



3200 WEST 300 NORTH
WEST POINT CITY, UT 84015

WEST POINT CITY COUNCIL
MEETING MINUTES
ELECTRONIC MEETING
NO PHYSICAL MEETING LOCATION
February 2nd, 2021

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

Administrative Session
6:00 PM

Minutes for the West Point City Council Administrative Session held via electronic Zoom Meeting in accordance with the signed January 4th, 2021 Written Determination of the Mayor and Planning Commission Chair of West Point City Concerning Electronic Meeting Anchor Location. Meeting was accessible to attendees by entering Meeting ID #87045439128 at <https://zoom.us/join> or by telephone at (669) 900-6833, on February 2, 2021 at 6:00 pm with Mayor Erik Craythorne presiding

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

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: Visitors able to attend electronically, no sign-in required.

1. Discussion Regarding West Point City Participation in the Syracuse City Youth Court – Mr. Kyle Laws

Mr. Laws stated that this item has been discussed by the Council in a previous meeting and provided a refresher about the Syracuse City Youth Court, explaining that it is a “restorative justice” program that focuses on the rehabilitation of offenders through reconciliation with victims and their community. It is a non-judicial diversion program for school-aged youth (12-18 years). There are adult advisors and local law enforcement that oversee the program, but other youth peers actually administer the court, acting as judges, bailiffs, clerks, etc. Those that get into trouble with the school or the law can be referred to the Youth Court instead of to the Justice Court and appear before their peers who determine an appropriate punishment. The Principal at West Point Jr. High has expressed interest in the school participating in the program, which Syracuse City has offered to do.

To participate, Syracuse City would like to have a Memorandum of Understanding agreed to and signed by West Point City that outlines what West Point’s responsibilities would be in order to participate. Currently, the Syracuse Youth Court is for the youth who attend Syracuse schools or live in Syracuse City boundaries and this MOU would extend the program to include students attending West Point Jr. High as well. Additionally, if an offense was committed within West Point City limits, the youth offender could be referred to the Youth Court as well, regardless of where he or she actually lives.

Mr. Laws stated that under the MOU, Syracuse City will cover the costs for the entire program and send a year-end invoice to West Point for a proportionate share of the costs, based upon hours attended by West Point participants. Currently, Syracuse’s budget for the program is \$5,000 and Staff estimates that West Point City’s costs will be between \$2,000 - \$4,000 each year. Additionally, depending on the number of West Point participants, the City may also be responsible for providing volunteer advisors. Mr. Laws clarified for Council Member Petersen that the majority of the program costs come from the training of participants (travel, registration fees, lodging, etc.), and the rest comes from various administrative costs like supplies, forms, venue, etc. Mr. Laws also noted that at this point, Syracuse City will provide the venue for when the Youth Court is held, but based upon the increase of participants, there may be a need in the future for West Point to provide a second location.

The Council discussed the program and agreed that it would be a good thing for West Point to participate in. They would consider final approval of the Memorandum of Understanding at the next meeting. In the meantime, Mr. Laws was directed to contact Syracuse City to see how the success of the program is tracked or reported and if that information can be provided to the City.

2. Discussion Regarding an Agreement with the Bureau of Reclamation – Mr. Boyd Davis

Mr. Davis stated that this License Agreement is in relation to the Bluff View Subdivision and the development's sewer and storm drain utility lines that will have to cross over property owned by the U.S. Bureau of Reclamation. The storm drain line will run south before crossing over the property in order to connect to West Point's existing line, and the sewer line will also run to the south and cross over the property before eventually running east to connect to an existing line owned by the North Davis Fire District.

Mr. Davis summarized the terms of the License Agreement, which are as follows:

- The City is allowed to construct two sewer lines and one storm drain line.
- The City is allowed to operate and maintain the utilities during the period of the agreement.
- The City or their contractor are responsible to install the utilities according to the approved plans and are responsible for any damages during construction.
- The agreement is for 25 yrs. and can be renewed for an additional 25 yrs.

The City's Attorney has reviewed and approved the agreement, but suggested that a note be put on the developer's plans stating that they will abide by the terms of the agreement and will be responsible for any damages, as it is their contractor that will be doing the work. That note has been added as suggested. Staff recommends approval of the License Agreement.

The Council had no further discussion at this time and will consider the item for final approval at the next meeting.

3. Discussion Regarding Amendment No. 6 to the Interlocal Cooperation Agreement for Animal Services – Mr. Kyle Laws

Mr. Laws welcomed Rollin Cook to the meeting and introduced him to the Council as the new Director of Animal Care of Davis County. Director Cook addressed the Council, explaining that before becoming the Director, he worked with Salt Lake County's Corrections for 23 years, first having joined as an officer in 1989 and working his way up to corporal, sergeant, lieutenant, captain, and finally chief deputy. In 2013, he was appointed as the Executive Director of the Department of Corrections and served in that role until his retirement in 2018. Shortly after, he was recruited out of retirement to serve as the Connecticut Commissioner of Corrections, however he was only in that position for about a year before returning home to Utah to be closer to his mother after his father passed away. Mr. Cook stated that he has always had the desire to do something in his career besides corrections, and so when the Director of Animal Care position presented itself, he applied and was given the role.

In regards to the Agreement for Animal Services, Mr. Laws stated that an amendment is done each year to outline the fees for the upcoming year. The new charges are based on the previous year's usage of animal care services 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 City's cost for animal control services in 2020 was as follows:

- \$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 cost for this year (Calendar Year 2021) is:

- \$43,948.99 for general animal control services
- \$231.75 for wild animal calls and services
- \$2,033.71 for the capital projects fund regarding the shelter

The total cost is \$46,214.45, which is a decrease from the total of \$48,476.56 last year. The City's budget for animal care services in FY2021 is \$55,000, because an increase in costs was expected. Mr. Laws explained that the reason for the decrease is due to fewer calls last year for general animal services and the County's decision to change their approach to wildlife animals and discontinue this service this summer (charging only for the first half of the year). With this decrease in fees from last year, this year's cost is below the budgeted amount. Mr. Laws noted that the current agreement expires at the end of 2021, and so this will be the last amendment before a new agreement is negotiated and approved for 2022. He stated that the new contract will likely contain significant cost increases to fund a much needed newer, more suitable shelter for animal care operations.

Director Cook provided a quick summary of some of the issues he and his team are working on, such as better communication with contract cites, increases in staff, availability to residents, and perhaps most importantly, the current state of the animal control facility itself. He stated that they have been working extremely hard to clean and organize the building, repair broken equipment, improve use of the space, and much more. They are also working on ways to reach out and interact better with the community – like holding vaccine clinics at locations throughout the County, for example – and also improving their processes to be more transparent and consistent to citizens. While these are the things happening now, one of the biggest needs and projects is a new facility that can adequately and safely provide proper animal care services.

The Council thanked Director Cook for the work he is doing and making himself available to meet and provide an update on what the agency is working on and planning for the future. There was no further discussion and the Council will consider approval of the Amendment in tonight's General Session.

4. Discussion Regarding the Bluff View Subdivision Phases 1 & 2 – Mrs. Bryn MacDonald

Mrs. MacDonald stated that this subdivision has been discussed by the Council in previous meetings and Phases 1 and 2 have been submitted for final approval. These two phases contain a mix of 116 patio-style homes and 86 townhomes. The Planning Commission approved the plats for Phases 1 and 2 at their last meeting. Staff recommends final approval by the Council.

Council Member Petersen stated that although he understands it is not part of Phases 1 and 2, he is still concerned about the second access for the subdivision that has been an issue in previous discussions. Mrs. MacDonald stated that Staff has shared the Council's concerns with the developers and their desire that the second access be an actual road, available to residents at all times. However, she is unsure whether the developers will be willing to do so. Council Member Petersen thanked her for relaying that information to the developers and acknowledged that further discussion will be had when future phases are submitted for approval.

Council Member Petersen also raised the concern about whether there is enough room on the roads for residents to place their garbage cans out on collection day, and whether there is even adequate space to store the garbage cans around the homes. He would like Staff to find out how and where garbage cans can be stored from the developers before the next meeting.

The Council had no further discussion at this time and will consider final approval of Phases 1 and 2 at the next meeting.

5. Other Items

Mr. Laws informed the Council that Davis County Commissioner Lorene Kamalu will be joining tonight's General Session – she indicated she does not have a specific agenda, but would like to be available to interact with the Council and answer any questions they may have. Representatives from the Utah Department of Transportation will also be attending the meeting to provide an update on the 2000 W Widening Project.

The Administrative Session adjourned.



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General Session

7:00 PM

Minutes for the General Session of the West Point City Council held via electronic Zoom Meeting in accordance with the signed January 4th, 2021 Written Determination of the Mayor and Planning Commission Chair of West Point City Concerning Electronic Meeting Anchor Location. Meeting was accessible to attendees by entering Meeting ID #87045439128 at <https://zoom.us/join> or by telephone at (669) 900-6833, on February 2, 2021 at 7:00 pm with Mayor Erik Craythorne presiding.

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

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 Workers Director; and Casey Arnold, City Recorder

EXCUSED: None

VISITORS PRESENT: Visitors able to attend electronically, no sign-in required.

1. **Call to Order** – Mayor Craythorne welcomed those attending the electronic meeting.
2. **Prayer** – Given by Council Member Petersen
3. **Communications and Disclosures from City Council and Mayor**

Council Member Chatterton – None

Council Member Dawson – None

Council Member Henderson – None

Council Member Judd – None

Council Member Petersen – None

Mayor Craythorne – None

4. **Communications from Staff**

Staff had no items to discuss or information to give to the Council at this time.

- 4a. **Introduction of Davis County Commissioner Lorene Kamalu**

Mayor Craythorne welcomed Commissioner Kamalu to the meeting and turned the time over to her to address the Council. Commissioner Kamalu thanked the Mayor and stated that the County is very grateful for the leadership at West Point City, especially during the past year. She stated that good partnerships with city leaders and the County are critical to serving citizens and appreciates the City's support. Commissioner Kamalu encouraged the Council to contact her or other Commissioners with any issues or concerns so that they may be of service. She also confirmed that Commission meetings are held on the 1st, 3rd, and

occasional 5th Tuesday of each month at 4 PM. The meetings are also live-streamed and recorded and can be accessed by visiting the Commission's page on the Davis County website.

The Council thanked Commissioner Kamalu and also expressed their appreciation for all of County leadership during this pandemic; the Davis County Health Director has done a great job and the support of the Commission has been vital to how well Davis County has been able to handle COVID-19.

5. Citizen Comment

Emailed Comment on January 29th, 2021

Bryan Fillmore – 495 N 1940 W: “My name is Duane Bryan Fillmore and I have been renting a room from my dear friend Kenneth Paskett at 495 N 1940 W West Point, UT 84015, for just under a year now. I pay him \$350 per month and that includes utilities. I feel like I’m getting a great deal and would like to remain doing so for the foreseeable future. The reason I am writing you today is because I would like to sell T-shirts and other Print-On-Demand merchandise online as a small business side-hustle to help supplement my income. I have researched how to do so in a way called Drop Shipping that would allow me to operate my business entirely online and not require any customers or merchandise (or advertising) to or from my residence, thus preserving neighborhood sanctity. I created and registered the business and filled out the West Point City application for a Minor Home Business License and had all of my neighbors sign it and turned it in last week. I got a call Thursday morning from Bruce at the city office who said I wouldn’t be able to get a Minor Home Business License to sell T-shirts online because I am not the home owner. Kenneth Paskett, the home owner, said he would be willing to sign permission as my landlord to allow me the opportunity to sell T-shirts and Print-On-Demand merchandise online through drop shipping but there was not place on the application for him to do so. Originally I thought I was living in Clearfield and had filled out an application for a small business license for them and their application does have a location for home owners to sign to give permission to their renters to get a small business license. We are wondering if the council would be willing to amend the application to allow a location for home owners to sign permission for renters to be allowed access to a Minor Home Business License. We believe that the application might not be aware of the drop shipping business model that allows for the business owner to operate every aspect of their business from their home computer without causing any invasive issues to the neighborhood as has traditionally been the case for traditional small home businesses such as day cares and home baked goods. Thank you for your time and consideration with this. Please help the current and future renting residences of West Point City have all the modern noninvasive business opportunities such as Drop shipping available to them (as this will be a simple and enjoyable solution to Pandemic era problems), and simply allow home owners a spot to sign permission for them to do so. Thank you for your time and consideration.”

Mrs. MacDonald informed the Council that Staff has had additional discussions with Mr. Fillmore and his Business License was actually approved earlier in the day. She stated that a signature line for landlord approval could easily be added to the Business License Application for these types of situations. The Council thanked her for that information and that Mr. Fillmore’s issue was addressed and resolved.

6. Discussion Regarding the SR-108 Widening Project – Utah Department of Transportation

Mayor Craythorne welcomed Greg Davis and his team members also in attendance, Aubrey Bennion and Dave Adamson, to the meeting. Mr. Davis thanked the Mayor and Council for allowing time in the meeting to provide an update on the next phase of the SR-108 (2000 W) Widening Project. This phase of the project is from 300 N through the 1800 N intersection, and will widen the three-lane road to a five-lane road, as well as add a multi-use path, full-width shoulders, curb, gutter, and sidewalk. Traffic lights, signals, and cross-walks will also be installed, including in the school-zones. Mr. Davis confirmed that the 1800 N intersection will be built as part of this phase, with dual left turn lanes on all four legs of the intersection. The project will go out to bid in spring of 2022, and Mr. Davis stated that he anticipates construction will begin soon after. The project will likely take two full construction seasons, wrapping up in fall of 2023. The estimated cost for the project is \$60 million, and the property acquisition process is already underway. Mr. Adamson stated that as that process progresses, they will be in communications with the City and its residents that are affected. Ms. Bennion added that from the public outreach standpoint, a full launch has not yet been done – discussions with residents and business owners are being done on an as-needed basis at this point. Once the environmental clearance is closer to being issued, they will begin public outreach to notify and educate residents about the project.

Mayor Craythorne thanked Mr. Davis and his team for the information shared and stated that while it will be inconvenient to travel in the area while it is under construction, it will really be a benefit once completed. He stated that he looks forward to future updates as the project moves forward.

7. Appointment of West Point City Planning Commissioners – Mayor Erik Craythorne

Mayor Craythorne stated that the terms of two current Planning Commissioners has expired. In discussions with them, the Mayor stated that both individuals have expressed their desire to continue serving for another term (three years). With that, the Mayor recommends that Brad Lee and Jeremy Strong be reappointed to serve on the Planning Commission for another term.

Council Member Dawson motioned to reappoint Brad Lee and Jeremy Strong to three-year terms on the West Point City Planning Commission

Council Member Chatterton seconded the motion

The Council unanimously agreed

**Mayor Craythorne excused himself from the meeting at this time due to connectivity issues.*

*He turned the meeting over to Mayor Pro Tem Petersen to preside from this point**

8. Youth Council Update

Kylie McCarrey provided the Youth Council Update to the Council, stating that the YC has been holding their meetings virtually for the past few months and noted that attendance at the meetings has dropped. She stated that the Youth Council was able to participate in the Cemetery Luminary in December, helping City Staff place the luminaries on the headstones.

Mayor Pro Tem Petersen thanked Ms. McCarrey for the update and recognized that the current health restrictions on in-person gatherings and activities are likely contributing factors to the decrease in attendance by the Members. Council Member Chatterton also expressed his appreciation and asked that Ms. McCarrey relay back to the Youth Council what a great job they are doing.

9. Consideration of Approval of the Minutes from the December 15th, 2020 West Point City Council Meeting

Council Member Henderson motioned to approve

Council Member Dawson seconded the motion

The Council unanimously agreed

10. Consideration of Approval of the Minutes from the December 15th, 2020 Special Joint Meeting of the West Point City Council and Planning Commission

Council Member Henderson motioned to approve

Council Member Judd seconded the motion

The Council unanimously agreed

11. Consideration of Approval of the Minutes from the January 5th, 2021 West Point City Council Meeting

Council Member Chatterton motioned to approve

Council Member Judd seconded the motion

The Council unanimously agreed

12. Consideration of Approval of a Request to Simultaneously Develop Phases 5 & 6 of the Harvest Fields Subdivision – Mrs. Bryn MacDonald

Mrs. MacDonald stated that this subdivision has been discussed in previous meetings, and the developers were granted approval by the Council in July 2020 to simultaneously develop Phases 1 – 4. However, the developers would like to amend that request to be able to develop Phases 3 – 6 simultaneously instead and not develop Phases 1 and 2 at this time. Should the Council grant this request, they will submit the plats for Phases 3 – 6 for final approval. Staff recommends approving the amended request to simultaneously develop Phases 3 – 6 of the Harvest Fields Subdivision, and not allow construction on Phases 1 or 2 until Phases 3- 6 are complete. Mrs. MacDonald confirmed for the Council that approving this amended request would withdraw the approval previously granted to develop Phases 1 and 2. The Council had no further discussion on the request.

Council Member Chatterton motioned to approve the amended request to simultaneously develop Phases 3, 4, 5, and 6 of the Harvest Fields Subdivision
Council Member Henderson seconded the motion
The Council unanimously agreed

13. Consideration of Approval of Resolution No. 02-02-2021A, Approving Amendment No. 6 to the Interlocal Cooperation Agreement for Animal Services – Mr. Kyle Laws

Mr. Laws stated that this item was discussed with the Council earlier in tonight's Administrative Session and reviewed the terms of the amendment. The amendment to the agreement is done each year to update the fees for the upcoming year. The new charges are based on the previous year's usage of animal care services 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 City's cost for animal control services in 2020 was as follows:

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The cost for this year (Calendar Year 2021) is:

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The total cost for 2021 is \$46,214.45, which is down from the 2020 total of \$48,476.56. The City's budget for animal care services in FY2021 is \$55,000, and so the new fees are well under the budgeted amount. Staff recommends approval of the amendment. The Council had no further discussion.

Council Member Dawson motioned to approve Resolution No. 02-02-2021A
Council Member Judd seconded the motion
The Council unanimously agreed

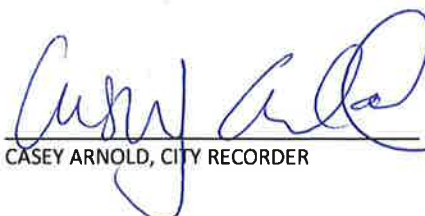
14. Motion to Adjourn the General Session

Council Member Henderson motioned to adjourn the General Session
Council Member Dawson seconded the motion
The Council unanimously agreed




ERIK R. CRAYTHORNE, MAYOR

March 2nd, 2021


CASEY ARNOLD, CITY RECORDER

March 2nd, 2021