



3200 WEST 300 NORTH
WEST POINT CITY, UT 84015

WEST POINT CITY COUNCIL
MEETING MINUTES
WEST POINT CITY HALL
September 3rd, 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 September 3rd, 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# 833 8046 4283 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 Annette Judd, Council Member Michele Swenson, Council Member Brad Lee, and Council Member Trent Yarbrough

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: Susan Becker, McKenna Christensen, and PJ Roubinet. No sign-in required for those attending virtually.

1. Discussion Regarding the 2024 Party at the Point Celebration – Mrs. Heidi Moss

Mrs. Moss presented a review of the 2024 Party at the Point Celebration to the City Council, covering the event's budget, successes, challenges, and proposed improvements. She noted that total revenue for the event was \$18,810, slightly higher than the previous year, while expenses amounted to \$79,008.51, resulting in a cost of \$61,041 —just \$620 more than last year. Cost savings were achieved through reduced entertainment expenses, fewer volunteer-related costs, and lower fire safety fees.

Mrs. Moss expressed pride in the event's success and highlighted several achievements. Notable accomplishments included the introduction of a cornhole tournament, which drew significant interest despite minor organizational hiccups, and the return of parade tractors, which remain a community favorite. Other new features included a family-friendly magic show and a later start time for the headliner concert, which attracted larger crowds due to cooler evening temperatures. The number of vendor booths increased to 41, thanks to an extended registration deadline and greater accommodation for last-minute participants. This helped to also contribute to revenue proceeds for booth fees.

Mrs. Moss proposed several changes for next year to address safety, logistics, and community engagement. Key recommendations include prohibiting e-bikes, ATVs, and non-service animals at the event due to safety concerns and cleanliness issues. She also plans to focus on increasing signage and introducing QR codes to provide easy access to event schedules and maps. She also suggested selling Party at the Point merchandise, such as 5K shirts, which had been requested by attendees who didn't want to participate in the race but wanted the event t-shirt.

The City Council discussion expanded on these points, focusing on specific areas for improvement. Council Members supported the restriction of pets and e-bikes, and also acknowledged the need for designated bike parking areas. Parking was noted as a recurring issue, with suggestions to improve permit distribution and increase signage to direct attendees to available lots. The Council also raised concerns about fairness in the cornhole tournament, particularly regarding teams bringing their own equipment, which provided advantages over others. Mrs. Moss agreed that while it was successful overall for its first year, there were some issues that need to be ironed out, and she would work on ways to refine tournament rules to ensure fair play and improve coordination with organizers for future years.

Event entertainment also received positive feedback from the Council, with suggestions to finalize the headliner act by December for better promotion and marketing. Council Members highlighted the need to better honor veterans during the parade, ensuring their placement at the forefront of the procession. Additionally, the Arts Council plans to contribute activities, such as theater camp performances, to fill scheduling gaps in the afternoon.

The Council concluded by commending Mrs. Moss, the Public Works Department, and all of City Staff for their outstanding efforts in orchestrating the event, agreeing that it was another successful year and the event continues to get better each year. The proposed schedule for 2024 includes the golf tournament on June 27, the 3 on 3 basketball tournament on July 3, and the main celebration on July 4.

2. Discussion Regarding the "Ivy Meadows & Adjoining Properties" Annexation Petition – Mr. Kyle Laws

Mr. Laws presented the re-filed Ivy Meadows annexation petition, outlining its progress, challenges, and next steps. He explained that this is a modified petition of what was submitted and approved for further consideration by the Council this past June, as the initial petition was rejected by the City Recorder in the certification process due to errors in value calculation in requirements. The rejection allowed the petitioners to revise and resubmit without restarting the entire process. The resubmitted petition now needs to be accepted or denied by the Council for further consideration and adjusts boundaries to meet value thresholds while excluding six properties that did not sign in favor of the annexation. Mr. Laws noted that the exclusion of these six properties does create a "peninsula" of county land surrounded by city boundaries.

The Council reviewed a map showing the proposed annexation area, which also identified those properties who signed in favor of the annexation and those who did not sign in favor (he noted that this does not necessarily indicate that they are against the annexation, but just did not sign the petition in favor. The excluded properties from the original petition were also highlighted and were chosen strategically by the petitioner to be excluded in order to meet the property value threshold. Council Members acknowledged that while the resulting "peninsula" is not ideal, future annexations will likely resolve the issue, especially with the state statutes allowing the incorporation of service-providing "islands" without petitions.

Key considerations included maintaining efficient services and managing overlapping boundaries with neighboring cities, particularly along 4500 West. Discussions touched on the benefits of avoiding duplicative infrastructure, such as lift stations, and maintaining logical jurisdictional boundaries. The Council also noted the annexation's alignment with prior agreements with Clinton City to establish 4500 West as a dividing line.

The Council discussed the potential impacts of the annexation, including adjustments to services like mail delivery and concerns about jurisdictional overlap. The annexation of this area is driven by the Petitioner, Rick Scadden, along with the Parker Family, who own several acres within the annexation area and would like to develop their properties. Questions arose about the impact on surrounding property owners, especially those opposed to annexation, and Mr. Laws explained that under current legislation, in this area, only affected entities —no individual landowners—qualify to formally submit a protest to the petition.

The Council expressed confidence in the petition moving forward and acknowledged that Davis County's approval would be required due to the creation of a peninsula. Mr. Laws stated that initial conversations with County staff indicated support for the proposal. The annexation petition is on the council's agenda in tonight's General Session for approval to accept for further consideration. If approved, the City Recorder will have 30 days to determine whether the modified petition meets the applicable requirements, and either certify or reject the petition based on that determination. If certified, the petition will proceed to noticing of the protest period and public hearing as outlined in the statutory process.

The Council expressed optimism about annexing the area into West Point and will continue the discussion as it determines whether or not to accept the petition for further consideration in the following meeting.

3. Discussion Regarding Water, Sewer, & Garbage Rate Study – Mr. Ryan Harvey

Mr. Harvey presented the findings of a comprehensive study on water, sewer, and garbage rates, conducted in collaboration with Zions Public Finance. The study began at the start of the year, intending to address rate sustainability and align with budget

discussions. Initially focused on water and sewer rates, the study was later expanded to include garbage rates when a salary allocation audit revealed under-accounting in the garbage fund. A breakdown of the presentation and Council's discussion is as follows:

Water Fund

The healthiest of the three funds, with over 600 days of cash on hand projected through 2033. This is well above the recommended minimum of 150 days. No rate increases are needed due to strong growth and efficient management.

The Council inquired about the feasibility of reducing water rates to benefit residents, particularly in light of recent property tax increases. Concerns about potential risks from inflation, growth fluctuations, and future capital projects were noted by Staff, however, Mr. Harvey agreed to explore scenarios for a possible rate adjustment.

Sewer Fund

This fund is currently stable, with cash reserves projected to remain above the minimum threshold of 150 days until 2027. However, projections beyond that indicate a decline, necessitating a proposed 5% annual rate increase starting in 2027 to maintain fund health through 2032.

The Council emphasized the importance of monitoring growth rates and expenses closely, as fluctuations could accelerate financial challenges. Staff committed to revisiting and updating projections annually.

Garbage Fund

The fund initially appeared at risk of requiring rate increases due to salary reallocations. However, a new recycling incentive from Wasatch Integrated significantly improved projections, eliminating the need for increases through 2030 under current assumptions.

The Council discussed the impact of high-density housing developments on garbage services, noting that apartment buildings use commercial collection rather than individual cans. Staff clarified that the projections primarily account for new residential cans and agreed that they will monitor the effects of future growth and how this fund is affected.

In conclusion, the Council commended staff for their thorough analysis and expressed their appreciation for the proactive management of these funds. Although no rate increases are proposed at this time, both Staff and Council reiterated the importance of continuing to monitor the sustainability of these funds, while being cognizant of the financial burden on residents.

4. Discussion Regarding a Water Line Easement for Big-O Tires – Mr. Boyd Davis

Mr. Davis presented details to the City Council of a water line easement for Big O Tires, located south of Smith's on the east side of 2000 West. The project requires a water line connection to the property, utilizing a pre-planned stubbed water line in the adjacent Nielsen family property. A 10-foot-wide easement, depicted in red on the site plan, will allow Big O Tires to run a public water line from the stubbed connection to their site. Staff has been in contact with Nielsen's and they have agreed to grant an easement to the City for the water line.

The Nielsen family negotiated the easement directly with the City, as the water line will be owned and operated by West Point City. The easement cost of \$4,500 has already been paid by Big O Tires, ensuring no financial burden on the City. The easement agreement has been signed by the Nielsen family and awaits approval from the Council for the Mayor to accept the agreement.

Staff clarified for the Council that the water line had been funded through impact fees with no existing payback agreements. Future businesses connecting to the water line will also pay impact fees. It was confirmed that the easement's location is within a non-buildable area, ensuring no interference with future development. Additionally, it was noted that Big O Tires will utilize an existing sewer line from a previous structure on the property.

The Council expressed satisfaction with the arrangement and will consider approval of the agreement through resolution in tonight's General Session. Further comments or questions will be addressed at that time.

5. Discussion Regarding a Postponement Agreement at 601 N 5000 W – Mr. Boyd Davis

Mr. Davis presented a proposal to the City Council for a postponement agreement at 601 N 5000 W, a single-lot subdivision where Wayne Johnson plans to build a home on a half-acre site. As with a similar agreement approved at the last meeting for the Bennet property, this site lacks curb, gutter, and sidewalk infrastructure along 5000 West, and there is none nearby to connect to.

Given these circumstances, Mr. Davis recommended approval of the postponement agreement, which would defer the requirement for these improvements until such time as the surrounding area is developed. The agreement was included in the council packet and was recommended for approval by Staff.

Council Members expressed no questions or concerns about the postponement agreement, agreeing that it would be appropriate for this situation. They will consider approval of the agreement through resolution in tonight's General Session.

6. Discussion Regarding a Code Amendment to Add "Animal Clinic" to Allowed Uses in C-C Zone – Mrs. Bryn MacDonald

Mrs. MacDonald presented a proposed code amendment to the City Council to allow the addition of "animal clinic" as a conditional use in the C-C (Community Commercial) zone. This amendment was requested by CW Urban to accommodate a potential tenant, Good Vets, in a new commercial building located on 2300 North, near Smith's. Currently, the city code lists "animal hospital" as a permitted use but does not include "animal clinic." The proposed definition would allow facilities providing outpatient medical and preventative care for small animals, grooming services, and limited post-operative care for up to 48 hours. The amendment would prohibit non-medical overnight boarding services.

The Planning Commission has reviewed the request and ultimately recommended approval; however, they were concerned about the proximity of animal services to food establishments. CW Urban addressed these concerns, noting independent HVAC systems for each unit, highly rated firewalls, and examples of successful co-location in other developments. The applicant expressed willingness to adjust the 48-hour post-operative care provision to 23 hours if necessary.

The Council discussed the proposed amendment and expressed a variety of comments. Some raised concerns about placing an animal clinic next to food-related businesses, while others acknowledged that with proper ventilation and conditional use restrictions, the clinic might not pose issues. The applicant clarified that the specific unit for the clinic is at the end of the building, with other tenants likely to include a coffee shop and retail use.

The Council also discussed the revenue implications of allowing a service-based business in a high-visibility, prime commercial location and questioned whether this use aligned with the area's potential for higher-revenue producing tenants. Some Council Members felt the site might be better suited for food or retail tenants. They also discussed whether the definition should include any overnight stays, given that the clinic does not primarily offer long-term care.

Ultimately, the Council decided that more discussion was needed and deferred the item to the next meeting for continued consideration.

7. Discussion Regarding the PRUD Code & Development Agreements – Mrs. Bryn MacDonald

Due to time, this item was not presented to the Council and will be placed on the agenda for a future meeting.

8. Other Items

No other items were discussed.

The Administrative Session adjourned.



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Mayor:
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Trent Yarbrough
City Manager:
Kyle Laws

General Session

7:00 PM

Minutes for the West Point City Council General Session held on September 3rd, 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# 833 8046 4283 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 Annette Judd, Council Member Michele Swenson, Council Member Brad Lee, and Council Member Trent Yarbrough

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: Amber Price, Darin Price, Kathy Price, Jacque Beaman, Rachel Beaman, Scott & Diane Hodge, Kelly Blake, Noel, Kai, Rial, and Rick Post, Megan Wallace, Grek & Debbie Kauffman, Mindy & Tyler Woodworth, Allyson Phillips, Grace Price, Brooklyn Woodworth, Ryker Wallace, James Spangler, Abby Spangler, Roger Timmerman, Taylee Vincent, Ami Loder, Caroline Loder, Madi Hawkins, Melissa & Derrick Hawkins, Sara Spangler, David Donaldson, Ben & Megan McCourt, Candace & Cambree Shakespear, Karlee & Tori Price, James McCarrey, Jennifer McCarrey, Natalie McCarrey, Rick Scadden, Nicole Cotter, John Phillips, Ryan Price, Hailey Price, Hilary Ray, Corbin Ray, Treavor Ray, Rebecca Laws & Family, Peterson Family, Kim Slater, and Mattilyn Slater. 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 Yarbrough – None.

Council Member Judd – None.

Council Member Swenson – Provided an update on the activities of the West Point Arts Council, stating that the Chalk Art Festival is scheduled for September 28th. Registration is open online and there are categories for different age groups. For those interested in learning chalk-art, a demonstration class is being held the night before the event. Highlighting the success of the event last year, she expressed her hope that participation and attendance will double this year. She encouraged everyone, regardless of experience, to participate by entering and even if not as a participant, to come out to support the Arts Council and see the incredible art showcasing the talent in our community.

Council Member Chatterton – None.

Council Member Lee – Provided an update on the efforts of the Mosquito Abatement District - Davis and concerns regarding the West Nile Virus. He stated that while Davis County has reported positive mosquito pools testing for the virus, there are no human cases locally. Northern Utah has only had one recent human case, and what was in Utah County. He highlighted national concerns, mentioning two fatalities on the East Coast and a young man in St. Louis currently in a coma due to complications from the virus. Council Member Lee emphasized the importance of prevention, recommending mosquito repellent and protective clothing when outdoors after dark. Referencing the District's efforts, he concluded with the humorous tagline that "We kill millions so you can enjoy thousands."

Mayor Vincent – None.

5. Communications from Staff

Mr. Laws provided updates on upcoming events and activities happening in West Point as follows: the Senior Lunch is scheduled for September 10th at Loy Blake Park, with future lunches returning to City Hall in October. The weekly Farmers Market at Loy Blake Park continues every Friday through September, now operating from 5 PM to 8 PM. The complete Cemetery Cleaning will take place on October 3rd. The annual Halloween Carnival will be held at West Point Jr. High on October 26th, which is put on by the Miss West Point Royalty with significant support from the Youth Council. Mr. Laws also announced the National Day of Service on Saturday, September 7th, at 8:30 AM at Loy Blake Park, where volunteers are needed to plant 40 trees along the west fence line and near the baseball diamonds. He encouraged participants to bring shovels and gloves and park behind the elementary school to avoid congestion from little league football games. Flyers for the event were distributed citywide, and Mr. Laws emphasized the importance of community participation.

6. Citizen Comment

None.

7. Update from UTOPIA Fiber

Roger Timmerman, Executive Director of UTOPIA Fiber, provided an update to the City Council on the status and growth of the city's fiber network. He outlined the history of UTOPIA Fiber, which initially struggled with its original framework, but has since grown into a highly successful open-access network. After being restructured, West Point was an early partner in the program, and the network has since expanded to serve over 67,000 subscribers across multiple cities. Locally, West Point now has over 1,850 active subscribers, far exceeding the initial 1,200 needed to make the system self-sustaining, with no financial burden on the city for the infrastructure costs.

Mr. Timmerman highlighted UTOPIA's technological advancements, including 10-gigabit connectivity to all locations and competitive pricing for faster options. He also discussed the network's role in supporting local businesses, schools, and air quality data collection. West Point's network continues to grow, adding approximately 15 new subscribers each month, driven by positive customer feedback and robust service demand.

Council Members praised UTOPIA's success, noting that initial concerns about the project had been alleviated by strong subscriber growth and financial self-sufficiency. Mr. Timmerman addressed minor connectivity challenges, confirming that access issues for some residents had been resolved. The Council expressed satisfaction with UTOPIA's performance and its impact on the community, commending Mr. Timmerman and his team for their efforts.

8. Recognition of the 2024 Party at the Point Art Contest Winners – Mayor Brian Vincent

Mayor Vincent announced the winners of the 2024 Party at the Point Art Contest. The contest featured three divisions—elementary, junior high, and high school/adult—and the entries were displayed during the Party at the Point event, with winners determined by resident votes.

The winners were:

- Elementary Division: Hailey Price for her piece, "West Point Patriotic Pot"
- Junior High Division: Natalie McCarrey for her piece, "Busy Life"
- High School/Adult Division: Noel Post for her piece, "Pink Paradise"

The winners were invited to the front to receive their prizes a group photo with the City Council. Mayor Vincent also announced that the winning artwork will be displayed in the front lobby of City Hall. The Council congratulated the winners and thanked all those who entered for participating.

9. Swearing-In of the 2024-2025 West Point City Youth Council Members – Mayor Brian Vincent

Mayor Vincent announced the Officers and Members of the 2024-2025 West Point City Youth Council as follows:

Officers

Grace Price: Mayor
Abigail Spangler: Mayor Pro-Tem
Brooklyn Woodworth: City Manager
Beckett Ray: City Recorder
Ryker Wallace: City Recorder
Allyson Phillips: City Treasurer
Jacob Orton: City Historian

Members

Abigail Laws	Josh Williams
Annie Davis	Joshua Laws
Aubrey Byers	Karlee Price
Ben McCourt	Kyden Blake
Brynlee Hymas	Luke Williams
Cambree Shakespear	Madi Hawkins
Caroline Loder	Maile Peterson
Casen Byers	Matea Peterson
Corban Tobler	Mattilyn Slater
Corbin Ray	Rachel Beaman
Hannah Laws	Tegan Tobler

The Youth Council was sworn-in by Mayor Vincent.

10. Decision to Deny or Accept for Further Consideration the “Ivy Meadows & Adjoining Properties” Annexation Petition – Mr. Kyle Laws

Mr. Laws the Ivy Meadows and Adjoining Properties Annexation Petition, explaining the revisions made since the initial petition was rejected during the certification process because it did not meet the value threshold requirements. The petition was modified and refiled to adjust for that deficiency. The updated map excludes six properties that were originally included.

The Council reviewed a map showing the proposed annexation area, which also identified those properties who signed in favor of the annexation and those who did not sign in favor (he noted that this does not necessarily indicate that they are against the annexation, but just did not sign the petition in favor).

The Council discussed service considerations, including sewer system access, noting that all annexed properties will be within the service area of the new lift station. The Council emphasized the importance of consolidating as many properties as possible to avoid irregular boundaries and simplify future processes.

Mr. Laws reiterated that accepting the petition for further consideration does not approve the annexation, but simply lets the process continue. If accepted, the City Recorder will determine whether the petition meets the requirements dictated by state statute, and either reject or certify the petition based upon that determination. If certified, a noticing and protest period begins. If no protests are received, the Council will hold a public hearing before considering whether or not to approve the annexation.

The Council had no further questions or comments at this point in the annexation process.

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

Council Member Yarbrough seconded the motion
In Favor: All
Opposed: None
The Council unanimously agreed

11. Consideration of Approval to Release the Bluffview Subdivision Phase 1 from Warranty – Mr. Boyd Davis

Mr. Davis stated that Phase 1 of the Bluffview Subdivision is ready to be released from warranty. Located at 3650 West, 300 North, near West Point Elementary, Phase 1 includes the main road and five or six buildings along it. The subdivision has been under warranty for over a year, surpassing the minimum required period. Following inspections, a punch list of items was provided to the developer, and all necessary corrections have since been completed to the city's satisfaction.

During the discussion, the Council inquired about the timeline between completing the required items and bringing the matter to the Council. Mr. Davis clarified that the work was finalized approximately two weeks prior. The Council confirmed that no issues, such as asphalt buckling, had arisen since completion and had no further questions.

Council Member Lee motioned to approve
Council Member Yarbrough seconded the motion
In Favor: All
Opposed: None
The Council unanimously agreed

12. Consideration of Resolution No. 09-03-2024A, Approving an Agreement with Rocky Mountain Power for Service to the Sewer Lift Station – Mr. Boyd Davis

Mr. Davis presented a proposed agreement with Rocky Mountain Power for providing three-phase power to the sewer lift station in the unincorporated area northwest of the City. The lift station is located near 5000 West, and the project involves replacing existing single-phase power lines and poles with new three-phase lines and poles along the road to the lift station. The total cost of the project is \$153,000.

Mr. Davis explained two payment options offered by Rocky Mountain Power: an upfront flat rate with a small credit of approximately \$250, or a refund option that provides potential reimbursements if new customers connect to the power line within the next 10 years. He recommended the refund option as the most advantageous, even though it does not guarantee repayment, as the credit from the flat rate option was minimal.

In the Council's discussion, they inquired as to the alignment of the new power poles and coordination to avoid future relocation. Mr. Davis clarified that the poles were planned to align with West Point's future park strip standards, even though the roads are currently under Davis County jurisdiction. This alignment anticipates the roads eventually becoming West Point city streets.

The Council agreed with the recommendation for the refund option and had no further discussion.

Council Member Swenson motioned to approve Resolution No. 09-03-2024A, with the selection of the refund payment option
Council Member Judd seconded the motion
In Favor: All
Opposed: None
The Council unanimously agreed

13. Consideration of Resolution No. 09-03-2024B, Accepting a Water Line Easement for Big-O Tires – Mr. Boyd Davis

This item was discussed in tonight's Administrative Session and the Council had no further questions or discussion on accepting the water line easement for this development.

Council Member Yarbrough motioned to approve Resolution No. 09-03-2024B

Council Member Chatterton seconded the motion
In Favor: All
Opposed: None
The Council unanimously agreed

14. Consideration of Resolution No. 09-03-2024C, Approving a Postponement Agreement at 601 N 5000 W – Mr. Boyd Davis


This item was discussed in tonight’s Administrative Session and the Council had no further discussion or concerns about approving a postponement agreement for this one-lot subdivision.

Council Member Lee motioned to approve Resolution No. 09-03-2024C
Council Member Yarbrough seconded the motion
In Favor: All
Opposed: None
The Council unanimously agreed

15. Motion to Adjourn the General Session

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

APPROVED THIS 7 DAY OF January, 2025:


BRIAN VINCENT, MAYOR


CASEY ARNOLD, CITY RECORDER



