted revenue to meet the needs outlined in the Capital Improvement Plan. The balance at the end of FY2017 reached \$1,514,404, before dipping in FY2018 due to Capital Expenditures related to the Water Fund. The balance as of June 30, 2019 is \$1,332,919. Revenues in the Storm Water Fund have always far exceeded expenditures, however, beginning in FY2015, an adjustment was made to employee salary allocations resulting in a larger portion being allocated to the Storm Water Fund. This accounts for the significant

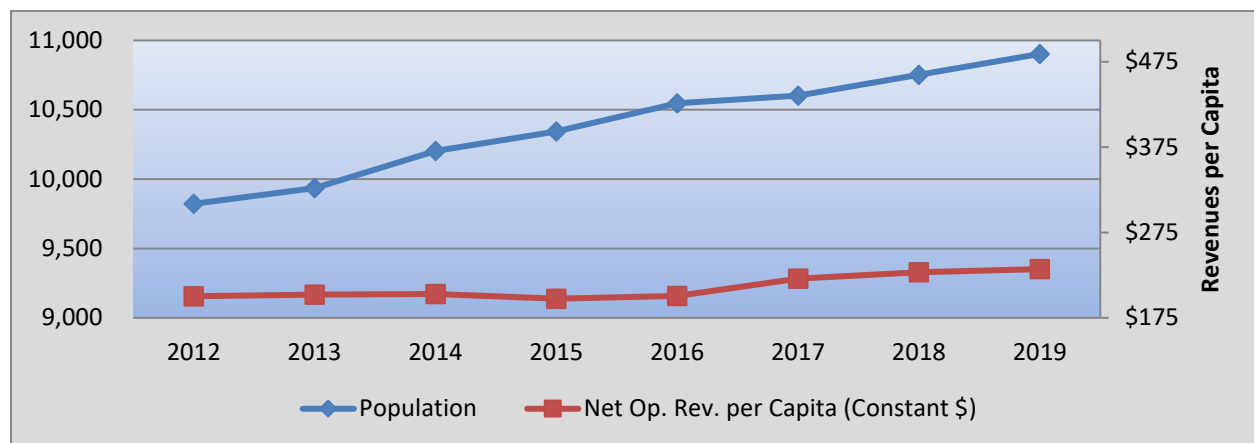
increase in fund expenditures since FY2015. Even with that additional expenditure, because of the positive trend in revenues, a balance of \$919,198 of unrestricted cash has built up in this Storm Water Fund.

Mr. Harvey presented a graph of West Point City Sales Tax Revenues over the past 25 years:



Mr. Harvey stated that the sharp boost in 2016 is due to Smith's Marketplace and the other businesses in that development that opened and West Point was able to start receiving sales tax revenue from businesses actually in the City.

When inflation is factored into the equation, Mr. Harvey explained that a more accurate depiction of revenue trends can be seen. The graph below shows per capita General Fund and Class C revenues combined, adjusted for inflation, compared to population growth:



In looking at the graph, Mr. Harvey explained that years of significant population growth and an economic downturn had per capita revenues declining before 2012. However, from 2012-2016, per capita revenues held fairly steady, before a significant increase in 2017. This graph shows that although sales tax revenue for West Point has quite dramatically increased, with the population growth and inflation, the actual revenue per person has not dramatically increased as well.

Mr. Harvey stated that the City's financial philosophy last few years has been to budget on the side of caution, meaning that revenues are budgeted in on the low end of estimates, while expenditures budgeted in on the higher end of estimated costs. As shown, Mr. Harvey explained that this has allowed the City to have significant transfers from the General Fund to the Capital Projects Fund at the end of each fiscal year, because actual revenues have exceeded actual expenditures. Mr. Harvey stated that although this may not be the official philosophy of the City, it has operated this way for many years and he would like to know if the Council wants to continue this way, or modify the City's budget strategy moving forward. The Council discussed this and felt that other strategies like "use-it-or-lose-it" would not be beneficial in ensuring that the City is able to provide services and meet infrastructure needs from year to year, because they do not allow for balances to be built up that can be relied upon when needed. They were in favor in continuing with our current budget practice.

City Department Directors have begun preliminary discussions regarding upcoming budgetary needs for both the immediate and longer-term future. Mr. Harvey reviewed the items that have been discussed and identified:

Staff Changes:

At the Management Team Meeting in September, a strategic planning session was held regarding staff positions that the City will likely need in the future. The following six positions were those felt to have the most immediate need:

- Public Works Inspector
 - Mr. Laws explained that this position's main responsibility would be as an inspector for capital improvement and development projects and site plan review, but would likely also help with other public works functions when available. Staff has inquired with other cities about the structure of their public works department, and those that have a similar position say it is very beneficial and needed. Mr. Davis stated that Staff has discussed the need for this position for some time, and with the rate of development, that need has increased.
- Public Works Full-Time Position
 - In the recruitment earlier this year to fill a vacant public works position, Mr. Laws explained that the chosen applicant was a current seasonal parks employee that Staff felt would be a great employee to have onboard. However, a full-time Parks position seemed to be a better fit for this employee, and so that position was created and filled. With this, there is still a full-time Public Works position vacancy, and Staff has discussed the need for an additional full-time Public Works position as well.
- Recreation Part-Time Coordinator
 - Mr. Laws stated that this position may not be an immediate need, but with the growth that is coming, the number of participants and programs are going to grow as well. This position will help the Recreation Department to continue providing strong recreational programs.
- Community Development Full-Time Planner
 - The current City Planner is at three-quarter time, but with the increase in building permits and development, moving that position to fulltime is an immediate need. Mr. Davis stated that his concern is that there are some major landowners in the City that have either passed away or nearing that age and all of that land is going to become available right at the time that the West Davis Corridor Highway is completed into West Point, creating a huge boom in development in a short-time. This will be a lot for even one fulltime City Planner to handle and could only be a few, short years away. Council Member Petersen agreed that there is an urgency for the City to be prepared for the growth that is coming, and that may even include adding additional staff on top of moving the current City Planner to a fulltime position.
- Administrative Services Full-Time Utility Billing Clerk
 - There are currently two part-time Utility Clerks, which has helped ensure that there is coverage at the front desk. The idea is to have one, designated Utility Clerk at City Hall fulltime, and the other two part-time positions would continue to serve residents at the front on an alternating schedule. Mr. Harvey added that the issue with having two part-time clerks, is that there are things that fall through the cracks or information is missed; it would be ideal to have a designated Utility Billing Clerk and the other two current positions providing customer service and basic transaction back-up. Mr. Laws stated that while there is a need for this position, it is low-priority at this point and he is unsure of whether the existing staff would want to move into fulltime. With that, this position might be delayed until there is a change in staff and an opportunity to add it.
- Full-Time Analyst for Administrative Services/Community Development/Executive Departments

Community Development

Sewer Master Plan/Impact Fee Study for the Lift Station Areas (\$40,000)

Due to recent development pressure in the annexation area and other areas that are outside the current Impact Fee area, the City needs to conduct a study to determine what to charge any new developments.

Water Shares for Blair Dahl Park (\$80,000)

The Dahl family contacted the City to let us know that the shares for the Blair Dahl Park Property are available to purchase. The City did not purchase them when we originally purchased the property. The family is preparing to sell the water shares and would like to offer them to the City first.

Land Use Code Review by Contracted Consultant (\$10,000)

As discussed last year, our land-use code needs a major overhaul. Particularly needed is a review of our Code against changes to the State Law. We have budgeted \$30,000 for this project, but as we have received quotes recently, this is not quite sufficient to accomplish the review in the way we would like. The quotes we have received are about \$40,000 so we would ask that an additional \$10,000 be added to the current year budget. Mr. Laws added that this request is to amend the current budget for this increase. The Council was all in agreement that having the City's Land Use Code reviewed is extremely important and that the budget can be increased to fund it.

Public Works

Public Works Vehicles (\$60,000)

The Fleet Replacement Plan calls for the replacement of the 2015 Ford F350 Utility Bed. The estimated cost to replace the F350 is \$60,000.

Vacuum Truck Repair (\$35,000)

The vacuum is losing suction because the tank is rusting. The City will need to replace the vacuum tank on the truck. If we were to replace the entire truck it would be over \$150,000 for a used truck. Mr. Laws noted that the City was able to purchase the truck at an extremely discounted price and replacing the vacuum tank will cost much, much less than replacing the actual truck. This has been a valuable piece of equipment for the City and having it in working condition is a high priority.

Allegro Meter Reading Technology Conversion (\$12,000)

This technology would set us up for future fixed-based Meter Reading. It increases the data log technology of our current meters. It is normally over \$17,000, but Core and Main will cover just over \$5,000 of the cost. Mr. Rochell stated Core and Main, the provider of the City's water meters, have approached the City with the opportunity to upgrade all future meters purchased to ones that are capable of fixed-based meter reading. Although they are capable of this technology, these meters would still be readable by our current reading system. He noted that fixed-based reading is some time away in the City's future, but purchasing these meters now puts us in a better position to make the switch to that system. Because MasterMeter (the meter software company) and Core & Main would like to move all customers towards this technology and discontinue the older meters, they will cover about \$5,500 of the cost. All of the new meters purchased going forward would be fixed-based meters. Mr. Rochell also stated that last year, about 170 meters per month were having to be replaced as they are nearing or surpassed their 10-year lifespan. With this upgrade program, each new meter has a new 10-year warranty.

Executive

Technology Update to Council Chambers and Conference Rooms

Our City Council Chambers and conference rooms are in need of new technology and upgrades. The TV monitor and projector are over a decade old and upgrades are needed. Staff has reached out to a couple of vendors and are receiving quotes for major upgrades to the building and rooms. We expect to have these quotes by the time we meet on Friday and will have a better idea at that time what kind of budget will be needed to accomplish this.

Other Items

Health Insurance

Health insurance continues to be a difficult cost to estimate. While our budget will be set in July, our health insurance renewal does not come up until January 2021, halfway through the fiscal year. Because of the timing, it will be difficult to estimate the cost of increases to health insurance during the budget process. Last year we budgeted a 12% increase to health insurance expenses. Due to the uncertainty, we again propose budgeting for a 12% increase, subject to Council review and approval at the time of renewal.

Retirement

West Point City participates in the Utah Retirement System (URS). Retirement rates are set by URS. Rates have remained unchanged since FY2015. Preliminary information provided by URS indicates that rates will continue to hold steady for FY2021.

Salary Adjustments

The current Pay Plan calls for a merit increase of up to 2% each year, depending on what the budget can support. Additionally, every other year there would be a 2% Cost of Living Adjustment (COLA) to keep salary ranges close to the market. Merit increases to employee pay would be subject to positive performance and budgetary restrictions. This year we will be looking only at the 2% merit increase. Every other year, we conduct a market study to make sure the pay for our positions is keeping up with the changing market. This is critical to attract and retain the talented employees we have. We will be conducting the market study this year, so there may be an adjustment to some positions.

The Council thanked Mr. Harvey for his presentation and will continue to discuss these items throughout the upcoming budget process.

9. Discussion of Future Projects and Priorities – Mr. Kyle Laws, Mr. Boyd Davis, and Mr. Paul Rochell

Mr. Rochell stated that each year at this meeting, the Council and Staff have the opportunity to review and discuss some of the long-range projects and priorities of the City, as well as look back on what was accomplished the previous year. The following is a list of some of the notable accomplishments in 2019:

- 4500 West Reconstruction (1800 N to 2425 N)
- Bingham Park Parking Lot Slurry Seal and paint striping
- 300 North Sidewalk Design & Bid (4000 W off the bluff)

- 300 North Design (1500 W to 2000 W)
- 800 North Design (2000 W to 3000 W)
- 800 North 24" Storm Drain/Irrigation (3500 W to 4000 W)
- 200 South Sewer Trunk Line (3000 W to 2000 W)
- Electronic Speed Signs (300 North)
- Streetlights (2000 W)
- Subdivision Roads and Utilities Constructed
 - Sun Meadows
 - Isla Vista
 - Wildfire Estates Ph. 1
 - Bannock Ph. 2
- New GPS Equipment
 - Both Mr. Davis and Mr. Rochell commented about how beneficial this new GPS equipment has been and what it has allowed the City to do internally. They thanked the Council for supporting this purchase.
- New Drone
- Fleet Purchases
 - 2019 Dodge Caravan
 - 2019 Ford F150
- City Hall Carpet
- UDOT overlays (4500 W & 300 N)
- Dominion Energy gas line (800 N & 4500 W)
- UTOPIA Installations

Mr. Rochell then reviewed the projects that are currently in process or will begin in the near future. They have all been approved in the current (FY2020) budget:

1. 300 North Reconstruction (1000 W to 2000 W) Grant Project with Clearfield
2. 800 North Reconstruction (2000 W to 3000 W) Grant Project with Clinton
 - Mr. Davis stated that for now, the plan is to place decorative gravel in the park strips, rather than grass and sprinkling systems; in the experience with the 3000 W Reconstruction Project, it was found to be very difficult to tie the park strip landscaping into residents' existing sprinkling systems and many residents have since taken them out and replaced with gravel or cement. There are also existing park strips in some places along these sections and those are not planned to be replaced. However, street lights will be installed. Council Member Petersen stated that he would rather have consistency in the park strips throughout and if the project is going to be done, it should be done right and complete. Mayor Craythorne agreed that he is not in favor of the decorative gravel, using the gravel landscaping at the round-about on 550 N and 3000 W as an example of how it ends up looking. Mr. Davis stated that Clinton City has already made the decision to put decorative gravel in on their side of 800 N., which Council Member Petersen commented "is very frustrating" and he hoped that the City could approach them with a different alternative (i.e. stamped concrete or something) and do it throughout the entire section. Mr. Davis stated that with the utilities located in the park strip right-of-way, cementing it in is not the most desirable. He also stated that Clinton City plans to offer those residents that don't want gravel in their park strip the dollar amount that would have been spent on it to contribute to the resident's cost of installing landscape. Council Member Henderson stated that this will make it "even more of a patchwork." The Council agreed and felt that grass and trees in the park strip is the most desirable option. Mr. Davis stated that in the 3000 W project, many residents actually did not *want* landscaped park strips because of the maintenance hassle. Mayor Craythorne stated that it would be worth it to discuss other options with Clinton City.
3. 800 North 16" Waterline (2000 W to 2525 W)
4. Street Maintenance
 1. Repave 700 S (4500 W to 4000 W)
 2. Repave 3200 W (1300 N to 1050 N)
 3. Chip Seal
 1. 3000 W (200 S to 1300 N)
 2. 4500 W (1800 N to 2425 N)
 4. Crack Seal (various locations)
 5. HA5 in new subdivisions
5. Sidewalk Maintenance
 - Council Member Petersen inquired as to whether sidewalk maintenance includes curb and gutter that needs to be replaced. Mr. Rochell stated that these repairs are included within this budget item. There is also funding set aside for particular sidewalk projects; this is for small repairs throughout the City.

6. Storm Drain Masterplan/Impact Fee Study
7. SCADA Computer upgrade
8. Fleet Purchases
9. Air Compressor & Jack Hammer Purchase
10. Power Installation at Bigham & East Parks
11. Emergency Water Connection
12. Transportation Masterplan

Mr. Rochell then moved on to present a list of some of the projects that are in the Capital Projects Matrix to be planned out over the next five years:

- Trail Expansion (1300 N to Hooper)
- Rebuild PRV's
- 2000 West Widening 470 N to 800 N
- 2000 West Sewer & Water Upgrades
- Source Protection Plan
- Road Masterplan
- New Sidewalk Plan. Possible Projects Include:
 - o 300 N (3500 W to 3650 W)
 - o 3500 W (300 N to 550 N)
 - o 4000 W (300 N to 800 N)
- Storm Water Management Plan
- 1300 N Storm Drain
- Public Works Facility Expansion/Relocation
- New Jr. High and Possible Partnership for Rec Center
- SR 193 Extension
- West Davis Highway

In regards to the Public Works Facility Expansion/Relocation, Mr. Rochell stated that he, Mr. Laws, and Mr. Davis met with the Public Works Departments of Syracuse City, Clearfield City, and North Ogden City and toured their facilities. Of the three, Mr. Rochell stated that they agreed that Syracuse's facility has the best layout and the most usable space. Council Member Petersen inquired as to how much space is being estimated to need. Mr. Rochell stated that to have a usable facility and grounds, at least 5-acres would be needed, but 7-acres would be ideal. Additionally, a square property will have the most usable space and one with multiple access points is also desirable. The Council and Staff discussed comments and suggestions regarding the new Public Works facility that will be constructed in the future.

These future projects and priorities will be discussed in more specific detail by the Council as they begin to come to fruition. The Council thanked Mr. Rochell for his presentation.

10. Discussion of Miscellaneous Items or Individual Council Items

Mr. Laws stated that there is a section in the City Code regarding the parking of travel trailers, vehicle trailers, boats, etc. that Staff would like to discuss with the Council. The Code states that these types of vehicles cannot be parked in front of the front plane of the home, which has not been enforced nor really communicated to residents. The City's Code Enforcement Officer has started to begin issuing notice to those that are not in compliance, but has discovered that the number of those in violation throughout the City is quite large. Before further enforcement takes place, Mr. Laws would like to discuss with the Council whether this is a regulation they are in favor of applying, because it is likely there will be major pushback from residents on this issue.

Council Member Petersen stated that he was under the assumption that this Code was being enforced and that the large number of violations he has seen were either temporary vehicles not subject to the Code or that enforcement was complaint-based. Mayor Craythorne stated that there are a number of reasons for this restriction, including keeping sidewalks clear of obstruction, driver visibility, and maintaining decluttered front yards. Council Member Petersen agreed, but questioned whether there could be some sort of variance residents can apply for in the situations where the vehicle may only extend a few feet in front of the plane of the house and creates no safety or aesthetic issues. Mayor Craythorne stated that the City does not have a clear variance process in place, and it would be difficult to determine what constitutes a valid need for a variance. The Council felt that this Code should still be enforced, but that the City conduct an 'education project' to inform residents that this Code exists and that they should make

sure they are complying. For those that don't, further enforcement methods should be taken. The Council and Staff also agreed that the language in the Code should be better clarified so that it encompasses all types of vehicles/trailers as intended.

Mr. Laws would also like to discuss with the Council the renaming of the West Point Trail section from 800 N to 4150 W after previous West Point Mayor Howard Stoddard. This has been discussed by the Council in previous meetings, but no final direction was given to Staff. The Council now instructed Staff to put together a proclamation to rename the trail and put it on a meeting agenda in the near future.

In regards to the request made by some residents last year regarding marking the Emigrant Trail with some sort of monument, the Council decided that Council Member Chatterton, and if able, Council Member Petersen to meet with those residents and put together a few different options to present to the Council. By the Council being involved on this project from the beginning, the intent is that the options presented are realistic, viable ideas that will last long-term.

Mr. Laws stated that he had received a list of items from Council Member Chatterton that he would like to see addressed, which are as follows:

1. Installation of Engine Brakes Restricted signs
 1. Mr. Rochell stated that the signs have been received and will be installed this month
2. The land of 550 N between 3000 W and 3150 W
 1. There is a piece of land here that he would like to give to the HOA to maintain. Staff was directed to approach the HOA about this possibility.
3. Neighborhood Watch Program
 1. Council Member Chatterton stated that there used to be a program about 15 years, but he would like to revive that and install signs to deter crime in our neighborhoods. The Mayor agreed that this is a good idea, but was concerned about how the program would be operated, who would oversee it, if people would volunteer, etc. He suggested that social media might be a better way for neighborhoods to share information.
4. Community Emergency Response Team training in West Point
 1. Mr. Laws stated that trainings have been held in West Point in the past, but there was little attendance and it was difficult to maintain. Clearfield City regularly holds the trainings, and what few residents have expressed interest in CERT have been referred there. The Council directed Staff to put out on social media and in the City newsletter a request for interest if a CERT training were to be held in West Point.
5. Skate Park in West Point
 1. Council Member Chatterton stated that a public comment had been in a past City Council meeting regarding a request for a skate park in West Point. The Council felt like skate park is not right the City at this point in time.
6. West Point Arts Council
 1. Council Member Chatterton stated that Randy Burgess had emailed him stating that she would to see an Art Council in West Point and that she would be happy to run it. Council Member Petersen stated that he would like to talk to Ms. Burgess and learn more about how it works and the vision she has. The Council agreed and directed Staff to reach out to Ms. Burgess to set up a meeting with the whole Council.
7. Tablets for the City Council
 1. Mayor Craythorne stated that this has been talked about in the past and it hasn't yet been something the Council wanted to pursue. The Council discussed the idea again and came to the same conclusion.

Council Member Petersen stated that he would like to discuss the City's regulations regarding cell phone towers; cell phone service is limited in the City and he would like to see if there is anything the City can do to incentivize residents or businesses to install them.

Council Member Chatterton stated that he would also like to discuss the position of the City Attorney at a meeting in the near future. He also stated that vehicles are still being parked at the water tank property and thinks signage should be placed to communicate that it is private property and parking is prohibited.

Council Member Henderson inquired as to what was concluded from the discussions regarding the widening of the park access at the south end of the parking lot in the new section of Loy Blake Park. The Council recalled that no final determination was made and that it is something to revisit at some point in the future.

Mayor Craythorne stated that he would like to propose that at least quarterly, a discussion item be added to the Council's meeting agenda that designates a time for the Council Members or Staff to bring up requests they have received, ideas, suggestions, etc., that they would like to bring to the attention of the whole Council. It would be similar to this discussion item on today's agenda, but would give a chance for things to be discussed in a timely manner throughout the year. Mr. Laws noted that the Council can still let him know of things they would like to have on an agenda for any meeting. The Mayor agreed, adding that his intent for the agenda item is that it would be a preliminary, informal, discussion of items to gauge the Council's interest in pursuing.

Mayor Craythorne stated his sincere appreciation for Staff and the Council Members. Each brings his or her own perspective and contributes to the quality of the discussions and decisions. He is grateful to be a part of a group that can disagree while still having respect for each other and remain focused on the solution.

The Mayor adjourned the City Council Visioning Session at approximately 12:05 PM.

ERIK R. CRAYTHORNE, MAYOR

April 7th, 2020

CASEY ARNOLD, CITY RECORDER

April 7th, 2020



**WEST POINT CITY COUNCIL
MEETING MINUTES
3200 WEST 300 NORTH
WEST POINT CITY, UT 84015**

March 3, 2020

Mayor
Erik Craythorne
Council
Gary Petersen, Mayor Pro Tem
Jerry Chatterton
Andy Dawson
R. Kent Henderson
Annette Judd
City Manager
Kyle Laws

Administrative Session
5:30 PM – Board Room

Minutes for the West Point City Council Administrative Session held at West Point City Hall, 3200 West 300 North, West Point City, Utah 84015 on March 3, 2020 at 5:30 pm with Mayor Erik Craythorne presiding.

MAYOR AND COUNCIL MEMBERS PRESENT: Mayor Erik Craythorne, Council Member Gary Petersen, Council Member Annette Judd, and Council Member Jerry Chatterton

EXCUSED: Council Member Kent Henderson and Council Member Andy Dawson

CITY EMPLOYEES PRESENT: Kyle Laws, City Manager; Boyd Davis, Assistant City Manager; Ryan Harvey, Administrative Services Director; Paul Rochell, Public Works Director; and Casey Arnold, City Recorder

EXCUSED: None

VISITORS PRESENT: Brian Vincent and Matt Leavitt

1. Quarterly Financial Report – Mr. Ryan Harvey

Mr. Harvey stated this report is for the time period of October 1st – December 31st 2019, which is the 2nd quarter of FY2020. The Report indicates that the City is in good shape financially, with revenues exceeding expenditures in every fund except for the Capital Projects Fund where the majority of revenue comes from the excess money in the General Fund at the end of the fiscal year.

The revenues in the Special Revenue Fund are especially high for this point in the fiscal, which Mr. Harvey stated is due to the high amount of Impact Fees paid for new developments that are in process. In regards to the General Fund, all departments are below 50% in expenditures, with some being closer due to contracts, software purchases, etc., that are paid at the beginning of the fiscal year.

The City's cash position is quite high currently, but Mr. Harvey stated that there are projects that will be completed or begin this spring and the cash position will decrease as those projects are paid for.

The Council was pleased with the City's current financial position and thanked Mr. Harvey for the work he does. Mayor Craythorne encouraged the Council to talk with Mr. Harvey if they ever have questions about the budget. There was no further discussion.

2. Discussion Regarding the 2019 Municipal Wastewater Report – Mr. Paul Rochell and Mr. Kasey Gibson

Mr. Rochell stated that this is a yearly report required by the State of Utah Department of Environmental Quality to assist cities in their awareness of their wastewater collection and treatment. Mr. Rochell turned the time over to Kasey Gibson, Public Works Lead, to review the report, which he completed for 2019.

Mr. Gibson stated that some of the general financial questions that the report asks are if the City's sewer revenues are maintained in a dedicated purpose enterprise account and whether the City is collecting 95% or more of anticipated sewer revenue, both of which are true. The report also asks questions regarding the actual sewer system, the answers to which include that the average depth of the City's collection system is 7 ft., and the total length of sewer pipe in the City is 29 miles. Mr. Gibson noted that pipeline length increased by about 2.5 miles in 2019, majorly due to the sewer line that will serve the apartments; it runs from 3000 W to 2000 W and is almost a mile in length. The number of new connections to the sewer system was 78 in 2019.

Mr. Gibson commented that although it takes some time to complete, he enjoys this report and the viewable analysis it provides of the City's sewer system. The Council thanked him for completing the report and had no further discussion. Consideration of approval will take place in tonight's General Session.

3. Discussion Regarding Joining the Syracuse Youth Court Program – Mr. Kyle Laws

Mr. Laws stated that he was unaware that this program existed until he was approached by Syracuse City, asking if the City would like to participate. The request arose from West Point Jr. High Principal, Wendy Nelson, who expressed interest in the school participating in the Syracuse Youth Court, which is currently only available to the youth attending Syracuse schools or live in Syracuse City boundaries. Syracuse City stated that they would like to have a Memorandum of Understanding with West Point City in order to let West Point Jr. High participate.

The Syracuse Youth Court is a "restorative justice" program which means that it focuses on the rehabilitation of offenders through reconciliation with victims and the community at large. It is a non-judicial diversion program for school aged children (12-18 years old). The Youth Court is run by youth ages 14-18 in grades 9-12 and act as judges, bailiffs, clerks, and other roles to help them develop leadership skills and knowledge of the court system. Youth who get into trouble can be referred to the Youth Court instead of the Justice Court, appearing before their peers who determine the appropriate punishments. It provides an option to keep them out of the court system, yet still provides consequences and teaches them to become better citizens. The youth that are referred to the Youth Court by law enforcement, their violation is essentially withheld from being processed in the Justice Court and if they satisfactorily complete the program, the violation is not recorded. The youth is aware upfront that if he/she does not complete the requirements asked of them in the timeframe set, they will be referred to the Justice Court. The parents have to give permission for their child to be in the Youth Court, and are required to attend the hearing and must also agree to the terms set. Council Member Chatterton stated that this is important because it makes the parents "buy-in" to the program and be involved in the resolution.

Mr. Laws stated that he has met with Syracuse City, Principal Nelson, Chief Deputy Oblad, and a deputy with the Davis County Sheriff's Office who have all seen the benefits the Youth Court Program has had. There is an adult advisor who oversees the programs, who works with the Court system professionally, and local law enforcement is also always present. In regards to parents being upset or unruly about the violation and the program, they informed him that it does not happen frequently, but they have simply reminded the parent that it is a voluntary program that their child does not have to participate in and can instead go directly to the Justice Court.

If the City decides to participate, Mr. Laws stated that there are two options to consider:

1. Participation in referring kids to attend Youth Court instead of Justice Court. This would primarily happen at the West Point Jr High through the School Resource Officer.
2. In addition to option 1, this second option would be to allow kids from West Point City to participate as judges, bailiffs, clerks, etc. Other youth outside of the school would also be referred to the Youth Court by the Davis County Sheriff's Office. The costs would be very minimal as the entire budget for the program in Syracuse is around \$5,000 per year.

Again, the budget for the entire program is approximately \$5,000 per year and if participating, Syracuse City asks that West Point contribute to the cost; Mr. Laws stated this would likely be about \$2,000 to \$3,000 at the most.

Mr. Laws asked the Council for their opinion, commenting that this is a program he only recently learned about and has not had direct experience with it. The Mayor stated that the City has dealt with a few incidents involving vandalism by youth in the last year that would have been good cases to send to the Youth Court Program. Principal Nelson also has a particular group of youth that have caused trouble at school over the years and she would like to have another option for accountability/discipline when dealing with them. Council Member Chatterton suggested that the City try participating for a year and then re-evaluate. Mayor Craythorne stated that if Syracuse City has had the program for over 15 years, it must be providing a good benefit and that we shouldn't limit it to one year. The Council agreed with participating in the program and will consider approval of the final draft of the MOU at a future meeting.

4. Discussion Regarding the Red Fox Ranch Estates Subdivision – Mr. Boyd Davis

Mr. Davis stated that this request is for a single-lot subdivision located at approximately 2691 W 300 N, consisting of .393 acres and zoned R-2. The lot meets all the requirements for the zone and the utilities will be stubbed from 300 N. The Planning Commission recently approved the request and approval from all the necessary agencies have been received. The owner will also request a postponement agreement for curb and gutter, which the Council will be asked to approve with final approval of the subdivision. Mr. Davis clarified that the postponement agreement is recorded on the property so any future owners are aware that it exists.

This is a fairly straightforward subdivision and the Council had no further discussion. Final approval will be asked at the next City Council Meeting.

5. Discussion Regarding the PRUD Code – Mr. Boyd Davis

Mr. Davis stated that in the last discussion, the Council agreed with the recommendation to remove the following items from the last of amenities that would qualify for bonus density points:

- Entrance signs
- Landscaped front yards
- Drought tolerate plants
- Architectural theme
- Building materials

The Council also added three-car garages to the list of amenities to be removed.

The Council also discussed the following items at the last meeting, but did not come to a final agreement:

1. Theme Lighting. There was some feeling that lighting is already required and that points should not be granted for this item. The current code states:

b. Theme lighting used throughout the PRUD for street lighting, the lighting of walkways, entrances and building exteriors. (Up to three percent.)

The intent is to have lighting that is above and beyond the minimum standard (one street light at each intersection and each cul-de-sac). This item would allow a maximum of 3 percentage points, which on a 10-acre parcel would not be enough for even 1 additional lot. Staff feels that the points allotted for this amenity are minimal as they should be, and that this item is ok as is. However, the words “street lighting” could be removed from the code to clarify that points will not be awarded for the streets lights that are already required. The Council felt that building exteriors, entrances, and walkways are going to have lights on them regardless of whether they are trying to get bonus density or not. With that, the Council agreed to remove “Theme Lighting” entirely from the list of qualifying amenities.

2. Open Space. The current code allows bonus density points for improved open space. It is optional, but states that it must be at least 10% of the gross area to qualify. Staff suggested that the minimum size be removed and allow points to be granted at the Council’s discretion based upon the size of the open space, i.e. 1 point for 1% of the gross area. Council felt that a chart or scale should be included in the code to formalize the points that would be awarded such as the following:

Size of Open Space (percent of gross area)	Density Bonus
1%	1%
2%	2%
3%	3%

However, for simplicity Mr. Davis stated that it may be adequate to simply state that 1 point will be awarded for each 1 percent of open space up to 10%. Mayor Craythorne commented that beginning with 1% of open space qualifying for 1% bonus density is too low. For example, a developer could be just one bonus point away from qualifying for an additional lot and if 1% open space for his particular development results in just one small patch of grass, he could get a whole additional lot for really nothing in return. The Council agreed that with his point.

In addition, the Council was concerned that developers may ask for bonus points for space that is not usable or accessible, such as areas between buildings. This is currently stated in the code, but the Council thought it may need to be better defined and pointed Staff to Layton City’s Code as an example. Layton’s Code states:

Open space areas shall not include areas that are occupied by buildings, lots, structures, parking areas or streets. Additionally, required open space shall not include:

1. *Area between buildings and outside of platted lots and building pads unless part of the approved pedestrian circulation plan and at least eighteen feet (18') in width;*
2. *Front, rear, and side yard setbacks; and*
3. *Paved areas such as driveways, streets, and private sidewalks.*

Similar language could be included in West Point's Code if desired by the Council.

After discussing the item, the Council decided to remove the 10% minimum of improved open space to qualify for bonus density and instead have a sliding scale, beginning with 5% of the gross area of open space qualifying for bonus density. The Mayor suggested that there be a dividing line, using 10-acres as an example, between large and small projects and begin with a minimum of 5% open space for the smaller projects and 2% for the larger projects. He stated that the dividing line may not be 10 acres, but at 10 acres, 2% of the property results in a space that is "actually useable" as an open space. The Council agreed with this suggestion, although did not come to a final conclusion in this meeting on what size of development would be considered large or small. The Council also agreed with including the language used in Layton City's Code.

Mr. Davis also reiterated to the Council that developments applying for the PRUD overlay, by design, are subject to approval by the City Council – the point of the Code is to incentivize the creativity of a development and if every qualifying amenity has specific requirements and regulations and exact percentage points guaranteed in return, it takes away the Council's discretion of being able to award more/less points for proposed amenities that it does or doesn't like. The incentive for creativity is also removed if the Code lays out exactly what will and won't qualify. Mr. Laws agreed, but stated that if the open space density bonus is going to be clearly qualified and based on a scale, it should be an obligation of the Council to follow the scale (i.e. give the specified bonus density in return for the corresponding open space percentage it is stated to require). Mr. Davis and the Council agreed.

3. Townhouse & Patio Homes. The current code allows 2-story townhouses in the R-2 and R-3 zones with the PRUD overlay option, but the Council asked that the code be changed to allow them only in the R-3. After review, the Planning Commission recommended that 2-story townhouses be allowed in the R-3 zone with the PRUD overlay option and that 1-story patio homes would be allowed in the R-2 zone with the PRUD overlay option. Staff would like direction from the Council on this item.

Mayor Craythorne commented that he cannot see a situation where "it would pencil" for a developer to put patio homes in a property that is zoned entirely as R-2. Mr. Davis agreed, stating that if a developer is wanting to do a patio home project, they are going to need the density of the R-3 and R-4 zones to have it make sense. However, if a piece of property is mixed between R-2 and R-3 or R-4, it may make sense to allow 1-story patio homes in the R-2 part of the property.

The Council will hold a public hearing on the PRUD Ordinance at the March 17, 2020 City Council Meeting and possibly consider approval of amendments to the ordinance.

6. Discussion Regarding Accessory Building Standards – Mr. Boyd Davis

Mr. Davis reviewed the five items in the current Code that the Planning Commission focused on when considering its proposed amendments:

1. Design standards for accessory buildings in side yards.
2. An updated definition of "front yard"
3. Reduced setback between an accessory building and the principle structure.
4. Regulations for temporary structures.
5. Modified rules for administrative approval.

In its discussion of the Planning Commission's proposal at the last meeting, the Council had questions regarding the definition of a "front yard." The proposal states that the accessory building may be in the side-yard but must follow the design standards unless it is at least 10' behind the front-yard. The front-yard is defined as the distance between the front lot line and the required setback. The Council had expressed the concern that this could result in a shed being placed in front of the house when the house is set back further than the setback line. Mr. Davis explained that the Code states that accessory buildings are allowed in the "side yard" which is defined as the area between the house and the side lot line, so a shed could not be located in front of the house. However, to add additional clarity, Mr. Davis suggested that the proposal could be changed to state that the shed must be 10' behind the "front yard depth", which is defined as the distance between the front lot line and the house, rather than the setback line. The Council agreed with this suggestion.

The Council had also discuss the question of whether or not accessory buildings must be behind a fence. The Planning Commission's proposal states that accessory buildings must follow the design standards unless they are 10' behind the front yard depth and behind a 6' privacy fence. The Planning Commission's reason for that requirement was to block the view to sheds that don't meet the design standards. Council Member Petersen expressed his opinion that, while he understands the aesthetic reasoning, he feels that this requirement may be too invasive. Council Member Chatterton agreed that requiring a building to be behind a fence is too burdensome. The Council was in agreement that this requirement be removed.

The final question the Council had discussed in the last meeting was whether shipping containers could be allowed as an accessory building if approved by the Planning Commission. The general feeling expressed was that this puts too much pressure on the Planning Commission to determine “what looks good and what doesn’t look good.” Mayor Craythorne commented that this puts the current and future Planning Commissioners “in a bad spot.” The Council decided to modify the proposed language to state that shipping containers are not allowed in residential zones, but could be allowed in agricultural zones. Mr. Davis noted that all existing structures are grandfathered in and not subject to this Code. Should there be a question of whether a structure existed before the new Code was approved, the owners are required to produce some sort of proof to evidence that (purchase receipt, supplier delivery confirmation, etc.).

The Council will hold a public hearing and consider approval on the accessory building amendments at the March 17, 2020 City Council Meeting.

7. Other Items

Mr. Laws stated that the Land Use Consultants that the City has contracted with would like to hold a joint training session with the Planning Commission and City Council. Staff had proposed having this meeting on April 7, but that date was unavailable with the consultants. They suggested April 14th, which would be a special meeting for both the Planning Commission and Council. Various dates were discussed and Staff will work the Planning Commission and the land consultants to find the best date.

Mr. Laws stated that he has been emailing a resident who has inquired about the possibility of starting a farmer’s market in the City. He stated that she will likely be at tonight’s General Session to address the Council during citizen comment. Mayor Craythorne commented that this idea has been brought up before, and he is of the opinion that we need to support the ones in our extended community that already exist; the Syracuse Farmer’s Market struggles to have good vendors and good attendance and he is concerned that another market in the area will not be a benefit to either. This item will be discussed further once Staff is able to meet with the resident and get more information.

Mr. Laws also informed the Council that there has been a code enforcement issue with a resident and the basketball standard she has in your street. She has been informed that this is against City Code and has been asked to remove it, which she has responded that she is not going to take it down and is not concerned about the safety of her kids because of the type of the street they live on and age/ability of her children. Mr. Laws stated she may be at the meeting tonight to make a citizen comment as well. The Council discussed the issue, but ultimately concluded that they are against our current ordinance and Staff would have to proceed accordingly.

The Administrative Session adjourned.



**WEST POINT CITY COUNCIL
MEETING MINUTES
3200 West 300 North
West Point City, UT 84015**

Mayor
Erik Craythorne
Council
Gary Petersen, Mayor Pro Tem
Jerry Chatterton
Andy Dawson
R. Kent Henderson
Annette Judd
City Manager
Kyle Laws

March 3, 2020

General Session

7:00 PM - Council Chambers

Minutes for the General Session of the West Point City Council held at the West Point City Hall, 3200 West 300 North, West Point City, Utah 84015 on March 3, 2020 at approximately 7:00 pm with Mayor Erik Craythorne presiding.

MAYOR AND COUNCIL MEMBERS PRESENT: Mayor Erik Craythorne, Council Member Gary Petersen, Council Member Annette Judd, and Council Member Jerry Chatterton

EXCUSED: Council Member Kent Henderson and Council Member Andy Dawson

CITY EMPLOYEES PRESENT: Kyle Laws, City Manager; Boyd Davis, Assistant City Manager; Ryan Harvey, Administrative Services Director; Paul Rochell, Public Workers Director; and Casey Arnold, City Recorder

EXCUSED: None

VISITORS PRESENT: Brian Vincent, Richard Wood, Jillian Robinette, and Luke Hardman

1. **Call to Order** – Mayor Craythorne welcomed those in attendance and thanked them for coming.
2. **Pledge of Allegiance** – repeated by all
3. **Prayer** – Given by Mayor Craythorne
4. **Communications and Disclosures from City Council and Mayor**

Council Member Chatterton – None

Council Member Petersen – None

Council Member Judd – The tour that the Council and Staff were able to attend of the Davis County Animal Care facilities was really informative and she was glad to have had that opportunity.

Mayor Craythorne – In regards to the 800 N Reconstruction Project being done in conjunction with West Point City, the bid was awarded by Clinton City to Staker Parsons, however the project is about \$1.4 million dollars over budget. The Mayor stated that there is the 3rd Quarter sales tax revenue that will be given to Davis County to contribute to various projects, and both West Point and Clinton will apply for that money to help cover the budget shortfall. In the meantime, the plan is to continue the project as far west as the current budget allows. The Mayor stated that this will likely be to about 2700 W.

The Mayor stated that he and Mr. Laws also attended the LPC (Legislative Policy Committee) Meeting of the Utah League of Cities and Towns the previous day, and there has been a lot of legislation proposed this session. Mr. Laws stated that one bill in particular that is a concern to local governments is HB 273 – Property Rights Ombudsman Amendments. The original version of the bill allowed a land use applicant to collect damages if an advisory opinion from the Ombudsman prevailed in court. The League opposed the bill because it weaponized the position of the Ombudsman, which is supposed to be a neutral party, and it allowed outrageous fines for damages. A substitute bill was proposed by the League that addressed some of these concerns was passed out of the House. Mr. Laws stated that at the LPC meeting, the comment was made of the bill that the “original version

was horrible and now I just don't like it." Mayor Craythorne stated that in comparison to past years and some of the legislation that had been proposed, this being one of the only real bills affecting local government is a good thing.

5. Communications from Staff

Mr. Laws had no additional comments.

6. Citizen Comment

Jillian Robinett – 2886 W 600 N: Ms. Robinett addressed the Council with her proposal to start a farmer's market in West Point. She stated that she would be interested in overseeing the program, but would like the City's input. Ms. Robinett explained the benefits that she feels a farmer's market would bring to our City and residents. The Council thanked her for her proposal and directed her to work with Staff to provide more information.

Richard Wood – 2181 W 800 N: Mr. Wood stated that he has lived in West Point for about 15 years and loves it. He would, however, like to approach the City Council about amending the current accessory building or accessory dwelling unit ordinance. Mr. Wood stated that he recently began constructing an accessory building on his property, passing all the inspections up to the 4-way. At that point, he discovered that he was too far up on the setback to get an occupancy permit for it to be used as a dwelling unit or apartment. After reviewing the City's code and neighboring cities', Mr. Wood stated that he feels that the City's code requiring the same setbacks for an accessory building as is required for the principal building is very restrictive. His current setback would be allowed under other cities' code, and he is sure that they have considered fire, safety, and privacy concerns when establishing their codes. He would like the City to take this into consideration, and also how allowing more accessory apartments would contribute to the moderate-income housing availability in West Point. Mr. Wood also suggested that military personnel here on short-term assignments be added to the list of allowed occupants for accessory apartments.

7. Davis County Sheriff's Office Quarterly Update

Postponed to the April 21, 2020 City Council Meeting

8. Consideration of Approval of the Minutes from the February 18, 2020 West Point City Council Meeting

Council Member Petersen motioned to approve the February 18, 2020 West Point City Council Meeting Minutes
Council Member Judd seconded the motion
The Council unanimously agreed

9. Consideration of Approval of Resolution No. 03-03-2020A, Approving the 2019 Municipal Wastewater Report – Mr. Paul Rochell and Mr. Kasey Gibson

Mr. Gibson stated that this report is required each year by the State of Utah Department of Environmental Quality to be filed by all those with wastewater systems. Mr. Gibson reviewed some highlights of the report, stating that the City's sewer revenues are maintained in a dedicated purpose enterprise account and the City is collecting 95% or more of anticipated sewer revenue. The average depth of the City's collection system is 7 ft., and the total length of sewer pipe in the City is 29 miles. Mr. Gibson noted that pipeline length increased by about 2.5 miles in 2019, majorly due to the sewer line that will serve the apartments; it runs from 3000 W to 2000 W and is almost a mile in length. The number of new connections to the sewer system was 78 in 2019. He recommends approval of the 2019 report.

The Council thanked him for completing the report and had no further discussion. .

Council Member Judd motioned to approve Resolution No. 03-03-2020A
Council Member Chatterton seconded the motion
The Council unanimously agreed

10. Consideration of Approval to Place the Isla Vista Subdivision on One-Year Warranty – Mr. Boyd Davis

Mr. Davis stated that this subdivision is located at 4100 W 1300 N, and was actually on the Council's agenda earlier in the year to be placed on warranty, but were still waiting for two items to be completed. Mr. Davis stated that all of the required items have now been completed and recommends that it be placed on one-year warranty. The Council had no further discussion.

Council Member Petersen motioned to place the Isla Vista Subdivision on One-Year Warranty
Council Member Judd seconded the motion
The Council unanimously agreed

11. Motion to Adjourn the General Session

Council Member Chatterton motioned to adjourn the General Session
Council Member Petersen seconded the motion
The Council unanimously agreed

ERIK R. CRAYTHORNE, MAYOR

April 7th, 2020

CASEY ARNOLD, CITY RECORDER

April 7th, 2020

City Council Staff Report



Subject: Red Fox Ranch Estate Subdivision
Author: Boyd Davis
Department: Community Development
Date: April 7, 2020

Background

The applicant is requesting final approval for a single lot subdivision located at 2691 W 300 N. The lot is 0.393 acres and is zoned R-2. The lot meets all requirements for that zone. All utilities will be stubbed into the property from 300 N.

Analysis

Staff has reviewed the plat and plans for the subject subdivision and gave the developer a list of some minor corrections to be made. All of the corrections are complete and the subdivision was approved by the Planning Commission on February 27th.

This subdivision will also require a postponement agreement on the curb, gutter, and sidewalk. There is no existing curb along this section of street. The nearest curb is $\frac{1}{4}$ of a mile to the west.

Recommendation

Staff recommends final approval of the Red Fox Ranch Subdivision.
Staff also recommends approval of a postponement agreement.

Significant Impacts

There are no significant impacts at this time.

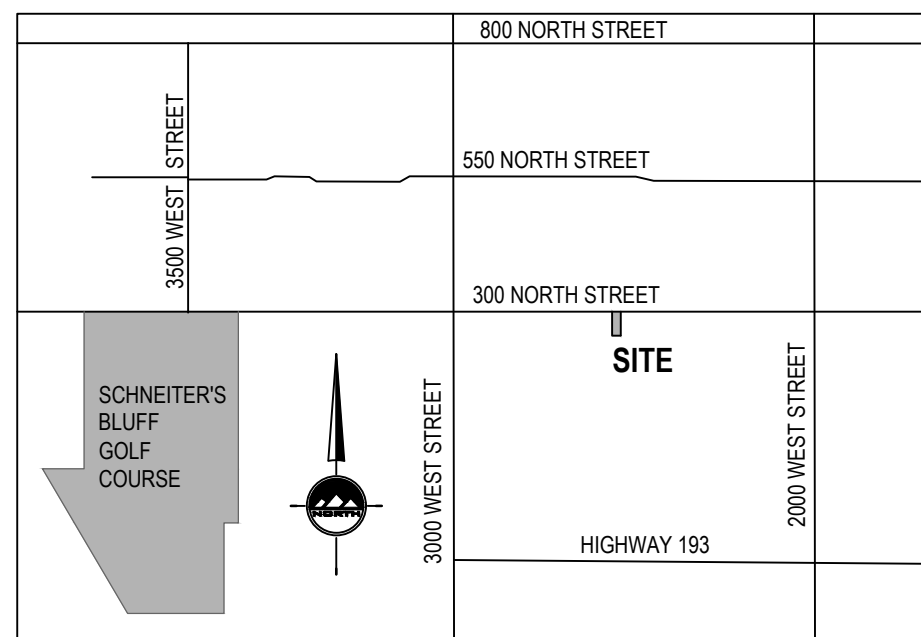
Attachments

Plat
Resolution 04-01-2020A
Postponement Agreement

RED FOX RANCH ESTATE

LOCATED IN THE NORTHWEST QUARTER
OF SECTION 4

TOWNSHIP 4 NORTH RANGE 2 WEST
SALT LAKE BASE & MERIDIAN
WEST POINT CITY, DAVIS COUNTY, UTAH



VICINITY MAP
NO SCALE
WEST POINT, DAVIS COUNTY, UTAH

SURVEYOR'S CERTIFICATE

I, TRENT R. WILLIAMS, do hereby certify that I am a Licensed Land Surveyor, and that I hold certificate No. 8034679 as prescribed under laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets, hereafter to be known as: RED FOX RANCH ESTATE, and that the same has been correctly surveyed and staked on the ground as shown on this plat. I further certify that all lots meet frontage width and area re-quirements of the applicable zoning ordinances.

BOUNDARY DESCRIPTION

A parcel of land in the Northwest Quarter of Section 4, Township 4 North, Range 2 West, Salt Lake Base and Meridian, also being in West Point City, Davis County, Utah. Being more particularly described as follows:

Beginning at a point on the South right-of-way line of 300 North Street, said point being North 89°56'51" West 988.42 feet along the section line and South 0°06'45" West 33.00 feet from the North Quarter Corner of said Section 4 and running thence:

South 0°06'45" West 190.00 feet;
thence North 89°56'51" West 90.00 feet;
thence North 0°06'45" East 190.00 feet;
thence South 89°56'51" East 90.00 feet to the Point of Beginning.

Contains 17,100 square feet or 0.393 acre

Trent R. Williams, PLS
License No. 8034679

Date

OWNER'S DEDICATION

Known all men by these presents that I / we, the under- signed owner (s) of the above described tract of land, having caused same to be subdivided, hereafter known as the

RED FOX RANCH ESTATE

do hereby dedicate for perpetual use all public utility and drainage easements as shown on this plat.
In witness whereof I / we have hereunto set our hand (s) this _____ day of _____ A.D., 20____.

By: _____

By: _____

By: _____

By: _____

INDIVIDUAL ACKNOWLEDGMENT

STATE OF UTAH J.S.S.
County of Davis

On the _____ day of _____ A.D., 20____, personally appeared before me, the undersigned Notary public, in and for said County of _____ in said State of Utah, who after being duly sworn, acknowledged to me that He/She/They signed the Owner's Dedication, _____ in number, freely and voluntarily for the purposes therein mentioned.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC RESIDING IN _____ COUNTY.

RED FOX RANCH ESTATE

LOCATED IN THE NORTHWEST QUARTER
OF SECTION 4
TOWNSHIP 4 NORTH RANGE 2 WEST
SALT LAKE BASE & MERIDIAN
WEST POINT CITY, DAVIS COUNTY, UTAH

DAVIS COUNTY RECORDER

ENTRY NO. _____ FEE
PAID _____ FILED FOR RECORD AND
RECORDED THIS _____ DAY OF _____ 20____
AT _____ IN BOOK _____ OF OFFICIAL RECORDS
PAGE _____

DAVIS COUNTY RECORDER

BY _____ DEPUTY RECORDER

SHEET 1 OF 1

PROJECT NUMBER : 9670
MANAGER : T.WILLIAMS
DRAWN BY : J.MOSS
CHECKED BY : T.WILLIAMS
DATE : 3/11/20

CITY COUNCIL APPROVAL

APPROVED THIS _____ DAY OF _____, 20____,
BY THE WEST POINT CITY COUNCIL

CITY RECORDER CITY MAYOR

CITY ENGINEER'S APPROVAL

APPROVED THIS _____ DAY OF _____, 20____,
BY THE WEST POINT CITY ENGINEER

WEST POINT CITY ENGINEER

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____, 20____,
BY THE CITY PLANNING COMMISSION APPROVAL

CHAIRMAN, WEST POINT CITY PLANNING COMMISSION

CITY ATTORNEY'S APPROVAL

APPROVED THIS _____ DAY OF _____, 20____,
BY THE WEST POINT CITY ATTORNEY

WEST POINT CITY ATTORNEY



LAYTON
1485 W. Hillfield Rd. Ste 204
Layton UT 84041
Phone: 801.547.1100
Fax: 801.593.6315

WWW.ENSIGNENG.COM

SALT LAKE CITY
Phone: 801.255.9529
TOOELE
Phone: 435.943.3590
CEDAR CITY
Phone: 435.955.1453
RICHFIELD
Phone: 435.895.2983

GENERAL NOTES:

- PROPERTY IS ZONED R-2.
A. FRONT YARD SETBACK IS 40'
B. REAR YARD SETBACK IS 30'
C. SIDE YARD SETBACK IS 10'
- ALL PUBLIC UTILITY AND DRAINAGE EASEMENTS (PU&DE) ARE 10' FRONT, 10' SIDE AND 10' REAR UNLESS OTHERWISE NOTED HEREON.

LEGEND

- SECTION CORNER
- EXISTING STREET MONUMENT
- PROPOSED STREET MONUMENT
- SET 5/8" REBAR WITH YELLOW PLASTIC CAP, OR NAIL STAMPED "ENSIGN ENG. & LAND SURV."
- PU&DE= PUBLIC UTILITY & DRAINAGE EASEMENT
- EASEMENTS

**POSTPONEMENT OF IMPROVEMENTS AGREEMENT
(2691 West 300 North)**

THIS AGREEMENT for the postponement of improvements (hereinafter referred to as "Agreement") is made and entered into this ___ day of _____, 20__, between WEST POINT CITY, a municipal corporation of the State of Utah (hereinafter referred to as "City"), and _____ (hereinafter referred to as "Owner"). City and Owner collectively referred to as the "Parties" and separately as "Party".

RECITALS

WHEREAS, _____ is owner of real property situated in the City, which property is more particularly described as follows, to wit:

A parcel of land in the Northwest Quarter of Section 4, Township 4 North, Range 2 West, Salt Lake Base and Meridian, also being in West Point City, Davis County, Utah. Being more particularly described as follows: Beginning at a point on the South right-of-way line of 300 North Street, said point being North 89°56'51 West 988.42 feet along the section line and South 0°06'45" West 33.00 feet from the North Quarter Corner of said Section 4 and running thence:
South 0°06'45" West 190.00 feet;
thence North 89°56'51" West 90.00 feet;
thence North 0°06'45 East 190.00 feet;
thence South 89°56'51" East 90.00 feet to the Point of Beginning.
Contains 17,100 square feet or 0.393 acre; and,

WHEREAS, there is now in force in the City an ordinance known as the West Point City Subdivision Ordinance, which requires the installation of curb, gutter, sidewalk, and other off-site improvements adjacent to any property where the same improvements have not previously been installed; and

WHEREAS, said improvements are to be installed at the time application is made for a building permit.

NOW, THEREFORE, for and in consideration of the mutual promises, covenants and conditions set forth herein and other good and valuable consideration it is mutually agreed between the parties as follows:

AGREEMENT

1. AGREEMENT FOR POSTPONED INSTALLATION. The parties agree that Owner may postpone compliance with the off-site improvement provisions of said subdivision ordinance until such time as the City Council shall determine that such improvements should be installed adjacent to Owner's said property. The Council's decision shall be based on the general overall development of the area; but it is expressly understood and

agreed that the Council may order the required off-site improvements to be made at any time.

2. POSTPONED INSTALLATION. Upon receipt of notice that the City Council has made the determination referred to in paragraph 2 above, the City shall proceed with the installation of the said off-site improvements at the property owner's expense. In the event that a special improvement district is organized for the purpose of installing the said off-site improvement, the Owner or his/her/their successors will pay the cost of such improvements, through the said improvement district.
3. COMPLIANCE WITH CITY ORDINANCES AND SPECIFICATIONS. It is agreed that the installation of said off-site improvements shall be done in accordance with all applicable City Ordinances, specifications, standards, and any administrative rules or regulations pertinent thereto, and any administrative rules or regulations pertinent thereto, at the time of installation. All work shall be subject to the inspection of the City Building Official or his/her agent; and any question as to the conformity with City Specifications or standards or as to the technical sufficiency of the work shall be decided by the said Building Official, and his/her decision shall be final and conclusive.
4. GRANT OF LIEN. Owner hereby gives and grants a lien to the City on the above described real property to insure compliance with this agreement by Owner; and to give notice of such lien it is agreed that this agreement shall be recorded in the office of the Davis County Recorder, and shall continue to be a lien against the said real property until the installation of said off-site improvements are completed as hereinabove provided. Thereafter, the lien shall be discharged by the City.
5. SUCCESSORS. This agreement shall run with the land and be binding on the parties hereto, their successors or assigns.

IN WITNESS WHEREOF, the parties have caused this agreement to be executed in duplicate, each of which shall be deemed an original, as of the day and year first above written.

WEST POINT CITY

By: _____

ERIK CRAYTHORNE, Mayor

ATTEST:

Casey Arnold, City Recorder

(property owner)

By:_____

Title:_____

ATTEST:_____

STATE OF UTAH)
 : ss.
COUNTY OF DAVIS)

On the _____ day of _____, 20____, personally appeared before me _____ and _____, who being by me duly sworn did say, each for himself and herself that they, the said _____ is the Mayor of West Point City, Davis County, State of Utah and that she, the said _____, is the City Recorder of West Point City, and that the within and foregoing instrument was signed on behalf of the said West Point City by authority of the City Council of West Point City and said _____ and _____, each duly acknowledged to me that the said West Point City executed the same and that the seal affixed is the seal of the said West Point City.

NOTARY PUBLIC

(SEAL)

STATE OF UTAH)
 : ss. (Individual)
COUNTY OF _____)

On this _____ day of _____, 20____, personally appeared before me _____, the signer(s) of the foregoing instrument, who duly acknowledged to me that he/she/they executed the same.

Notary Public

(SEAL)

RESOLUTION NO. 04-07-2020C

**A RESOLUTION APPROVING A POSTPONEMENT AGREEMENT
BETWEEN KALEB GALBRAITH AND WEST POINT CITY FOR
THE INSTALLATION OF STREET IMPROVEMENTS AT 2737 WEST 300 NORTH**

WHEREAS, Kaleb Galraith plans to build a home at 2691 W 300 N; and

WHEREAS, The West Point City Code requires street improvements to be installed at the time of development; and

WHEREAS, There is no need at present to install said improvements; and

WHEREAS, Kaleb Galbraith has agreed to pay for the improvements at a later date.

NOW, THEREFORE, BE IT RESOLVED, FOUND AND ORDERED, by the City Council of West Point City as follows:

1. The Postponement of Improvement Agreement, which is attached hereto and incorporated by this reference, is hereby approved.
2. The Mayor is hereby authorized to sign and execute said agreement.

PASSED AND ADOPTED this 7th day of April, 2020.

WEST POINT CITY,
A Municipal Corporation

By: _____
Erik Craythorne, Mayor

ATTEST:

Casey Arnold, City Recorder

City Council Staff Report

Subject: Accessory Building Standards
Author: Boyd Davis
Department: Community Development
Date: April 7, 2020



Background

At the last Council Meeting, Staff presented a proposal of new standards for accessory buildings. There were a few items that the Council had questions about that were addressed. The proposed code has been updated to reflect those changes and an ordinance has been prepared for the Council's consideration.

Analysis

The Planning Commission's recommendation focuses on five different items in the code:

1. Design standards for accessory buildings in side yards.
2. An updated definition of "front yard"
3. Reduced setback between an accessory building and the principle structure.
4. Regulations for temporary structures.
5. Modified rules for administrative approval.

After review, the Council had three recommended changes. The first was about the definition of "front yard". The proposal states that accessory buildings may be in the side yard but must follow the design standards unless it is at least 10' behind the defined "front yard". The front yard is defined as the distance between the front lot line and the required setback. There was a concern that this could result in a shed being placed in front of the house when the house is set back further than the setback line. However, the code states that accessory buildings are allowed in the "side yard" which is defined as the area between the house and the side lot line, so a shed could not be located in front of the house. However, to add additional clarity the proposal was changed to state that the shed must be 10' behind the "front yard depth", which is defined as the distance between the front lot line and the house, rather than the setback line. This change is included in the attached ordinance.

The second change that the Council made was to remove the requirement to have a fence in front of an accessory building located in the side yard. The original proposal stated that accessory buildings must follow the design standards unless they are 10' behind the front yard depth and behind a 6' privacy fence. That requirement has been removed from the attached ordinance.

ORDINANCE NO. 04-07-2020A

**AN ORDINANCE AMENDING WEST POINT
CITY CODE SECTIONS 15.15.120, 17.10.20,
17.25.080 MODIFYING LAND USE
REGULATIONS FOR ACCESSORY
BUILDINGS**

WHEREAS, the West Point City Council for and on behalf of West Point City, State of Utah (hereinafter referred to as the “City”) has determined to amend Sections 15.15.120, 17.10.20, 17.25.080 of the West Point City Code, and

WHEREAS, a public hearing was duly held and the interested parties were given an opportunity to be heard; and,

WHEREAS, the City Council has duly considered said amendments; and,

WHEREAS, the City Council, after due consideration of said amendments, has concluded that it is in the best interest of the City and the inhabitants thereof that said amendments be adopted;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF WEST POINT CITY, UTAH as follows:

Section One: Adoption of New Provisions in section 15.15.120

Section 15.15.120 “Accessory Buildings” shall be changed to read as follows. (Strike through text indicates text being removed from the code, and underlined text indicates new additions).

15.15.120 Accessory buildings.

All accessory buildings shall be located in the rear yard at least ~~10~~5 feet from any on-site dwelling structure and at least 15 feet from any dwelling structure on an adjacent lot.

A. Any accessory building attached to the main building shall be made structurally a part of the main building and shall comply in all respects with the requirements of all ordinances applicable to the main building. If an accessory building is attached to the main building, it is no longer an accessory building. It is a portion of the main building and all setbacks for the structure must be maintained.

B. Accessory buildings in any zone shall occupy no more than 20 percent of the lot area less the area of the footprint of the main building and shall be separated by not less than ~~10~~5 feet. If there is more than

one accessory building on a lot, the combined area of all accessory buildings shall occupy no more than 20 percent of the lot less the area of the footprint of the main building.

C. Accessory buildings on a lot of 15,000 square feet or less shall have a roofline equal to or less than the residential dwelling on the same lot.

D. Accessory buildings that are more than ~~1,000~~ 1,200 square feet or occupy more than 15 percent of the lot area and that are located on lots that are less than 15,000 square feet shall require a conditional use permit.

E. All accessory buildings that are more than 1,500 square feet no matter the size of the lot shall require a conditional use permit.

F. An accessory building may protrude into the side yard of the residential dwelling but shall require a conditional use permit and must also fulfill the following commitments:

1. The accessory building must maintain the side yard setback of the residential dwelling.

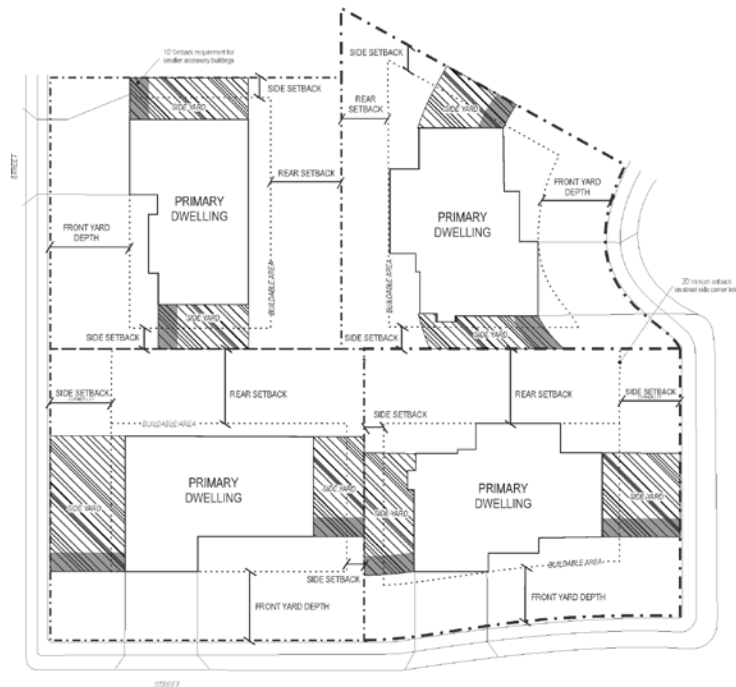
2. Exterior material and design

- a. Accessory buildings that are less than 200 square feet and are located 10 feet behind the defined front yard depth (see below Figure 15.20.120-1) are exempt from design standards as outlined in subsection "c".

- b. Accessory buildings that are less than 200 square feet and are located closer than 10 feet to the defined front yard depth (see below Figure 15.20.120-1) must follow the design standards as listed in subsection "c".

- c. All accessory buildings that are greater than 200 square feet and located in any portion of the side yard must adhere to building material standards, as it pertains to the front façade, outlined in 15.15.130(C) of the West Point City Code.

Figure 15.20.120-1



2. ~~The accessory building shall not create a significant nuisance due to design, construction, or placement to neighboring properties.~~

3. ~~The accessory building must not be closer than 15 feet to a residential dwelling on an adjacent lot.~~

G. Accessory buildings shall be limited to one story.

H. Accessory buildings on a vacant lot shall not be allowed except in agricultural zones.

I. No part of any accessory building (including eaves and overhangs) shall be closer than one foot from an adjoining property line. For all accessory buildings above 25 feet, an additional one-foot setback is required.

J. Living space in any accessory building may be permitted as set forth in the “accessory apartment” code, Chapter 17.75 WPCC. [Ord. 08-01-2017B § 1].

K. Other Structures. Additional structures such as pergolas, green houses, awnings, carport, tents, arbors, and trellises, occur to provide outdoor spaces for relaxation and storage. The following apply to each structure type:

1. Temporary carports, tents or similar items are often made out of metal, canvas, or other fabric material with pole support structures. All temporary enclosures of this nature shall:

- a. Be securely tethered to the ground at all times.
- b. Not be allowed in the front yard setback or between the front facade and the street.
- c. Can be located inside yard but not closer than ten feet to the defined front yard, must adhere the setbacks as required for accessory buildings.
- c. Be repaired, replaced or removed immediately if they fall into disrepair.
- d. Not direct water onto neighboring properties.

2. Pergolas, Arbors, Trellises. The following rules shall apply to these types of structures:

- a. If attached to home, a building permit is required.
- b. Over 200 square feet requires a building permit.
- c. No minimum setback required.
- d. Shall not direct water onto neighboring properties.

3. Car ports, shed roof, or similar structures which are attached to a residence are additions to the principal structure and must meet all required side, front, and rear setbacks established by the zone. Additions require a building permit.

4. Shipping containers, semitrailers, boxcars, Portable On-Demand Storage (PODS) or similar structures are not allowed in any residential zones other than for the temporary purposes of moving, construction and remodeling.

Section Two: **Adoption of New Provisions in section 17.10.020**

The following definitions in Section 17.10.020 shall be deleted, amended or modified as indicated. All other definitions or wording this section shall remain unchanged. (Strike through text indicates text being removed from the code, and red text indicates new additions).

17.10.020 Definitions.

~~“Yard, front” means an open space extending the full width of the lot measured between the front lot line and the closest main building, which open space is unoccupied and unobstructed from the ground upward except as specified elsewhere in this title.~~

“Yard, front, depth” means the shortest distance, measured ~~horizontally~~ perpendicularly, between any part of the main building foundation, other than parts herein excepted, and the front lot line. Such depth shall be measured from the front lot line; provided, however, that if the proposed location of the right-of-way line of such street as adopted by West Point City in the major street plan differs from that of the existing street, then the required front yard depth shall be measured from the right-of-way line of such street as adopted; or said building shall comply with official setback lines as adopted by the city.

“Yard, front” means an open, unoccupied area extending across the full width of the lot and measured perpendicularly from the front lot line and having, at no point, a depth of less than the minimum required setback distance.

Section Three:

Adoption of New Provisions in section 17.25.080

The categories named “ACCESSORY STRUCTURES/USES”, “HEIGHT”, and “LOT COVERAGE and footnote 3 of section 17.25.080 “Zone regulations chart” shall be changed to read as follows. The remainder of the table shall remain unchanged. (Strike through text indicates text being removed from the code, and underlined text indicates new additions).

Zone Regulations Chart

ZONING CLASSIFICATION	A-5	A-40	R-1	R-2	R-3	R-4	R-5	N-C	C-C	R-C	P-O	R/I-P
ACCESSORY STRUCTURES/USES³												
Minimum Front Yard ³	–	–	–	–	–	–	–	25'	25'	25'	25'	50'
Minimum Side Yard (Interior) ³	1'	1'	1'	1'	1'	1'	1'	1'	1'	1'	1'	10'
Minimum Side Yard (Street) Corner Lot	20'	20'	20'	20'	20'	20'	20'	0'	0'	0'	0'	0'
Arterial Street Corner Lot ³	20'	20'	20'	20'	20'	20'	20'	0'	0'	0'	0'	0'
Minimum Rear Yard ³	1'	1'	1'	1'	1'	1'	1'	1'	1'	1'	1'	1'
Distance between Accessory and Principal Structures ³												

Zone Regulations Chart

ZONING CLASSIFICATION	A-5	A-40	R-1	R-2	R-3	R-4	R-5	N-C	C-C	R-C	P-O	R/I-P
Same Lot	10' 5'	10' 5'	10' 5'	10' 5'	10' 5'	10' 5'	10' 5'	—	—	—	—	—
Adjacent Lot	15'	15'	15'	15'	15'	15'	15'	—	—	—	—	—
HEIGHT												
Height Principal Structure	40'	40'	40'	40'	40'	40'	40'	40'	40'	60'	40'	60'
Height Accessory Structure ³	30'	30'	30'	30'	30'	30'	40'	40'	40'	40'	40'	20'
Principal Structure Minimum	12'	12'	12'	12'	12'	12'	12'	10'	12'	12'	12'	12'
Accessory Structure, Maximum Stories ³	1	1	1	1	1	1	1	—	—	—	—	—
LOT COVERAGE												
Minimum Open Space ²	—	—	25%	25%	30%	30%	25%	—	—	—	—	—
Minimum Landscaping	—	—	—	—	—	—	—	15%	15%	15%	15%	15%
Accessory Building, Maximum Footage ³	—	—	10%	10%	10%	10%	10%	—	—	—	—	—

³—Accessory Buildings.

Minimum side yard setbacks for an accessory structure on an interior lot are one foot from drip line of roof if the accessory structure is located at least 10 feet behind the principal structure. Otherwise, side yard setbacks for principal structures would apply to the accessory structure. Minimum rear yard setback on an interior lot is one foot from drip line of roof.

For all accessory buildings above 25 feet, an additional one foot setback is required.

Accessory buildings with a lot size of 15,000 square feet or less shall have a roof line equal to or less than the principal structure of the lot.

Accessory buildings in the R-1 zone shall not exceed the allowable building maximum without first obtaining a conditional use permit.

No more than eight percent of the 10 percent accessory building maximum footage shall be in one accessory building.

No accessory building shall be built prior to the principal building on lots less than one acre in size.

Section Four: **Ordinances to conform with amendments**

The West Point City Director of Community Development is hereby authorized and directed to make all necessary changes to the West Point City Code to bring the text into conformity with the changes adopted by this Ordinance.

Section Five: **Severability**

In the event that any provision of this Ordinance is declared invalid for any reason, the remaining provisions shall remain in effect.

Section Six: **Effective Date**

This Ordinance shall take effect immediately upon passage and adoption and publication of a summary as required by law.

DATED this ____ day of _____, 20__.

WEST POINT CITY, a Municipal Corporation

By: _____
Erik Craythorne
Mayor

ATTEST:

Casey Arnold
City Recorder

City Council Staff Report

Subject: PRUD Code Revisions
Author: Boyd Davis
Department: Community Development
Date: April 7, 2020



Background

At the last City Council meeting Staff presented several recommended changes to the PRUD code for the Council's consideration. After discussion the Council made some additional changes and directed Staff to prepare a draft ordinance for their consideration. The ordinance has been prepared and is attached to this report. The final changes are explained below.

Analysis

The City Council agreed with the recommendation to remove the following items from the list of amenities. Points will no longer be given for the following:

1. Entrance signs
2. Landscaped front yards
3. Drought tolerant plants
4. Themed Lighting
5. Architectural theme
6. Building materials
7. Three-car garages (added at the Council meeting)

In addition, the Council discussed the method for awarding points for open space and park space. The following additions were made to reflect the direction given by the Council.

b. Open space shall be designed and improved (not leftover space between buildings) and shall flow uninterrupted through the entire development, linking dwellings and recreational amenities. ~~The percentage bonus approved by the city council will be based on the size and quality of the open space. Open space shall be a minimum of 10 percent of the gross area of the development.~~ Open space must be improved with grass and a sprinkler system for the majority of the area. Open space areas shall not include areas that are occupied by buildings, lots, structures, parking areas or streets. Additionally, open space shall not include:

1. Area between buildings and outside of platted lots and building pads unless part of an approved pedestrian circulation plan and at least eighteen feet (18') in width;
2. Front, rear, and side yard setbacks; and
3. Paved areas such as driveways, streets, and private sidewalks.

To qualify, a minimum of 5% of the gross area of developments under 10 acres must be dedicated as open space. A minimum of 2% of the gross area of developments 10 acres or larger must be dedicated as open space. Bonus density points will be awarded according to the following schedule (Up to 10 percent.)

Developments under 10 acres			Developments 10 acres and larger	
Park Space (percent of gross area)	Bonus Density		Park Space (percent of gross area)	Bonus Density
5%	5%		2%	5%
6%	6%		3%	6%
7%	7%		4%	7%
8%	8%		5%	8%
9%	9%		6%	9%
10%	10%		7%	10%

Recommendation

Staff recommends approval of Ordinance 04-07-2020B

Significant Impacts

None

Attachments

Ordinance 04-07-2020B

ORDINANCE NO. 04-07-2020B

**AN ORDINANCE AMENDING WEST POINT
CITY CODE CHAPTER 17.35 REMOVING
OR MODIFYING VARIOUS SECTIONS
RELATED TO THE PRUD OVERLAY ZONE**

WHEREAS, the West Point City Council for and on behalf of West Point City, State of Utah (hereinafter referred to as the “City”) has determined to amend chapter 17.35 of the West Point City Code, and

WHEREAS, a public hearing was duly held and the interested parties were given an opportunity to be heard; and,

WHEREAS, the City Council has duly considered said amendments; and,

WHEREAS, the City Council, after due consideration of said amendments, has concluded that it is in the best interest of the City and the inhabitants thereof that said amendments be adopted;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF WEST POINT CITY, UTAH as follows:

Section One: Adoption of New Provisions in chapter 17.35

Chapter 17.35 “Planned Residential Unit Development (PRUD) Overlay Zone” shall be changed to read as follows. (Strike through text indicates text being removed from the code, and underlined text indicates new additions).

17.35.070 Density calculations.

A. Base Density. Base density shall be determined by the underlying zone as set forth in the zoning table found in WPCC 17.25.080. The base density shall be calculated on the gross area of the site, but shall not include sensitive lands as defined in this chapter. Developments seeking flexibility, but not necessarily increased density, may do so under the provisions of this chapter. Base density developments in a PRUD overlay zone can provide a degree of flexibility that would not normally be allowed under the base zoning code. Developments seeking such flexibility must propose a minimum of a five percent amenity bonus as outlined in subsection (B) of this section.

B. Density Bonus. The city council, after receiving a recommendation from the planning commission, may authorize a density bonus of a minimum of five percent up to a maximum of 20 percent above the base density. The bonus density shall be calculated on the gross area of the site, but shall not include sensitive lands as defined in this chapter. However, sensitive lands if properly improved may qualify as an amenity and count towards the required bonus. The purpose of the density bonus is to provide an incentive to a development while enhancing the overall characteristics of the subdivision that is not required by the

applicable underlying zone, and which otherwise would not be an option. Density bonus shall be awarded according to the following list of bonus items. Each qualifying amenity or item shall be granted a percentage increase to the base density, but in no case shall the bonus exceed the percentage indicated (shown in parentheses). Bonuses listed below that share common elements regardless of the subsection shall not be used together to create a greater bonus percentage.

1. Increased Landscaping (Up to 10 Percent).

~~a. The majority of new plant material used for landscaping the PRUD shall be drought tolerant plants. The landscaping design shall locate plant materials in similar water usage demand zones to ensure proper irrigation coverage and reduce wasteful watering. (Up to two percent.)~~

~~b.~~ Landscaping is designed and installed by the developer or other reasonable means approved by the city council along all streets of the PRUD according to a theme which provides unity and interest to the PRUD and must include the installation of two two-inch caliper street trees per dwelling placed in the park strip or near the roadway. (Up to five percent.)

~~c. Developments which provide a completely landscaped front yard by the developer or other reasonable means as approved by the city council, including grass or ground cover, shrubs, and trees as defined in WPCC [17.80.260](#). (Up to eight percent.)~~

2. Enhanced Overall Design Theme (Up to 15 Percent).

~~a. Entrance feature, signage, and landscaping which will establish a strong theme for the PRUD. (Up to two percent.)~~

~~b. Theme lighting used throughout the PRUD for street lighting, the lighting of walkways, entrances and building exteriors. (Up to three percent.)~~

~~c. Architectural details of all buildings have a common theme which unifies the entire PRUD. This theme is not so dominant, however, that all buildings are identical. (Up to five percent.)~~

~~a.~~ Fencing on all lots that is uniform in design and type and that is an upgrade from chain link or all vinyl fencing. (Up to five percent.)

~~b.~~ Perimeter fence surrounding the PRUD that is architecturally designed and is an upgrade from chain link or all vinyl fencing. Examples include: architecturally designed brick or masonry walls, vinyl with brick or stone columns and open fencing such as wrought iron. (Up to seven percent.)

~~c.~~ Special features such as fountains, streams, ponds, sculptures, buildings or other elements which establish a strong theme for the development and are utilized in highly visible locations within the development. (Up to 10 percent.)

~~d.~~ Large special features, such as lakes, which define the theme of the development and are utilized throughout the entire project. (Up to 15 percent.)

3. Recreational Amenities (Up to 20 Percent).

a. The PRUD development includes a recreational amenity primarily for the use of the residents of the development. Recreational amenities include swimming pools, sports courts, spas, or other features as approved by the city council. The planning commission will recommend to the city council the points based on the cost of the amenity, its benefit to the residents of the development, its size and the number of amenities in the development. (Up to 15 percent.)

b. Development of a playground or park area with play features or picnic areas. ~~The size and quality to be determined by the city council with a recommendation from the planning commission. A minimum of 10 percent of the gross area of the development must be incorporated into the park area.~~ To qualify, a minimum of 5% of the gross area of developments under 10 acres must be dedicated as park area. A minimum of 2% of the gross area of developments 10 acres or larger must be dedicated as park area. Bonus density points will be awarded according to the following schedule (Up to 10 percent.)

Developments under 10 acres			Developments 10 acres and larger	
Park Space (percent of gross area)	Bonus Density		Park Space (percent of gross area)	Bonus Density
5%	5%		2%	5%
6%	6%		3%	6%
7%	7%		4%	7%
8%	8%		5%	8%
9%	9%		6%	9%
10%	10%		7%	10%

c. Development of a common building which shall be used for meetings, indoor recreation, or other common uses as approved by the planning commission. (Up to 15 percent.)

d. Development of a trail system throughout the subdivision and connecting to adjacent trail systems where possible. (Up to 10 percent.)

e. Dedication of land to the city for the development of a regional trail system. (Up to 10 percent.)

- f. Dedication of land to the city for the development of all or a portion of a regional park. (Up to 10 percent.)

~~4. Improved Building Design (Up to 10 Percent).~~

~~a. All dwellings are built of 100 percent approved materials, i.e., brick, stone, stucco, Hardie board. (Up to two percent.)~~

~~b. All single-family structures have a minimum of a three-car garage. (Up to five percent.)~~

~~54. Energy Efficiency (Up to Three Percent). All dwellings are designed with active, passive, or photovoltaic solar features. (Up to three percent.)~~

~~65. Improved Open Space (up to 15 Percent).~~

~~a. Stormwater detention facility areas that are designed and used for multiple purposes which blend with the overall theme of the open space design, i.e., the grading and landscaping are carried out in such a manner that the use as a detention pond is not discernible. (Up to five percent.)~~

~~b. Open space shall be designed and improved (not leftover space between buildings) and shall flow uninterrupted through the entire development, linking dwellings and recreational amenities. The percentage bonus approved by the city council will be based on the size and quality of the open space. Open space shall be a minimum of 10 percent of the gross area of the development. Open space must be improved with grass and a sprinkler system for the majority of the area. Open space areas shall not include areas that are occupied by buildings, lots, structures, parking areas or streets. Additionally, open space shall not include:~~

- ~~1. Area between buildings and outside of platted lots and building pads unless part of an approved pedestrian circulation plan and at least eighteen feet (18') in width;~~
- ~~2. Front, rear, and side yard setbacks; and~~
- ~~3. Paved areas such as driveways, streets, and private sidewalks.~~

To qualify, a minimum of 5% of the gross area of developments under 10 acres must be dedicated as open space. A minimum of 2% of the gross area of developments 10 acres or larger must be dedicated as open space. Bonus density points will be awarded according to the following schedule (Up to 10 percent.)

Developments under 10 acres			Developments 10 acres and larger	
Park Space (percent of gross area)	Bonus Density		Park Space (percent of gross area)	Bonus Density
5%	5%		2%	5%
6%	6%		3%	6%
7%	7%		4%	7%
8%	8%		5%	8%
9%	9%		6%	9%
10%	10%		7%	10%

~~76.~~ Other Amenities (Up to 15 Percent). Other amenities may be approved by the city council with a recommendation from the planning commission. (Up to 15 percent)

17.35.080 Development standards.

The development standards that are set forth in this section shall prevail over any contrary base zoning standards established in this title. The following standards shall apply and are still subject to the requirements set forth in Chapter 16.05 WPCC unless variations are granted as set forth in WPCC 17.35.060 and are included in a developer's agreement:

A. Common Space Subdivisions. The following standards shall apply to common space subdivisions:

1. Density. Allowed density and bonus density for common space subdivisions shall conform with the standards set forth in this chapter.
2. Open Space. Due to the clustering of dwelling units within the common space subdivisions, there will naturally be open space remaining. The open space must be maintained as set forth in subsection (C)(5) of this section.

3. Zones Allowed. Common space subdivisions shall only be allowed in the R-2 and R-3 zones and shall not be allowed in the R-1 zone.

4. Attached Units. Dwelling units in this subdivision option may be clustered in common-wall construction only in the R-2 and R-3 zones with a maximum of four consecutively attached units. Common-wall construction in the R-2 zones shall only be limited to on-level. No such units are allowed above other units.

5. Multifamily. All PRUDs that have attached units shall follow the standards set forth in WPCC 17.120.050 which shall include, but not be limited to, landscaping, parking, and building design.

6. Minimum Building Setbacks. The following minimum standards shall apply:

	R-1	R-2	R-3
Building Setbacks			
Front (from back of sidewalk)	N/A	20'	20'
Side (from building to building)	N/A	10'	10'
Rear (from building to building)	N/A	30'	30'

B. Traditional Lot-Style Subdivisions. The following standards shall apply to traditional lot-style subdivisions:

1. Density. Allowed density and bonus density for traditional lot-style subdivisions shall conform with standards set forth in WPCC [17.35.070](#).

2. Minimum Lot Standards. The following minimum standards shall apply:

	R-1	R-2	R-3
Minimum Lot Size (sq. ft.)	10,000	8,000	7,000
Minimum Lot Widths	85'	75'	70'
<i>Building Setbacks</i>			
Front**	25'	20'	20'
Side*	10/8'	10/5'	10/5'
Rear**	30'	25'	25'

* One side must be 10 feet and the other side eight feet for a total of 18 feet.

** The front and rear setbacks may be swapped.

1. C. General Standards. The following standards shall apply to all developments in the PRUD overlay zone regardless of the style of development that is proposed:

1. Access. Access shall be required as described in Chapter [16.05](#) WPCC.

2. Local streets which are internal to the development and provide circulation within the development shall be as public streets. Minor terminal streets that provide access to individual units or a group of units may be either public or private streets, provided they meet the following criteria:

a. Public streets, sidewalks, curb/gutter and other street facilities shall meet the appropriate right-of-way widths and design requirements as required in the public works standard drawings.

b. Private streets, sidewalks, curb/gutter and other street facilities shall meet the appropriate right-of-way widths and design requirements as required in the public works standard drawings.

The homeowners' association shall be responsible for maintenance, repair, and replacement of private streets and sidewalks.

3. Common Areas. Unless otherwise approved by the city council, common open space that is provided shall be devoted to landscaping, preservation of natural features, patios, and recreational areas. Common open space may be distributed throughout the PRUD and need not be in a single large area. Developments that include sensitive lands such as the FEMA floodplain, wetlands or other sensitive features may only include such sensitive lands as open space when they have been designed as an integral part of the project.

4. Fencing. Perimeter fencing shall be required in all PRUD overlay zones.

5. Maintenance Plan. In order to maintain a visually appealing development, the developer shall provide a maintenance plan for the upkeep of open space or other landscaped amenities within the development. If any open space or other landscaped amenities exist that are owned in common, a homeowners' association (HOA) shall be required. In the event that the HOA does not maintain the open/common space and improvements as indicated at the time of approval, the city may perform the required maintenance or contract a third party to perform the required maintenance and recover all costs from the HOA. The city shall provide written notice to the HOA 30 days prior to performing any work. After the work is completed the city shall send a bill to the HOA for any costs associated with performing the work. If the HOA does not pay within 30 days, the city may issue a lien on the property. This provision shall be included in the developer's agreement.

17.35.090 Developer's agreement.

An applicant that is seeking to develop under the provisions of this chapter must at the time of approval enter into a developer's agreement with the city council as set forth in WPCC [16.05.110](#).

Section Two: **Ordinances to conform with amendments**

The West Point City Director of Community Development is hereby authorized and directed to make all necessary changes to the West Point City Code to bring the text into conformity with the changes adopted by this Ordinance.

Section Three: **Severability**

In the event that any provision of this Ordinance is declared invalid for any reason, the remaining provisions shall remain in effect.

Section Four: **Effective Date**

This Ordinance shall take effect immediately upon passage and adoption and publication of a summary as required by law.

DATED this ____ day of _____, 20__.

WEST POINT CITY, a Municipal Corporation

By: _____
Erik Craythorne
Mayor

ATTEST:

Casey Arnold
City Recorder