



**West Point City Council Meeting
3200 West 300 North
West Point City, UT 84015
June 16, 2015**

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 – Board Room

Minutes for the West Point City Council Administrative Session held at the West Point City offices, 3200 West 300 North, West Point City, Utah 84015 on June 16, 2015 at 6:00 pm with Mayor Craythorne presiding.

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

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

VISITORS PRESENT – Brian Vincent and Kyle Hamblin

Mayor Craythorne welcomed those in attendance; he then turned the time over the Mr. Nelson.

1. Continuation of Budget Discussion for the FY2015 Amended Budget and the FY2016 Budget – Mr. Evan Nelson

Mr. Nelson stated over the past several meetings, the FY2015 Amended Budget and the FY2016 Annual Budget for West Point City and the CDRA of West Point have been discussed. During the budget process, the Council had expressed interest with further discussing property valuations and the certified tax rate. Mr. Nelson then stated during June 16th General Session, the Council will be asked to approve the FY2015 Amended Budget and the FY2016 Schedule of Fees for West Point City.

Mr. Nelson stated the final change to the fee schedule is for the Basketball Camp. The current fee of the camp is \$30; however the Recreation Director has requested the fee be decreased to a more affordable rate. Therefore, the cost of the Basketball Camp has been decrease to \$20 for both FY2015 and FY2016.

Mr. Nelson stated following the June 2nd meeting, a minor error had been located in the amended budget. The correct budget amount for account 58-90-10 (Transfer to General Fund) and 58-90-48 (Transfer to Capital projects Fund) is \$0.

Property Tax Rate – Mr. Nelson stated because the Council has expressed interest with further discussing the property tax rate, Staff has begun the Truth in Taxation process. He then stated that the Truth in Taxation process will allow the Council to consider accepting the certified rate, maintaining the rate or finding a rate somewhere in between. A public hearing for the Truth in Taxation process has been scheduled for August 4, 2015.

Mr. Nelson stated if the certified rate is accepted, West Point City will receive an estimated \$365,378 in revenue (the same amount received in 2014 in addition to \$8,678 of new growth). If the property tax rate is maintained, West Point City will receive an estimated \$376,649 in revenue (\$8,678 of new growth and \$11,271 of additional revenue). Mr. Nelson stated the average value of a home in West Point City is \$212,000. If the property tax rate is maintained, a home in West Point City valued at \$212,000 will see an increase of approximately \$3.62 per year.

Mayor Craythorne stated that maintaining the rate is a 2.9% increase to the property tax rate.

Council Member Petersen asked if the decreased cost of the Basketball Camp will impact the Recreation budget. Mr. Laws stated no, the Basketball Camp is a three day camp where the Recreation Director, Kelly Ross provides the

participants with instruction and a t-shirt. This year, the camp will be held at Loy Blake Park where participants will be utilizing the new basketball courts.

Mayor Craythorne stated in the past, the basketball camp was offered by Trent Whitening. All of the proceeds from the camp were then donated to the West Point City Football program. The City finally took over the basketball camp last year.

Council Member Petersen stated the City was always supportive of the basketball camp offered by Trent Whitening. He then asked who assists the Recreation Director with the Basketball Camp. Mr. Laws stated that Coach Follett from West Point Jr. High and the Coach Thomas from Sunset Jr. High assist with the camp.

Mayor Craythorne stated the Coaches use this time to help younger player's developer their skills.

OTHER ITEMS:

Mr. Laws stated the following information may have an impact to the future West Point City Property Tax Rate. He then informed the Council that Davis County is considering passing on a significant amount of the overall cost of Animal Control Services to the cities in the County. Currently, the cities within the County collectively pay 37% of the annual cost of Animal Control Services and West Point City's annual portion is approximately \$25,000.

Mr. Laws stated that in January 2016, Davis County plans to decrease the percentage paid by the County each year until cities collectively pay 90% of the annual cost of Animal Control Services. Mr. Laws stated if with the percentage split being considered by the County is approved, the cities within Davis County will have incurred a 300% increase by the year 2021. He then provided the Council with the following example. Layton City currently pays \$170,000 annually for Animal Control Services. With the cost share being considered by the County (90% paid by cities and 10% paid by the County), Layton City could potentially pay \$500,000 annually for Animal Control Services.

Council Member Henderson mentioned the possibility of partnering with other cities to create our own Animal Control Services.

Council Member Petersen stated even if the cities employ their own Animal Control Officers, a facility will still be needed.

Council Member Turner stated if the County decreases the percentage they pay for Animal Control Services, they should also decrease the amount of property tax revenue in which they receive. Mr. Laws agreed, however Davis County doesn't believe that Animal Control Services is a statutory obligation of the County.

Council Member Chatterton asked if the County has a desire to eliminate Animal Control Services. Mr. Laws stated no, the County believes that cities should be responsible for the majority of the cost.

Mr. Laws stated the future cost of Animal Control Services will not be sustainable for most cities.

Council Member Petersen asked if the 10% the County wishes to pay accounts for the calls received from the unincorporated areas in the Davis County. Mr. Laws stated no, only 2% of the calls received by the County for Animal Control Services is from the unincorporated areas. He then stated that the County believes paying 10% of the annual cost for Animal Control Services is generous.

Mr. Laws stated during a recent meeting with Davis County, someone asked what the property tax revenue will be used for if cities are paying the majority of Animal Control costs. The response was that the property tax revenue which is collected by the County will be used for other needs. Mr. Laws stated that it is likely the County will move forward with increasing the cities portion of the cost for Animal Control Services. If increases proposed by the County are approved, cities will be forced to increase property tax rates or find alternative ways to pay Animal Control Services.

Mr. Laws stated there is a concern that as cities pay more of the annual cost, higher paying cities may want more Administrative Control than what the County is willing to allow. He then stated the current Animal Control contract

between West Point and Davis County will expire in 2017, however the Davis County can give six a months' notice of the termination of the contract. Mr. Laws stated that it is likely that the City might need to continue to maintain the property tax rate to pay for future costs of Animal Control Services.

Council Member Dawson asked what the budget is for Davis County Animal Control. Mr. Laws stated the annual budget for the Davis County Animal Control is approximately \$2.2 million. Of the \$2.2 million, \$442,000 is collected from shelter fees; \$650,000 is collected from city fees and \$1.1 million is collected from the Davis County General Fund.

Mr. Nelson recommended that the Council approve the FY2016 Schedule of Fees and the FY2015 Amended Budget for West Point City and the FY2015 Amended Budget and the FY2016 Final Budget for the CDRA

2. Discussion of Interlocal Agreement with Clinton City to Provide Sewer Service – Mr. Boyd Davis

Mr. Davis informed the Council that Clinton City has requested that West Point provide sewer service and a road connection to the proposed Clinton Meadows Subdivision located at approximately 2000 North 3500 West. He then stated that the Clinton Meadows Subdivision will consist of 50 to 60 homes and will be completed in two phases. Mr. Davis stated there is sufficient capacity within the West Point City sewer line. The Interlocal Agreement between Clinton and West Point states that West Point will provide sewer service to the Clinton Meadows Subdivision; in turn Clinton City will collect the sewer impact fees and monthly service fees. Clinton will then forward the collected fees to West Point City and the North Davis Sewer District (NDSD).

Mr. Davis stated there are two concerns which should be addressed by the Council. First, Clinton City is requesting the Clinton Meadows Subdivision be permitted to connect to 2000 North in the Derby Acres Subdivision. He stated there is a cul-de-sac currently located at the end of 2000 North, if the development is permitted to connect to the road the cul-de-sac will need to be removed and straightened at the expense of the developer. Second, an equestrian easement is located on the perimeter of the Derby Acres and crosses the street near the cul-de-sac. The riding easement could either be vacated or left as is.

Mayor Craythorne asked where the main accesses to the proposed development will be located. Mr. Davis stated that he was unsure but he will obtain additional information from Clinton City. Mayor Craythorne stated if the only access to the development is through the Derby Acre Subdivision, there will be too many lots with only one access. He then expressed concern with allowing a city to connect to the infrastructure of another city.

Mayor Craythorne informed the Council that Clinton City currently charges a higher sewer fee for West Point residents connected to the Clinton City sewer system. Mr. Laws stated that Clinton City has a separate charge in their fee schedule for West Point residents who are connected to their sewer system. He then stated that currently, West Point City pays the difference in the fee on behalf of the resident as it is not the resident's fault that they are connected to Clinton City system. Mr. Laws then stated that West Point does not charge a higher fee for Clinton City residents connected to West Point sewer system; Clinton residents are charged the resident rate.

Council Member Petersen asked if Clinton City and the development have other options if they are not permitted to connect to the sewer line and road on 2000 North.

Council Member Turner asked if the development could obtain connection to the sewer line on 1800 North. Mr. Davis stated no because the sewer system drains from the North. Council Member Turner then asked how the sewer in the Derby Acres Subdivision connects to the sewer line. Mr. Davis stated sewer from the Derby Acres Subdivision exits the subdivision in the northwest corner and then connects to the NDSD sewer line.

Mayor Craythorne questioned if Clinton City would allow West Point to connect to their infrastructure and road if access was needed. He stated that in the past, Clinton City has been hesitant to allow West Point City roads to connect to Clinton City roads.

Council Member Petersen asked if the development could obtain easements and connect to the sewer line and road to the north. Mr. Davis stated possibly, however crossing under the Layton Canal could be a challenge. Council Member

Petersen stated he agreed that accesses into the development are a concern. He then recommended Clinton City and the Developer determine if access to the north is possible.

Mayor Craythorne requested the Council be permitted to review plans for both phases of the proposed development. He stated allowing cities to share infrastructure can be confusing and create problems. Mayor Craythorne expressed his desire to work with Clinton City; however several concerns must be addressed before a final decision can be made.

Council Member Petersen stated that higher fees charged by Clinton City may be for administrative costs associated with collecting sewer fees on behalf of West Point City. He stated if necessary, West Point City may need to charge an administrative fee to Clinton City.

Council Member Dawson asked if the West Point City sewer line could accommodate the new development. Mr. Davis stated yes, capacity is not an issue as an 8" sewer line will service approximately 200 homes.

Council Member Turner expressed concern with allowing the 2000 North road connection. He stated when residents purchased homes in the Derby Acre Subdivision the end of the road was an approved cul-de-sac.

Council Member Chatterton asked to review the fees being charged by both Clinton City and West Point City for the sewer line connections.

Council Member Petersen agreed with Council Member Turner, the residents of the Derby Acre Subdivision bought their homes knowing that 2000 North is not a stubbed street, it is an approved cul-de-sac. Council Member Petersen stated allowing access into another development shouldn't be considered lightly.

Mr. Davis informed the Council that they could grant the sewer line connection line without granting the 2000 North road connection. He then stated he will discuss the following items with Clinton City:

- Locations of access points into the proposed subdivision.
- Investigate obtaining a road & sewer line connection to the North.
- The requested connection of the road is similar to what Clinton City didn't want to south of the location.
- Sewer line connection fees being charged to West Point City residents.

Council Member Dawson asked why Clinton City doesn't pay sewer fees directly to the North Davis Sewer District (NDSD). Mr. Davis stated Clinton City pays sewer fees to the NDSD as well as sends West Point City a portion of the collected fees.

Council Member Dawson asked who is requesting West Point City grant the road and sewer line connection. Mr. Davis stated that the request the City received for the road and sewer line connection came from Mr. Lynn Vinzant with Clinton City.

3. Discussion of Subdivision Warranty Policy – Mr. Boyd Davis

Mr. Davis stated that before a subdivision can be removed from warranty, a slurry seal must be placed on the asphalt. Recently, Castle Creek Homes requested their subdivision be released from warranty if they transfer money to the City in lieu of the installation of the slurry seal. Mr. Davis stated that he is supportive of contractors transferring money to the City in lieu of doing the slurry seal. This will allow the City to maintain control and select a different product if desired. For example, the City has been using a product called HA5 instead of a slurry seal. New developments are not currently required to use the HA5 product.

Mr. Davis stated West Point City has been paying approximately \$1.75 per square yard for HA5 product. He stated currently developments are required to place a \$2.00 per square yard into escrow for slurry seal. The cost for HA5 has been less than that of slurry seal. With the amount required to be placed in escrow, the City should have adequate funds for the installation of the HA5 product.

Council Member Petersen stated it sounds good; however he is afraid that the obligation of the developer is not being adequately met. He stated the burden shouldn't be transferred from the developer to the city.

Mayor Craythorne stated more cities are encouraging developers to do this; it gives the city more control over the timing and product. He then stated this process could be tried and if it isn't successful, the process could revert to the current practice.

Council Member Chatterton stated as long as the cost of the HA5 and any administrative costs are collected, he is supportive of the city collecting the money for the slurry seal.

Council Member Dawson asked if using HA5 could be a requirement. Mr. Davis stated yes and the next subdivision will be using the HA5. He then stated, in the future the Council may be asked to approve the HA5 as a standard product.

4. Citizen Comment Follow-up – Mr. Kyle Laws

Mayor Craythorne stated during the Council Meetings, citizens often provide comments to the Council. Because the Council doesn't respond back to those making comment during the meeting citizens may feel as if they are being overlooked. Mayor Craythorne stated that during the Administrative Sessions, the Council will take a few minutes to discuss previous comments made to the Council. After the Council and Staff have considered and discussed the comments, Staff will provide the citizen with the information from Council.

- **Bee Keeping – Jesse Smith & Greg Unsicker**

Mr. Laws stated the West Point City Code only allows for beehives to be kept in Agriculture Zones. A few weeks ago, Mr. Smith and Mr. Unsicker informed the Council that numerous cities allow beehives to be kept within residential areas. Mr. Smith and Mr. Unsicker requested the Council consider amending the West Point City ordinance to allow beekeeping within residential zones. Mr. Laws asked if the Council has any interest with amending the ordinance to allow beekeeping in residential zones.

Council Member Dawson stated beekeeping is occurring all over the city and many residents are unaware of beekeeping regulations. Mayor Craythorne agreed, he stated many residents are unaware that beekeeping is only allowed in certain zonings of the City.

Mr. Davis stated within the past few weeks, the Code Enforcement Officer has received four complaints about bees. One of the complaints received was specifically for the bees owned by the Smith's.

Mr. Laws stated that because of the complaint, Mr. Smith received a courtesy notice from the Code Enforcement Officer. The Code Enforcement Officer has been instructed not to proceed with further action until the Council has made a decision with regards to beekeeping. Mr. Laws then clarified that the courtesy notice given to the Smith's was solely complaint driven.

Council Member Chatterton requested additional information with regards to beekeeping regulations in the surrounding cities.

Mr. Laws stated more people are stung by wasps and yellow jackets than actual honeybees. In most instances, honeybees are less aggressive than other types of bees. Mayor Craythorne agreed, he stated honeybees aren't nearly as intrusive or aggressive as other bees. He then stated there is concern with possible swarming if people don't properly care for the bees and hives.

Council Member Henderson stated that he had recently discussed beekeeping and the courtesy notice with Mrs. Smith. He stated that he had tried to visit the Smith's home to view their beehive and to gain a better understanding of the beekeeping process. The Smiths were not home and Council Member Henderson was unable to see view their beekeeping area.

The Council Members agreed that additional information is needed before a decision could be made with regards to beekeeping.

- “No Overnight Parking” signs on 4000 West – Mr. Wayne Law
Mr. Kyle Laws informed the Council that the City has recently received complaints about the vehicles being parked on 4000 West. He then stated this is the same location on 4000 West where Mr. Wayne Law has requested the “no overnight parking” signs be removed.

Council Member Turner stated he has considered uses for the area. He then recommended “desert scape” landscaping be installed the west side of 4000 West as it will give the area a finished look.

Council Member Petersen stated during remarks from Mr. Wayne Law on June 2nd, it was said that Mr. Wayne Law’s guests should be permitted to park on both the east and west side of 4000 West. Council Member Petersen stated if people visit his home they park in his driveway or in front of his home, rarely do his guests park in front of the homes on the opposite side of the street. Council Member Petersen stated parking on the west side of 4000 West shouldn’t be permitted just because the property is vacant.

Council Member Turner and Council Member Petersen both stated that they had recently driven down 4000 West and had seen boats, trailers and vehicles parked on the west side of the road. They agreed, the west side of the road isn’t meant to be used for parking.

Mayor Craythorne stated that he and Mr. Kyle Laws the current West Point City Manager and Gary Hill, the past City Manager have discussed the parking issues on 4000 West numerous times. He stated that 4000 West is the gateway to the West Point City Cemetery and residents shouldn’t be allowed to park on the west side of the road.

The Council Members agreed the “no overnight parking” signs on 4000 West should be removed and replaced with “no parking” signs. They also agreed that improvements such as landscaping and/or fencing should be installed in conjunction with the Cemetery expansion.

Mr. Laws stated that Staff will contact Weber Basin to discuss improvement options for west side of 4000 West.

- 3000 West Widening (park strip and street lights) – Doug Zaugg
Mr. Laws stated in a previous Council meeting Mr. Zaugg requested the Council reconsider the installation of streetlights on 3000 West and park strip in front of his home. Mr. Laws stated streetlights will provide additional security to 3000 West and park strips are a standard of the City and should be installed in front of Mr. Zaugg’s home.

Mayor Craythorne and the Council agreed; 3000 West is a major corridor and the installation of the park strip, sidewalk and street lights are a necessity.

Mr. Davis informed the Council that the installation of the park strip will not encroach on Mr. Zaugg’s property.

Mr. Laws informed the Council that tomorrow is the deadline for the Grand Marshall nominations. He asked the Council to provide Staff with a recommendation for the Grand Marshall by filling out a nomination form.

The Administrative Session adjourned.



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3200 West 300 North
West Point City, UT 84015
June 16, 2015**

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 the West Point City offices, 3200 West 300 North, West Point City, Utah 84015 on June 16, 2015 at 7:00 pm with Mayor Craythorne presiding.

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

CITY EMPLOYEES PRESENT – Kyle Laws, City Manager; Boyd Davis, Assistant City Manager; Evan Nelson, Finance Director; Paul Rochell, Public Works Director and Misty Rogers, City Recorder

VISITORS PRESENT – Douglas Zaugg and Brian Vincent

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

Council Member Henderson – no comment

Council Member Turner – no comment

Council Member Petersen – no comment

Council Member Dawson – no comment

Council Member Chatterton stated the Mosquito Abatement District Davis sprayed approximately 21,000 acres by airplane in May 2015. Typically, the district only sprays an estimated 9,000 acres by airplane in the month of May.

Mayor Craythorne stated the West Point City Independence Day Celebration is quickly approaching and numerous activities have been planned. He then congratulated all of those individuals who participated in the Miss West Point Pageant held on June 13, 2015.

Mayor Craythorne announced the 2015 Miss West Point Royalty:

Miss West Point - Bailey Turner

Jr. Miss West Point - Anna Wolford

1st Attendant - Jessica Davidson

1st Attendant - Kylie Boumeester

2nd Attendant - Sarah Petersen

2nd Attendant - Kylee Salazar

- 5. Communications from Staff**

Mr. Laws stated a photography and art contest is being held in conjunction with the Independence Day Celebration. The entries must be of something found within West Point City. He then stated that only 20 entries will be accepted

and anyone wishing to participate must register at West Point City Hall. Mr. Laws stated that all entries will be displayed for public voting in a booth during the Independence Day Celebration.

Council Member Turner asked if the contest is split into age groups. Mr. Laws stated not this year.

Council Member Dawson recommended incorporating age categories for the "Why I love My City" contest. Mr. Laws and the Council agreed.

Mr. Laws reminded the Council that he along with Paul Rochell and Boyd Davis will be attending FEMA training in Emmitsburg, Maryland from June 19th – June 26th.

Council Member Petersen stated in the past, the Grand Marshall's have been placed inside of a vehicle making it difficult for onlookers to see them. Council Member Henderson stated that Earl Rogers has agreed to transport the Grand Marshall through the parade in his buggy.

6. Citizen Comment – no comment

7. Consideration of Approval of Minutes from the May 19, 2015 and June 2, 2015 City Council Meeting.

Council Member Chatterton motioned to approve the minutes from the May 19th and June 2nd City Council Meetings. Council Member Henderson seconded the motion. The Council unanimously agreed.

8. Consideration of Resolution No. 06-16-2015A, the Adoption of the FY2016 Schedule of Fees for West Point City – Mr. Evan Nelson

Mayor Craythorne stated the FY2016 Schedule of Fees have been discussed by the Council during previous meetings.

Council Member Petersen motioned to approve Resolution No. 06-16-2015A, the Adoption of the FY2016 Schedule of Fees for West Point City.

Council Member Dawson seconded the motion.

The Council unanimously agreed.

9. Consideration of Resolution No. 06-16-2015B, Consideration of Adoption of FY2015 Amended Budget for West Point City - Evan Nelson

a. Public Hearing - no comment

Council Member Petersen motioned to close the public hearing

Council Member Chatterton seconded the motion.

The Council unanimously agreed.

b. Action

Council Member Dawson motioned to approve Resolution No. 06-16-2015B, the adoption of the FY2015 Amended Budget for West Point City.

Council Member Turner seconded the motion.

The Council unanimously agreed.

Mayor Craythorne stated the FY2016 Budget will be approved on August 4th, after the Truth in Taxation process. He then stated the Truth in Taxation process will allow the Council to accept the certified rate, maintain the rate or accept a rate somewhere in between. Until the Final Budget is adopted, the City will operate using the FY2016 Tentative Budget which was adopted on June 2, 2015.

10. Motion to Adjourn

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

Following the CDRA Meeting, the June 16, 2015 City Council Meeting was reopened, allowing the Council to meet in a Closed Session to discuss the purchase of real property, pursuant to UCA §52-4-205(1)(d).

CLOSED SESSION - Pursuant to UCA §52-4-205(1)(d), to Discuss the Purchase of Real Property

PRESENT - Mayor Craythorne, Council Member Turner, Council Member Henderson, Council Member Petersen, Council Member Chatterton, Council Member Dawson, Mr. Kyle Laws (City Manager) and Mr. Evan Nelson (Administrative Services Director)

Council Member Dawson motioned to adjourn into a Closed Session (pursuant to UCA §52-4-205(1)(d))
Council Member Petersen seconded the motion.
The Council unanimously agreed.

Council Member Petersen motioned to open the Closed Session.
Council Member Turner seconded the motion.
The Council unanimously agreed.

The Council held a discussion of the purchase of real property pursuant to UCA §52-4-205(1)(d)

Council Member Chatterton motioned to adjourn the Closed Session and reenter into the General Session.
Council Member Dawson seconded the motion.
The Council unanimously agreed.

Council Member Henderson motioned to adjourn the General Session
Council Member Dawson seconded the motion
The Council unanimously agreed.


ERIK CRAYTHORNE, MAYOR July 7, 2015
DATE


MISTY ROGERS, CITY RECORDER July 7, 2015
DATE

