



3200 WEST 300 NORTH
WEST POINT CITY, UT 84015

**WEST POINT CITY COUNCIL
MEETING MINUTES
ELECTRONIC MEETING
NO PHYSICAL MEETING LOCATION
April 20th, 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
6:30 PM

Minutes for the West Point City Council Administrative Session held via electronic Zoom Meeting on April 20, 2021 at 6:30 pm with Mayor Erik Craythorne presiding. This meeting was held in accordance with the signed April 6th, 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 #879 8469 3811 at <https://zoom.us/join> or by telephone at (669) 900-6833.

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

EXCUSED: Council Member Kent Henderson

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. Update on the 4th of July Celebration – Mr. Kyle Laws

Mr. Laws stated that, with the City Council's decision at the Visioning Session in January to move forward with holding a celebration this year, the 4th of July Committee has been meeting over the last few months to plan for the event. While it may not be possible to hold all of the regular events, the Committee feels that the 5K/2-Mile Walk, Flag Raising Ceremony, Parade, and Fireworks can all be done, as well as allowing vendors in the park, and band has also been booked for entertainment in the evening. Mr. Laws stated that he and Kelly Ross, Recreation Director, have also decided to plan on being able to hold the 3-on-3 Basketball Tournament as well. The one event that the Committee has for sure decided to cancel is the community dinner. Mr. Laws asked the Council for their thoughts on whether or not some of the other activities can be held, such as bingo, kids' corner, stage games, etc. The Committee is currently trying to come up with creative ideas and conditions so that these can be held safely, but there is also the option of just having the morning activities (Flag Raising Ceremony, 5K, and Parade) and evening activities (food vendors, live band, and fireworks), with no events or activities during the day. Mr. Laws noted that one idea has been to use some of the CARES Act funding that the City still has available to purchase a better sound system so that participants can be more spread out during bingo. Mr. Laws asked if the Council had any concerns about holding these events, or if they had any other ideas or suggestions.

Council Member Petersen expressed his opinion that as people start getting used to being back in group, it might be best to forego the daytime activities at the park and transition into the full-fledge celebration next year. Although what many people love about spending the day at the park is the opportunity to mingle and visit with neighbors, it seems that attendance dwindles during the daytime anyways, and so if there is a set 'start time' to the evening activities that is communicated well to residents, they know that they will still be able to have that downtime to do so before the fireworks start. Council Member Dawson agreed, stating that although it is hard to determine what the status of the pandemic will be by July, things are not likely going to be completely "back to normal" and so it would be best to ease back in to such a largely populated event.

Mayor Craythorne felt that it would be good for the Committee to continue brainstorming, as well as involving the Youth Council and Pageant Royalty, on ideas for activities that can be done safely and within health guidelines. Council Member Petersen agreed, adding to his earlier comment that he is entirely flexible and supports the Committee and other volunteers in trying to put together a fun event for our residents. Mr. Laws agreed, adding that the public will likely attend at their own comfort level and by July, the vaccine is expected to be available for all of those that want to get it; those who are still uncomfortable don't have to attend and those who are unvaccinated can attend at their own risk. The City can and should take precautions in providing safe events, but the concerns about limiting close interaction and group congregations of the public may govern itself.

The Committee will be meeting again on May 11th and plans to make a decision on which different ideas and suggestions to move forward with. Mr. Laws stated he will update the Council after that meeting to hear any of their concerns or thoughts before the plans are finalized.

2. Discussion Regarding the New Land Use and Development Code: Conditional Uses & Subdivisions – Mrs. Bryn MacDonald

Mrs. MacDonald stated that this discussion of the code re-write project will focus on conditional uses and subdivisions; the focus on the last discussion with the Council was in regards to policy/procedural changes for general plan amendments, creation and duties of an appeal authority, and sign (billboard) restrictions.

In regards to subdivisions, there are only a few changes being proposed to the approval process:

CURRENT PROCEDURES	PROPOSAL
1. Subdivision Application	1. Subdivision Application
2. Staff Review (during all steps)	2. Technical Review Committee (includes all affected entities)
3. Preliminary Plat Approval (Planning Commission)	3. Preliminary Plat Approval (Planning Commission)
4. Final Plat Approval (Planning Commission)	4. Final Plat Approval (City Council – 2 meetings)**
5. Final Plat Approval (City Council – 2 meetings)	<i>**The Final Plat could be reviewed and approved by Staff</i>

Mrs. MacDonald explained that by adding a Technical Review Committee, a more thorough review is done that will include the different utility companies and service providers that may be part of the project, and give them a chance to raise any preliminary concerns or thoughts they might have. Because this thorough review is done and any necessary modifications are made before the preliminary plat is sent to the Planning Commission for approval, the Planning Commission felt comfortable with not having to give final plat approval and leaving that to the City Council. However, Mrs. MacDonald stated that there is no legal requirement for the final plat to be approved by either the Planning Commission or City Council, and so there is the option for final plat approval to be given by Staff. She noted that from her experience and the cities she has dealt with, about half require final approval by City Council and the other half allow Staff to issue final plat approval. Mayor Craythorne added that in some of the surrounding cities, approval is based upon the size of the subdivision – for example, three lot subdivisions are allowed to be approved by Staff while anything larger has to be reviewed and approved by the City Council.

Council Member Petersen inquired as to whether the ‘Technical Review Committee’ is an actual committee that is going to be created, or just a name given to the group of people from the different entities that will be sent the plans to review. Mrs. MacDonald stated that the idea is to send the plans to the 20+ various utility and service providers that are affected by a particular project and then hold an actual meeting so that they have an opportunity to comment and ask questions. Both Staff and Council agreed that the word “committee” insinuates that the group is a formal body of designated members, rather than just an informal meeting of those that are involved with a project, and it would be best to not use this term in the code.

Council Member Petersen expressed his concern about the Planning Commission not giving both preliminary and plat approval; he feels that they get more in-depth in the details of a project and would have more knowledge of what changes are needed and/or being made from the preliminary plat. Mrs. MacDonald stated that because more engineering specs and information will be required on the preliminary plat and then go through a technical review before coming to the Planning Commission, the theory is that any tweaks the Planning Commission may ask for are minor; the final plat really just contains more of the detailed engineering aspects, which is already the City Engineer’s responsibility to review and approve before sending it to either body for final approval. She noted that should something major change from the preliminary to the final, like the location of a road or the number of lots, then the Planning Commission would have to review and approve the modified plan.

Council Member Chatterton stated that he would still like to require that the City Council give final plat approval, but suggested that instead of that process taking two meetings like is currently the practice (being presented/discussed at one meeting and then taking action at the next meeting), it could be done in one. If the Council has concerns or questions that come up as it is being reviewed, they could table taking action on the approval until those issues are resolved. Mrs. MacDonald felt that this was a good suggestion, as well as the Mayor’s suggestion of allowing Staff to give final approval on the smaller, minor subdivisions. Mr. Laws agreed, adding that State Code indicates that final plat approval is an administrative and not legislative action; it is the City’s Code that has required final plat approval by the Planning Commission and City Council.

In regards to proposed changes to the current procedures/requirements for conditional uses permits, Mrs. MacDonald explained that the following are all of the conditional uses that currently have to be approved by the Planning Commission, and the proposed changes and additional clarification to the code:

CURRENT CUP's APPROVED BY PLANNING COMMISSION

COMMERCIAL USES

Auto Repairs & Sales
Animal Clinic
Food Establishments
Manufacturing
Etc.

HOME OCCUPATIONS

Major Home Occupations
Daycares & Preschools
Other "Major" as determined by Staff
that are considered to be a high
impact

OTHER

Certain Signs
Accessory Apartments
Accessory Buildings
Farm Animals
Model Homes
Amateur Radio Tower
Landscaping
Architectural Standards

PROPOSED PROCEDURES/MODIFICATIONS

HOME OCCUPATIONS

- Create list of prohibited home occupations (this could include auto body work, junk / storage or recycling yards, mortuaries & crematoriums, sexually oriented businesses, vehicle towing operations)
- **Major Home Occupations (Planning Commission)**
 - Second outside employee
 - More than one vehicle and or equipment over 22 feet in length on a lot greater than 15,000 sq. ft.
 - Exceeds 30% of the home
 - Staff determines that the use has a greater impact
- **Minor Home Occupation (Staff)**
 - Home Daycares
 - Home Group Instructions 3 or more students (preschools, tumbling lessons, swimming lessons, or dance lessons)
 - All others not listed above

ACCESSORY BUILDINGS & OTHER

- **Planning Commission**
 - Accessory Buildings larger than 1,200 sq. ft. on lots smaller than 15,000 sq. ft.
 - Accessory Buildings larger than 1,500 sq. ft., regardless of lot size
 - Home Kennels
 - Accessory Apartments in Accessory Buildings
- **Staff**
 - Accessory Buildings in side-yards and smaller than 1,200 sq. ft.
 - Model Homes
 - Farm Animals
 - Signs

Mrs. MacDonald stated that Staff and the Planning Commission are continuing to work through proposed changes to CUP's for commercial uses, and a final draft will be presented to the Council once complete.

The Council thanked Mrs. MacDonald for the information and Staff's efforts on the code re-write project.

3. Other Items

No other items were discussed.

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 on April 20, 2021 at 7:00 pm with Mayor Erik Craythorne presiding. This meeting was held in accordance with the signed April 6th, 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 #879 8469 3811 at <https://zoom.us/join> or by telephone at (669) 900-6833.

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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 Dawson
3. **Communications and Disclosures from City Council and Mayor**

Council Member Judd – Would like to thank Shelby Sargent (the City's Community Relations Specialist) and the adult volunteers for the work that they do for the City's Youth Council; she has been able to attend some of their meetings and acknowledges that it takes a lot of work and a lot of hands to keep the program running and being effective. She would also like to recognize the actual members of the Youth Council – she has been very impressed with them and their willingness to serve the community. It is a great program and she appreciates all those who participate.

Council Member Petersen – In regards to the North Davis Fire District, he would like residents to be aware of the change that is coming from a county-provided paramedic service to a district-provided service. He encouraged all to be watching for more information on this change and what it means for the City. He also thanked Mayor Craythorne for his message in the City's April Newsletter on this topic and would refer anyone wanting more information on the change in paramedic services to read it; the article is well-written and provides a good summary with a lot of information.

Council Member Dawson – The North Davis Fire District is still working on a modified ordinance in regards to the required amount of spacing between sewer lines and the placement of other utility lines. Once he receives a final draft, he will review it with City Staff for their input.

Council Member Chatterton – No comments

Mayor Craythorne – The Utah League of Cities and Town's Mid-Year Conference begins the following day, and he looks forward to seeing those that are attending; the ULCT is a great organization that really advocates for cities, especially during the legislative session and he expressed his appreciation to the Council for attending.

4. Communications from Staff

Mr. Laws stated that the next Cemetery Cleaning will be held on May 6th; banners have been put up around the City, as well as signs and social media posts to remind the public of this date.

Mr. Laws noted that although the Mayor plans to return to in-person meetings starting in May, the meetings will still be broadcasted virtually so that citizens can still attend and participate online.

In regards to paramedic services, Mr. Laws stated that he was just recently informed that the Davis County Commissioners approved the request from the City Managers to provide some one-time funds to the cities and districts to help them transition into providing paramedic services.

The Annual Spring Clean-Up will also be this coming weekend, April 22nd – 23rd. Dumpsters will be at each of the City's three parks for residents to use. This is always a popular event and he thanked Bruce Dopp, the City's Code Enforcement Officer, for the great job he does managing the event. The Council agreed.

5. Citizen Comment

Mark Thayne – 704 N 3500 W: Mr. Thayne would like to thank the City Staff, Council, and Mayor for their work in revisions to the City's subdivision approval process. He believes that the proposed process will be simplified, yet more thorough, and help to eliminate the potential for "surprises" to come up with a final plat. In regards to the proposed 'technical review' step, he stated that, as the Mayor previously mentioned, Layton City holds similar meetings and in his experience working with them, these meetings are where the challenging issues of a subdivision are vetted out and are very effective for both the developer and staff.

Joelle Caruso – 457 N 3650 W: In regards to The Point Site Plan that is on the agenda for approval tonight, she would like to suggest that the front of the building be facing north, because traffic is already going to be moving away from the building and down to the east side of that parking area. It would also help to ease traffic at the gas station entrance rather than congesting it, as there has already been quite a few accidents with the entrance to the development being so close to the entrance to the gas station. If the building was facing east to west instead of north to south, the drive-thru could still be in between the two buildings but there would not be as much frontage going to the east or west.

6. Update from the Miss West Point Royalty

Julianne Orton, the reigning Miss West Point, was in attendance at the meeting and provided an update to the Council on what the Royalty has been doing this year and their plans into the summer.

Ms. Orton thanked the Council for providing her this opportunity, and stated that although it has been a different year for everyone, the Royalty has still been able to do a lot of service in the community. With many of the major events being canceled, each member of the Royalty took on their own, personal service projects; she stated that it was great to see the service that was done and how they could still all come together. The Royalty also helped to modify some of the traditional events so that they could still be held in some capacity. For example, the Halloween Carnival was done virtually with contest opportunities for people to participate in. Ms. Orton stated that her favorite project each year that she has been in the Royalty is the Sub for Santa event. They were still able to do the event this year by meeting virtually via Zoom and shopping online "together" for specific children from a few different families in our community. Other members of the Royalty wrapped the gifts once they arrived, and the Pageant Directors delivered the gifts. Even though the shopping was not in-person, they were all really excited about the gifts that they were able to give.

Ms. Orton stated that she would like to personally thank all of the Council for their support of West Point; she has lived her for a very long time and been a part of so many good things, and has benefitted personally from what West Point does for its youth and the opportunities it provides for the youth to get involved and serve their community. She stated that we have such a good city in West Point and she feels so blessed to be a part of a city that really cares about the people who live there. She served on the Youth Council for seven years before being part of the Royalty and it has been such an additional pleasure. She especially thanked the City for the scholarships that have been provided to her as part of the Royalty – she will be graduating from UVU this semester with a Bachelors Degree in Human Resource Management and the scholarship support has been a huge factor in helping her earn this achievement.

Mayor Craythorne thanked Ms. Orton for representing West Point so well – the time, effort, and service she has provided to the City is very appreciated. The Mayor also wished her congratulations on her pending graduation and wished her luck with the rest of the semester.

Council Member Chatterton was not able to attend the rest of the meeting and was excused by Mayor Craythorne at this point.

7. Youth Council Update

Kylee McCarrey was in attendance at the meeting representing the Youth Council. Ms. McCarrey stated that the Youth Council spent the last few meetings stuffing Easter eggs for the Easter Egg Hunt Drive-Thru Event that was held earlier in the month. They received donated coupons from places like Chick-Fil-A, Menchies, Burger King, 7-11, and more that they were able to put in with the eggs, and helped to pass out the kits during the event, as well as into their own neighborhoods. The Council thanked Ms. McCarrey for her participation with the Youth Council and asked her to pass on their appreciation to the other members.

8. Consideration of Approval of the Site Plan Amendment for The Point Development – Mrs. Bryn MacDonald

Mrs. MacDonald stated that this item has been discussed in previous meetings and is an amendment to the original plan of Pad A being attached to the Smith's Marketplace building, and instead having a detached building with a drive-thru between the two. The Planning Commission approved the amendment, with the recommendation that the developers be required to finish the brick on the north wall of Smith's to match the rest of the building; the façade of this portion was left unfinished because it was originally going to be attached to the future Pad A building and would not be seen. Mrs. MacDonald stated that the developer is very willing to do that, and she has discussed with them that by continuing the landscaping and matching the paint colors and textures of the rest of the building, it should be able to blend in and not be noticeable. Logan Johnson, representing Wright Development, was in attendance at the meeting and confirmed for the Council that landscaping will definitely be used to help conceal the variance.

In regards to the site plan for Pad A, the pad is just north of the existing Smith's building and will house three tenants, with a drive-thru on the south side. The plan also shows a drive-thru on the west side of the building, however it is not known if it will actually be needed at this time, but the developers would like to have it approved with a drive-thru so that it is an option for a prospective tenant. The Planning Commission has also approved the site plan, with the recommendation that the building elevations are consistent with the Smith's building and fuel station. Mrs. MacDonald also noted that during the Council's last discussion, it was suggested that it be required as part of the approval to install a railing along the exit portion of the drive-thru that is not bordered by the Smith's building.

The Council had no further discussion.

Council Member Petersen motioned to approve the Site Plan Amendment

Council Member Judd seconded the motion

The Council unanimously agreed

9. Consideration of Approval of the Site Plan for Pad A of The Point Development – Mrs. Bryn MacDonald

This item was discussed during the previous item (Item 8).

The Council had no further discussion.

Council Member Petersen motioned to approve the Site Plan for Pad A, with the recommendation that a railing be installed along the exit portion of the drive-thru between the two buildings.

Council Member Dawson seconded the motion

The Council unanimously agreed

10. Consideration of Approval of Resolution No. 04-20-2021A, Approving a Boundary Line Agreement between West Point City and Penny R. Kapp – Mr. Boyd Davis

Mr. Davis stated that this agreement has been discussed by the Council in previous meetings and briefly summarized that the agreement is to clear up a discrepancy in the south property line between the Park and Mr. Kapp's property, which is that the existing fence line that separates the two does not match the legal description on the deeds for these properties. According to the agreement, the official recorded property line will follow the existing fence line exactly until it hits 4550 W, where it makes an angle to connect to another existing fence. If approved, the agreement will be recorded on both properties. Staff recommends approval of the agreement.

The Council had no further discussion.

Council Member Dawson motioned to approve Resolution No. 04-20-2021A

Council Member Judd seconded the motion

The Council unanimously agreed.

11. Consideration of Approval of Resolution No. 04-20-2021B, Approving a Payback Agreement for the Lift Station – Mr. Boyd Davis

Mr. Davis stated that, as has been discussed in previous meetings by the Council, this item is in regards to the Sunview Estates Subdivision at 1100 N and 5000 W (commonly referred to as the "Sod Farm" property). The homes in Phase 1 that faces 5000 W have already been built, however the remaining phases are below the North Davis Sewer District's existing sewer line on 5000 W. Consequently, and a lift station and pressure line are necessary to push the sewer backup to 5000 W. Lift stations are quite expensive to install and it is the developer's responsibility to bear that cost. However, he would like to share that cost with the future developments that will use and benefit from the lift station, which is appropriate. The neighboring West Lake Estates subdivision to the south that is currently in the development stage will have 17 additional lots that will flow into the lift station, and Staff has also asked that the pressure line be deep enough to serve property to the south of that subdivision as well. That line will be 15' deep in order to serve as much property as possible and will eventually flow to the regional lift station that will be farther north. While the pipe is being built to serve both areas, the lift station is intended to be temporary and is sized to serve only the blue area. Once built, the City will take over ownership and maintenance responsibilities of the lines and lift station.

City Code allows a developer to request a payback and requires that the City review and approve all costs associated with the payback. If approved, other properties will not be allowed to be developed until they pay their portion as outlined in the agreement. The total cost of the lift station and the 10" pipe, based upon actual bids, is \$215,354. The agreement has been written to distribute the cost of the lift station based upon the number of lots connecting to the lift station. The cost of the pipe will be distributed based upon the acreage of land that will be developed in the future that will benefit from the sewer line. The majority of the cost is for the lift station and will be distributed amongst the two developments, Sunview Estates and Westlake Estates, and will be responsible for \$147,557 and \$67,797, respectively. Mr. Davis also explained that the lift station has been reviewed and approved by Staff, as well as an outside engineering firm. Staff recommends approval of the agreement, which will be recorded on all the properties involved so that it is clear that a payback agreement exists.

Council Member Dawson inquired as to what the long-term maintenance costs will be for this lift station. Mr. Davis stated that those costs are not known at this point, but are being determined as part of the sewer study that is currently in process and should be known soon. Council Member Dawson commented that he is in favor of the City having ownership, however does not like the idea of all the residents in the City having to shoulder the costs of maintaining it. He inquired as to whether special assessment costs could be required of those using the services, which Mr. Davis stated could possibly through a special service district. Staff will gather more information on some different options to pay for the ongoing maintenance costs, and also the estimated annual costs as determined by the sewer study, and present those to Council at a later meeting.

The Council had no further discussion.

Council Member Judd motioned to approve Resolution No. 04-20-2021B
Council Member Dawson seconded the motion
The Council unanimously agreed

12. Motion to Adjourn the General Session

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


ERIK R. CRAYTHORNE, MAYOR June 1st, 2021


CASEY ARNOLD, CITY RECORDER June 1st, 2021

