



**WEST POINT CITY COUNCIL
MEETING NOTICE & AGENDA
SEPTEMBER 16th, 2025
WEST POINT CITY HALL
3200 W 300 N | WEST POINT, UT**

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

- THIS MEETING IS OPEN TO THE PUBLIC AND HELD AT WEST POINT CITY HALL
- A LIVE STREAM OF THE MEETING IS AVAILABLE FOR THE PUBLIC TO VIEW:
 - » Online: - <https://us02web.zoom.us/j/84826694407> » Telephone: 1(669) 900-6833 – Meeting ID: 848 2669 4407

ADMINISTRATIVE SESSION – 6:30 PM

1. Discussion Regarding an Amendment to the Development Agreement for the Heritage Point PRUD Subdivision Located at 5000 W 2425 N – Mrs. Bryn MacDonald [pg. 4](#)
2. Discussion Regarding Adoption of the “Dignity Index” – Mayor Brian Vincent [pg. 7](#)
3. Other Items

GENERAL SESSION – 7:00 PM

1. Call to Order
2. Pledge of Allegiance
3. Prayer or Inspirational Thought (*Contact the City Recorder to request meeting participation by offering a prayer or inspirational thought*)
4. Communications and Disclosures from City Council and Mayor
5. Communications from Staff
6. Citizen Comment (*Please approach the podium & clearly state your name and address prior to commenting. Please keep comments to a maximum of 2 ½ minutes. Do not repeat positions already stated; public comment is a time for the Council to receive new information and perspectives*)
7. Presentation of the Awards for the Chalk Art Festival – Mayor Brian Vincent
8. Consideration of Approval of the Minutes from the July 15, 2025 West Point City Council Meeting [pg. 33](#)
9. Consideration of Resolution No. 09-16-2025A, Affirming West Point City’s Goal to Uphold Dignity and Civility in Local Government and Adopting the “Dignity Index” – Mayor Brian Vincent [pg. 7](#)
10. Public Hearing Regarding a Request to Rezone Property Located at 3900 W 300 N from R-2 to R-4 – Mrs. Bryn MacDonald [pg. 12](#)
11. Consideration of Ordinance No. 09-16-2025A, Rezoning Property at 1383 N 4350 W from A-40 to R-1 – Mrs. Bryn MacDonald [pg. 27](#)
 - a. Public Hearing
 - b. Action
12. Consideration of Approval to Place the Whitesides Place Subdivision on One-Year Warranty – Mr. Boyd Davis [pg. 32](#)
13. Motion to Adjourn the General Session

Posted this 12th day of September, 2025: 
Casey Arnold, City Recorder

I, Casey Arnold, the City Recorder of West Point City, do hereby certify that the above September 16, 2025 West Point City Council Meeting Notice & Agenda was posted at the following locations: 1) West Point City Hall, 2) official City website at www.westpointutah.gov and 3) the Utah Public Notice Website at www.utah.gov/pmn.

In compliance with the Americans with Disabilities Act, persons in need of special accommodations or services to participate in this meeting shall notify the City at least 24 hours in advance at 801-776-0970.

TENTATIVE UPCOMING ITEMS

**The items listed below are for planning purposes only and are subject to change.
They should not be relied upon as an official agenda for any City Council meeting.*

Date: **10/07/2025**

Administrative Session – 6:00 pm

1. Discussion Regarding **

General Session – 7:00 pm

1. Youth Council Update
2. Davis County Sheriff's Office Update
3. Consideration of Approval of Resolution No. **, Approving the Drainage Agreement with UDOT for the West Davis Highway – Mr. Boyd Davis
4. Consideration of Approval of a Resolution No. **, Approving a Cost Sharing Agreement with Davis County for Infrastructure Studies in Annexation Area – Mr. Boyd Davis
5. Consideration of Approval of Resolution No. **, Approving a Development Agreement for Property at 3900 W 300 N from R-2 to R-4 – Mrs. Bryn MacDonald
 - a. **Public Hearing**
 - b. Action
6. Consideration of Approval of Ordinance No. **, Rezoning Property at 3900 W 300 N – Mrs. Bryn MacDonald
7. Consideration of Approval of Ordinance No. **, Adopting an Amended Sewer Impact Fee for the Annexation Area – Mr. Boyd Davis
 - a. **Public Hearing**
 - b. Action
8. Consideration of Approval of Resolution No. **, Amending the Development Agreement for the Heritage Point PRUD Subdivision – Mrs. Bryn MacDonald

Date: **10/21/2025**

Administrative Session – 6:00 pm

1. Discussion Regarding **

General Session – 7:00 pm

1. Consideration of Approval of **
-

Date: **11/04/2025**

CANCELLED (Election Day)

Date: **11/18/2025**

Administrative Session – 6:00 pm

1. Code Enforcement Update – Mr. Bruce Dopp
2. Quarterly Financial Report
3. Discussion Regarding **

General Session – 7:00 pm

1. Consideration of Approval of the 2025 General Election Canvass by the Board of Canvassers
-

Date: **12/02/2025**

Administrative Session – 6:00 pm

1. Discussion Regarding the FY2025 Financial Audit

General Session – 7:00 pm

1. Update from the Davis County Sheriff's Office
 2. Youth Council Update
 3. Consideration of Acceptance of the FY2025 Financial Audit for West Point City
-

Date: **12/16/2025**

Administrative Session – 6:00 pm

1. Discussion Regarding **

General Session – 7:00 pm

1. Appointment of West Point City Planning Commissioners
2. Consideration of Approval of Ordinance No. **, Approving the 2026 West Point City Council Meeting Schedule



WEST POINT CITY 2025 CALENDAR

2025

IMPORTANT DATES

JANUARY

SUN	MON	TUE	WED	THU	FRI	SAT
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

JULY

SUN	MON	TUE	WED	THU	FRI	SAT
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

FEBRUARY

SUN	MON	TUE	WED	THU	FRI	SAT
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	

AUGUST

SUN	MON	TUE	WED	THU	FRI	SAT
						1 2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

MARCH

SUN	MON	TUE	WED	THU	FRI	SAT
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

SEPTEMBER

SUN	MON	TUE	WED	THU	FRI	SAT
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

APRIL

SUN	MON	TUE	WED	THU	FRI	SAT
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

OCTOBER

SUN	MON	TUE	WED	THU	FRI	SAT
				1	2	3 4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

MAY

SUN	MON	TUE	WED	THU	FRI	SAT
					1	2 3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

NOVEMBER

SUN	MON	TUE	WED	THU	FRI	SAT
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

JUNE

SUN	MON	TUE	WED	THU	FRI	SAT
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

DECEMBER

SUN	MON	TUE	WED	THU	FRI	SAT
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31	1	2	3

JANUARY

1	New Year's Observed-CLOSED
7	City Council - 6 PM
9	Planning Commission - 6 PM
14	Senior Lunch - 11:30 AM
20	MLK Jr. Day - CLOSED
23	Planning Commission - 6 PM
24-25	City Council Planning & Visioning Session
28	Council/Staff Lunch - 11:30 AM

JULY

1	City Council - 6 PM
3 & 4	PARTY AT THE POINT EVENTS
10	Planning Commission - 6 PM
11	MOVIE IN THE PARK - DUSK
15	Senior Lunch - 11:30 AM (Loy Blake)
15	City Council - 6 PM
24	Pioneer Day Holiday - CLOSED

FEBRUARY

4	City Council - 6 PM
11	Senior Lunch - 11:30 AM
13	Planning Commission - 6 PM
17	President's Day - CLOSED
18	City Council - 6 PM
27	Planning Commission - 6 PM

AUGUST

5	City Council - 6 PM
8	Summer Social - 6:30 PM
12	PRIMARY ELECTION DAY
12	Senior Lunch - 11:30 AM (Loy Blake)
14	Planning Commission - 6 PM
15	MOVIE IN THE PARK - DUSK
19	City Council - 6 PM
28	Planning Commission - 6 PM

MARCH

4	City Council - 6 PM
13	Planning Commission - 6 PM
18	Senior Lunch - 11:30 AM
18	City Council - 6 PM
27	Planning Commission - 6 PM

SEPTEMBER

1	Labor Day - CLOSED
2	City Council - 6 PM
6	DAY OF SERVICE
9	Senior Lunch - 11:30 AM (Loy Blake)
11	Planning Commission - 6 PM
16	City Council - 6 PM
25	Planning Commission - 6 PM

APRIL

4	City Council - 6 PM - Canceled
8	Senior Lunch - 11:30 AM
10	Planning Commission - 6 PM
11-12	ANNUAL SPRING CLEAN-UP
15	City Council - 6 PM
19	EASTER EGG HUNT - 10 AM
22	Council/Staff Lunch - 11:30 AM
24	Planning Commission - 6 PM

OCTOBER

2	CEMETERY CLEANING
7	City Council - 6 PM
9	Planning Commission - 6 PM
11	FALL FESTIVAL
13	Employee Training - CLOSED
21	Senior Lunch - 11:30 AM
21	City Council - 6 PM
23	Planning Commission - 6 PM
28	Council/Staff Lunch - 11:30 AM
TBD	ANNUAL FALL CLEAN-UP

MAY

1	CEMETERY CLEANING
6	City Council - 6 PM
8	Planning Commission - 6 PM
13	Senior Lunch - 11:30 AM
20	City Council - 6 PM
22	Planning Commission - 6 PM
26	Memorial Day - CLOSED

NOVEMBER

4	GENERAL ELECTION DAY
11	Veterans Day - CLOSED
18	Senior Lunch - 11:30 AM
13	Planning Commission - 6 PM
18	City Council - 6 PM
27-28	Thanksgiving - CLOSED

JUNE

3	City Council - 6 PM
7	MISS WEST POINT PAGEANT
10	Senior Lunch - 11:30 AM (Loy Blake)
12	Planning Commission - 6 PM
13	MOVIE IN THE PARK - DUSK
17	City Council - 6 PM
19	JUNETEENTH - CLOSED
26	Planning Commission - 6 PM

DECEMBER

1	CITY HALL LIGHTING - 6 PM
2	City Council - 6 PM
5	Christmas Party - 7 PM
6	CHILD REMEMBRANCE - 7 PM
9	Senior Lunch - 11:30 AM
11	Planning Commission - 6 PM
16	City Council - 6 PM
19	CEMETERY LUMINARY - 4 PM
25/26	Christmas Holiday - CLOSED
1	New Year's - CLOSED

CITY COUNCIL STAFF REPORT



Subject: Amendment to Development Agreement – Heritage Point PRUD
Author: Bryn MacDonald
Department: Community Development
Date: September 16, 2025

Background

On June 17, 2025, the City Council approved a Planned Residential Unit Development (PRUD) overlay zone and development agreement for the Heritage Point Subdivision. The property is 82.94 acres located at approximately 2350 North 5000 West. The PRUD approval allowed up to 213 single-family lots with a minimum lot size of 10,000 square feet (as required by ordinance for the R-1 PRUD overlay zone). In exchange for 16 percent bonus density, the applicant provided for the dedication of regional trail connections, open space, and architectural design standards.

The applicant, Mike Bastian representing Heritage Point Development, is now requesting an amendment to the approved development agreement. The request is to allow several lots in the development to be less than the required 10,000 square feet.

Process

Amendments to development agreements require a public hearing before the Planning Commission, which then makes a recommendation to the City Council. The City Council will make the final decision to approve, deny, or modify the request. The Planning Commission held a public hearing on August 28, 2025, and recommended approval of the request. There were no comments received at the public hearing.

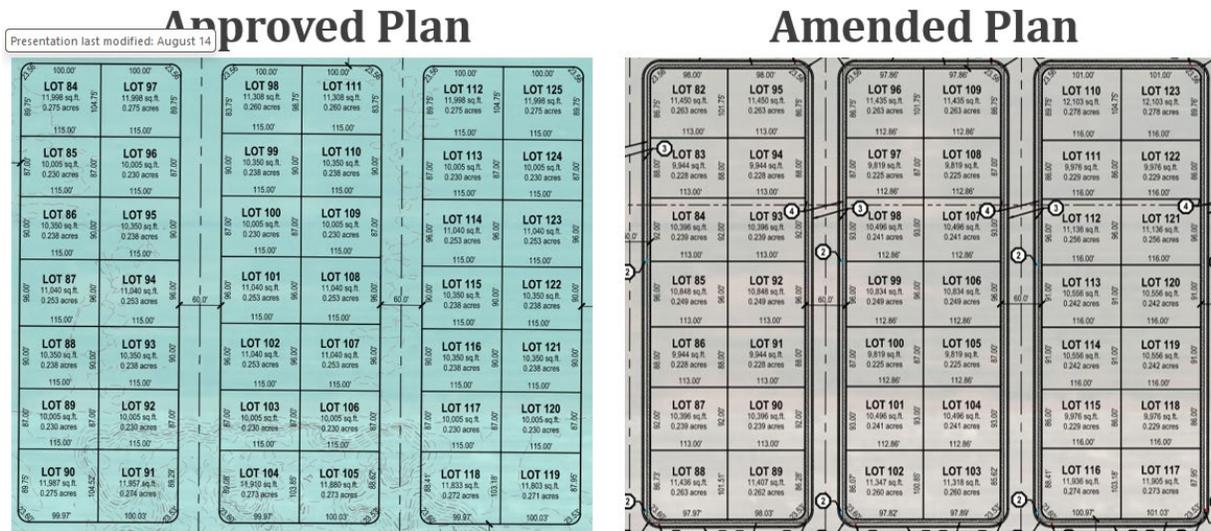
Analysis

The applicant is requesting a modification to the approved development agreement that would allow 46 lots in the Heritage Point subdivision to be under the 10,000 sq. ft. minimum required by the PRUD ordinance. The smallest proposed lots in this subdivision are approximately 9,819 sq. ft., with most lots between 9,820–9,944 sq. ft. According to the applicant, this adjustment will provide “flexibility to design wider lots that can better accommodate single-level ramblers and other home plans that require greater frontage, while preserving the overall neighborhood character.”

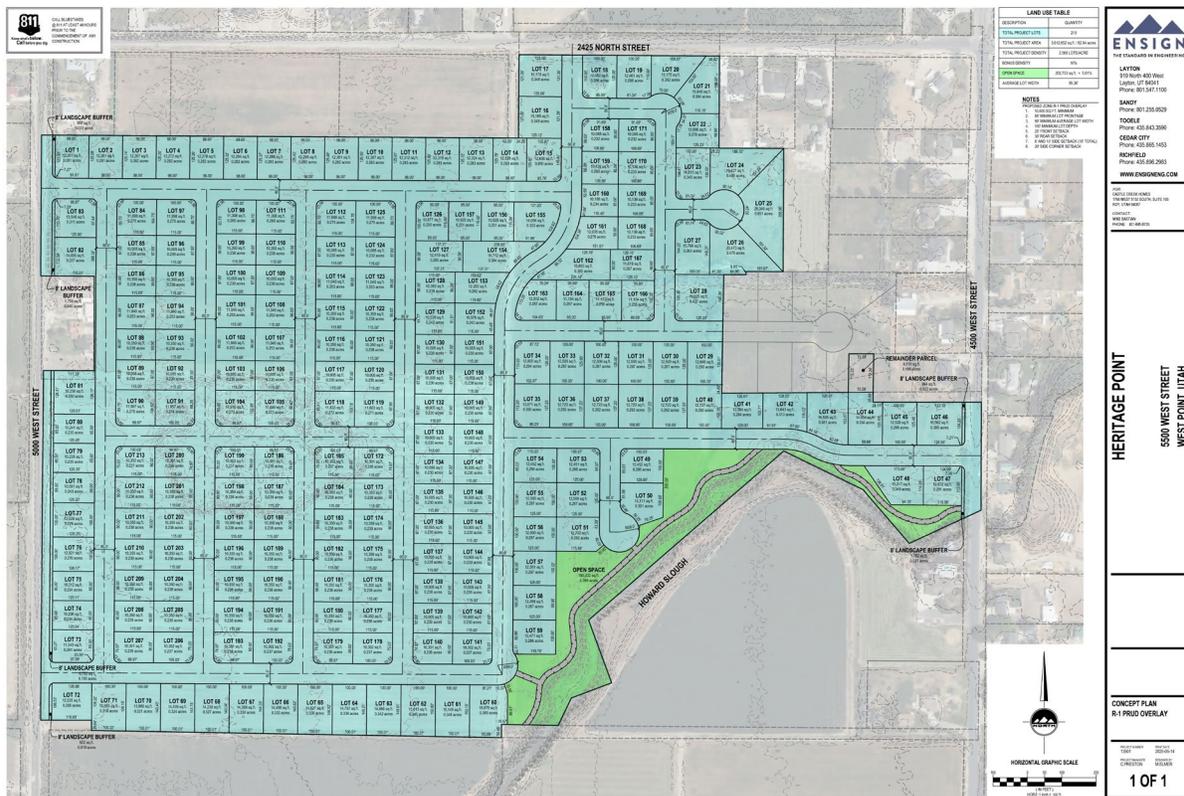
During the process of engineering the subdivision, the total number of total lots has gone from 213 to 211. The overall density, bonus density, and open space have slightly decreased accordingly. The table below shows the differences between the two plans.

	Approved Concept Plan (June 2025)	Proposed Amendment (Aug 2025)
Total Lots	213	211
Lots < 10,000 sq. ft.	0	46 (22%)
Smallest Lot Size	10,005 sq. ft.	9,819 sq. ft.
Density	2.57 units/acre	2.54 units/acre
Bonus Density	16%	15%
Open Space	202,753 sq. ft. (5.6%)	187,268 sq. ft. (5.2%)
Average Lot Width	95.36'	95.36'

To better illustrate the proposed modification, the following side-by-side comparison highlights sample areas of the subdivision where lot sizes are affected.



JUNE 2025 APPROVED CONCEPT PLAN



CITY COUNCIL STAFF REPORT



Subject: The “Dignity Index” & Civility
Author: Casey Arnold
Department: Executive
Meeting Date: September 16, 2025

Background

UNITE, a national initiative to ease divisions, prevent violence, and solve problems, was created with the mission of discovering ways to heal America’s polarized partisan divide and allow important policy issues to be productively addressed. UNITE’s research revealed that speech is a key cause of division and contempt – specifically that contemptuous speech creates and magnifies division between people, but that dignified speech brings people together. The “Dignity Index” was created as a way to better evaluate and distinguish contemptuous speech from dignified speech. The intent is that the Dignity Index can serve as a tool to decrease partisan division and promote productive discussion by shining a light on the way people speak to, and about, each other.

In September 2022, a team from the University of Utah (including people from the David Eccles School of Business, the Kem C. Gardner Policy Institute, and the Hinckley Institute of Politics) joined UNITE and constructed the “Utah Dignity Index Pilot Project” for Utah’s midterm elections. Team members were asked to score candidates’ social media posts, ads, speeches, and debates in accordance with the Dignity Index and the scores were released to the public. It was found that individual scorers would consistently apply the scoring index, even with having different backgrounds and political affiliations, and could jointly identify contemptuous speech, regardless of whether or not they supported the candidate. Perhaps most importantly, it was found that as the expression of dignity rises in conversation, so did curiosity, humility, vulnerability, and the ability to see the good in others and the flaws in oneself. Observations such as these promote the premise that treating others with dignity and solving problems are the same set of skills.

In 2023, the Utah League of Cities and Towns adopted a policy resolution titled “Dignity and Civility in Local Politics”, which incorporates the Dignity Index and invites all member cities and town to endorse and implement principles and practices that promote dignity and civility in their communities.

Analysis

The Dignity Index is an eight-point scale that measures what we do when we disagree. Each scale point represents a particular mindset toward the other side, ranging from ONE – which sees no dignity at all in the other side – to EIGHT, which sees the dignity in everyone, no matter what. The Scoring Guide includes a set of quotes and traits that are characteristic of each mindset. Scoring involves matching language in the passage with the quotes or traits of a particular scale point. A score of 1-4 indicates contempt, and a score of 5-8 indicates dignity.

Committing to a goal of dignity and civility is grounded in three main hypotheses:

1. Treating people with contempt causes division; treating people with dignity eases division.
2. When we put a spotlight on dignity and contempt, we use more dignity and less contempt.

3. When we use more dignity and less contempt, we begin to expect the same from the people who entertain us, inform us, and represent us.

By establishing a standard of behavior for all City officials and employees that reflects dignity, civility, and respect in all interactions, West Point will be doing its part to foster an environment that is safe, efficient, effective, and reflective of our democratic values.

Recommendation

It is recommended that the City Council approve a resolution adopting the Dignity Index and affirming its goal to uphold dignity and civility as a local government agency.

Attachments

Resolution

Dignity Index

Dignity Index Scoring Guide

RESOLUTION NO. 09-16-2025A

**A RESOLUTION AFFIRMING WEST POINT CITY’S GOAL
TO UPHOLD DIGNITY AND CIVILITY IN LOCAL GOVERNMENT AND
ADOPTING THE “DIGNITY INDEX”**

WHEREAS, West Point City (hereinafter the “City”) is a municipal corporation duly organized and existing under the laws of the State of Utah; and

WHEREAS, the City Council recognizes that the cornerstone of a healthy democratic process is respectful and constructive discourse, even in times of disagreement, among elected officials, community leaders, and the public; and

WHEREAS, the City Council seeks to encourage a spirit of dignity, respect, and civility within our community; and

WHEREAS, the City Council acknowledges its role to lead by example by setting a standard of behavior wherein mutual respect guides every interaction and decision; and

WHEREAS, “UNITE”, a national initiative created in an effort to ease divisions, prevent violence, and solve problems, along with the University of Utah have introduced the “Dignity Index” as an evaluation method to distinguish contemptuous speech from speech grounded in dignity; and

WHEREAS, the City Council desires to affirm its commitment to supporting the purpose of the Dignity Index by promoting a community that rewards dignity and challenges contempt.

NOW, THEREFORE, BE IT RESOLVED, FOUND AND ORDERED AS FOLLOWS:

SECTION 1. The Dignity Index, attached hereto and incorporated by this reference, is hereby adopted as the basis on which behavior and actions will be evaluated.

SECTION 2. The City Council hereby declares its goal to uphold dignity, civility, and respect in all aspects of City government and administration by setting the standard that only behaviors and speech that exemplify dignity as identified on the Dignity Index be demonstrated by all City officials and employees.

SECTION 3. The City Council will stand unified in protecting the democratic values for all members of our community in an effort to ensure everyone is treated with respect and dignity.

PASSED AND ADOPTED this 16th day of September, 2025.

WEST POINT CITY,
A Municipal Corporation

By: _____
Brian Vincent, Mayor

ATTEST:

Casey Arnold, City Recorder

CITY COUNCIL STAFF REPORT

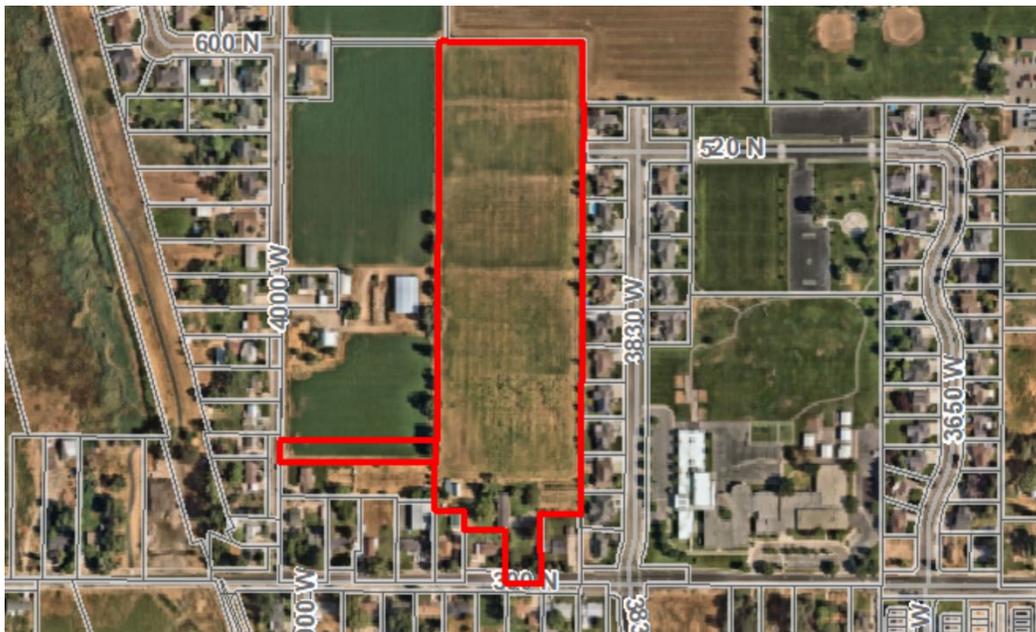


Subject: Rezone Request & Development Agreement
3900 W 300 N (*Applicant – Matt Leavitt*)
Author: Bryn MacDonald
Department: Community Development
Date: September 16, 2025

Background

Matt Leavitt has applied to rezone 13.14 acres of land located at approximately 3900 West 300 North from R-2 residential (up to 2.7 units/acre) to R-4 medium density residential (up to 6 units/acre). During the update of the General Plan, the applicant petitioned the City Council to identify this property as R-4 residential. The City Council supported this request and designated the property as future R-4 residential on the General Plan Map. Following the adoption of the General Plan in December 2024, the applicant has applied to rezone the property to the R-4 zone. They are also asking for a development agreement.

The Planning Commission discussed this proposal during their meetings on March 27, April 10, and May 22, 2025. A public hearing was held on June 12, 2025 in accordance with West Point City Code.



Process

Rezoning requests are legislative decisions, granting the Planning Commission and City Council discretion to determine if a zoning change serves the community's overall welfare. Rezoning must support the goals of the City's General Plan. This plan outlines the long-term vision for development in West Point and serves as the standard for evaluating proposed zoning changes. Utah State code mandates public hearings on zoning changes, ensuring transparency and public participation. A public hearing must be held by the Planning Commission before the City Council's final decision, and the Planning Commission is required to provide a recommendation. This recommendation may include approval, denial, or tabling for further discussion.

The Planning Commission held a public hearing in June 12, 2025. The PC heard comments from 16 individuals during the hearing. Some of the concerns raised include:

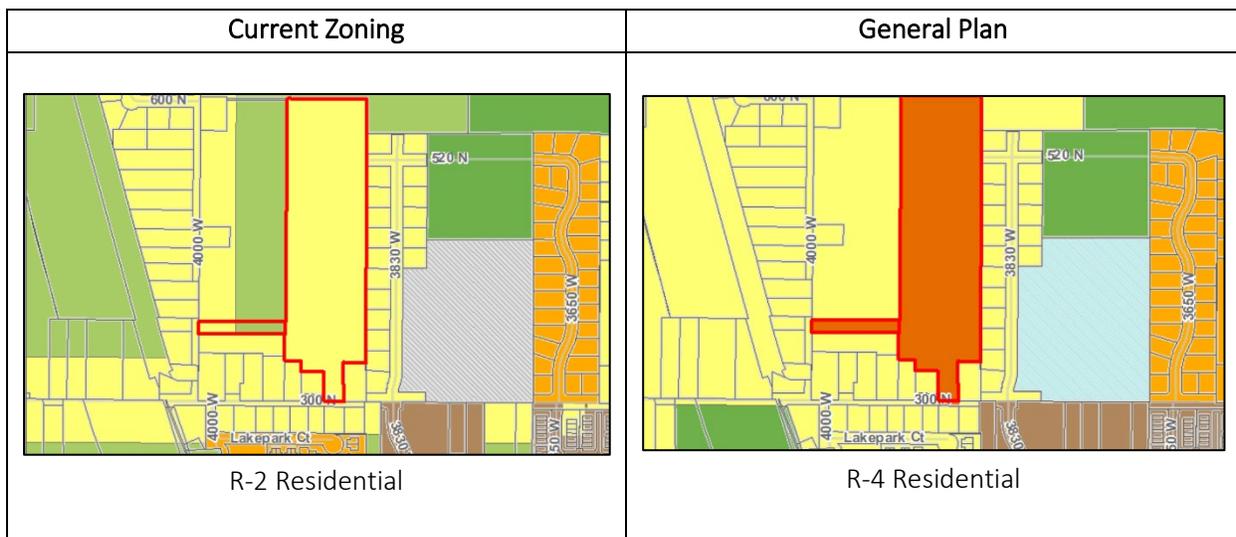
- **Increased Traffic Concerns:** Residents worried about potential traffic overcrowding on 300 North and increased traffic within the West View Park Subdivision (3650 West & 3830 West) due to the development.
- **Number of Dwellings:** The increased number of homes seemed dramatically different compared to surrounding developments.
- **Loss of Agricultural Character:** Residents were concerned that smaller lot sizes would disrupt the area's agricultural feel.

During the meeting on June 26, 2025, the Planning Commission recommended denial of the rezone due to potential negative impacts. The stated they don't believe the proposal fits in with the surrounding community. They believe the development could be achieved with an R-2 or R-3 PRUD, instead of the R-4 zone.

The City Council must now have a public hearing and can approve, deny, or modify the request.

Analysis

The City's Zoning Map shows the current legal uses for each property, indicating what can be built today. The General Plan Map, on the other hand, outlines the City's long-term vision for land use, showing potential future development if zoning changes align with the plan. The property is currently zoned R-2. The general plan designates the property as R-4.



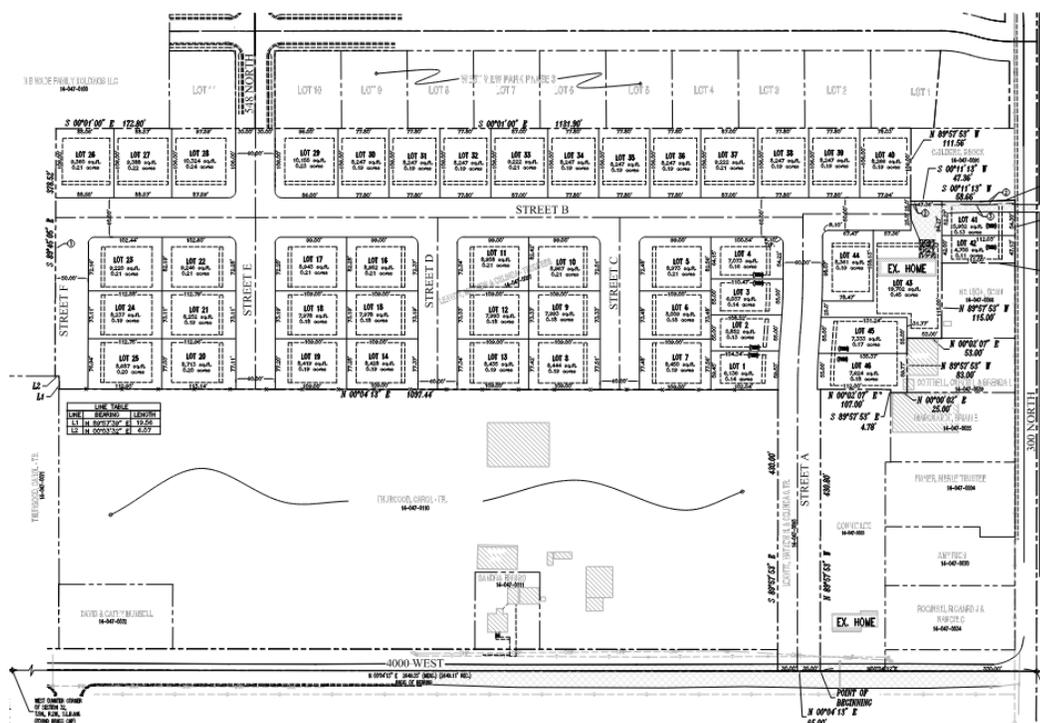
West Point City Code 17.60.105 defines the R-4 zone as medium-density single-family neighborhoods (max 6 units/acre) intended for attainable housing. This zone allows for a max of 20 percent twin homes. The applicant's request for R-4 is consistent with the recommendations shown on the General Plan Map for this property; however, the requested density is lower than the minimum allowed in the zone. The table below compares the proposal to these standards.

R-4 Zone (13.14 acres)		
Standard	Required	Proposed
Minimum Density	3.7 units/acre	3.5 units/acre
Minimum Lots	49	46
Maximum Density	Up to 6 units/acre	3.5 units/acre
Minimum Lot size	5,000 sq/ft	5,280 sq/ft
Conceptual Plan	Yes	Provided
Draft CC&R with owner-occupancy requirements	Yes	Yes
Elevations	Yes	Provided; See below
Perimeter fence	Yes	Not Shown
Twin Homes max	20% (9 units)	17% (8 units)

After the meeting on August 19, 2025, the applicant made changes based on feedback from the Council and has submitted a revised plan. He has removed one of the twin homes on the east side of the development which reduces the total number of units to 46. This also reduces the density from 3.6 units to per acre to 3.5. The number of twin homes now complies with the code requirement. The applicant has also added a 5-foot walkway connecting “Street B” with 300 North.

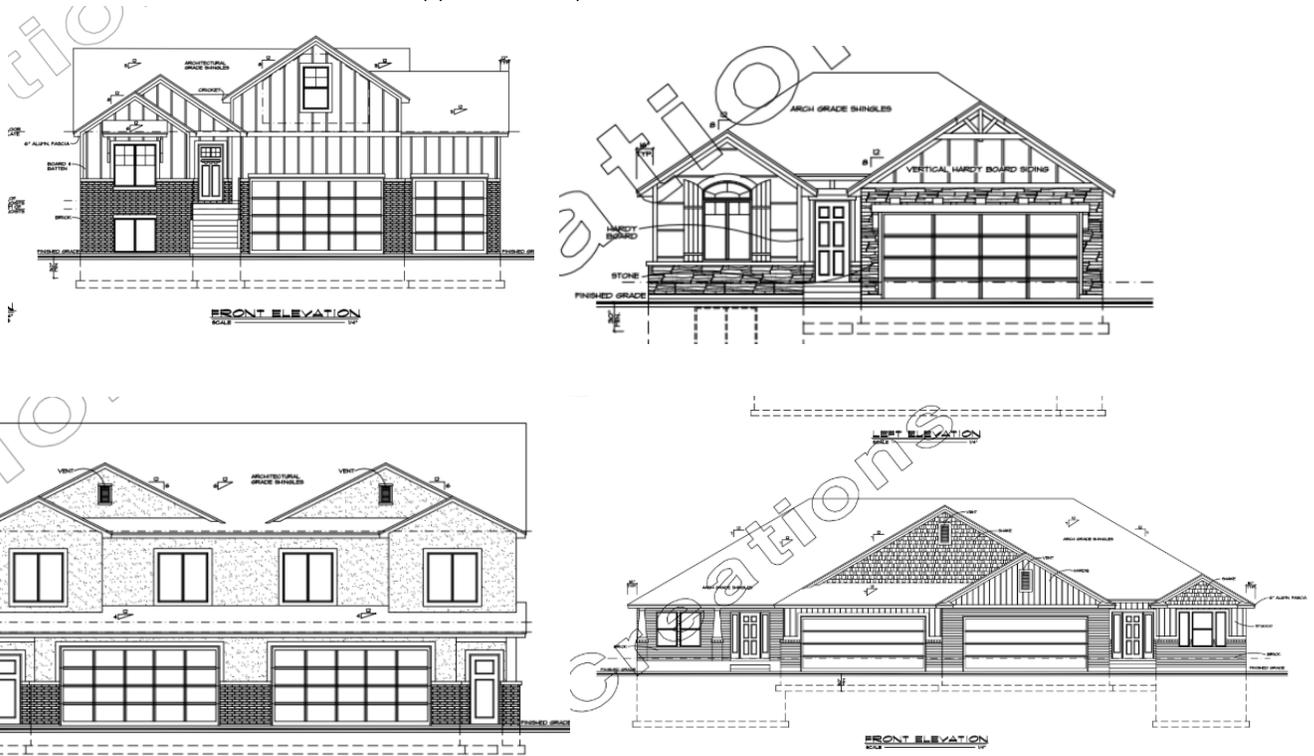
WEST VIEW PARK NO. 4

APPROX: 3900 WEST 300 NORTH
WEST POINT, UTAH, DAVIS COUNTY



Development Agreement: The proposed density of 3.5 units/acre is below the R-4 zone's minimum requirement of 3.7 units/acre. The applicant will need to enter into a development agreement with the city to grant an exception to the code. This agreement would allow the lower density of 3.5 units/acre. The agreement also ensures that all other aspects of the development remain consistent with the City's planning objectives and the intent of the R-4 zone. The Planning Commission recommended denial of the development agreement.

Applicants Proposed Elevations



Recommendation

The proposed R-4 request matches the zoning designation on the General Plan map. The development agreement would allow a density of 3.5 instead of 3.7. The Planning Commission recommended denial of the rezone and the development agreement. Since this is a legislative matter, it is essential for the City Council to determine whether the request will support the vision of the general plan (map and documents) and ensure the overall welfare of the community.

Attachments

Site Plan

**AGREEMENT FOR DEVELOPMENT OF LAND BETWEEN
WEST POINT CITY AND MATHEW LEAVITT
(3900 W 300 N)**

THIS AGREEMENT for the development of land (hereinafter referred to as this “**Agreement**”) is made and entered into this _____ day of _____, 2025, between WEST POINT CITY, a municipal corporation of the State of Utah (hereinafter referred to as “**City**”), and Matt Leavitt, (hereinafter referred to as “**Master Developer**”). City and Master Developer collectively referred to as the “**Parties**” and separately as “**Party**.”

RECITALS

WHEREAS, the City has considered an application for a zone change from the present zoning of R-2 to R-4 for certain property located at 3900 W 300 N and known as parcel numbers: 14-047-0094, 14-047-0095 and 14-047-0093 (hereinafter the “**Subject Area**”); and

WHEREAS, the overall Subject Area consists of approximately 13.14 acres; and
WHEREAS, the overall Subject Area is described in legal descriptions in more detail in “**Exhibit A**” attached hereto; and

WHEREAS, Master Developer is the current owner of the Subject Area and has presented a concept for development of the Subject Area to the City, which provides for development in a manner consistent with the overall objectives of West Point City’s General Plan, and is depicted in more detail on “**Exhibit B**” attached hereto (the “**Concept Plan**”); and

WHEREAS, the City has considered the overall benefits of developing the Subject Area as R-4 to allow for the development of a residential subdivision on the Subject Property; and

WHEREAS, the City believes that entering into the Agreement with Master Developer is in the best interest of the City and the health, safety, and welfare of its residents.

NOW, THEREFORE each of the Parties hereto, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, covenant and agree as follows:

**ARTICLE I
DEFINITIONS**

The following terms have the meaning and content set forth in this Article I, in this Agreement:

1.1 “**City**” shall mean West Point City, a body corporate and politic of the State of Utah. The principal office of City is located at 3200 West 300 North, West Point, Utah 84015.

1.2 “**City’s Undertakings**” shall mean the obligations of the City set forth in Article III.

1.3 “Master Developer” shall mean Mathew Leavitt Except where expressly indicated in this Agreement, all provisions of the Agreement shall apply jointly and severally to the Master Developer or any successor in interest to the Master Developer’s interest hereunder. In the interest of advancing the development of the Subject Property, however, any responsibility under this Agreement may be completed by any Project Developer so that the completing Project Developer may proceed with their Project on their respective parcel.

1.4 “Master Developer’ Undertakings” shall have the meaning set forth in Article IV.

1.5 “Project” means a separate phase or area of the Subject Property to be developed by a Project Developer pursuant to the terms of this Agreement.

1.6 “Project Developer” means the developer of a separate phase or area of the Subject Property that has received assumed the rights and obligation of Master Developer under this Agreement with respect to a Project.

1.7 “Subject Area” shall mean the 13.14 acres as legally described in Exhibit A.

1.8 “Maximum Residential Units” means the development on the Subject Property of 46 single family dwellings.

ARTICLE II CONDITIONS PRECEDENT

2.1 The zoning of the Subject Area consistent with the Concept Plan is a condition precedent to Master Developer’ Undertakings in Article IV. The zoning of the Subject Area shall reflect the general concept and schematic layout of the Concept Plan, which means 13.14 acres of R-4 zoning.

2.2 With respect to all zoning designations, Master Developer agrees to design and construct superior quality structures and amenities and to comply with all landscaping provisions of the West Point City Ordinances and specific setback, landscaping requirements of Article IV of this agreement.

2.3 This Agreement shall not take effect until City has approved this Agreement pursuant to an ordinance of the West Point City Council.

ARTICLE III CITY’S UNDERTAKINGS

3.1 Subject to the satisfaction of the conditions set forth in Article II, the City shall accept an application for a preliminary plat of the Subject Area from the Developer. The preliminary plat reviews and approvals shall be made pursuant to City ordinances. Nothing herein shall be construed as a waiver of the required reviews and approvals required by City ordinance.

ARTICLE IV MASTER DEVELOPER' UNDERTAKINGS

Conditioned upon City's performance of its undertakings set forth in Article III, and provided Master Developer has not terminated this Agreement pursuant to Section 8.8, Master Developer agrees to the following:

4.1 Development. Master Developer shall have the right to develop up to 46 single family lots ("Maximum Residential Units") on the subject property in substantial conformity with the attached concept plan (see Exhibit B). This includes 8 twin homes units (four buildings with two units each). Substantial conformity shall mean the general layout is consistent with the intent and overall design of the concept plan. The concept plan shall still be required to go through the subdivision process as outlined in West Point City Code and meet all requirements listed.

4.2 Subdivision. Developer acknowledges that the development of the Maximum Residential units requires the Subdivision application comply with all City ordinances and the terms of this agreement. The City's entry into this agreement does not guarantee that the Developer will be able to construct the Maximum Residential Units.

4.3 Architecture. The following restrictions shall apply to all single-family homes constructed within the development:

- i. Minimum square footage of 1,250 sq. ft. on main level for rambler style homes.
- ii. Minimum square footage of 1,900 sq. ft. above grade for two story style homes.
- iii. All homes will have a minimum 2 car garage.
- iv. No vinyl siding will be allowed.
- v. Exterior materials must comply with the following options:
 - a) All homes must have a minimum of 15 percent brick or stone on the front elevation.
 - b) The remainder of the exterior may be finished in stucco or Hardie board siding, or an appropriate exterior covering previously approved by the Architectural Review Committee.
 - c) Vertical wood grain metal siding is permitted and may be used, subject to approval by the Architectural Review Committee.

4.4 Density. The density of the project shall be permitted to be 3.5 units per acre.

4.5 Sidewalk. No sidewalk or fencing shall be required along the access marked as "Street A", the access off of 4000 W. Sidewalk shall be installed starting at the first developed lot, approximately 430 feet to the east of 4000 W. Vinyl fencing shall be installed around the remainder of the project, as required in the R-4 zone.

4.6 Easement. Master Developer shall dedicate to the city a five-foot wide access from the southern end of "Street B", connecting through proposed lots 43 and 41 to 300 North. Master Developer shall pave a 5-foot wide sidewalk and install a 6-foot vinyl fence on both sides of the access.

4.7 Amendments. Master Developer agrees to limit development of the Subject Area to the single-family development provided for herein. If other uses are desired, Master Developer agrees to seek an amendment of this Agreement providing for such additional uses.

4.8 Conflicts. Except as otherwise provided, any conflict between the provisions of this Agreement and the City's standards for improvements, shall be resolved in favor of the stricter requirement.

ARTICLE V GENERAL REQUIREMENTS AND RIGHTS OF THE CITY

5.1 Issuance of Permits - Master Developer. Master Developer, or the applicable Project Developer, shall have the sole responsibility for obtaining all necessary building permits in connection with Master Developer' Undertakings pertaining to the applicable Project and shall make application for such permits directly to West Point City and other appropriate agencies having authority to issue such permits in connection with the performance of Master Developer' Undertakings. City shall not unreasonably withhold or delay the issuance of its permits.

5.2 Completion Date. The Master Developer or applicable Project Developer shall, in good faith, reasonably pursue completion of the applicable Project or Projects. Each phase or completed portion of a Project must independently meet the requirements of this Agreement and the City's ordinances and regulations applicable thereto, such that it will stand alone, if no further work takes place on the Project.

5.3 Access to the Subject Area. For the purpose of assuring compliance with this Agreement, so long as they comply with all safety rules of Master Developer and their contractor, representatives of City shall have the right to access the Subject Area without charges or fees during the period of performance of the Master Developer' Undertakings.

5.4 Federal and State Requirements. If any portion of the Property is located in areas with sensitive lands that are regulated by state and federal laws, development of that portion of the Property shall comply with all such regulations, which pertain to issues including but not limited to wetlands, sensitive lands, flood plains, and high-water tables.

ARTICLE VI REMEDIES

6.1 Remedies for Breach. In the event of any default or breach of this Agreement or any of its terms or conditions, the defaulting Party or any permitted successor to such Party shall, upon written notice from the other, proceed immediately to cure or remedy such default or breach, and in any event cure or remedy the breach within thirty (30) days after receipt of such notice. In the event that such default or breach cannot be reasonably be cured within said thirty (30) day period, the Party receiving such notice shall, within such thirty (30) day period, take reasonable steps to commence the cure or remedy of such default or breach, and shall continue diligently thereafter to cure or remedy such default or breach in a timely manner. In case such action is not

taken or diligently pursued, the aggrieved Party may institute such proceedings as may be necessary or desirable in its opinion to:

6.1.1 Cure or remedy such default is pursued, including, but not limited to, proceedings to compel specific performance by the Party in default or breach of its obligations; and

6.1.2 If Master Developer or the applicable Project Developer fails to comply with applicable City codes, regulations, laws, agreements, conditions of approval, or other established requirements, City is authorized to issue orders requiring that all activities within the applicable Project cease and desist, that all work therein be stopped, also known as a “Stop Work” order.

6.2 Enforced Delay Beyond Parties’ Control. For the purpose of any other provisions of this Agreement, neither City nor Master Developer, as the case may be, nor any successor in interest, shall be considered in breach or default of its obligations with respect to its construction obligations pursuant to this Agreement, in the event the delay in the performance of such obligations is due to unforeseeable causes beyond its fault or negligence, including, but not restricted to, acts of God or of the public enemy, acts of the government, acts of the other Party, fires, floods, epidemics, quarantine restrictions, strikes, freight embargoes or unusually severe weather, or delays of contractors or subcontractors due to such causes or defaults of contractors or subcontractors. Unforeseeable causes shall not include the financial inability of the Parties to perform under the terms of this Agreement.

6.3 Extension. Any Party may extend, in writing, the time for the other Party’s performance of any term, covenant or condition of this Agreement or permit the curing of any default or breach upon such terms and conditions as may be mutually agreeable to the Parties; provided, however, that any such extension or permissive curing of any particular default shall not operate to eliminate any of any other obligations and shall not constitute a waiver with respect to any other term, covenant or condition of this Agreement nor any other default or breach of this Agreement.

6.4 Rights of Master Developer. In the event of a default by a Project Developer, Master Developer may elect, in their discretion, to cure the default of such Project Developer, provided, Master Developer’s cure period shall be extended by thirty (30) days.

ARTICLE VII VESTED RIGHTS

7.1 Vested Rights. Master Developer shall have the vested right to have preliminary and final subdivision plats, or preliminary and final site plans, as applicable, approved and to develop and construct the Subject Area in accordance with and subject to compliance with the terms and conditions of this Agreement and applicable provisions of the City Code. Where any conflict or ambiguity exists between the provisions of the Code and this Agreement (including the exhibits to this Agreement), this Agreement shall govern. Notwithstanding the foregoing, however, the rights vested as provided in this Agreement are not exempt from the application of the Code

If any Notice is transmitted by facsimile or similar means, the same shall be deemed served or delivered upon confirmation of transmission thereof, provided a copy of such Notice is deposited in regular mail on the same day of transmission.

8.3 Third Party Beneficiaries. Any claims of third party benefits under this Agreement are expressly denied, except with respect to permitted assignees and successors of Master Developer.

8.4 Governing Law. It is mutually understood and agreed that this Agreement shall be governed by the laws of the State of Utah, both as to interpretation and performance. Any action at law, suit in equity, or other judicial proceeding for the enforcement of this Agreement or any provision thereof shall be instituted only in the courts of the State of Utah.

8.5 Integration Clause. This document constitutes the entire agreement between the Parties and may not be amended except in writing, signed by the City and the Master Developer or Project Developer affected by the amendment.

8.6 Exhibits Incorporated. Each Exhibit attached to and referred to in this Agreement is hereby incorporated by reference as though set forth in full where referred to herein.

8.7 Attorneys' Fees. In the event of any action or suit by a Party against the other Party for reason of any breach of any of the covenants, conditions, agreements or provisions on the part of the other Party arising out of this Agreement, the prevailing Party in such action or suit shall be entitled to have and recover from the other Party all costs and expenses incurred therein, including reasonable attorneys' fees.

8.8 Termination. Except as otherwise expressly provided herein, the obligation of the Parties shall terminate upon the satisfaction of the following conditions:

8.8.1 With regard to Master Developer' Undertakings, performance of the Master Developer' Undertakings as set forth herein.

8.8.2 With regard to City's Undertakings, performance by City of City's Undertakings as set forth herein.

Upon Master Developer's request (or the request of Master Developer' assignee), the other Party agrees to enter into a written acknowledgment of the termination of this Agreement, or part thereof, so long as such termination (or partial termination) has occurred.

8.9 Recordation. This Agreement shall be recorded upon approval and execution of this Agreement by the Master Developer and the City's granting of the zoning approvals contemplated in Article II.

[Signature page follows]

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed by their duly authorized representatives effective as of the day and year first above written.

WEST POINT CITY CORPORATION

BRIAN VINCENT, Mayor

ATTEST:

CASEY ARNOLD, City Recorder

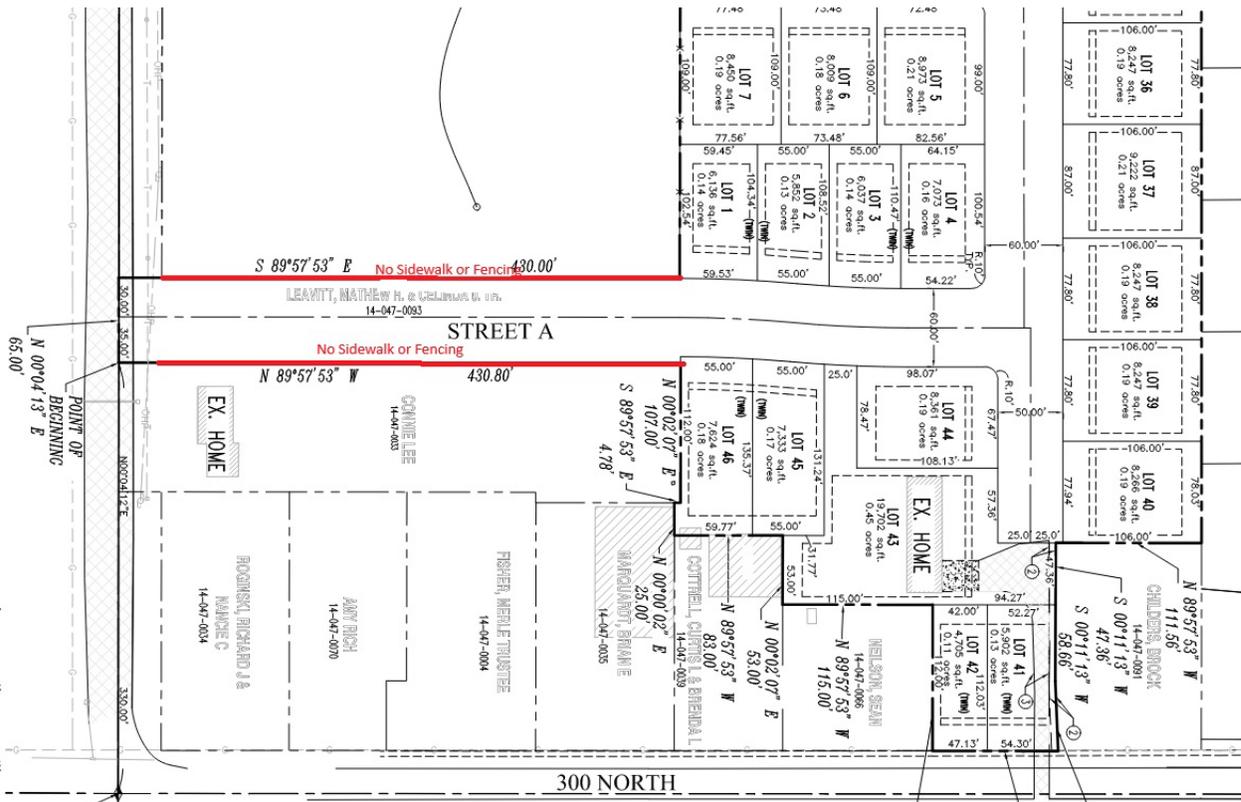
Mathew H Leavitt, owner

EXHIBIT A

Legal Description of Property

Parcel IDs:
14-047-0093
14-047-0095
14-047-0097

EXHIBIT C



CITY COUNCIL STAFF REPORT



Subject: Rezone Request – 1383 N 4350 W
(Applicant, Hamblin)
Author: Bryn MacDonald, AICP
Department: Community Development
Date: September 16, 2025

Background

Jason Hamblin, representing the property owners Johanna Lainez and Bruce Suarez, has applied to rezone approximately 0.71 acres of land located south of 1383 N 4350 W. The property consists of two parcels, 14-040-0106 (.31 acres), 14-040-0114 (.4 acres) and 14-414-0043 (one-foot holding strip). The property is currently zoned A-40 Agricultural and R-2 Residential. The applicant is requesting a rezone to R-1 Residential to develop the two parcels into two buildable residential lots. According to the application, these two lots would tie in with the Pheasant Creek subdivision, which was originally developed by the applicant's father, Doug Hamblin.

Process

Rezone requests are legislative decisions. In legislative matters, the Planning Commission and City Council have broad discretion, if it can be shown that their actions will promote or protect the community's overall welfare. Changes to zoning require a public hearing and a recommendation from the Planning Commission before the City Council can make a final decision. The Planning Commission held a public hearing on August 14, 2025, and recommended approval of the rezone. There were no public comments at the hearing.

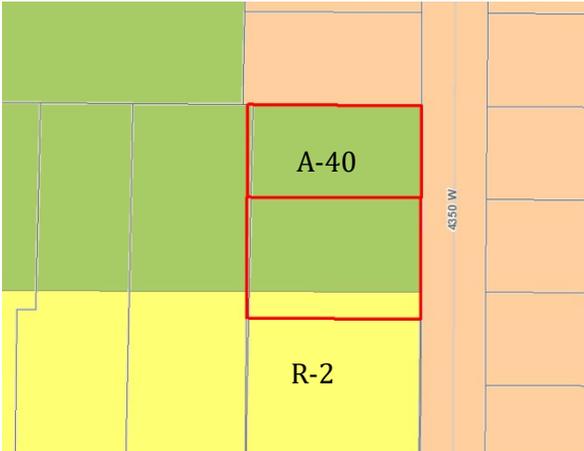
The City Council must now hold a public hearing and can approve, deny, or modify the request.

Analysis

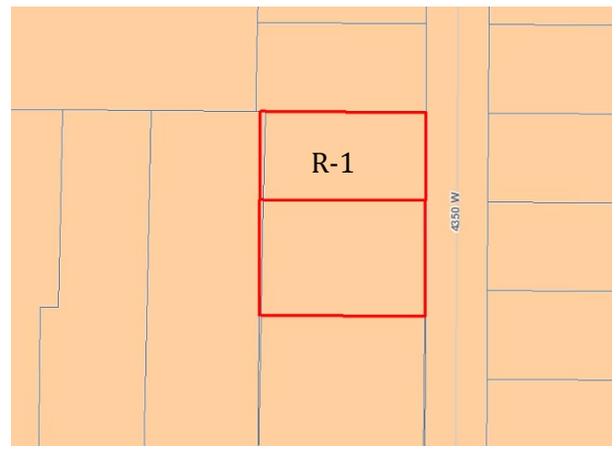
The R-1 Residential zone allows for a density of up to 2.2 dwelling units per acre. The applicant's request is to rezone a 0.71-acre site to create two residential lots, which aligns with the allowable density. The minimum lot size in the R-1 zone is 12,000 square feet. The proposed lots will need to comply with this minimum size requirement. If the rezone is approved, the applicant will submit a subdivision application for the two lots. At that time, the plan will be reviewed for compliance with the size, width, and other code requirements.



Current Zoning



General Plan



Recommendation

The proposed R-1 request meets the vision of the General Plan. Since this is a legislative matter, the City Council must determine whether the request will support and ensure the overall welfare of the community. The Planning Commission recommended approval of the rezone to R-1.

Attachments

Application

ORDINANCE NO. 09-16-2025A

**AN ORDINANCE REZONING PROPERTY LOCATED AT
1383 N 4350 W TO THE R-1 ZONE**

WHEREAS, the West Point City Council for and on behalf of West Point City, State of Utah (hereinafter referred to as the “City” has determined to rezone certain property; and

WHEREAS, a public hearing was duly held and the interested parties were given an opportunity to be heard; and

WHEREAS, the City Council has duly considered said rezone; and,

WHEREAS, the City Council, after due consideration of said rezone, has concluded that it is in the best interest of the City and the inhabitants thereof that said rezone be adopted;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF WEST POINT CITY, UTAH as follows:

SECTION ONE: REZONE

That the subject property as shown on the current West Point City Zoning Map shall be and the same is hereby rezoned and the Zoning Map amended by removing the property from the A-40 and R-2 zones and placing the property in the R-1 zone.

Legal Description:

See Exhibit A attached hereto.

SECTION TWO: ORDINANCES TO CONFORM WITH AMENDMENTS

The West Point City Director of Community Development is hereby authorized and directed to make all necessary changes to the West Point City Zoning Map to bring it into conformity with the changes adopted by this Ordinance.

SECTION THREE: SEVERABILITY

In the event that any provision of this Ordinance is declared invalid for any reason, the remaining provisions shall remain in effect.

SECTION FOUR: EFFECTIVE DATE

This Ordinance shall take effect immediately upon passage and adoption and publication of a summary as required by law.

DATED this 16th day of September, 2025

WEST POINT CITY, a Municipal Corporation

By: _____

Brian Vincent

Mayor

ATTEST:

Casey Arnold
City Recorder

EXHIBIT A

Legal Description:

Parcel 14-040-0114

A PARCEL OF LAND SIT IN THE SE 1/4 OF SEC 30-T5N-R2W, SLB&M, SD PARCEL ALSO BEING MORE PARTLY DESC AS FOLLOWS: BEG AT A PT ON THE W'LY LINE OF PHEASANT CREEK ESTATES SUB PHASE 1, A CLUSTER SUB (DEED READS PHEASANT CREEK ESTATES SUB PHASE 1); SD PT BEING S 89°58'10" E 654.37 FT ALG THE SEC LINE (NAD83 BEARING BEING S 89°36'49" E BETWEEN THE S 1/4 COR & THE SE COR OF SD SEC 30 PER THE DAVIS COUNTY NAD83 TOWNSHIP REFERENCE PLAT) & N 00°01'50" E 177.84 FT FR THE S 1/4 COR OF SD SEC 30; & RUN TH N 89°58'10" W 159.00 FT; TH N 00°01'50" E 110.50 FT; TH S 89°58'10" E 159.00 FT TO THE W'LY LINE OF SD PHEASANT CREEK ESTATES SUB PHASE 1, A CLUSTER SUB (DEED READS PHEASANT CREEK ESTATES SUB PHASE 1); TH S 00°01'50" W 110.50 FT ALG THE SD W'LY LINE TO THE POB. CONT. 0.403 ACRES

Parcel 14-040-0106

A PARCEL OF LAND SIT IN THE SE 1/4 OF SEC 30-T5N-R2W, SLB&M, MORE PARTLY DESC AS FOLLOWS: BEG AT THE SE COR OF LOT 21, PHEASANT CREEK ESTATES SUB PHASE 1; SD COR BEING S 89°58'10" E 654.37 FT ALG THE SEC LINE & N 00°01'50" E 373.34 FT FR THE S 1/4 COR OF SEC 30-T5N-R2W, SLB&M; & RUN TH S 00°01'50" W 85.00 FT ALG THE W LINE OF SD PHEASANT CREEK ESTATES SUB PHASE 1; TH N 89°58'10" W 159.00 FT; TH N 00°01'50" E 85.00 FT TO A PT ON THE S LINE OF SD LOT 21, PHEASANT CREEK ESTATES SUB PHASE 1; TH S 89°58'10" E 159.00 FT ALG SD S LINE OF LOT 21 TO THE POB. CONT. 0.31 ACRES



CITY COUNCIL STAFF REPORT



Subject: Warranty – Whitesides Place
Author: Boyd Davis
Department: Engineering
Meeting Date: September 16, 2025

Background

The Whitesides Place Subdivision is located at 2600 W 300 N. The developer has completed all the required improvements, with exception of the sidewalk and seal coat, and is now asking that the subdivision be placed on a one-year warranty.

Analysis

The subdivision has been inspected to ensure all the required improvements have been completed and are in good condition prior to beginning the warranty period. The subdivision will be placed on a one-year warranty as required by the State Code. The required guarantee amount will be retained in escrow for the duration of the warranty period.

Recommendation

It is recommended that the City Council place the Whitesides Place Subdivision on a one-year warranty.

Significant Impacts

None

Attachments

None



3200 WEST 300 NORTH
WEST POINT CITY, UT 84015

WEST POINT CITY COUNCIL
MEETING MINUTES
WEST POINT CITY HALL
July 15th, 2025

Mayor:
Brian Vincent
City Council:
Annette Judd, *Mayor Pro Tem*
Jerry Chatterton
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 July 15, 2025, at 6:00 PM with Mayor Brian Vincent presiding. This meeting was held at West Point City Hall and livestreamed for the public to view via Zoom. The livestream of the meeting was accessible to view by entering Meeting ID# 839 2395 7826 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 Brad Lee, Council Member Trent Yarbrough, Council Member Michele Swenson, and Council Member Annette Judd

EXCUSED: None

CITY EMPLOYEES PRESENT: Kyle Laws, City Manager; Boyd Davis, Assistant City Manager; Bryn MacDonald, Community Development Director; Ryan Harvey, Administrative Services Director; and Casey Arnold, City Recorder

EXCUSED: None

VISITORS PRESENT: None. No sign-in is required for those viewing online.

1. Eagle Scout Project Proposal – Carter Allen

Mr. Laws introduced Carter Allen, who presented his Eagle Scout Project proposal for an orienteering course at Loy Blake Park. Carter explained that the course would include permanent cement markers flush with the ground to avoid hazards, with QR codes linking to the City's website for course maps. The project is intended to promote outdoor recreation, navigation skills, and community engagement.

Highlights of the project include the ability to create multiple courses (beginner, intermediate, advanced) using the same markers, placement of QR codes on existing park facilities for easy access, disclaimers on the instructions stated that the course is not available during recreation events, and that there would be coordination with Public Works/Parks to for the installation to ensure best placement of the markers.

Council Members commended Carter's detailed presentation and preparation, noting the uniqueness of the project compared to traditional Eagle Scout efforts. The Council expressed unanimous support and appreciation for Carter's project, noting it would benefit both residents and scouting groups.

2. Discussion Regarding the FY2026 Final Budget and 2025 Property Tax Rate for West Point City – Mr. Ryan Harvey

Mr. Harvey presented the **FY2026 Final Budget** and the certified **2025 Property Tax Rate** of 0.000730, generating approximately \$858,223 in property tax revenue. He explained that a new state law required cities to declare intent for Truth in Taxation by June 1. Because West Point declared after that deadline, the City was denied the ability to proceed with Truth in Taxation this year. As a result, by the time Staff became aware of the issue, the budget could not be adopted prior to June 30, and Mr. Harvey informed the Council that unfortunately, this will create a finding in the City's audit. Council Members voiced concern about the legislative change, noting that many cities were caught off guard. Staff confirmed the City would resume Truth in Taxation in 2026 by ensuring timely declaration.

The budget has been discussed for the past several meetings, and Mr. Harvey presented the following additional adjustments proposed:

- \$35,000 to replace the aging Kubota utility vehicle for Public Works.
- \$10,000 increase to the fireworks budget for the 250th anniversary of the United States in 2026.

- \$50,000 for a vehicle dedicated primarily to the Recreation Department to reduce reliance on personal vehicles.

Council expressed support for the adjustments, praising the 2025 fireworks show and recognizing the need for both fleet replacements.

The Council will accept the certified tax rate via resolution in tonight' General Session, and after a public hearing on the compensation schedule and a final public hearing, will take action to approve the final budget.

3. Discussion Regarding a Site Plan for Ogden Clinic at 2945 W 125 S (Pascal Meyer, Applicant) – Mrs. Bryn MacDonald

Mrs. MacDonald presented the site plan for a new Ogden Clinic facility to be constructed adjacent to the existing clinic on 3000 West. The new building will be slightly larger than the current facility but designed to match in appearance, with shared parking and access points to serve both clinics. Landscaping plans meet all City requirements, including buffering for neighboring residential properties and adequate tree plantings. The Planning Commission had previously approved the conditional use permit for medical office use.

Council Members discussed the site circulation and recommended widening the single drive approach from its current 26 feet to approximately 30 feet to better accommodate traffic flow, particularly given the increase in patient visits anticipated with the new building. Questions were also raised about dumpster placement and ensuring access for sanitation trucks without encroaching into landscaped areas. Staff and the applicant confirmed that the dumpster location would allow adequate maneuvering.

Council Members also briefly discussed the potential for improved connectivity to the adjacent trail in the future, subject to coordination with Davis County and the property owner.

The Council will continue the discussion as it considers final approval of the site plan in a future meeting.

4. Discussion Regarding a New “A-20” Agricultural Zone – Mrs. Bryn MacDonald

Mrs. MacDonald presented the draft of a new A-20 (Agricultural-Residential) Zone, designed as a half-acre minimum lot district to address growth pressures in annexation areas. She explained that the zone would allow the same uses as other agricultural districts, including animal rights, but would set the minimum lot area at 20,000 square feet with an average lot size of 21,780 square feet (a true half-acre). The Council had previously requested that staff clarify frontage requirements, so the updated draft includes a minimum frontage of 85 feet and an average frontage of 100 feet, aligning the A-20 with the existing R-1 zone. Setbacks and accessory building standards would remain consistent with other agricultural zones, and the number of animals permitted would match the existing framework, including a minimum of six chickens as allowed in all districts.

The proposed A-20 zone would establish a new zoning district with the following characteristics:

- Purpose: The purpose of the A-20 (agricultural residential) zone is to provide rural residents the flexibility of having large lots that promote and preserve some agriculture with farm animal keeping.
- Density: 1.7 units/acre
- Minimum Lot Size: 20,000 square feet/average lot size 21,780
- Permitted Uses:
 - Single-family residential
 - Accessory structures and home occupations
 - Farm Animals (including roosters)
- Conditional Uses:
 - Private dog Kennels
- Development Standards:
 - Setbacks and Height: Standards are proposed to reflect the larger lot sizes and to preserve open space character.
 - Lot Coverage: Intended to promote low-density, spacious lots while still allowing for functional home and yard designs.

Council Members had a detailed discussion about the benefits and implications of adopting this new zone. They noted that the A-20 would create a useful “middle ground” between the larger A-40 parcels and the smaller R-1 lots, allowing for measured residential

growth while still preserving agricultural character. The Council also observed that this tool would help the City manage annexations by providing a more flexible zoning option that aligns better with the surrounding area, rather than defaulting all newly annexed land to R-1. Mrs. MacDonald pointed out that although the Planning Commission supported creating the A-20, the map they approved inadvertently designates the zone in areas outside of the intended sewer service area, due to a misinterpretation of the boundary. Council Members agreed that correcting this error was essential so that the A-20 zone would only be applied where infrastructure could reasonably support it.

They concluded that the draft zone provided an appropriate balance of flexibility and predictability, and asked Staff to continue refining the details for consideration at a future meeting. A public hearing on the new zone will be held before final adoption.

5. Discussion Regarding Updates to the General Plan – Mrs. Bryn MacDonald

Mrs. MacDonald presented proposed updates to the City's General Plan to incorporate the new A-20 zone and reflect recent annexations. She showed the Council several maps for comparison, explaining that the Planning Commission had recommended applying A-20 broadly across newly annexed properties, including portions of the Parker property and future Ivy Meadows Subdivision (owned by Rick Scadden). Staff, however, modified the map to reflect the Council's prior conversations with property owners, particularly the Parker family, where the City had indicated support for R-1 zoning rather than A-20.

The Council carefully reviewed side-by-side versions of the maps, which highlighted the differences between the Planning Commission's recommendation and staff's adjustments. Members emphasized the importance of honoring commitments made to property owners in annexation discussions, noting that the Parker property was anticipated to develop under R-1 standards. They also discussed how the placement of A-20 along the sewer service area could help maintain larger lots and agricultural character while still providing an orderly transition to more urban development closer to the City's core. Staff clarified that the Planning Commission's intent had been to align A-20 with the sewer service area, but the map they adopted did not fully match that intent, due to the boundaries of the service area being drawn incorrectly on the map

Council Members agreed that the corrected version of the map, which applied A-20 only within the sewer service area while keeping R-1 in the Parker annexation area, better represented both the City's planning goals and prior assurances to property owners. They expressed appreciation for Staff's efforts to rectify the mapping discrepancies and asked that the refined map be prepared for formal adoption at a future meeting. The discussion reflected the Council's desire to balance agricultural preservation, responsible growth, and respect for commitments in guiding the City's long-term land use vision.

The proposed updates will continue to be discussed, and a public hearing will be held before the General Plan is finalized and adopted.

6. Other Items

No other items were discussed.

The Administrative Session adjourned.



**WEST POINT CITY COUNCIL
MEETING MINUTES
WEST POINT CITY HALL
July 15th, 2025**

Mayor:
Brian Vincent
City Council:
Annette Judd, *Mayor Pro Tem*
Jerry Chatterton
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 July 15, 2025, at 7:00 PM with Mayor Brian Vincent presiding. This meeting was held at West Point City Hall and livestreamed for the public to view via Zoom. The livestream of the meeting was accessible to view by entering Meeting ID# 839 2395 7826 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 Brad Lee, Council Member Trent Yarbrough, Council Member Michele Swenson, and Council Member Annette Judd

EXCUSED: None

CITY EMPLOYEES PRESENT: Kyle Laws, City Manager; Boyd Davis, Assistant City Manager; Bryn MacDonald, Community Development Director; Ryan Harvey, Administrative Services Director; and Casey Arnold, City Recorder

EXCUSED:

VISITORS PRESENT: No sign-in is required for those viewing online.

- 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 Chatterton – Thanked everyone that helped put together and run the Party at the Point Celebration and all of its events. It was a great success and he received many positive comments and good feedback. It is impressive what the City is able to do and how many people attend year after year.

Council Member Swenson – Expressed her appreciation to all of City Staff for their tireless efforts in putting on the Party at the Point Celebration – all the way through the clean-up of the event. Each employee was busy, efficient, polite, and their commitment to making the event a fun, successful event was evident. She also reported on recent Arts Council activities, including preparations for fall programming and shared that the feedback received from the Party at the Point youth performances was positive.

Council Member Lee – Also expressed his appreciation to City Staff and volunteers for the Party at The Point. It was another awesome year. He also inquired as to the status of the young man that experienced a severe ankle break at the 3 v 3 Tournament. Mr. Laws shared that he did have to have surgery, but it went well and he is now home and recovering. Council Member Lee then shared updates from mosquito abatement, noting continued monitoring in Davis County (including testing of almost 1,000 more pools than any other district in the state) and that there has been no West Nile activity in Davis County so far, although it has been found in 23 other states across the country, resulting in one death. He also emphasized continued public education efforts.

Mayor Vincent – Echoed the comments made about this year's Party at The Point Celebration, stating that it was an incredible event that takes a lot of work and thanked all those who contributed.

- 5. Communications from Staff**

Mr. Laws stated that this month's Summer Movie in the Park was held the previous Friday, featuring the movie "Cars 2" and it was a well-attended, fun event with activities held before the movie started, including a "box car" race. The next movie is scheduled for August 15. The Senior Lunch was also held earlier today, and the August lunch will be on Tuesday the 12th. The Primary Election will also be on August 12th.

6. Citizen Comment

Teresa Gelsma – Clinton, UT: Stated that she is the crossing guard for Lakeside Elementary school at the corner of 2750 W 800 N. On one side of the intersection is West Point and the other is Clinton and there has been some debate over the years on which city is to provide the crossing guard there for the elementary, since kids from both cities attend. Although the elementary is in West Point, she is employed by Clinton City, which she has been told is because a majority of the kids crossing here are Clinton residents. However, in her experience, she believes it is more of a 50/50 split. Regardless, she is currently facing an issue with all the construction going on and congestion it is causing as traffic is redirected. She stated it is not so much crossing the kids north and south, but it is the West Point kids that are crossing east and west, because the cars come up to the stop sign and then pull out in front of it – forcing her to go further out in front and into the bike lane to cross. So, she would like a crossing or stop line to be painted to give the cars a designated place they need to stop at so that she can cross in front of them. She also thinks that West Point needs to supply another crossing guard, because she is crossing between 120 – 150 kids on any given afternoon and coupled with the West Point Jr. High traffic, it is becoming a "nightmare." Mayor Vincent asked Teresa to follow up with Mr. Laws after the meeting. Mr. Laws noted that the city is planning to re-stripe all the crosswalks in West Point before school starts and he will make sure that this area gets put on that list to get done. Teresa stated that Clinton City had told her that it would be striped last year, and he noted that he had not heard of there being an issue in this location from Clinton City, but would make sure it gets done and monitor the situation as the new year gets underway.

7. Davis County Sheriff's Office Update

Lt. ** and Crime Analyst Elizabeth Pinto presented the quarterly report for April through June 2025. The report included the following highlights:

- Patrol activity: Citations and traffic enforcement were significantly higher than the three-year average, particularly speeding citations. Of approximately 1,900 incidents during the quarter, 97% were non-criminal, with property crimes comprising most of the criminal activity.
- Investigations: 41 new cases were opened, including 14 child abuse/neglect, 10 fraud, two theft, and several sex crimes. Person crimes made up the largest share of active investigations.
- Victim services: Two victim advocates provided over 48 hours of support to 29 victims during the quarter, including court accompaniment, protective order assistance, and crisis planning.

Council Members asked clarifying questions, including the meaning of "aggressive stop." Lieutenant Gulley explained it generally refers to multiple traffic violations or abrupt stopping that creates unsafe conditions.

The Council thanked the Sheriff's Office for their report and ongoing service.

8. Weber Basin Water Presentation – Jon Parry

Mr. Parry provided an in-depth presentation on regional water supply challenges and the importance of conservation. A few highlights are as follows:

- West Point's indoor water use averages about 50 gallons per capita per day, with 91% of total water use residential. Outdoor irrigation represents about 75% of total consumption.
- Aquifer levels in areas served by Hooper Water Improvement District have been declining at roughly one foot per year.

- Regional projections show demand exceeding supply by 2070 if current practices continue. Conservation programs and landscaping standards in new developments are key to sustainability.
- Ordinance adoption at the City level is critical for residents to access rebate programs such as turf replacement and “Flip Your Strip.”

Council Members discussed the balance between regulation and resident choice, emphasizing the need to educate the public while planning for future water reliability.

Mayor Vincent and the Council thanked Mr. Parry for his report. They will discuss the information as they consider amendments to landscaping regulations in a future meeting. A full copy of the presentation can be found at:

<https://www.westpointutah.gov/DocumentCenter/View/2118/Weber-Basin-Presentation-07-15-2025>

9. Consideration of Approval of the Minutes from the May 20th, 2025 City Council Meeting

Mayor Vincent stated that these minutes were not ready for approval at this time.

Council Member Swenson motioned to table approval of the minutes

Council Member Chatterton seconded the motion

In Favor: All

Opposed: None

The Council unanimously agreed

10. Public Hearing Regarding Amendments to WPCC Section 17.60.160 Regarding the PRUD Code – Mrs. Bryn MacDonald

Mrs. MacDonald outlined the proposed amendments to the Planned Residential Unit Development code, which have been discussed by the Council in previous meetings, and were designed to clarify standards, reduce excessive density bonuses, and address concerns that the current PRUD provisions provided too much open-ended flexibility. The amendments include the following key changes:

- Density requests are limited to properties 10 acres or larger, with a minimum set of enhancements required to qualify for the density.
- Properties under 10 acres are only eligible for flexibility, with the aim of improving smaller projects' design while preserving existing density and must still meet the minimum improvement standards.
- Development standards that apply to all PRUDs regardless of the size will include:
 - Perimeter fencing (vinyl or equivalent)
 - Architectural standards (specific exterior materials, no vinyl siding)
 - Street trees

The Planning Commission held a public hearing on May 22, 2025. There was one public comment regarding wetlands being used as open space. The code does not allow sensitive lands, such as wetlands, to count as open space towards the bonus density requirements. After the public hearing, the Planning Commission recommend approval of the proposed amendments.

Mayor Vincent opened the public hearing.

Michelle Day – West Point, UT: Mrs. Day stated that she is concerned that there is no minimum lot size, because that could result in some very small lots and more lots equals more people; a presentation was just given on the lack of water and the need to conserve, but the more people in the city, the more water that is going to be used. There was also a report from the Davis County Sheriff’s Office, and when more homes are built and more people live here, all of the crime rates are going to rise and the city is going to need even more patrol and. She asked that the Council keep all of these things in mind as they consider new developments and reiterated that she believes there should be a minimum lot size included in the amendments.

Council Member Lee motioned to close the public hearing

Council Member Swenson seconded the motion

In Favor: All

Opposed: None

The Council unanimously agreed

Mrs. MacDonald clarified that the PRUD allows for more flexibility, not more density. The number of allowed lots would remain the same on a property, and so the reasoning behind not having a minimum lot size is because it allows for greater variance in a project – there could be a cluster of smaller lots in one area, but then larger lots in another area to get to that maximum number of lots, but make better use of the area and design. Mr. Laws added that it is important to note that based on the layout of a property, it isn't always possible to have perfectly rectangular lots; the flexibility allows for lots to be shaped differently to fit the space, but not allow for more lots in the overall project.

Mrs. MacDonald also confirmed that the Council would see the full site plan, with lot sizes and layouts, roads, etc., as part of the approval of a PRUD subdivision, and that site plan would be tied to the approval. She also confirmed that for Council Member Swenson that the site plan would, like all other subdivisions, have to meet all existing fire, safety, and building codes, and so even without a minimum lot size requirements, these codes do have certain standards that will help regulate lot sizes. For example, building code does not allow for homes to be closer than 10 feet, so there will always be a side yard of at least five feet for each home. Council Member Judd stated that it is helpful to understand that there are other requirements that have to be met when designing a project, and that not having a minimum lot size requirement does not automatically result in small lots. Mrs. MacDonald added that this new code will hopefully eliminate the need for development agreements, because it will already allow for flexibility – for example, many of the development agreements that have been approved have been to allow a variance to the code for one or two lots due to the layout of the property.

The Council had no further discussion at this time and will consider final approval of the amendments to the PRUD code in a future meeting.

11. Consideration of Approval of Resolution No. 07-15-2025A, Approving the 2025 Property Tax Rate for West Point City – Mr. Ryan Harvey

Mr. Harvey presented the certified 2025 property tax rate, set by the County, of 0.000730. The certified tax rate is calculated to be a rate that will result in the same revenue as the previous year, minus new growth. This rate will generate a property tax revenue of approximately \$858,223. He noted that the City had missed the new legislative deadline to declare intent for Truth in Taxation and could not pursue an increase this year. Council Members expressed frustration at the lack of notice from the State but supported approval of the certified rate.

Council Member Chatterton motioned approve Resolution No. 07-15-2025A, approving the certified tax rate of .000730 for 2025
Council Member Judd seconded the motion.

In Favor: All

Opposed: None

The Council unanimously agreed

The Council reiterated that the tax rate was set by the County and maintains the amount of property taxes paid to the city by existing residents as were paid last year.

12. Public Hearing Regarding the FY2026 Compensation Schedule – Mr. Ryan Harvey

Mr. Harvey stated that, during budget discussions for this year and with the adoption of the Tentative Budget in June, the Council expressed their approval with a 2.4% Cost of Living Adjustment increase (COLA) for this fiscal year. The compensation schedule reflects that increase to the minimum wage for all positions and the maximum wage point is 40% above that; the midpoint of the range is simply the point between the mid and max.

The Council had no questions or concerns and the Mayor opened the public hearing.

Council Member Judd motioned to close the public hearing

Council Member Chatterton seconded the motion

In Favor: All

Opposed: None

The Council unanimously agreed

13. Consideration of Approval of Ordinance No. 07-15-2025A, Approving the FY2026 Final Budget for West Point City & All Related Agencies – Mr. Ryan Harvey

Mr. Harvey reviewed the final FY2026 Budget, including three additions:

- \$35,000 to replace the aging Kubota utility vehicle in Public Works,
- \$10,000 for additional fireworks celebrating the nation’s 250th anniversary, and
- \$50,000 for a Recreation Department vehicle.

The Council has discussed the proposed budget over the past several meetings and had no further questions or concerns.

a. Public Hearing

Council Member Swenson motioned to close the public hearing

Council Member Judd seconded the motion

In Favor: All

Opposed: None

The Council unanimously agreed

b. Action

Mr. Harvey confirmed that “all related agencies” includes funds given to programs like the Arts Council, Youth Council, etc. The Council had no further discussion.

Council Member Yarbrough motioned to approve Ordinance No. 07-15-2025A

Council Member Lee seconded the motion

Roll Call:

Council Member Judd – Aye

Council Member Chatterton – Aye

Council Member Lee – Aye

Council Member Yarbrough – Aye

Council Member Swenson – Aye

In Favor: All

Opposed: None

The Council unanimously agreed

14. Motion to Adjourn the General Session

Mr. Laws stated that state code requires that the results from an election be approved by the Board of Canvassers (City Council) no later than two weeks after the election. With that, a Special Meeting will need to be held on August 26th, which is two weeks after the Primary Election on August 12th) to approve the results. The Council agreed to meet in a special meeting at 5 PM on August 26th.

Council Member Chatterton motioned to adjourn

Council Member Swenson seconded the motion

In Favor: All

Opposed: None

The Council unanimously agreed.

APPROVED THIS _____ DAY OF _____, 2025:

BRIAN VINCENT, MAYOR

CASEY ARNOLD, CITY RECORDER