



# WEST POINT CITY COUNCIL MEETING MINUTES WEST POINT CITY HALL June 18<sup>th</sup>, 2024

**Mayor:**  
Brian Vincent  
**City Council:**  
Jerry Chatterton, *Mayor Pro Tem*  
Annette Judd  
Michele Swenson  
Brad Lee  
Trent Yarbrough  
**City Manager:**  
Kyle Laws

## Administrative Session

6:00 PM

Minutes for the West Point City Council Administrative Session held on June 18<sup>th</sup>, 2024, 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# 872 616 7163 at <https://zoom.us/join> or by telephone at (669) 900-6833.

**MAYOR AND COUNCIL MEMBERS PRESENT:** Mayor Brian Vincent, Council Member Jerry Chatterton, Council Member Michele Swenson, and Council Member Brad Lee

**EXCUSED:** Council Member Annette Judd and Council Member Trent Yarbrough

**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:** Ryan Shepherd, Alan & Jana Parker, David Donaldson, Rick Scadden, Michelle Scadden, Dale Parker, and Scott Jenkins. No sign-in required for those attending virtually.

**1. Discussion Regarding the FY2025 Budget for West Point City & the CDRA, and the 2024 Property Tax Rate – Mr. Ryan Harvey**

Mr. Harvey presented the FY2025 budget for West Point City and the CDRA. The City Council will meet as the Board of the CDRA before tonight's General Session, wherein they would hold a public hearing and consider approval of the FY2025 Final Budget. The adjustments in this final budget from FY2024 are for a decrease in interest expenses from \$319,000 to \$297,000, and an increase in long-term debt expenses, from \$397,000 to \$419,000, to use the decrease in interest expense to pay more towards the principal of the loan.

In regards to the FY25 Fee Schedule, in addition to the changes that the Council discussed at the last Council Meeting, the following changes are proposed to the Fee Schedule under Business License Fees:

- Remove the fee for "Contractors" of \$50
- Add a "Transient Merchant Fee" of \$85
- On the "Home Occupation license late fee," remove the statement "after February 1"
- Remove the fee for "Temporary Permits" of \$250/Year

Mr. Harvey clarified for the Council that the Transient Merchant Fee would not be charged to those participating in the current Farmer's Market, as the City has contracted with an event producer to put on the market and they are providing the vendors as part of their service, rather than the City working with each vendor directly. He explained that the other adjustments are to simplify the fee structure for better clarity and efficiency.

The Fee changes from the previous meeting include:

- 1st Black Can – \$13.80 (Increase from \$13.20)
- 2nd Black Can – \$13.80 (Increase from \$13.20)
- Football Program Non-resident fee – \$75

The Council then discussed the 2024 Property Tax Rate. Mr. Harvey stated that the Certified Tax Rate received from Davis County is .000690. This is lower than the adopted 2023 tax rate of .000728. In tonight's General Session, the Council will need to declare the

maximum rate that will be considered for 2024, which will be the rate published in the notice of proposed tax increase that will be sent to residents. He presented a table of various rates and their projected revenue for the Council to consider:

Proposed Rate	Projected Revenue	Amount over Certified Rate
0.000728 – 2023 Rate	\$794,996	\$41,497
0.000720	\$786,259	\$32,760
0.000710	\$775,339	\$21,840
0.000709 - midpoint	\$774,247	\$20,748
0.000700	\$764,419	\$10,920
0.000690 – Certified Rate	\$753,400	\$0

Mr. Harvey highlighted several factors for the Council to consider, including the City’s desired reliance on sales tax versus property tax, known future expenditures, particularly a significant increase in the law enforcement contract, as well as park improvements, public works needs, etc.

Mr. Harvey confirmed for the Council that the notices sent to residents about the proposed tax increase includes a breakdown of the actual annual dollar amount that will increase, based on a median home value, if the maximum proposed tax rate is approved.

The Council discussed the various rates, expressing their desire to maintain essential city services and be prepared for future financial needs. They will continue the discussion in tonight’s General Session as they consider what rate to declare as the maximum rate they will consider adopting as they go through the Truth in Taxation noticing process.

The Council also had a brief discussion on compensation for volunteers, particularly in positions like the West Point Pageant Director. It was agreed that this is a huge time commitment and a position with frequent turn-over, and some sort of compensation may be appropriate. However, concerns were also expressed about the fairness in determining which positions are compensated and which are not, as there are other volunteers like Youth Council Advisors and Arts Council Board, who serve all year-round and not just for one event. The Council agreed that the issue deserves more discussion, and may be something to consider in future budget years. Mr. Laws stated that Staff would do some research on what is being done in other cities to determine if there is some sort of standard or common practice that the Council can discuss and consider implementing.

## **2. Discussion Regarding the Fraud Risk Assessment – Mr. Ryan Harvey**

Mr. Harvey presented the annual Fraud Risk Assessment to the City Council, noting that the report was identical to the previous years with no changes. He explained that this State-required assessment evaluates cities on their measures to mitigate fraud, awarding points for various controls and practices. The City achieved a perfect score of 395 out of 395 points, indicating that they have implemented all possible risk mitigation measures. He confirmed that this puts the City in the "very low" risk category, given their highest possible score.

The discussion concluded with no further questions, and the Council thanked Mr. Harvey and Staff for their implementation of robust fraud prevention measures.

## **3. Discussion Regarding the “Ivy Meadows & Adjoining Properties” Annexation Petition – Mr. Kyle Laws**

Mr. Laws stated the on May 28, 2024, an Annexation Petition was submitted to the City. The Petition Title is “Ivy Meadows and Adjoining Properties” and includes property in the area around 2425 N 4500 W, north to the county line and west to approximately 6000 W, consisting of 42 different parcels equaling about 270 acres. In accordance with State law, the Annexation Petition must be placed on a City Council agenda for acceptance of the Annexation Petition for further consideration within 14 days after the Petition is submitted. As such, the Council's role at this stage is to decide whether to deny the petition outright or accept it for further consideration, allowing the City Recorder to verify the petition's validity, particularly if the petition has obtained the required consent to the annexation from property owners representing 50% of the area and 1/3 of the property value. If these thresholds are met, the City Recorder will certify the Petition and a noticing process begins at that point. If they are not, the City Recorder must reject the Petition and it is considered failed.

The petitioner, Rick Scadden, owns property in the proposed area, and has been working with the Parker Family, who has had a longstanding interest in developing the area, which has been restricted by county zoning laws limiting density to one unit per 10 acres. This restriction effectively halted development, prompting the push for annexation. Mr. Laws reminded the Council of a previous annexation attempt three years prior that included this same area but was protested by Clinton City and ultimately denied by the Boundary Commission. This influenced which properties were included in this new petition, as it strategically excludes certain properties owned by individuals against annexation into West Point, in an effort to ensure it has the support needed to meet the statutory requirements.

The Council discussed the petition and the implications of annexing the properties into West Point. The proposed area is part of the City's future annexation area, which is expected to all be annexed into West Point at some point. In preparation, the City has been working with Davis County on the Sewer Expansion Project for the past several years in order to bring the sewer system to this unincorporated area, as this infrastructure is crucial for supporting the area's development. That project has now started the construction phase and once complete, will be able to adequately serve the area. They also discussed strategic boundaries and the future development of the area.

Mr. Laws reiterated that for the Council that acceptance of the Petition for further consideration does not mean that the property is therefore annexed or that it will be annexed – it does not even necessarily mean that the Council is in favor of the annexation. Accepting the petition for further consideration only means that the Council is allowing the certification process to continue. He stated that it is also important for the Council to understand that they do not have to approve an annexation, regardless of whether it meets all of the requirements – the decision is completely at the discretion of the City Council.

The Council will continue the discussion as they determine whether or not to accept the Ivy Meadows Annexation Petition for further consideration in tonight's General Session.

#### **4. Discussion Regarding Amendments to Accessory Building Requirements – Mrs. Bryn MacDonald**

Mrs. MacDonald presented proposed amendments to the accessory building requirements to the City Council, focusing on changes in setbacks, height, and size calculations. The new proposed setbacks would simplify to 5, 10, and 15 feet, with the rear yard consistently set at 5 feet. The size calculation would change from 20% of the lot minus the house footprint to 10% of the total lot size, making it easier to determine but reducing the allowable building size by about a third. Height restrictions were also revised: for lots under 20,000 square feet, the maximum height would be 18 feet, and for larger lots, 25 feet.

The Council discussed the proposed changes during their meeting on June 3, 2024 and asked for additional discussion and examples of the various proposals. Mrs. MacDonald presented examples of recent accessory buildings to illustrate these changes, showing that an 18-foot building can accommodate a 12-foot door but not a 14-foot door, which would need a 20-foot building.

The Council discussed the visual impact on neighborhoods and the need for flexibility for property owners, particularly those with larger lots wanting to park trailers or RVs, aiming to balance simplicity, aesthetics, and property owner needs. A public hearing on the proposed amendments was set for the next meeting on July 2, 2024 to gather public input, after which the Council will continue the discussion as they consider approval of the amendments.

The Council had no more questions or discussion.

#### **5. Other Items**

Mayor Vincent noted that the Council will gather after tonight's General Session in order to decorate their float for the upcoming parade on July 4<sup>th</sup>. Although the full Council will be present to work on the float, this does not qualify as an official meeting of the Council, as no city matters will be acted upon or even discussed.

The Administrative Session adjourned



# WEST POINT CITY COUNCIL MEETING MINUTES WEST POINT CITY HALL June 18<sup>th</sup>, 2024

**Mayor:**  
Brian Vincent  
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Jerry Chatterton, *Mayor Pro Tem*  
Annette Judd  
Michele Swenson  
Brad Lee  
Trent Yarbrough  
**City Manager:**  
Kyle Laws

## General Session

7:00 PM

Minutes for the West Point City Council General Session held on June 18, 2024 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# 872 6126 7163 at <https://zoom.us/join> or by telephone at (669) 900-6833.

**MAYOR AND COUNCIL MEMBERS PRESENT:** Mayor Brian Vincent, Council Member Jerry Chatterton, Council Member Michele Swenson, and Council Member Brad Lee

**EXCUSED:** Council Member Annette Judd and Council Member Trent Yarbrough

**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:** Ryan Shepherd, Boyd & Virginia Hanse, Alan & Jana Parker, James & Brenda Pehrson, Isaac Pehrson, Ed Pehrson, David Donaldson, Rick Scadden, Michelle Scadden, Beverly Ellsworth, Dale Parker, Scott Jenkins, and Camille Hansen. No sign-in required for those attending virtually.

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Prayer or Inspirational Thought** – Given by Council Member Swenson
4. **Communications and Disclosures from City Council and Mayor**

Council Member Swenson – Provided an update on the Arts Council's planned activities for the summer, which include various performances, a visual theater camp, and music events. Additionally, the Arts Council is organizing another sidewalk chalk art festival in September, with more details forthcoming. She praised the diverse range of activities catering to different age groups and interests, including music, art, and marching bands, and acknowledged the efforts of the community members involved in the Arts Council.

Council Member Judd –

Council Member Yarbrough –

Council Member Chatterton –

Council Member Lee – Provided an update on mosquito control efforts by the Mosquito Abatement District Davis. He mentioned that the District has begun using a new adulticide spray, which has resulted in a significantly higher kill rate of over 70% compared to the previous year. While complete eradication of mosquitoes in West Point won't ever be achieved, the goal remains to reduce their population significantly. He highlighted the use of planes for spraying large areas, as well as drones for targeting lower-lying areas obstructed by power lines and trees. He emphasized the positive outcomes seen with the new chemical.

Mayor Vincent – None

## 5. **Communications from Staff**

Mr. Laws stated that the first Summer Movie in the Park was scheduled for June 7, but was unfortunately cancelled on the spot – the weather turned extremely windy and dangerous. It was decided to postpone and reschedule to June 28<sup>th</sup>. The Farmers Market

continues to happen every Friday and it seems to continue to be well attended. Party at the Point events are coming up fast. The Miss West Point Pageant was held on June 8<sup>th</sup>, and the Golf Tournament will be on the 28<sup>th</sup>. The 3v3 Basketball Tournament will begin the night of July 3<sup>rd</sup> and then all the regular activities the day of the 4<sup>th</sup>.

Mr. Laws then announce the Miss West Point Pageant winners. Miss Junior West Point is Ashlyn Szymanski, 1<sup>st</sup> Jr. Attendant is Karina Torres, and 2<sup>nd</sup> Jr. Attendant is Hannah Laws. Unfortunately, an error occurred in the Senior division's spreadsheet, leading to incorrect announcements at the pageant. The announced winners were as follows: Miss West Point: Madelyn Monet, 1<sup>st</sup> Attendant: Sienna Resinger, and 2<sup>nd</sup> Attendant: Aubrey Matkin. The correct results are Miss West Point: Madelyn Monet, 2<sup>nd</sup> Attendant: Kelsey Kelley, and 2<sup>nd</sup> Attendant: Brooke Vorwaller. After talking with the Mayor, it was decided to not only award the scholarship money to the rightful recipients, but to use the savings from the Pageant budget to also award scholarship money away from the announced winners. Additionally, rather than having two attendants, all four will be officially crowned as attendants and representatives of the City. He emphasized that the final numbers were incredibly close and all of the girls did extremely well. Despite the difficulty and sadness caused by this mistake, he feels that this is the best resolution for all involved.

**6. Citizen Comment**

None

**7. Recognition of the 2024 Woman of Honor and Grand Marshal – Mayor Brian Vincent**

Mayor Vincent announced the 2024 Woman of Honor as Brenda Pehrson:

"Brenda married Ed Pehrson and just celebrated her 28th wedding anniversary. She has lived in West Point for 17 years, raising 4 wonderful children who added a grandchild and one on the way! Brenda has served the community through employment and as a volunteer. She served 3 years as the West Point City Youth Council Advisor. She has been employed by Davis School District for the last 9 years on the playground and in the office. She is recognized by many students. She also taught piano lessons for 7 years to many neighborhood kids. She enjoyed watching them grow in their musical talent. She has served in numerous callings for The Church of Jesus Christ of Latter Day Saints and can be found chatting with the young children and teenagers in the community, giving them encouragement and being a friend."

Mayor Vincent announced the 2024 Grand Marshals as Boyd & Virginia Hansen:

"49 years ago, Boyd and Virginia Hansen moved to West Point in search of some "good dirt." On their acre lot located on 3000 West, they raised their 7 children and have since added 34 grandchildren and 6 great-grandchildren. With hard work and good dirt, they have grown a abundant garden and orchard with amazing fruits, vegetables, and nuts. Virginia and Boyd are very generous in sharing their produce, plants, and knowledge with anyone and everyone. Last Spring they gave away over 800 raspberry starts and have hosted pruning demonstrations in their orchard, featuring experts from Utah State University. Together they have served 5 missions for The Church of Jesus Christ of Latter-day Saints. Boyd and Virginia are kind, loving, generous, and a blessing to the people of West Point.

The recipients were given a plaque and large gift baskets in honor of their contributions to West Point.

**8. Decision to Deny or Accept for Further Consideration the "Ivy Meadows & Adjoining Properties" Annexation Petition – Mr. Kyle Laws**

Mr. Laws stated the on May 28, 2024, an Annexation Petition was submitted to the City. The Petition Title is "Ivy Meadows and Adjoining Properties" and includes property in the area around 2425 N 4500 W, north to the county line and west to approximately 6000 W, consisting of 42 different parcels equaling about 270 acres. In accordance with State law, the Annexation Petition must be placed on a City Council agenda for acceptance of the Annexation Petition for further consideration within 14 days after the Petition is submitted. As such, the Council's role at this stage is to decide whether to deny the petition outright or accept it for further consideration, allowing the City Recorder to verify the petition's validity, particularly if the petition has obtained the required consent to the annexation from property owners representing 50% of the area and 1/3 of the property value.

The annexation area, located at the southern edge of West Point and contiguous with Clinton City, needs to meet specific criteria, such as having 50% of the acreage and one-third of the property value in favor of annexation. Mr. Laws noted that creating islands

or peninsulas is generally undesirable, but Davis County has shown support for the annexation, and Clinton City's interest in annexing nearby property should mitigate potential issues. He also recounted a similar petition from two years ago that was denied due to protests, but recent legislative changes, including a redefinition of rural property, have addressed previous issues.

The Council had no further questions or discussion at the Petition at this point in the process and were in favor of accepting it for further consideration.

Council Member Chatterton motioned to accept the "Ivy Meadows & Adjoining Properties" Annexation Petition for further consideration

Council Member Judd seconded the motion

In Favor: All

Opposed: None

All in Favor

**9. Consideration of Approval of Resolution 06-18-2024A, Approving an Agreement with Weber Basin Water Conservancy District for Use of the Customer Portal – Mr. Boyd Davis**

Mr. Davis presented to the City Council an agreement with the Weber Basin Water Conservancy District regarding the use of a customer portal for water usage tracking. This portal allows residents to create accounts and view both indoor and outdoor water usage in real time. Mr. Davis showcased an example using his own home's data, emphasizing the portal's utility in managing water consumption. The agreement had been previously discussed, and recent minor clarifications were added about notification methods and data transfer processes. The cost for this service is shared among three entities, totaling \$5,500 annually, with a grant covering the first three years. Afterward, the city will need to budget for the service and renegotiate the agreement after five years. Mr. Davis recommended the Council approve the agreement by resolution and expressed hope that the portal would be operational by the end of the summer.

The Council has discussed this agreement in previous meetings and had no further concerns or questions.

Council Member Lee motioned to approve Resolution 06-18-2024A, Approving an Agreement with Weber Basin Water Conservancy District

Council Member Swenson seconded the motion

In Favor: All

Opposed: None

The Council unanimously agreed.

**10. Consideration of Approval of Resolution No. 06-18-2024B, Approving an Amendment to the Memorandum of Understanding with the North Davis Sewer District – Mr. Boyd Davis**

Mr. Davis presented the amendment to the Memorandum of Understanding (MOU) with the North Davis Sewer District to the City Council. The amendment concerns the impact fees related to the sewer expansion project. The map presented showed existing homes on septic systems that would connect to the new sewer system. Initially, these homes were required to pay impact fees to both West Point City and North Davis Sewer District. However, thanks to negotiations, it was determined that North Davis cannot legally charge these impact fees. As a result, the MOU now states that existing homes connecting to the new sewer system will not have to pay North Davis impact fees.

Only new developments will be charged impact fees, while existing homes will still bear construction costs, which could amount to around \$10,000. This amendment makes connecting to the sewer system more affordable, supporting the goal of eliminating septic systems. It was clarified that the MOU is not a legally binding contract but serves as a precursor to a formal agreement once the area is annexed into the North Davis Sewer District boundary. The North Davis Sewer District has already approved the MOU and Staff recommends approval.

The Council had no further discussion.

Council Member Judd motioned to approve Resolution No. 06-18-2024B, Approving an Amendment to the Memorandum of Understanding with the North Davis Sewer District

Council Member Yarbrough seconded the motion

In Favor: All

Opposed: None

The Council unanimously agreed.

**11. Consideration of Approval of Resolution No. 06-18-2024C, Approving a Grant Agreement with Davis County for the 700 S Road Project – Mr. Boyd Davis**

Mr. Davis presented to the City Council a grant agreement with Davis County for the 700 South Road Project. The City awarded a \$2.4 million grant from Davis County for the project, which is for the reconstruction and widening of 700 S from 3500 W to 4000 W. West Point and Syracuse will each contribute to the project, with West Point using impact fees to improve the intersection at 4000 West and 700 South. The agreement states that Davis County will reimburse the city for 80% of the project costs, up to a maximum of \$2,422,610. West Point must contribute 20%, up to a maximum of \$605,652. A key point in the agreement was the adjustment of language to require commencement, not completion, within two years. Gardner Engineering has already started working on the project proposal.

The Council discussed details such as the road boundaries and future funding applications for extending the project beyond 4000 West. There were no further concerns or questions regarding the agreement.

Council Member Swenson motioned to approve Resolution No. 06-18-2024C, Approving a Grant Agreement with Davis County for the 700 S Road Project

Council Member Yarbrough seconded the motion

In Favor: All

Opposed: None

The Council unanimously agreed.

**12. Consideration of Approval of the Maximum Allowable Property Tax Rate for Truth in Taxation Notices & Hearings – Mr. Ryan Harvey**

Mr. Harvey stated that the Council must decide on a rate that will serve as the maximum rate that is being considered that will be published to residents in their property tax notices – it is not the final rate that will actually be adopted. The discussion emphasized that setting this rate provides a ceiling, giving the Council flexibility to adjust the final rate lower if needed, based on future developments. The Council noted the importance of clear communication to residents about the distinction between the proposed maximum rate and the final rate to be decided after the Truth in Taxation meeting in August.

The certified rate, which maintains last year's revenue plus growth, was compared with other potential rates, showing projected revenue increases at each increment:

Proposed Rate	Projected Revenue	Amount over Certified Rate
0.000728 – 2023 Rate	\$794,996	\$41,497
0.000720	\$786,259	\$32,760
0.000710	\$775,339	\$21,840
0.000709 - midpoint	\$774,247	\$20,748
0.000700	\$764,419	\$10,920
0.000690 – Certified Rate	\$753,499	\$0

Mr. Harvey confirmed for the Council that the notices sent to residents about the proposed tax increase includes a breakdown of the actual annual dollar amount that will increase, based on a median home value, if the maximum proposed tax rate is approved.

The Council acknowledged the need to cover increased budget costs, and the need to maintain essential city services and also be prepared for future financial needs. It was emphasized that only about 7% of a resident's overall property tax bill goes to the City.

Council Member Chatterton motioned to set the maximum allowable tax rate for Truth in Taxation notices at .000755

Council Member Swenson seconded the motion

In Favor: All  
Opposed: None  
The Council unanimously agreed.

**13. Consideration of Approval of Resolution No. 06-18-2024D, Approving the FY2025 Fee Schedule – Mr. Ryan Harvey**

Mr. Harvey presented the proposed fee schedule for FY2025 to the City Council, highlighting several changes that will take effect on July 1. The modifications include:

Removing the \$50 contractor fee.  
Adding a \$85 transient merchant fee.  
Eliminating the home occupation license late fee  
Removing the \$250 annual fee for temporary permits.  
Adjusting the fees for black cans and second black cans to \$13.80.  
Implementing a football program fee for non-residents at \$75.

Mr. Harvey explained that the increase in black can fees is due to ACE's contract allowing for annual increases. During the discussion, Council members sought clarification on various fees. The transient merchant fee applies to entities like food trucks, ensuring they are clearly categorized and don't need separate business licenses. Temporary permits are typically for seasonal businesses like fireworks stands and Christmas tree lots, which already have specified fees.

Mayor Vincent opened the item for public hearing.

**a. Public Hearing**

None

Council Member Judd motioned to close the public hearing  
Council Member Chatterton seconded the motion

In Favor: All  
Opposed: None  
The Council unanimously agreed.

**b. Action**

The Council reviewed these changes and had no further discussion or concerns.

Council Member Swenson motioned to approve Resolution No. 06-18-2024D, Approving the FY2025 Fee Schedule  
Council Member Yarbrough seconded the motion  
In Favor: All  
Opposed: None  
The Council unanimously agreed.

**14. Consideration of Approval of Resolution No. 06-18-2024E, Approving a Development Agreement with S7RJ Properties, LLC for Property at 25 S 2000 W Big-O Tires – Mrs. Bryn MacDonald**

Mrs. MacDonald presented on the terms of the development agreement, rezone request, and site plan for the Big-O Tires development.

Key points of the development include:

- Property Location and Details:
  - The property is located on 2000 West, just south of Smith's, and covers about two acres.



- The current zoning is R2, and the request is to rezone to LC (Limited Commercial) to allow for a limited vehicle repair shop, specifically a tire shop.
- Site Plan:
  - The plan includes a building in the front with parking in the back and sides.
  - There is a half-acre section in the back that is not part of the current plan but may be developed in the future, requiring further approval at that time.
  - The parking provided exceeds the requirements.
  - The site plan meets the landscaping requirements, including a buffer next to the residential area to the south.
  - A cross-access easement to the property to the north is provided for potential future connection.
- Building and Landscaping:
  - The building elevations include brick and siding, adhering to design standards.
  - The landscaping plan meets the requirements for parking lots and road buffers.
- Plat and Access:
  - The development agreement includes a simple plat with a cross-access easement.
  - Future access to the north property is planned when that property is developed.
- Signage:
  - Signage is not included in the current package and will be reviewed separately.
  - Signs must comply with lighting and other standards upon submission for permits.
  - There was a query about whether the Big-O Tires sign will be illuminated, and it was confirmed that the signage would be handled separately and must comply with existing regulations.

The Council discussed the appropriateness of the access and the site plan, with a focus on ensuring future connectivity and compliance with city requirements.

*Mayor Vincent held the public hearing required for the rezone of the property at this time, in order to consider any public comments made before approving the development agreement. No comments were made.*

Council Member Lee motioned to Resolution No. 06-18-2024E, Approving a Development Agreement with S&RJ Properties, LLC for Property at 25 S 2000 W Big-O Tires

Council Member Chatterton seconded the motion

In Favor: All

Opposed: None

The Council unanimously agreed.

**15. Consideration of Approval of Ordinance No. 06-18-2024A, Rezoning Property Located at 25 S 2000 W from R-2 to L-C (Big-O Tires) – Mrs. Bryn MacDonald**

The Council discussed the rezone as part of the previous item approving the development agreement for this property. The Council had no further comments or concerns.

**a. Public Hearing**

***\*Public Hearing held before approval of Item 14***

No comments.

Council Member Swenson motioned to close the public hearing

Council Member Chatterton seconded the motion

In Favor: All

Opposed: None

The Council unanimously agreed.

**b. Action**

Council Member Judd motioned to approve Ordinance No. 06-18-2024A, Rezoning Property Located at 25 S 2000 W from R-2 to L-C (Big-O Tires)  
Council Member Chatterton seconded the motion  
Roll call:

Council Member Lee:  
Council Member Swanson:  
Council Member Judd:  
Council Member Yarbrough:  
Council Member Chatterton:

The Council unanimously agreed

**16. Consideration of Approval of the Site Plan for Big-O Tire Located at 25 S 2000 W – Mrs. Bryn MacDonald**

The Council discussed the Site Plan in conjunction with the development agreement and rezone approval. The Council had no further comments or concerns

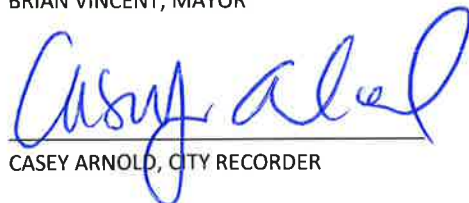
Council Member Chatterton motioned to approve the Site Plan for Big-O Tire located at 25 S 2000 W  
Council Member Yarbrough seconded the motion  
In Favor: All  
Opposed: None  
The Council unanimously agreed

**17. Motion to Adjourn the General Session**

Council Member Chatterton motioned to adjourn  
Council Member Judd seconded the motion  
In Favor: All  
Opposed: None  
The Council unanimously agreed.

APPROVED THIS 6<sup>TH</sup> DAY OF August, 2024:

  
BRIAN VINCENT, MAYOR

  
CASEY ARNOLD, CITY RECORDER

