



3200 WEST 300 NORTH
WEST POINT CITY, UT 84015

WEST POINT CITY COUNCIL
MEETING MINUTES
WEST POINT CITY HALL
March 1st, 2022

Mayor
Brian Vincent
City Council
Gary Petersen, Mayor Pro Tem
Jerry Chatterton
Annette Judd
Michele Swenson
Brad Lee
City Manager
Kyle Laws

Administrative Session

6:00 PM

Minutes for the West Point City Council Administrative Session held on March 1st, 2022 at 6:00 PM with Mayor Brian Vincent presiding. This meeting was held at West Point City Hall and also electronically via Zoom. Zoom meeting was accessible to attendees by entering Meeting ID# 88064419319 at <https://zoom.us/join> or by telephone at (669) 900-6833.

MAYOR AND COUNCIL MEMBERS PRESENT: Mayor Brian Vincent, Council Member Gary Petersen, Council Member Jerry Chatterton, Council Member Annette Judd, Council Member Michele Swenson, and Council Member Brad Lee

EXCUSED: None

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

EXCUSED: None

VISITORS PRESENT: Don Mendenhall and Jared Machenheimer. No sign-in required for those attending virtually.

1. Quarterly Financial Report – Mr. Ryan Harvey

Mr. Harvey stated that City Staff provides the Council with a report of the City's finances for each quarter of the fiscal year. In the second quarter of FY2022, October 1 – December 31, 2021, revenues exceed expenditures in every fund within the City. With the second quarter marking the halfway mark of the fiscal year, it is important that expenditures be at or below 50% of their budgeted amount. This is true in almost every fund, with the exception of the Waste Fund, but this was expected due to the large purchase of new garbage cans done at the beginning of the year.

In regards to the General Fund, there are three departments that are above 50% in expenditures. The first is in the Executive Department, and this is due to the deadline of December 31, 2021 to use CARES Act money, which was close to \$200,000. Recreation is over 50% due to football being held in the fall of each year, which is the department's most expensive program. The Administrative Department's expenditures are high because the City's insurance is paid at the beginning of the year out of this department's budget.

Mr. Harvey noted that there are some cases where revenues exceed the 50% mark, such as zoning and subdivision fees and sales tax revenue, and this is due to budgeting conservatively for these types of revenue that are dependent on market conditions. Mr. Harvey also noted for the Council that there may be certain line items within a department that are over or under, but as long as the department as a whole is on track, it is not cause for concern. However, should an entire department be exceeding expenditures unexpectedly or situations arose during the budget year that were not included in the original budget, Staff would propose amendments to the budget for the Council to approve in order to compensate. Mr. Harvey will be presenting budget amendments to the current fiscal year in the next discussion item. The Council thanked Mr. Harvey for this report.

2. Discussion Regarding Amendments to the FY2022 Budget – Mr. Ryan Harvey

Mr. Harvey stated that at the City Council Visioning Session last month, three items were discussed that would necessitate amendments to the budget, and since that discussion, one more item has been added by Staff to present. Those four items are as follows:

Market Study

This item was discussed at the Council Meeting in January and again at the Retreat in February. The City will be performing a Market Analysis for the area where SR-193 and the West Davis Corridor will meet. The amount is \$60,000 and will be added to the line item in the Capital Projects Fund called 5 Year CIP. It will be funded by the Capital Projects Fund Balance.

Fleet Leases

This item was also discussed at the Retreat in February. Public Works would like to add an additional \$40,000 for Fleet Leases (Front-end Loader, Mini Excavator, and Backhoe) to make the total \$50,000. This amount will be split among the General Fund, the Special Revenue Fund, the Waste Fund, the Water Fund, and the Storm Water Fund, with \$10,000 budgeted in each of those funds.

APRA Funds

The City has received its first allocation from the Federal Government of these funds, and will receive the second allocation shortly for a total of \$1,296,768. Staff has created a new line item in the Special Revenue Fund called ARPA West Point City Direct. The City will also be receiving around \$25 Million from Davis County for the State and Local Fiscal Recovery Funds (SLFRF). This money will also be collected in the Special Revenue Fund under ARPA NEU Davis County. This money will be going toward the Sewer Project in the Annexation Area.

Transportation Master Plan Impact Fee Analysis

The current budget includes \$40,000 in order to complete a new Transportation Master Plan for the City. However, an impact fee analysis must also be completed and was not included in that amount. Staff proposes that an additional \$15,000 be added to this project, which will be taken out from the fun balance.

The Council had no further discussion at this time on these proposed amendments, as most have already been presented and discussed. Consideration of approval of the amended budget will take place after a public hearing in tonight's General Session.

3. Discussion Regarding Final Site Plan Approval for The Movement Dance Center (Located at Appx. 3567 W 1800 N) – Mrs. Bryn MacDonald

Mayor Vincent stated that this item is not ready for discussion at this time and will be on a future agenda.

4. Discussion Regarding General Plan Amendment Applications – Mrs. Bryn MacDonald

Mrs. MacDonald stated that there have been three applications submitted to change the zoning of property as currently designated on the City's General Plan. She stressed that approving an application does not change the actual zoning of the property, or give any development approval, but only modifies the General Plan to show the future possible zoning. All projects will still have to go through the rezone process, development/subdivision application and approval process, and so on.

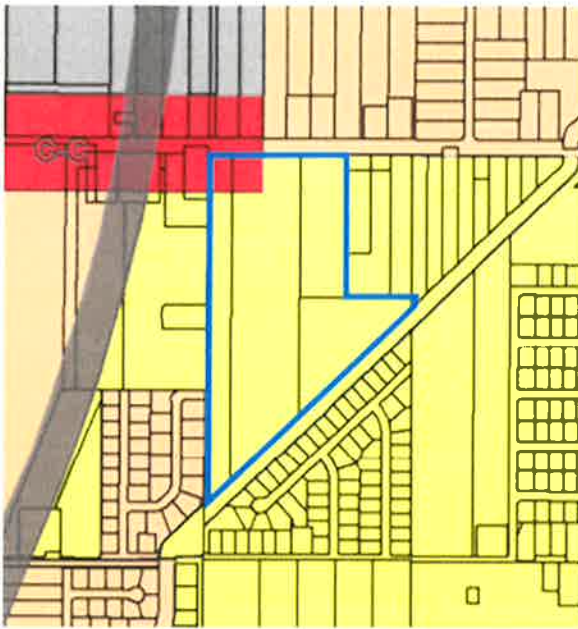
The three applications are as follows:

1. Don Mendenhall – 3942 W 1800 N

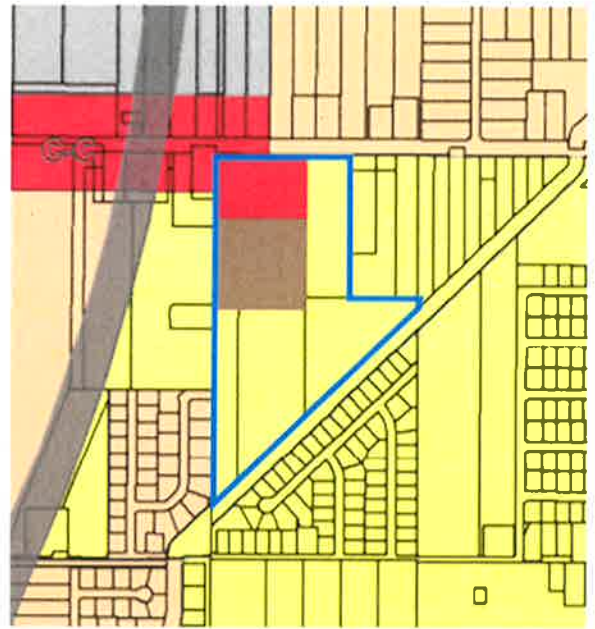
Don Mendenhall, who is the acting agent for Dawna Smith Trustee and JT Acres LLC, is petitioning to amend the General Plan Map from R-2 residential (2.7 units per acre) to R-4 residential (8.0 units per acres), and extend the C-C Commercial along 1800 North on 39.12 acres of property located at approximately 3900 West 1800 North.

The subject property is 39.12 acres located south of 1800 North. The property currently has a small portion at the northwest corner designated as commercial. The rest of the property is R-2. The original application was to extend the commercial farther to the east, and add R-4 to the south.

Existing General Plan



Proposed Amendment

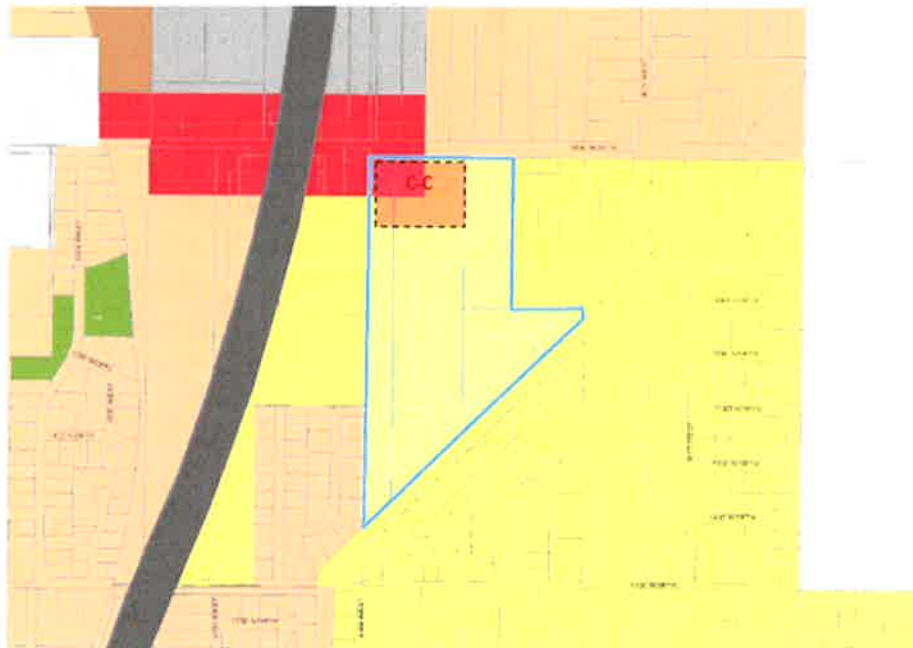


Existing General Plan

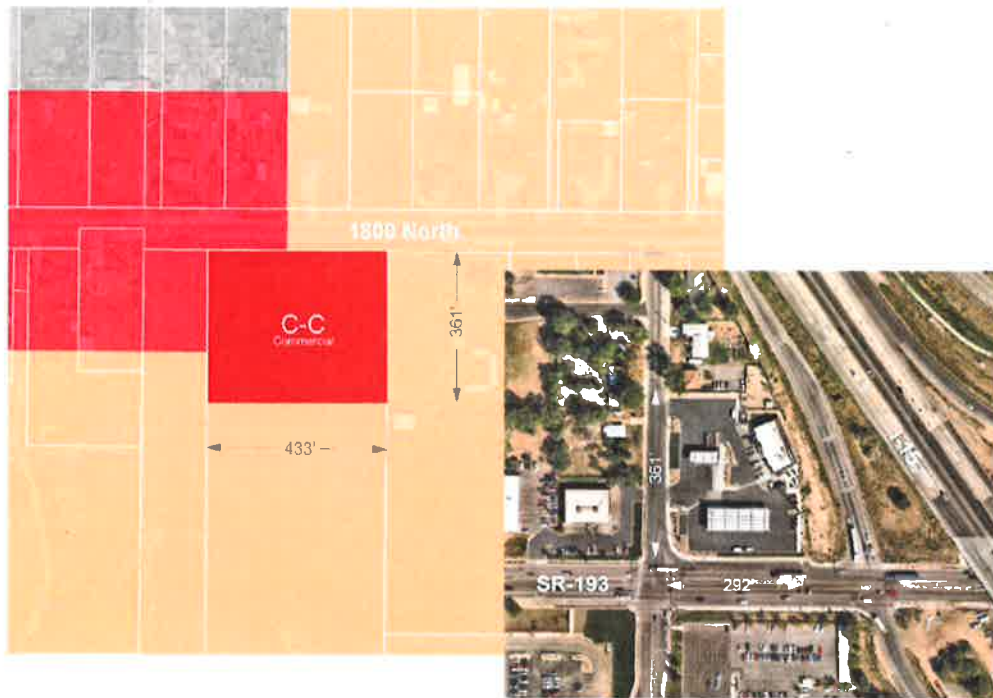
Original Proposed Amendment

Since the original application was received, the applicant has modified his request based on feedback from the Planning Commission. The current request is to extend the Commercial across the north side of the property, and leave the remaining property R-2. The proposed commercial property has approximately 433 feet of frontage on 1800 South and is approximately 361 feet deep.

Modified Request



The map below shows the size of the proposed commercial property, as well as the size of a typical gas station adjacent to a freeway off ramp.



The Planning Commission recommended approval of the request to extend the commercial and leave the remainder of the property R-2.

The City Council can either approve the request, deny the request, or modify the request and approve. If the City Council approves the General Plan change to Commercial, the property would still need to be rezoned to Commercial to accommodate development.

The Council was concerned about the likelihood that UDOT would grant an access on 1800 N, due to the size and parameters of how the property is currently shown as being divided for development of the two zones; if it is already clear that it won't be possible, the applicant should be made aware of that so that adjustments can be made for the actual rezone request.

2. Don Mendenhall – 3181 W 300 N

Don Mendenhall, who is the acting agent for Ned & Julie King Trustees, is petitioning the City to amend the General Plan Map from C-C Commercial and R-1 Residential (2.2 units per acre) to R-3 Residential (3.6 units per acres) on 4.56 acres located at approximately 3181 West 300 North.

The subject property is 4.56 acres located south of 300 North. The property is currently designated as commercial on the north 2.3 acres. The rest of the property is designated as R-1. The original application was to remove the commercial and designate the property as R-3.

Below is a map of the existing general plan and the proposed amendment, along with a land use table.

Existing General Plan



Proposed Amendment

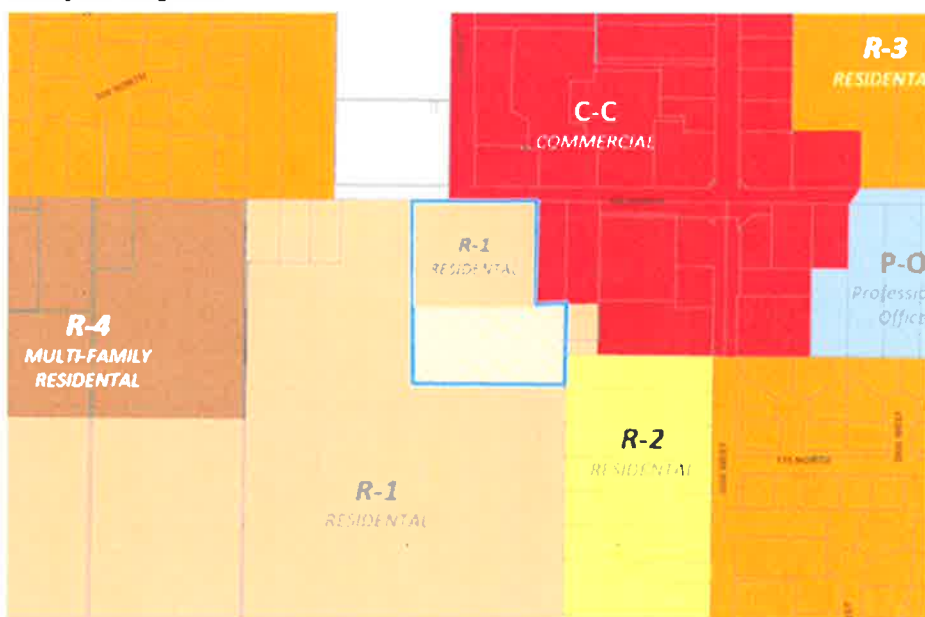


	Current General Plan		Proposed Amendments
Zone	C-C Commercial	R-1 residential	R-3 residential
Max Density	N/A	2.2 units/acre	3.6 units/acre
Acres	2.3 acres	2.26 acres	4.56 acres
Total Units	N/A	5 units	*16 units

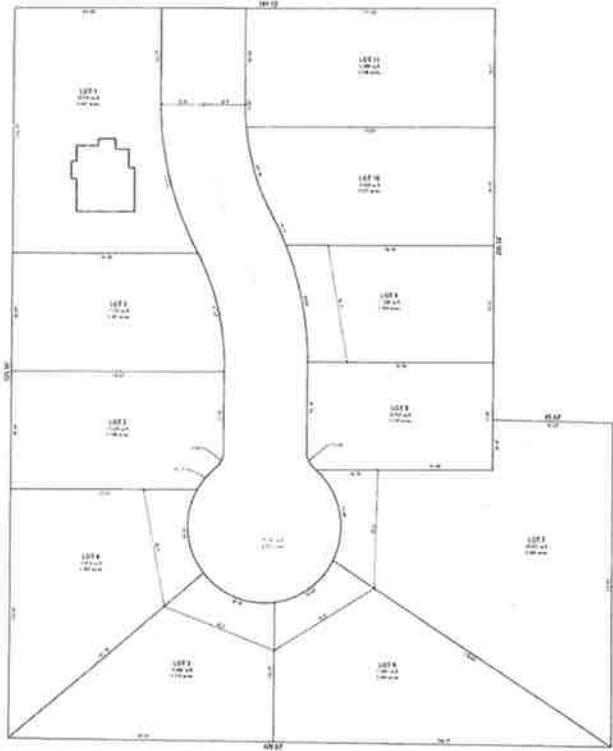
*Note: The applicant is proposing 10 additional units (not including the existing home). This number is slightly over by one unit of the allowable density in the R-1 zone.

Since the original application was received, the applicant has modified his request based on feedback from the Planning Commission. The applicant is now requesting to remove the commercial and designate the entire property as R-1. This would allow the developer to build 10 lots.

Modified Request



The Planning Commission recommended approval of the request to remove the commercial and designate the entire property as R-1. The City Council can either approve the request, deny the request, or modify the request and approve. If the City Council approves the General Plan change to R-1, the property would still need to be rezoned to R-1 to accommodate the proposed development, as shown below:



Mrs. MacDonald stated that although it approved the request, the Planning Commission did have several concerns with this subdivision, especially in regards to the cul-de-sac, and it was not a unanimous decision. However, as this request is not for a development or even rezone, it was approved. The Council agreed that the cul-de-sac shown is an area of concern, feeling that the road should not end in a cul-de-sac, but rather continue through and be stubbed as a future access to the property to the south. Council Member Petersen noted that any other access to the property to the south from 300 N would create an offset intersection, which is undesirable due to traffic safety concerns.

Council Member Chatterton stated that he was concerned about removing the commercial property, because it takes away the opportunity for potential future uses that could be good for the area, especially as development continues to move closer to the corner (of 300 N and 3000 W). The Council agreed with this, especially after learning that the application for a gas station on this corner was submitted earlier in the day. Council Member Swenson noted that the future widening of 300 N could also affect the lots that are shown on 300 N. Mr. Davis stated that if and when a subdivision application is received, the future road width and easements needed will be included as part of the review.

3. Jerry Preston – 4001 W 400 S

Jerry Preston, who is the acting agent for Lynn Craythorn and Terry Ellis Trustees, is petitioning the City to amend the General Plan Map from R-2 residential (2.7 units per acre) to R-4 residential (8.0 units per acres) on 20.85 acres of property located at approximately 4100 West 400 South.

The subject property is part of the Craythorn Homestead subdivision. The subdivision was originally approved in 2016 with all single-family lots. In 2019, the plan had to be amended due to the realignment of SR-193 through the subdivision. The applicant is now asking to amend the General Plan from R-2 to R-4 for the property on the north side of SR-193, which is approximately 20.85 acres. They have submitted a revised plan proposing townhomes in this area.

The Council also felt that a decision on this particular property should wait until after completion of the market analysis.

Mrs. MacDonald stated that public hearings are on the agenda for all three applications in tonight's General Session, after which the Council can consider approval or table final action in order to have more time for discussion and consideration.

5. Other Items

Mr. Laws asked the Council for a final decision on whether or not to serve dinner at this year's Party at The Point Celebration on July 4th. The free dinner for residents has been a part of the celebration for many years, although it was not done last year due to the pandemic, and the event was canceled the year before (2020). Now that things are returning to "normal", Staff needs to know whether or not to resume offering the dinner so that preparations can be made.

The Council held a lengthy discussion as it considered the cost, increased food handling restrictions, the logistical burden and additional labor the dinner creates for Staff, the number of residents that take advantage of the dinner, how food truck vendors are affected, and how the public would feel and react if the dinner was canceled. A majority of the Council determined that the dinner would not be offered again this year. However, there was the desire to still serve something to residents as a gesture to show how much the City appreciates them. Several suggestions were made, including ice cream, pie, watermelon, and others. Staff was directed to start exploring these and other options and to keep the Council updated.

The Administrative Session adjourned.



3200 WEST 300 NORTH
WEST POINT CITY, UT 84015

WEST POINT CITY COUNCIL MEETING MINUTES WEST POINT CITY HALL March 1st, 2022

Mayor
Brian Vincent
City Council
Gary Petersen, Mayor Pro Tem
Jerry Chatterton
Annette Judd
Michele Swenson
Brad Lee
City Manager
Kyle Laws

General Session

7:00 PM

Minutes for the West Point City Council General Session held on March 1st, 2022 at 7:00 PM with Mayor Brian Vincent presiding. This meeting was held at West Point City Hall and also electronically via Zoom. Zoom meeting was accessible to attendees by entering Meeting ID# 88064419319 at <https://zoom.us/join> or by telephone at (669) 900-6833.

MAYOR AND COUNCIL MEMBERS PRESENT: Mayor Brian Vincent, Council Member Gary Petersen, Council Member Jerry Chatterton, Council Member Annette Judd, Council Member Michele Swenson, and Council Member Brad Lee

EXCUSED: None

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

VISITORS PRESENT: Don Mendenhall, Jared Machenheimer, Kelly Sparks, Elizabeth Pinto, Steve Simpson, Jason Boydston, Emily McCarrey, and Angelina Orton. No sign-in required for those attending virtually.

1. **Call to Order** – Mayor Vincent welcomed those attending the meeting.
2. **Pledge of Allegiance**
3. **Prayer or Inspirational Thought** – Given by Council Member Petersen
4. **Communications and Disclosures from City Council and Mayor**

Council Member Lee – As part of the 4th of July Committee (“Party at the Point”), he relayed some of the changes the Committee has been discussing for this year’s event. One change is to cap the number of parade entries at 65. This number was determined after looking at the number of entries for the last nine years, and after learning that 65 was the most entries in a given year over that period, felt that it was a good amount to keep the parade from becoming too congested and unsafe to orchestrate and oversee. Other changes being discussed are in regards to how to better improve upon last year’s event and offering new things to make the event more enjoyable for participants. The goal is to improve year after year and continue to make the event better and better.

Council Member Chatterton – None

Council Member Petersen – None

Council Member Judd – As part of her responsibilities of being appointed as a Board Member of the North Davis Fire District, she was able to attend the District’s annual banquet recently and really enjoyed the event. It was great to be there and involved as current and past members were recognized and to better appreciate what wonderful assets they are to our community. She encouraged everyone to express their appreciation to our firefighters whenever they have the opportunity.

Council Member Swenson – None

Mayor Vincent – None

5. **Communications from Staff**

Mr. Laws stated that the Davis County Boundary Commission will be holding a meeting and hearing the following day, March 2nd, to hear and discuss the Compton Annexation Petition and the protests that were submitted. Several members of Staff will be

attending the meeting. He will keep the Council updated on the process, as the Boundary Commission could hold future meetings or only this first one in making its decision. The meeting will be at 1:00 PM in the Commission Chambers at the County building in Farmington.

6. Citizen Comment

None.

7. Youth Council Update – Emily McCarrey (YC Mayor) and Angelina Orton (YC City Manager)

Ms. McCarrey stated that in January, the Youth Council met for its monthly meeting and were also able to attend “Legislative Day” at the Utah State Capitol. She thanked the City for sponsoring them to be able to go, because it was a really educational event. Ms. Orton stated that in February, the Youth Council made valentines and passed them out to residents at the Family Tree Assisted Living Center. In March, preparations are being made for the City’s Easter Egg Hunt, which the Youth Council helps to put on. Members have been busy asking surrounding businesses for donations and items that can be used to fill the eggs.

The Council complimented Ms. McCarrey and Ms. Orton on their update presentation and asked them to relay their gratitude to the rest of the Youth Council for what they do. Council Member Lee stated that while what they do may seem little or insignificant, the impact that they have is high; the hard work that they do in making our community better is very appreciated.

8. Davis County Sheriff’s Office Update

Sheriff Kelly Sparks introduced himself to the City Council, as well as Jason Boydston, Patrol Division Commander, and Elizabeth Pinto, who is the Criminal Intelligence Analyst for the Department, which is a new position that was added last year. He stated that Ms. Pinto has been a great addition and provides a more scientific approach that enables better prediction and intervention in crime. Sheriff Sparks then introduced Sergeant Steve Simpson, which has been assigned as the liaison for the City and the Sheriff’s Office. Sergeant Simpson will be the City’s “on the ground” contact for whatever needs or questions may arise. He turned the time over to Sergeant Simpson and Ms. Pinto to present the Quarterly Report for the DCSO.

Sergeant Simpson stated that since mid-November of last year, the DCSO’s has recorded about 2,100 hours spent in the City, with a weekly average of about 100 hours, and have responded to 1,026 incidents. He then reviewed some of the more notable of those incidents and the action taken/outcome. Ms. Pinto reviewed the crime rates in West Point, displaying several graphs that represent the type and percentage of crimes in the City. “Crime Type” includes crimes against persons, crimes against property, crimes against society, death investigation, and no crime. In all of 2021, crimes against persons was the majority type, but since November, there have been a large number of occurrences regarding vehicle theft/burglary. Other notable occurrences included child neglect, harassment and threats, child abuse, retail theft, and criminal mischief.

In response to Council Member Chatterton’s inquiry, Sergeant Simpson stated that he has not experienced any organized gang issues within West Point – while there may be gang members that reside in the City, gang activity has not been an issue. While there are crime issues in West Point, he confirmed for the Council that the City’s crime rates are below average in comparison to the surrounding area. He also confirmed that at the beginning of each shift rotation, a “briefing” meeting is held with those ending their shift so that information can be passed along to make sure officers are aware of and updated on situations that they may encounter.

Also in response to the Council’s comments, Sergeant Simpson stated that he would pass along the desire for more speed enforcement along SR-193 from 2000 W to 3000 W, and work on a coordinated effort between the DCSO, Syracuse City Police Department, and Highway Patrol as all three have jurisdiction of the area. The “CodeRed” App was also discussed, which is an app that will alert residents of a situation in their area that they may need to on alert for. Information about the app will be put in the City’s newsletter and on social media pages to encourage more residents to subscribe.

The Council thanked them all for attending and for the great job that they do in handling all the different things that are going on in their field. Specific compliments were given to Sheriff Sparks about the amazing staff that he has; they are very professional people with a lot of integrity and the City is happy to be associated with them and to have our residents served by them.

9. Consideration of Approval of Resolution No. 03-01-2022A, Approving an Interlocal Cooperation Transportation Project Reimbursement Agreement between West Point City and Davis County – Mr. Boyd Davis

Mr. Davis stated that this agreement was discussed by the Council at the last meeting, and briefly reviewed that West Point has received a grant from Davis County for the widening and reconstruction of 300 N from 2000 W to 4000 W in the amount of \$3.3 million. The way the grant works is that Davis County will reimburse the City for 80% of the project costs, up to a maximum of \$3,000,000 and West Point must contribute 20%, up to a maximum of \$750,000. Fortunately, the City also received a grant from the Wasatch Front Regional Council for the same project and the two grants can be used as matching funds for each other. West Point City will be responsible to plan, design, and construct the road project using our own funds and then request reimbursement from the County, however, reimbursements can be done periodically throughout the project.

Mr. Davis stated that the agreement has been reviewed and approved by the City Attorney and Staff recommends approval of the resolution authorizing the Mayor to sign the agreement. Mayor Vincent stated that in Section 2(a) of the agreement, it states that the City is required to commence and complete “the full scope of the project in a manner consistent with the application, within two years from the date this agreement is executed.” He is concerned that the County may not be bound to the full grant amount if the project is not completed within two years, which it likely will not be. Mr. Davis stated that he spoke to Jeff Oyler with Davis County (who oversees administration of these types of grants) and he informed him that the City just needs to begin spending the funds on the project within two years; as long as the funds are at least beginning to be used, the County will meet its full obligation. However, he does understand the Mayor’s concern about the language in the agreement. Council Member Swenson stated that if the application for the grant included a time deadline, completing the project by that deadline could be considered as being “consistent with the application” even if it were past two to years.

The Council agreed that the language in the agreement referring to a deadline to “commence and complete” the project should state what exactly is required on behalf of the City. Mr. Davis stated that he would work with Mr. Oyler to have the agreement modified to reflect what Mr. Oyler orally stated was required.

Council Member Chatterton motioned to table approval of Resolution No. 03-01-2022A to await a modified agreement.
Council Member Petersen seconded the motion
The Council unanimously agreed

10. Consideration of Approval to Award the Bid Proposal for Waste Collection Services – Mr. Ryan Harvey

Mr. Harvey stated that with the expiration of the current contract, the City recently put out an RFP for waste collection services and received two bids – one from Econo Waste (the City’s current hauler) for \$41,910 and one from Ace Recycling and Disposal in the amount of \$35,137. The RFP listed specific criteria that he, along with Mayor Vincent and Mr. Laws, created. The proposals were judged against those criteria, as well as on price, and the “clear winner” was Ace Recycling & Disposal.

Beyond the price being lower, ACE also offers the following advantages:

1. Extended customer service hours. Econo Waste has customer service from 8 – 4:30, while ACE offers in office customer service from 7 – 5, with a 24-hour answering service outside those hours.
2. Ace will go back at the end of the day to pick up any cans that weren’t out when they passed the first time.
3. Ace will let the City have all of the blue cans upon expiration of the 5-year contract. Currently, the City owns the black and green cans, but Econo Waste owns the blue cans. Their original proposal stated that ACE will provide the blue cans to the City for the duration of the contract, and they will become property of the City after the 5 years. However, they have since negotiated with Econo Waste to purchase all of the blue cans within the City from them. This will eliminate the process of having to pick up all the existing blue cans and replace them with ones owned by ACE. The cans will still become property of the City after the 5 years.

Because of the lower price and the advantages listed above, Staff recommends approval of a contract for 5 years, 3 months (to align with our Fiscal Year) beginning on April 1, 2022 and ending on June 30, 2027. In regards to customer service, Mr. Laws wanted to acknowledge that the owner of Econo Waste, Val Sanders, has provided the City with his personal cell phone number and has always been willing to be contacted with any issues that have arisen. Mr. Harvey also noted that with the cost for this service increasing from \$29,044 to \$35,137, part of the budget proposal for the next fiscal year will include an analysis of the current can fees being charged to residents and whether or not they need to be increased to compensate. He also confirmed for the Council that the collection schedule will remain the same for all three types of garbage (regular garbage, green waste, and recycling).

The Council had no further discussion.

Council Member Lee motioned to approve the bid proposal for Waste Collection Services to Ace Recycling & Disposal
Council Member Swenson seconded the motion
The Council unanimously agreed

11. Consideration of Resolution NO. 03-01-2022B, Amending the FY2022 Final Budget for West Point City and All Related Agencies – Mr. Ryan Harvey

Mr. Harvey reviewed the four proposed budget amendments that have been presented and discussed by the Council in tonight's earlier Administrative Session and also in previous meetings:

Market Study

This item was discussed at the Council Meeting in January and again at the Retreat in February. The City will be performing a Market Analysis for the area where SR-193 and the West Davis Corridor will meet. The amount is \$60,000 and will be added to the line item in the Capital Projects Fund called 5 Year CIP. It will be funded by the Capital Projects Fund Balance.

Fleet Leases

This item was also discussed at the Retreat in February. Public Works would like to add an additional \$40,000 for Fleet Leases (Front-end Loader, Mini Excavator, and Backhoe) to make the total \$50,000. This amount will be split among the General Fund, the Special Revenue Fund, the Waste Fund, the Water Fund, and the Storm Water Fund, with \$10,000 budgeted in each of those funds.

APRA Funds

The City has received its first allocation from the Federal Government of these funds, and will receive the second allocation shortly for a total of \$1,296,768. Staff has created a new line item in the Special Revenue Fund called ARPA West Point City Direct. The City will also be receiving around \$25 Million from Davis County for the State and Local Fiscal Recovery Funds (SLFRF). This money will also be collected in the Special Revenue Fund under ARPA NEU Davis County. This money will be going toward the Sewer Project in the Annexation Area.

Transportation Master Plan Impact Fee Analysis

The current budget includes \$40,000 in order to complete a new Transportation Master Plan for the City. However, an impact fee analysis must also be completed and was not included in that amount. Staff proposes that an additional \$15,000 be added to this project, which will be taken out from the fund balance.

Mayor Vincent opened the item for public hearing.

a. Public Hearing

No comments.

Council Member Petersen motioned to close the public hearing
Council Member Judd seconded the motion
The Council unanimously agreed

b. Action

The Council had no further discussion.

Council Member Petersen motioned to approve Resolution No. 03-01-2022B
Council Member Judd seconded the motion
The Council unanimously agreed

12. Consideration of Approval of Ordinance No. 03-01-2022A, Approving an Amendment to the General Plan Zoning Designation of Property Located at 3942 W 1800 N (Applicant – Don Mendenhall) – Mrs. Bryn MacDonald

Mrs. MacDonald reviewed this application as presented in tonight's Administrative Session, summarizing that the proposal is to extend the C-C Commercial along 1800 North and leave the remainder property as the R-2 zoning designation. The Planning Commission has held a public hearing on the application and recommends approval.

Mayor Vincent opened the item for public hearing.

a. Public Hearing

No comments.

Council Member Petersen motioned to close the public hearing
Council Member Swenson seconded the motion
The Council unanimously agreed

b. Action

The Council had no further discussion.

Council Member Judd motioned to approve Ordinance No. 03-01-2022A, Approving an Amendment to the General Plan Designation of Property Located at 3942 W 1800 N
Council Member Swenson seconded the motion

Roll Call:

Council Member Lee – Aye
Council Member Chatterton – Aye
Council Member Petersen – Aye
Council Member Judd – Aye
Council Member Swenson – Aye

The Council unanimously agreed.

13. Consideration of Approval of Ordinance No. 03-01-2022B, Approving an Amendment to the General Plan Zoning Designation of Property Located at 3181 W 300 N (Applicant – Don Mendenhall) – Mrs. Bryn MacDonald

Mrs. MacDonald reviewed this application as presented in tonight's Administrative Session, summarizing that the proposal for this property located at 3181 W 300 N and consisting of 4.56 acres is to remove the designation of C-C Commercial and R-1 Residential and designate the entire property as R-1 Residential.

Mayor Vincent opened the item for public hearing.

a. Public Hearing

Don Mendenhall – 347 N 4950 W: Mr. Mendenhall stated that he is the applicant, acting on behalf of the owners. He wanted to note that there is currently an existing house on the property, and if the front part is left as C-C Commercial, the house will have to be kept because the costs to demo a home that is valued at \$400,000 to \$500,000 cannot be absorbed by the owners. As such, having a home in the middle of this zone and along a 60 ft. road will, in his opinion, prohibit a functional commercial space. He stated that it is also important to note that this portion of road on 300 N will be deeded back to the City in the near future and no longer be a UDOT road; the owners feel that the R-1 zone is a "less aggressive" option for development along the road. He stated that he was hoping to have been able to include some sort of development agreement with this application, but realizes that the process necessitates that the General Plan first be modified before going through the rezone process. In the rezone process, he and the owners will have the chance to address the Council's stated concerns and other questions that they may have about development of the property. Lastly, Mr. Mendenhall stated that in 2016, the Council amended the General Plan to designate the front portion as C-C Commercial, but then in November 2017, was considering changing the designation of the entire property as R-1 Residential. At that time, he and the owners petitioned to have the C-C Commercial portion remain, hoping for a higher value for the family. However, now the owners feel that there has been "too much back and forth" about whether the City wants a higher density and commercial area here or for it to remain as residential; with recent health issues arising, they are needing to relocate and need to start development of their property. They feel that the larger lots will complement the area. Mr. Mendenhall also noted that they do not plan to affiliate themselves with a single builder; the lots can be purchased and their own desired home builder used.

Council Member Petersen motioned to close the public hearing
Council Member Lee seconded the motion
The Council unanimously agreed

b. Action

The Council held a lengthy discussion which can be heard at <https://www.utah.gov/pmn/files/822957.mp3>, minute marker 27:15

Council Member Petersen motioned to deny approval of Ordinance No. 03-01-2022B
Council Member Chatterton seconded the motion

Roll Call:

Council Member Lee – Aye
Council Member Chatterton – Aye
Council Member Petersen – Aye
Council Member Judd – Nay
Council Member Swenson – Aye

The Council denied approval of Ordinance No. 03-01-2022B

14. Consideration of Approval of Ordinance No. 03-01-2022C, Approving an Amendment to the General Plan Zoning Designation of Property Located at Approximately 4100 W 400 S (Applicant – Craythorne Homestead, LLC) – Mrs. Bryn MacDonald

Mrs. MacDonald stated that as presented in tonight's Administrative Session, this request is to amend the General Plan Map from R-2 residential (2.7 units per acre) to R-4 residential (8.0 units per acres) on 20.85 acres of property located at approximately 4100 West 400 South. The Planning Commission recommended denial of the request to amend the General Plan from R-2 to R-4. The Planning Commission wanted to wait for the results of the Market Analysis that is currently being completed and will give direction on the appropriate uses in this area.

a. Public Hearing

No comments

Council Member Petersen motioned to close the public hearing

Council Member Judd seconded the motion

The Council unanimously agreed

b. Action

The Council had no further discussion and agreed with the Planning Commission in that the Market Analysis should be completed before determining the use of this property.

Council Member Chatterton motioned to deny Ordinance No. 03-01-2022C
Council Member Lee seconded the motion

Roll Call:

Council Member Lee – Aye
Council Member Chatterton – Aye
Council Member Petersen – Aye
Council Member Judd – Nay
Council Member Swenson – Aye

The Council denied approval of Ordinance No. 03-01-2022C

15. Motion to Adjourn the General Session

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


BRIAN VINCENT, MAYOR August 2nd, 2022



CASEY ARNOLD, CITY RECORDER August 2nd, 2022