



3200 WEST 300 NORTH
WEST POINT CITY, UT 84015

WEST POINT CITY COUNCIL MEETING MINUTES WEST POINT CITY HALL September 7th, 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 on September, 2021 at 6:30 PM with Mayor Erik Craythorne 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 #896 5111 1980 at <https://zoom.us/join> or by telephone at (669) 900-6833.

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

EXCUSED: Council Member Jerry Chatterton

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: Brian Vincent. No sign-in required for online attendees.

1. Discussion Regarding Cemetery Regulations – Ms. Casey Arnold and Mr. Paul Rochell

Ms. Arnold stated that over the past few years, there has been a notable increase in the amount of decorations and items being placed on burial spaces that are in violation of the current cemetery ordinances, or are of the type that are not currently addressed but are still interfering with landscape maintenance, intruding onto other plot spaces, and/or are quickly becoming unsightly and turning into trash. With that, Staff felt that it would be a good idea to review the City's current ordinances to see what could be better enforced and what could possibly be added to help reduce these kinds of problems. During that review, there were some other areas in the cemetery code that Staff would like to update as well, and also rearrange how the sections are organized.

The proposed amendments to the code are related to four different areas:

- Code Structure
- Cemetery Etiquette
- Interment Requirements & Regulations
- Decoration & Maintenance of Graves

Code Structure

In regards to the code structure, Ms. Arnold explained that the existing sections still reference ones that have been repealed, and there are others that could be combined, relocated, and/or re-titled in order to create a more organized layout where information can be easily found. The following is a table of the current code sections and proposed new sections:

Current	Proposed
12.15.010 Definitions.	<u>12.15.010 Definitions</u>
12.15.020 Cemetery name.	<u>12.15.020 Cemetery Name</u>
12.15.030 <i>Repealed.</i>	<u>12.15.030 Cemetery Hours</u>
12.15.040 Duties of city manager.	<u>12.15.040 General Cemetery Etiquette</u>
12.15.050 Interments.	<u>12.15.050 Duties of City Manager</u>
12.15.060 Disinterment.	<u>12.15.060 Fees & Charges</u>
12.15.070 Sale of burial rights.	<u>12.15.070 Capital Improvement Fund</u>
12.15.080 <i>Repealed.</i>	<u>12.15.080 Regulations Governing Access & Conduct</u>
12.15.090 Capital improvement fund.	<u>12.15.090 Sale of Burial Rights</u>
12.15.100 Monuments and markers.	<u>12.15.100 Interments</u>
12.15.110 Decoration of graves.	<u>12.15.110 Disinterment</u>
12.15.120 Cemetery hours.	<u>12.15.120 Monuments & Markers</u>

12.15.130 Traffic and safety regulations. 12.15.140 Defacement or littering of cemetery. 12.15.150 Animals in cemetery. 12.15.160 Erecting of fences, or copings, or planting of trees, hedges, etc., prohibited. 12.15.170 Fees and charges.	<u>12.15.130 Decoration and Maintenance of Graves</u>
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Ms. Arnold noted that no sections were actually removed, besides those that have already been appealed, but just relocated or reorganized.

Cemetery Etiquette

In researching other surrounding cemetery codes, both public and private, many contained a section regarding a sort of code of conduct or acceptable behavior, and Staff would like to include a similar language in the City's code as well. While some of the language is already included in other sections of the code, the hope is that adding a sort of "overview" of acceptable behavior will reiterate how we want our cemetery to be treated. The proposed new section would be titled "General Cemetery Etiquette" and contain the following language:

12.15.040: General Cemetery Etiquette

All visitors shall follow all rules and regulations herein in and strive to assist in West Point City's goal of operating and maintaining a cemetery that is beautiful, dignified, and an appropriate final resting place for loved ones. Visitors are encouraged and expected to show proper respect for both the living and those interred by adhering to the following general guidelines:

- A. Do not touch any monuments or gravestones without permission and do not remove any decorations or objects placed thereupon.*
- B. Children are encouraged to visit the cemetery, but parents are advised to keep them nearby and not to let them play on any of the monuments. Teaching children to have respect for any cemetery is encouraged. While it is an important open space, a cemetery is not a playground and should not be treated as such.*
- C. If a funeral is occurring, consider visiting at another time. Never block or impede funeral processions.*
- D. Always strive to be respectful by keeping voices low and avoiding bad language; people may be within earshot seeking solace. Do not talk on a cell phone, as voices tend to carry in open spaces.*
- E. No loud music shall be played, including while driving or parking in the Cemetery.*
- F. Do not leave trash or other such items behind. Litter shows disrespect to those who come to visit the cemetery as well as to the cemetery officials striving the maintain the cleanliness of the cemetery.*
- G. Dogs and other pets or prohibited.*
- H. Report incidents of vandalism or theft to the police or to the cemetery administrator.*
- I. When visiting the cemetery by car, follow the roadways, watch out for pedestrians and people who may not be paying attention, drive slowly, and remain off the grass. If the lane is narrow and another car approaches, offer to move your car until they can get through.*
- J. As a general rule, it is best not to approach strangers, as they may prefer to be left alone within the peace of their surroundings; of course, it is perfectly acceptable to offer help to anyone who is seemingly in need.*

Interment Requirements & Regulations

In regards to interment regulations and requirements, Ms. Arnold stated that the current code requires that all caskets and urns to be interred are to be placed in a vault made of concrete, stone, or metal. Staff proposes that language be added to clarify that a metal vault must be made of 12-gauge metal or heavier. Staff also proposes adding language that infant caskets and urns may also be placed in vaults made of reinforced polyethylene material, which is considered to be just as strong and becoming more commonly used. Additionally, Staff proposes adding language that cremated remains that are placed in urns that are made of any of these materials and can be sealed not be required to be placed in a vault. With advances in how urns are made and in order to save on costs, it seems that people are moving away from traditional urns and instead opting for ones that can be sealed and are non-degradable, and so do not need to be protected by a cement vault. The proposed revisions also clarify the size of each plot and the vault size restrictions for easier reference. Ms. Arnold confirmed for Council Member Henderson that the code does already include language that allows for exceptions to these requirements as approved by the City Manager, and that would continue to be the case.

Decoration & Maintenance of Graves

Ms. Arnold stated that this topic was the main focus of Staff when reviewing the current code, because of how some headstones are currently being decorated and some of the items being placed and/or left on plots. Again, while the current cemetery code does have general restrictions in regards to decorations types, height, placement, etc., Staff proposes adding additional language and restrictions, applicable at all times, to clearly state what is and what is not permitted, where items can and cannot be placed in relation to the headstone or marker, how long certain items can be at the site before they must be removed/discarded, and reiterate that cemetery officials can remove items that are in violation or interfere with landscape maintenance at their discretion and without notice. These restrictions include things like shepherd's hooks must be placed within 2 inches of the mow strip and are limited to two per space, that in no case shall any decorations encroach on other plot space and must be placed within 2 inches of the mowstrip (except for the two weeks following an interment), balloons must be removed after 48 hours, any food items (such as a birthday cake or bag of candy must be removed within 48 hours, and so on.

Ms. Arnold stated that Staff is also proposing the addition of a designated "mowing season", which is something that is not in the current City code, but is found in almost every other cemetery code that was researched. This proposed mowing season would be defined as the time between April 1st and October 1st of each year, during which additional restrictions would be in place. During this time, no decorations (including solar lights) would be allowed to be placed anywhere upon or outside of the mowstrip (excluding shepherd's hooks) and that no items may be placed on any secondary markers. Additionally, no fragile items shall be placed, even if they are on the actual headstone and not the mow strip. Should there be any item or decorations in violation, or if they interfere with landscape or maintenance, they may be removed and discarded by cemetery officials without notice. Further, the City will not be liable for damage to any such items. The Council discussed whether the code should state that these items *will* be removed if they are in violation, regardless of whether they interfere with landscape maintenance, or only that they *may* be removed if they *do* interfere. Council Member Dawson was especially in favor of not making the language "absolute" in that all items in violation will be removed no matter what, but rather that while these restrictions are in place, they can be removed without notice if they actually do interfere with landscape maintenance. The Council agreed with that.

Ms. Arnold noted that the proposed language does include an exception to the mowing season restrictions for the two weeks following an interment. Mr. Laws inquired as to whether there should also be an exception for the Memorial Day holiday, which occurs during the mowing season. The Council agreed with allowing an exception for the week before and week after Memorial Day wherein items can be placed on the mowstrip and upon the secondary markers.

Several pictures were then shown to the Council of current headstones in the cemetery that evidence why Staff would like to have clear and enforceable standards in the City's cemetery code. The pictures include examples of how far from the mowstrip decorations and items are being placed, with some extending around the entire burial space, and the difficulty they cause in trying to properly landscape and maintain the surrounding area. Ms. Arnold reiterated that no solar lights would be allowed at all during the mowing season, simply because of how easily they break and fall off the stakes when cemetery crews are trying to landscape around them. Mayor Craythorne commented that he witnessed a situation where a family was arguing about which other family member had 'purposely' broken the solar lights and agreed that this was a good restriction. Ms. Arnold added that solar lights would still be allowed outside of the mowing season, but must be placed within 2 inches of the mowstrip. She also confirmed for the Council that a complete cemetery cleaning would still continue to take place on the first Thursday in May and October.

Council Member Petersen inquired as to how families and/or loved ones are informed about the City's cemetery code. Ms. Arnold stated that she gives out an informational packet that highlights some of the major items (such as cemetery fees, headstone size requirements, etc.) and also includes the complete code. She and Mr. Rochell also suggested that a permanent sign could be placed at the cemetery that points out some of the major restrictions and prohibited items. Council Member Dawson suggested placing a QR code on the sign that takes visitors to the full code online. The Council agreed with that, and also placing temporary signs for the next few months to help publicize the newly revised code (once approved by the Council).

The Council set a public hearing for the next meeting on September 21st, after which they could consider final approval of the proposed revisions.

2. Other Items

No other items were discussed.

The Administrative Session adjourned.



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September 7th, 2021

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

General Session

7:00 PM

Minutes for the West Point City Council General Session held on September 7, 2021 at 7:00 PM with Mayor Erik Craythorne 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 #896 5111 1980 at <https://zoom.us/join> or by telephone at (669) 900-6833.

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

EXCUSED: Council Member Jerry Chatterton

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: Brian Vincent, Angelina Orton, and Jacob Orton
No sign-in required for online attendees.

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

Council Member Henderson – none

Council Member Petersen – none

Council Member Dawson – none

Council Member Judd – none

Mayor Craythorne – none

5. **Communications from Staff**

Mr. Laws stated that there is a National Day of Service event being held this year on September 11th, which is this coming Saturday. One of the service opportunities included in this event is a project at the Loy Blake Park spreading a new load of woodchips at the playground. There are many other projects and service opportunities available locally, including blood drives, food drives, a 5K, and so on. He encouraged residents to attend and was hopeful that there would be a good turnout of volunteers to help. All of the information on these and other events can be found at www.serve911.org.

6. **Citizen Comment**

Joelle Caruso – 457 N 3650 W: Ms. Caruso stated that over the last several City Council and Planning Commission meetings, several developments have been presented by developers looking to either annex into West Point or have their property rezoned in order to allow for higher density. She has noticed that “they are really trying to give us a quality development that has tons of additional open space, trees, trails, paths, playgrounds, and they don’t look all crammed into every usable space.”

She added that while there are some wetland issues they have to deal with, "they still have a very thoughtful approach to their developments [and] want to make sure that people that move into their development can enjoy living there." However, Ms. Caruso stated that there is then the Bluffview Subdivision, which she feels is "one of the worst subdivisions proposed in our City and they have crammed the houses in, just like the Sandy Point Townhomes." Further, she stated that the "worst part is that it is being developed by one of our very own Planning Commissioners." She feels that there is horrible access with only two roads in and out of the development that has 200+ townhomes, and there is hardly any open space and minimal parking. The development is "a nightmare and we will all suffer as a community because of it..." [She] is appalled that the development that is from one of our own Commissioners is so poorly planned and laid out and it will be a burden to the school across the street, to existing residents, and the road traffic in this one city block will be ridiculous." She feels that more should have been done to stop the development or change it before it was approved.

7. Youth Council Update – Angelina Orton, City Manager and Jacob Horton, Mayor Pro Tem

Angelina stated that with COVID restricting much of what the Youth Council was able to do over the 2020-2021 school year, they have "started out strong" this year with a lot of activities for members to come out and attend. One event the Youth Council participated in was "Illumination" that is put on by North Davis Communities that Care. Jacob explained that Illumination is an activity that is supposed to help the younger generation of our community to learn about the effects of mental illness, and things that we can do to help with our own mental welfare. Angelina stated that the Youth Council put together a booth about the effects of sleep on mental health, with the goal of informing peers how important getting enough sleep is. They used a game similar to Jeopardy to share random facts about sleep and tips on taking better care of our bodies through sleep to help strengthen our mental health. She noted that there were a lot of the new members attending the event, and it is exciting to have increased in numbers since last year.

The Council thanked Angelina and Jacob for the update and presenting themselves so well. They also thanked them for their willingness to serve their community and asked that they pass on their sincere appreciation to all of the Youth Council Members for all of the good things that they are doing.

8. Consideration of Approval of Phase 3 of the Bluff View Subdivision – Mrs. Bryn MacDonald

Mrs. MacDonald stated that the Council has discussed Phase 3 in previous meetings, and have already approved Phases 1 and 2 of the subdivision. Phase 3 is the next phase of patio homes, consisting of 6 buildings (each building having 4 attached units) for a total of 24 units. She noted that this is the last phase that can be constructed until a second access is installed. The developers will also need to obtain a storm drain easement for Phase 3, as the detention pond will be on the neighboring property owned by Schneider's Bluff Golf Course. The easement document has been provided and will need to be accepted by the Council as part of approval of Phase 3.

Council Member Petersen inquired as to why the final plat for Phase 3 does not show the route for the future secondary access that will be installed with the next phase, because it was his understanding that the access was going to be along the east side of Phase 3. Council Member Judd had the same question, and also asked for clarification on why the final plat being shown shows the secondary access as going through the cemetery, which the Council already denied. Mrs. MacDonald stated that the secondary access will require an easement across the golf course property and not be a part of this plat. She also stated that the plat the Council is approving is just the 24 units that are part of Phase 3, which is correct on the map being shown, even though the map is a previous version of the entire development.

Mike Flood, with Nilson Homes, was in attendance at the meeting and confirmed that a second access will be required to be able to continue any farther than Phase 3, and it is still the plan to run the second access along the east side of the development on the golf course property, which Schneider's has agreed to allow for. When the final plat for Phase 4 is submitted, the plans for that access road (or an alternative route if one is found) will also be submitted at that time. Mr. Flood wanted to note that he has only been with Nilson Homes for about four months, but understands that the second access has been a highly discussed topic and he does not want to indicate that there are other alternatives being considered, just that the plans for the second access will be submitted with Phase 4. The Council thanked Mr. Flood for his clarifications and had no further discussion.

Council Member Dawson motioned to approve the final plat for Phase 3 and to include as part of the motion acceptance of the easement with Schneider's Bluff Golf Course for the detention pond

Council Member Henderson seconded the motion

The Council unanimously agreed

9. Consideration of Approval of Ordinance No. 09-07-2021A, Adopting an Impact Fee Facilities Plan and Impact Fee Enactment for the Storm Drain System – Mr. Boyd Davis

Mr. Davis stated that this item was discussed in length with the Council at the last meeting, and provided a brief overview of what has been presented and discussed. For the past several months, Staff has been working with consultants Gardner Engineering and Lewis Young Robertson & Burningham, Inc. on updating the impact fee facilities plans (IFFP) for the storm drainage systems, as well as an impact fee analysis for the system. The Impact Fee Facilities Plan study was prepared by Gardner Engineering, and includes a "stormwater model" of the entire City wherein projects have been identified that need to be constructed to meet future growth needs. The estimated costs of each project are also identified, as well as what percentage of each is impact fee eligible. An Impact Fee Analysis was then done (by Lewis Young Robertson & Burningham, Inc.) based upon the findings of the Impact Fee Facilities Plan and using the following methodology to calculate the appropriate impact fee:

1. The next ten years projects were taken from the Capital Facilities plan.
2. The projects were divided into impact fee eligible and non-impact fee eligible projects.
3. A value was determined for the remaining capacity in the existing system that will serve future residents. This is the buy in amount and must be the original "book value" of the improvement by state code.
4. The cost of the existing capacity was added to the cost of next ten year's impact fee projects.
5. A credit was given for anticipated interest earnings on impact fee revenues.
6. The total cost is divided by the number of expected acres to be developed that will be supported by the projects.
7. This becomes the recommended impact fee

Mr. Davis stated that the recommended impact fee is as follows:

Existing Fee	Proposed Fee	Difference
\$4,204/acre	\$3674/acre	-13% (decrease)

Before enacting the impact fee ordinance, the State Code requirements must be followed as outlined below:

1. Publish a notice of a public hearing on the State Website.
2. Make a copy of the report available to the public.
3. Obtain a written certification from the consultant.
4. Make a copy of the ordinance available to the public.
5. Hold a public hearing.
6. Adopt the impact fee ordinance.

Mr. Davis stated that Staff recommends adoption of the Impact Fee Facilities Plan and Impact Fee Enactment of \$3,674/acre. If adopted, the fee will go into effect immediately because it is a decrease, rather than going into effect 90 days after the date the ordinance is passed in the case of a fee increase.

Mayor Craythorne opened the item for public hearing.

a. Public Hearing

No comments

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

b. Action

The Council had no further discussion on the item and thanked all those that were involved in this study and analysis.

Council Member Petersen motioned to approve Ordinance No. 09-07-2021A
Council Member Judd seconded the motion

Roll Call:

Council Member Chatterton – Absent
Council Member Dawson – Aye
Council Member Petersen – Aye
Council Member Judd – Aye
Council Member Henderson – Aye

The Council unanimously agreed

10. Motion to Adjourn the General Session

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


ERIK R. CRAYTHORNE, MAYOR

December 7th, 2021


CASEY ARNOLD, CITY RECORDER

December 7th, 2021

