



**West Point City Council Meeting
3200 West 300 North
West Point City, UT 84015
September 2, 2014**

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

Administrative Session
6:00 PM

Minutes for the West Point City Council Administrative Session held at 6:00 pm on September 2, 2014 at the West Point City offices, 3200 West 300 North, West Point City, Utah 84015 with Mayor Craythorne presiding.

MAYOR AND COUNCIL MEMBERS PRESENT – Mayor Erik Craythorne, Council Member Gary Petersen (departed at 6:40 pm), Council Member Jerry Chatterton, Council Member Kent Henderson, Council Member Jeff Turner and Council Member Andy Dawson

CITY EMPLOYEES PRESENT – Kyle Laws, City Manager; Boyd Davis, Assistant City Manager; Evan Nelson, Administrative Services Director; and Misty Rogers, City Recorder

VISITORS – Rob Ortega and Mike Schultz

Mayor Craythorne informed the Council that the agenda items scheduled for the Administrative Session will be presented out of order. He then stated the payback agreement for Bartholomew Lane Phase 2 & 3 will be discussed first. He then turned the time over to Mr. Davis.

1. Discussion of Payback Agreement for Bartholomew Lane Phase 2 & 3 – Mr. Boyd Davis

The Bartholomew Lane Subdivision is located at approximately 3600 West, just north of 1300 North.

Mr. Davis stated West Point City Code allows for a developer to request a payback agreement if an adjacent property will benefit from installed infrastructure. Because the adjacent property will benefit from installed infrastructure the developers of the Bartholomew Lane Subdivision have requested a payback agreement for Phase 2 & 3.

Mr. Davis confirmed that the adjacent property owners (Mr. Wayne Hall and his daughter) could benefit from the infrastructure installed by the developer. He then stated it isn't likely the other adjacent properties will benefit from the infrastructure as they are separated by the Layton Canal. Mr. Davis stated a payback agreement is between West Point City & Developer. The agreement will prohibit adjacent development until the payback agreement has been fulfilled. A fair payback amount will be determined by the City Engineer.

Mr. Davis informed the Council that a holding-strip had previously been recorded on Phase 1 of the Bartholomew Lane Subdivision. He then stated a "holding strip" is similar to a payback agreement, it requires that adjacent property owner's purchase a 1' strip of property from the developer before they can obtain access.

Mr. Davis informed the Council that the total estimated cost of the improvements for Phase 2 & 3 of the Bartholomew Lane Subdivision is \$31,837. He then stated if only a portion of the adjacent property is developed, the cost of the improvements will be prorated. Mr. Davis stated only infrastructure installed beyond the minimum standards can be included in the payback agreement.

It is recommended the following improvements be included in the payback agreement:

- 12' of the asphalt
- Road base

- Fill material
- Curb & gutter (west side only)
- Secondary Water Line (difference of 12' and 8")

Council Member Turner asked if the payback agreement will expire after 10 years. Mr. Davis stated yes, all payback agreements are void 10 years after the date of the agreement.

Council Member Petersen stated if the adjacent property owners do not develop within the 10 years, the payback agreement is void. Mr. Davis agreed, he again stated payback agreements expire 10 years after the date of the agreement.

Council Member Petersen asked if the adjacent property owners will benefit from culinary and secondary waterlines and sewer lines installed by the developer. Mr. Davis informed the Council that Code only allows a developer to receive payback for installed infrastructure above and beyond the minimum standard requirement. The items which are included in the payback agreement were installed above the minimum requirement.

Mr. Davis stated several years ago, the developer recorded a holding strip in Phase 1 of the Bartholomew Lane Subdivision. During this process, the Council had expressed concern with requiring a property owner to purchase a holding strip from a developer as it could become extremely costly. As a protection to the adjacent property owner, the City Code was amended; holding strips were eliminated and payback agreements were implemented.

Council Member Dawson asked if a detention pond exists in the Bartholomew Lane Subdivision. Mr. Davis Stated yes, a detention pond exists in the subdivision. Council Member Dawson asked if the adjacent property owner (Wayne Hall) will share the detention pond with the subdivision. Mr. Davis stated no, the detention pond in the Bartholomew subdivision is only for the use of the Bartholomew development.

Mr. Davis stated the Council will be asked to take formal action for the payback agreement with Bartholomew Lane Phase 2 & 3 in a future Council meeting. Once approved by the Council, the payback agreement will be recorded with the County and the agreement will be visible on the deeds of the two adjacent properties.

Council Member Dawson asked which phases will be included in the payback agreement. Mr. Davis stated only Phase 2 & 3 of the Bartholomew Lane Subdivision will be included in the payback agreement.

Council Member Petersen asked who will sign the payback agreement. Mr. Davis stated West Point City and the developer of Bartholomew Lane Subdivision will sign the agreement, as it is an agreement between the Developer and the City.

Council Member Petersen asked if the adjacent property owners (Mr. Hall and his daughter) are aware of the proposed payback agreement for phase 2 & 3. Mr. Davis stated no, as adjacent property owners are typically not notified of the agreement.

Council Member Henderson asked if Mr. Hall is aware of the 1' holding strip within phase 1 of the Bartholomew Lane subdivision. Mr. Davis stated he has not personally contacted the adjacent property owners regarding the holding strip. However, it is likely Mr. Hall is aware of the holding strip as they were active during the development process.

The Council agreed the adjacent property should be notified of the agreement. Mr. Davis stated he will contact Mr. Hall and his family and inform them of the proposed payback agreement.

2. Fourth of July Wrap-up – Mrs. Jolene Kap

Mrs. Kap stated the fourth of July wrap-up meeting was held on July 16, 2014 and all committee members were in attendance (Jolene Kap, Kyle Laws, Paul Rochell, Kasey Gibson, Brad & Kelli Lee, Kent & Ruth Ann Henderson and Erin

Davidson). She then informed the Council that in 2015, the Fourth of July will fall on a Saturday and the celebration will continue as a one day event.

Mrs. Kap stated the following changes were implemented for the 2014 Fourth of July celebration.

- Vendor Applications - Revisions were made to vendor applications, prohibiting anyone under the age of 18 from renting a vender booth.
- Parade Staging – The staging of horse entries and larger floats such as semi-trailers were held at East Park and a nearby church.

Council Member Dawson asked if West Point Jr. High could be utilized for the staging of the parade. Mrs. Kap stated no, because of the 5K route, the race and the staging of the parade at the Jr. High will interfere with one another.

- Parade Applications – For the safety of participants and bystanders revisions were made to the parade application, prohibiting drivers from throwing anything from the vehicle.

Council Member Petersen expressed concern with allowing anything to be thrown from inside of a vehicle. Mrs. Kap stated prohibiting drivers from throwing anything assists with the safety of the parade. However, if there are safety issues in the future, it may be necessary to require that each float provide their own “spotters”.

- BINGO – In the past, issues of fairness have been a concern with the BINGO event. Because of this, the following ideas were successfully incorporated into the BINGO event:
 - One BINGO card per participant
 - Turning in BINGO cards more often
 - Provide additional breaks, this allows for more participation

Council Member Chatterton stated that while assisting with BINGO, someone would periodically walk through the area and verify that each participant only had one card.

Mrs. Kap stated prizes seemed to be evenly distributed among participants and BINGO was a success.

Mrs. Kap informed the Council that during the Fourth of July wrap-up, the following changes were recommended:

- Update Sponsor Letter - It seems that sponsor donations are decreasing and for the past few years, Wal-Mart and Sam’s Club have not provided a donation for the Fourth of July celebration. Mrs. Kap is hopeful that updating the sponsor letter, sponsor benefits information, and donation amounts will invite additional sponsors.

Council Member Henderson asked if Wal-Mart and Sam’s Club have indicated as to why they did not provide a donation. Mrs. Kap stated no.

Council Member Chatterton recommended Mrs. Kap contact Smiths Marketplace for donations.

- Implement a charge to vendors who use a pop-up tent supplied by the City. Mrs. Kap stated each pop-up tent costs approximately \$200 and each year pop-up tents are damaged or disappear. The cost of replacing the tents is expensive to the budget and burdensome to employees.
- Provide a way for the Grand Marshall and Woman of Honor to be more visible. Mrs. Kap gave the examples of the Woman of Honor riding in a convertible vehicle and contacting the Rogers to request the use of their horse and buggy for the Grand Marshall.
- Utilize the metal fencing used earlier in the day to assist with the forming of a line when serving dinner. Mrs. Kap stated approximately 1,200 people were served dinner on the Fourth of July.

- Change the parade route to end at West Point Elementary. Mrs. Kap stated in the past, the parade traveled north on 3500 W and would end at the entrance of the Loy Blake Park. Because of congestion on 3500 W and increased participation, the current parade route is a safety concern for bystanders as well as participants.

Council Member Petersen stated because of safety concerns, he is supportive of changing the parade route; however several residents may not be pleased. Mrs. Kap stated she is aware that residents may be upset; however notices will be provided to the residents living on 3500 West and there will be additional noticing in the Fourth of July flyer.

Council Member Petersen asked where participants of the parade will be dropped off when they reach the end of the parade route. Mrs. Kap stated West Point Elementary has two locations where participants could be dropped off, in the front loop on 300 North or the side loop on 3830 West. Council Member Petersen expressed concern with parade participants being dropped-off at West Point Elementary. He stated the area around the elementary will become congested with parents picking up parade participants as well as people trying to gain access to the park.

Mr. Laws informed the Council that the dirt access to the Loy Blake Park on 520 North is opened during the Fourth of July celebration to allow additional access.

Mrs. Kap stated the parade entries which are stationed at the park all day will be directed down 3830 West and allowed access to the park on 520 North.

Council Member Dawson recommended the parade turn north on 3650 West, follow the road into the dirt parking at the park, drop off participants and then exit parade entries on 520 North and 3830 West.

Council Member Petersen recommended staging volunteers at the end of the parade route to direct entries to designated drop-off and pick-up locations. Mrs. Kap stated in the past, the only available people at the end of the parade route has been Mrs. Kap, Mr. Rochell, Mr. Page, and when possible Council Member Chatterton. She stated additional volunteers will be needed to assist with directing parade entries at the end of the route. Council Member Petersen stated if the Council entries are staged near the first of the parade, Council Members could assist with directing entries at the end of the parade route.

Council Member Henderson asked how many parade entries were received in 2014. Mrs. Kap stated in 2014, approximately 80 entries were received, more than in any other year.

Mayor Craythorne thanked Mrs. Kap for the Fourth of July report.

Council Member Dawson requested that the Council not be given salt water taffy to distribute during the parade. Mrs. Kap stated she will price check other candy such as tootsie rolls, etc.

3. Discussion of Youth Council Program – Mrs. Jolene Kap

Mrs. Kap informed the Council that the Youth Council program continues to grow each year. The structure of leadership positions within the Youth Council will remain as full year positions. She then stated the Youth Council plans to job shadow the Council at least two times within the year.

Mrs. Kap stated in 2013, Trish Estheimer was called as the Youth Council Advisor. Mrs. Estheimer has assisted with the creation and implementation with the Youth Council Charter. Mrs. Kap stated Mrs. Estheimer is a great addition to the Youth Council program.

Mrs. Kap stated last year, the Youth Council program had 80 participants, at the end of July 50 of the participants still remained active. Because of the participation level, Mrs. Kap recommended calling an additional Youth Council Advisor.

Council Member Dawson asked the age requirements for the Youth Council participation. Mrs. Kap stated participants must be in grades 7th to 12th.

Council Member Chatterton asked if Mrs. Estheimer is the only Youth Council Advisor. Mrs. Kap stated yes, however parents will assist when necessary and Mrs. Estheimer does not have reliable assistance. Council Member Chatterton expressed concern with only one Advisor; he recommended always having a minimum of two Advisors present at each Youth Council function.

Council Member Henderson agreed with Council Member Chatterton, he then recommended calling someone to the Youth Council Advisor position.

The Council agreed, parents or guardians of Youth Council participants should be asked to assist with a minimum of one activity per year. Mrs. Kap stated a parent/guardian volunteer sign-up sheet will be made available at the swearing in of the Youth Council Members.

4. Discussion of Developers Agreement with Castle Creek Homes – Mr. Boyd Davis

Mr. Davis stated the Council previously compared the Ivory Homes and the Castle Creek Subdivision Developer's Agreements. He then stated the majority of the items proposed in the developer's agreement are acceptable by Mr. Schultz and the Council. However, during the previous discussion, Council Members expressed concern with allowing Castle Creek Homes to use color schemes other than earthtones as well as permitting no architectural design on the rear of the buildings.

Mr. Davis presented photographs of the Stoker Garden's Subdivision, Senior Housing Development, and Ivory Homes Subdivision to the Council.

Stoker Garden's Development

Mr. Davis informed the Council that Castle Creek Homes is the developer of the Stoker Garden's Subdivision in Syracuse. He stated the Stoker Garden's development is attractive; and the units include single and double car garages, architectural design (on the front of the buildings), wainscot (on the side of the building that faces the road), color scheme variations, and the use of materials such as rock and hardi-board. Mr. Davis stated a disadvantage to the Stoker's Garden development is the lack of architectural design on the rear of the buildings

Senior Housing Development

Mr. Davis stated the senior housing development is located to the south of Smiths in Syracuse. The units within the development are considered fourplexes (two side-by-side units in front and two side-by-side units attached in the back), and includes common driveways. Additional features in the senior development include attractive landscaping, gable ends and bump-outs on each building, and a club house. Mr. Davis stated the senior housing development is very attractive, however the Council should remember that a senior housing development is different than that of a townhome development.

Council Member Chatterton asked if the senior housing development is part of an HOA. Mr. Davis stated yes.

Mr. Davis informed the Council that the senior housing development in Syracuse has set aside a portion of commercial property adjacent to the senior development. He stated this development is similar to that of the Heslop property.

Ivory Homes Development

Mr. Davis stated the buildings within the Ivory development include brick, architectural variation and rear garages. Ivory Homes has included a roof line bump-out over the garage and some brick.

Council Member Petersen stated a distinction between each garage can be seen on each building. Mr. Davis agreed, he then stated there is approximately 1' foot of articulation between each garage.

Mr. Davis requested that Mr. Schultz address the concerns of the Council with regards to rear architectural design and color schemes.

Mr. Schultz informed those in attendance that Castle Creek Homes previously requested outdoor sales be approved as an acceptable use for the zone. The example he had previously given for outdoor sales is a John Deere dealership. He stated the John Deere dealership was only used as an example; several other sales could fit within the definition of outdoor sales. Mr. Shultz stated he respects the Council and he requested that they be open-minded and consider outdoor sales as an acceptable use for the area.

Mayor Craythorne the Council will discuss possible uses for the location in a future meeting. He then requested Mr. Shultz address the Council's concerns of rear architectural design and color schemes.

Mr. Schultz stated originally, the units in which Castle Creek Homes had planned for the development included the rear of the buildings to have flat backs. After a previous Council meeting, Mr. Davis notified Mr. Schultz that Council had requested architectural design to be included in the rear of the buildings. Mr. Schultz informed the Council that Castle Creek Homes will incorporate architectural design on the rear of the buildings as required by the developer's agreement. He then stated looking back; rear architectural design should have been incorporated in the Stoker Garden's development.

Council Member Petersen stated requiring rear architectural design will hopefully add quality and value to the development.

Mr. Schultz requested the Council allow him flexibility when selecting color schemes to be used in the Castle Creek development. He then assured the Council, the color schemes selected will be acceptable and tasteful.

Mayor Craythorne asked if a professional designer is used by Castle Creek Homes to assist with selecting color schemes. Mr. Schultz stated yes, the professional designer assists both Castle Creek Homes as well as homebuyers to select appropriate color schemes.

Mr. Schultz informed the Council that Castle Creek Homes is reviewing both townhome and senior development options. He stated it hasn't been determined which development will be in the best interest of the developer and the City.

Mayor Craythorne excused Council Member Petersen at 6:40 pm.

Council Member Chatterton asked if the designer for Castle Creek Homes could submit color schemes to the Council for approval. Mr. Schultz stated color schemes could be submitted to Council for approval if necessary. He then stated if the development is unattractive, the units will be unsellable. He then reassured the Council that the color schemes selected will be tasteful.

Mayor Craythorne stated he and several Council Members are supportive of Castle Creek Homes selecting color schemes.

Council Member Henderson cautioned that louder colors tend to date a development. He recommended Castle Creek Homes use earthtone color schemes

Mr. Schultz stated Castle Creek Homes tends to use color schemes which will remain popular for a significant length of time.

Mayor Craythorne stated if Mr. Schultz agrees to incorporate rear architectural design, the developer's agreement can be created. Mr. Shultz agreed rear architectural design will be incorporated into the design of the units.

Mayor Craythorne stated that Council Member Petersen had departed. At the request of Council Member Petersen, Mayor Craythorne mentioned adding a wainscot on the rear of the units.

Mr. Schultz asked if incorporating a wainscot on the rear of the unit will fill the requirement. The Council stated no, rear architectural design should include more than a wainscot. Mr. Schultz agreed to incorporate rear architectural design as required in the developer's agreement.

Mr. Laws informed the Council that Ivory Homes went above and beyond the requirements of the architectural design. He stated the developer's agreement with Ivory Homes didn't reference the rear of the buildings. The rear design incorporated by Ivory Homes is more than what was required.

Mr. Schultz stated if Castle Creek Homes chooses to develop townhomes, the square footage will exceed the requirements and most units will include a double car garage.

When the developers agreement discussion ended, Mr. Schultz informed those in attendance that he is candidate for State House, District 12 which encompasses a portion of West Point (west of 4500 West). He stated that he looks forward to working with the West Point City Council as one of the City's legislators.

On behalf of the Council, Mayor Craythorne thanked Mr. Schultz for his comments.

5. Davis County Commissioners Report

Mayor Craythorne welcomed Commissioner John Petroff, Commissioner Louenda Downs, and Commissioner Bret Millburn to the West Point City Administrative Session.

Commissioner Downs stated attending meetings with Municipal Governments allows the Commissioners to interact with the Mayor and Council. It also allows for the Commissioners to be informed of issues the City may be facing.

Mayor Craythorne informed the County Commissioners that Smiths Marketplace plans to develop on the corner of 2000 West 300 North. The proposed marketplace is approximately the size of a Super Wal-Mart and will include a fuel station and business pads. It is anticipated that construction will begin in 2015 and completion in 2016. Mayor Craythorne stated the commercial sales tax base generated by this project will be a great benefit to West Point City. He then stated Mr. Gary Wright is the developer of the property and will bring positive development to the City.

Commissioner Petroff stated that West Point City is in the process of creating a Community Development and Renewal Agency (CDRA). Mayor Craythorne expressed his appreciation to the County for their assistance with the CDRA process.

Mayor Craythorne stated federal funding had been secured to assist with the costs associated with connecting the Emigrant Trail to 2000 West. He stated West Point City is responsible for a 7% match and the estimated cost of the project is \$300,000. Because of federal funding requirements, UDOT was required to complete the bidding process using Davis Bacon Wages, Buy America, etc. The trail project cost estimate was originally \$300,000 and by the time the project was bid, the estimate had increased to \$400,000. Mayor Craythorne stated he and Mr. Laws have decided to use the available funding to complete as much of the project as possible. Because of funding issues, it is likely that the City will not complete the trail project for an additional year or two.

Mr. Laws stated the lowest bid received was approximately \$100,000 over the estimated cost of the project.

Commissioner Petroff asked if West Point City is responsible for 7% of the actual bid amount of \$400,000. Mr. Laws stated no, West Point City is responsible for 7% of the estimated cost of \$300,000 (the grant amount) in addition to the total overage of the project.

Commissioner Downs asked who the lowest bidder for the trail project is. Mayor Craythorne stated that UDOT hasn't released that information to the City.

Commissioner Petroff and Mayor Craythorne stated approximately one mile of the route is already roto-milled and in good condition. A mountain bike could easily be ridden on the current surface.

Mr. Laws stated paving the trail around the golf course will likely be a large expense to the project.

Commissioner Petroff asked if the project will require the installation of culverts. Mr. Davis stated no, however there is one ditch and a retaining wall in the area which will need to be improved.

Mayor Craythorne informed the Commissioners that the trail corridor has been secured from Mr. and Mrs. Thornley and Rocky Mountain Power.

Commissioner Petroff asked if the trail corridor donated to the City could be considered in the 7% match. Mr. Davis stated he is unsure, however even if the property could be used as a match, the City must still pay for all overage. He then stated when using federal funds, it seems to be more cost effective for an entity to entirely fund the project.

Mayor Craythorne stated SR-193 currently terminates at 2000 West. Since the opening of the new section of SR-193, 2000 West has received a significant increase in traffic. Mayor Craythorne stated over the past few years, he has been working with Stuart Adams and Jerry Stevenson to locate funding for the widening of 2000 West. He stated funding for the widening of 2000 West should be available in 2017 or 2018.

Mayor Craythorne stated he would like to locate funding and begin the EIS process for SR-193 to eventually join up with the West Davis Corridor. He stated that he recently met with The Church of Jesus Christ of Latter-day Saints to discuss potential property which could be purchased for the extension of SR-193 and the joining up with the West Davis Corridor.

Mayor Craythorne stated the SR-193 extension to 2000 West is a benefit; however it has also created additional traffic problems. He stated between the hours of 3:30 pm and 5:30 pm 2000 West should be avoided.

Council Member Chatterton asked when the County Commission meetings are held. Commissioner Petroff stated Commission meetings are held every Tuesday at 10:00 am and usually consist of 15 and 20 agenda items.

Mayor Craythorne informed the Commissioners that West Point City offers a Youth Council program. He stated in October 2013 the program had 80 active participants and in July 2014 there were still 50 active participants remaining. Mayor Craythorne stated each year, the Youth Council participants have the opportunity to attend a conference at Utah State, compete against other Youth Councils in Davis County and much more. He stated the Youth Council program has great participants and advisors.

Mayor Craythorne informed the Commissioners that Mr. Laws had recently been interviewed by FOX 13 news and KSL Radio on behalf of West Point City. He stated West Point City along with 48 other cities within Utah had recently received a letter from the Second Amendment Foundation. The letter stated section 12.15.130(E)(7) of the West Point City Code was illegal under Utah State Law as it prohibits the carrying of firearms into the cemetery. The Second Amendment Foundation then "respectfully request[ed]" and "formally demand[ed]" that West Point City repeal this portion of the code to bring West Point City Code into compliance.

Mayor Craythorne stated Mr. Felshaw King, the West Point City Attorney carefully reviewed the letter from the Second Amendment Foundation, section 12.15.130(E)(7) of the West Point City Code and Utah State Law. He determined that West Point City was acting within their legal rights to regulate and prevent the discharge of firearms. However, to prevent confusion, and with the advice and consent of Mr. King minor language changes were made to the Code.

Commissioner Petroff stated several years ago an ordinance was passed by the County prohibiting the discharge of firearms under a certain elevation. He stated the ordinance was only in effect for two weeks, it was determined that the County did not have legal authority to issue gun control. Commissioner Petroff stated he receives more requests for gun control than anything else, but the County does not have any authority.

Mayor Craythorne thanked Commissioner Petroff, Commissioner Downs and Commissioner Millburn for the support they provide to West Point City.

Commissioner Petroff asked if West Point City has had issues with regards to property tax. Mayor Craythorne stated yes.

Commissioner Millburn stated the County used a new system when determining property valuations. He stated the new system is complicated but fairly accurate.

Mayor Craythorne stated Council Members have received numerous comments from frustrated residents because of the significant increase to property tax valuations.

Commissioner Petroff stated if property valuations have significantly increased, property owners should complete the appeal process with the County Assessor. Mayor Craythorne stated many residents do not have extra funds available to obtain an appraisal. Commissioner Petroff stated an appraisal isn't required if a property owner can submit qualifying comparisons. He then stated the County Assessor is willing to assist property owners if possible.

Council Member Dawson asked if any property valuations decreased. Commissioner Downs stated yes, because the County can only collect a specific amount, some property valuations increase and other property valuations decrease. She then stated a property valuation should be similar to that of the fair market value.

Mayor Craythorne stated there are several property owners within the City who have been assessed incorrectly. The Commissioners agreed those properties who have received significant increases should contact the County Assessor.

Commissioner Petroff informed the Council that there are over 100,000 pieces of property with the County. He stated the County Assessor has a large task and determining property valuations typically cannot begin until approximately June 1st of each year.

Commissioner Millburn stated the property valuations are based on values as of January 1st of each year.

Following the property tax discussion, Mayor Craythorne told the County Commissioners that West Point City has the greatest City Council in all of Davis County.

The Council then adjourned into the General Session.



**West Point City Council Meeting
3200 West 300 North
West Point City, UT 84015
September 2, 2014**

Mayor
Erik Craythorne
Council
Gary Petersen, Mayor Pro Tem
Jerry Chatterton
Andy Dawson
R. Kent Henderson
Jeffrey Turner

City Manager
Kyle Laws

General Session
7:00 pm – Council Room

Minutes for the West Point City Council General Session held at 7:00 pm on September 2, 2014 at the West Point City offices, 3200 West 300 North, West Point City, Utah 84015 with Mayor Craythorne presiding.

MAYOR AND COUNCIL MEMBERS PRESENT – Mayor Erik Craythorne, Council Member Jerry Chatterton, Council Member Henderson, Council Member Jeff Turner, and Council Member Andy Dawson

EXCUSED – Council Member Petersen

CITY EMPLOYEES PRESENT – Kyle Laws, City Manager; Boyd Davis, Assistant City Manager; Evan Nelson, Administrative Services Director; and Misty Rogers, City Recorder

VISITORS PRESENT – Rob Ortega, Sgt. Dan Yeaman and Lamont Class

1. **Call to Order** - Mayor Craythorne welcomed those in attendance.
2. **Pledge of Allegiance** – Repeated by all
3. **Prayer** – Council Member Dawson
4. **Communications and Disclosures from City Council and Mayor**

Council Member Henderson - no comment

Council Member Turner – no comment

Council Member Dawson stated the North Davis Sewer District will be accepting bids for accounting services.

Council Member Chatterton – no comment

Mayor Craythorne informed those in attendance that he is a board member for Wasatch Integrated Waste Management. He stated waste removed from Davis County is processed by the Waste Energy Facility. The Waste Energy facility burns the waste to create steam; the steam is then sold to Hill Air Force Base.

Mayor Craythorne stated Hill Air Force Base and Wasatch Integrated Waste recently entered in a \$53 million contract for steam delivery. This contract will allow the Waste Energy Facility to maintain, repair, upgrade and keep the facility in operation for the next 10 to 12 years. Mayor Craythorne stated burning waste lessens the impact to the landfill and will keep garbage and tipping fees low. He stated once the landfill meets capacity, waste removal fees will increase as the waste will be transported elsewhere.

Council Member Dawson asked if other cities are going to implement the green waste and recycling programs. Mayor Craythorne stated yes, other cities are considering the implementation of the green waste and recycling programs. He then stated currently the facility does not have the means to accommodate green waste from every city but each year, the facility is able to accommodate more and more. Mayor Craythorne informed those in attendance that West Point City diverts more trash out of the landfill than most cities in Davis County.

Mayor Craythorne stated the next board meeting for Wasatch Integrated Waste will be held on September 3, 2014.

5. Communications from Staff

Mr. Laws informed the Council that the date for the Youth Council awards banquet has changed to September 20, 2014 at 6:00 pm.

Mr. Davis stated the Davis & Weber Counties Canal recently passed their budget with no rate increases.

Council Member Dawson asked how the secondary water situation is. Mr. Davis stated D&W will end the year with approximately 1,000 acre feet of carry-over, this is lower than expected. He then stated the secondary water system is scheduled to be shut-off on October 1, 2014.

6. Citizen Comment

Mayor Craythorne informed those in attendance that Council will not typically converse with the residents during the Citizen Comment period. He stated the Council will listen to and consider all comments received.

Rob Ortega - 3816 West 520 North, West Point City

Mr. Ortega stated he was present during Administrative Session when the Council had discussed the Developer's Agreement with Castle Creek Homes. He stated the color schemes selected by Castle Creek Homes will likely be attractive. However, allowing a builder to have too much flexibility with color schemes could be an issue in the future, if the agreement is going to be used as a guide for future developments. Mr. Ortega suggested requiring Planning Commission approval for color schemes other than earthtones.

Mayor Craythorne thanked Mr. Ortega for his comments as well as his presence at City Council meetings.

Lamont Class - 560 North 2000 West, West Point City

Mr. Class stated he is aware that Smiths Marketplace plans to develop on the corner of 2000 West 300 North. He stated he is also aware that the City plans to start the EIS process for the SR-193 connection to the West Davis Corridor. Mr. Class asked when 2000 West will be widened.

Mayor Craythorne stated funding for the widening of 2000 West will likely be available in 2017. He then stated the funding available in 2017 will allow for the widening from Antelope Drive to 300 North.

Mr. Class stated his house is currently for sale and he wants to know how these projects will affect the sale of his home. He stated it is rumored that UDOT will begin purchasing homes on 2000 West in 2015 or 2016. Mr. Class asked Mayor Craythorne if this rumor is true. Mayor Craythorne stated it is a possibility; However, UDOT may only purchase properties where they will be widening the road.

Mr. Class asked if UDOT will pay taxable value or appraised value for homes purchased on 2000 West. Mayor Craythorne stated UDOT will pay the appraised value for properties they purchase.

Mr. Class asked how the widening of 2000 West from Antelope to 300 North and the Smiths Marketplace Development will affect the sale of his home. He stated eventually 2000 West will be widened beyond his property. Mayor Craythorne stated he is unsure, but he is hopeful that much 2000 West will be widened. Mayor Craythorne then stated nothing is final.

Mr. Class asked the Council what they plan to do with the traffic issues if funding isn't available for the purchase of his home. Mayor Craythorne stated for the past several years he has pushed the legislature to provide funding for the widening of 2000 West.

Mr. Class asked what the Council plans to do with traffic issues if 2000 West is not widened. Mayor Craythorne informed Mr. Class that neither West Point City or the Council have no jurisdiction on 2000 West as it is a State Road. He then informed Mr. Class that funding for the widening of 2000 West must be obtained by the state.

Mr. Class asked the Council to provide him with a contact a UDOT. Mayor Craythorne stated he should contact Mr. Jerry Stevenson with the legislature or UDOT's main office. Mr. Class stated that he has called UDOT and all he has got is the run-around. He then demanded the Council provide him with a name and number for the UDOT contact. Mayor Craythorne stated he has never had an issue with obtaining information from UDOT. Mr. Class stated it is unfair that UDOT is keeping projects secret.

Mayor Craythorne informed Mr. Class that the Council does not and should not converse with residents during the Council meeting. He then stated the widening of 2000 West is a new project. Because of its newness, it is likely that only a few people within the main office of UDOT even know of the project. Mayor Craythorne stated he hadn't been notified of the 2000 West project and possible funding until last week.

Mr. Class asked if residents can expect the opening of Smiths Marketplace and the widening of 2000 West in 2016 and 2017. Mayor Craythorne stated yes.

Mr. Class stated it is rumored that there are three route options for widening of 2000 West. He then stated he is aware that 2000 West is a state road, but he is sure the City can assist in selecting the route. Mayor Craythorne stated no, the City does not have any input when dealing with a state road.

Mr. Davis stated he could meet with Mr. Class during regular office hours to show him the information he has received from UDOT regarding the 2000 West widening.

Mr. Class stated he attended the meeting to get answers from the Council.

7. Youth Council Update - no comment

8. Consideration of Resolution 09-02-2014A, Postponement of Improvements Agreement with Rocky Mountain Power – Mr. Boyd Davis

Mayor Craythorne informed those in attendance that Rocky Mountain Power will be constructing a substation at approximately 200 South 4200 West.

Mr. Davis stated the postponement agreement will allow Rocky Mountain Power to pay for their portion of the improvements when the road is developed. He then recommended the Council approve Resolution 09-02-2014A, the postponement of improvements agreement with Rocky Mountain Power.

Council Member Chatterton asked if a sunset agreement is attached to the postponement agreement. Mr. Davis stated he didn't believe so; however there may be statutes which may apply.

Mayor Craythorne commended the Planning Commission for their assistance with postponement agreement with Rocky Mountain Power.

Council Member Dawson motioned to approve Resolution 09-02-2014A, Postponement of Improvement Agreement with Rocky Mountain Power and authorize the Mayor to execute the agreement.

Council Member Henderson seconded the motion.

The Council unanimously agreed.

Prior to the motion to adjourn, Council Member Chatterton, on behalf of the Council, thanked the Davis County Sheriff's Department for the service they provide the residents of West Point City.

Mr. Laws informed the Council that Sgt. Yeaman has been reassigned to West Point City.

On behalf of Council and Staff, Mayor Craythorne welcomed Sgt. Yeaman to West Point City. He then requested that Sgt. Yeaman report to the Council once per quarter.

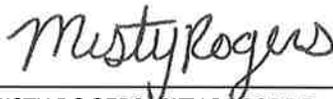
9. Motion to Adjourn

Council Member Henderson motioned to adjourn
Council Member Turner seconded the motion

The Council unanimously agreed.


ERIK CRAYTHORNE, MAYOR

10-7-14
DATE


MISTY ROGERS, CITY RECORDER

10/7/2014
DATE

