



## WEST POINT CITY COUNCIL NOTICE & AGENDA

West Point City Hall  
3200 West 300 North  
West Point City, UT 84015  
April 5, 2016

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

---

### ADMINISTRATIVE SESSION

6:00 pm (Board Room)

1. **Discussion of FY2016 Amended Budget** – Mr. Evan Nelson [page 5](#)
2. **Discussion Regarding the Rezone from A-40 to R-1 for the Property Located at 1300 N 5000 W** – Mr. Boyd Davis [page 21](#)
3. **Discussion Regarding Beer License for the Smith's Marketplace** – Mr. Bruce Dopp [page 27](#)
4. **Code Enforcement Update** – Mr. Bruce Dopp [page 39](#)
5. **Discussion Regarding Roundabout Landscaping** – Mr. Boyd Davis
6. **Discussion Regarding Secondary Water Meters and Introduction of New DWCC Manager** – Mr. Boyd Davis

### GENERAL SESSION

7:00 pm (Council Chamber)

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Prayer** (Please 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 Follow-Up** – Mr. Kyle Laws
7. **Citizen Comment** (If you wish to make comment to the Council, please use the podium and clearly state your name and address, keeping your comments to a maximum of 2 ½ minutes. Please do not repeat positions already stated. Public comment is a time for the Council to receive new information and perspectives)
8. **Consideration of Approval of Minutes from the March 15, 2016 City Council Meeting** [page 43](#)
9. **Youth Council Update**
10. **Final Pad Approval of Lot 6 of the Point Development (Del Taco Pad)** – Mr. Boyd Davis [page 51](#)
11. **Approval of Ordinance 04-05-2016A, an Ordinance Amending West Point City Code Section 17.25.07, Modifying Land Use Regulations** – Mr. Boyd Davis [page 57](#)
  - a. **Public Hearing**
  - b. **Action**
12. **Public Hearing for the FY2016 Amended Budget** – Mr. Evan Nelson [page 5](#)
  - a. **Public Hearing**
13. **Motion to Adjourn**

Posted this 31<sup>st</sup> day of March, 2016

---

CASEY ARNOLD, CITY RECORDER

If you plan to attend this meeting and, due to disability, will need assistance in understanding or participating therein, please notify the City at least twenty-four(24) hours prior to the meeting and we will seek to provide assistance.



## TENTATIVE UPCOMING ITEMS

Date: 4/19/2016

### Administrative Session – 6:00 pm

1. Quarterly Financial Report – Mr. Evan Nelson
2. Discussion of FY2016 Amended Budget – Mr. Evan Nelson
3. Discussion of Recycling Program – Mr. Kyle Laws
4. Discussion of Animal Control Ordinance Relating to Feral and Domesticated Cats – Mr. Kyle Laws

### General Session – 7:00 pm

1. Citizen Comment Follow-up – Mr. Kyle Laws
2. Consideration of Ordinance 04-09-2016A, Rezoning Property at 1300 N 5000 W from A-40 to R-1 – Mr. Boyd Davis
  - a. Public Hearing
  - b. Action
3. Consideration of Resolution No. 04-19-2016A, the Adoption of the FY2016 for West Point City and All Related Agencies – Mr. Evan Nelson
  - a. Public Hearing
  - b. Action

Date: 5/3/2016

### Administrative Session – 6:00 pm

1. Discussion of FY2016 Amended Budget and FY2017 Budget – Mr. Evan Nelson

### General Session – 7:00 pm

1. Citizen Comment Follow-up – Mr. Kyle Laws
2. Youth Council Update
3. Public Hearing for the FY2017 Budget for West Point City – Mr. Evan Nelson
  - a. Public Hearing

### CDRA Meeting

1. Public Hearing for the CDRA FY2016 Amended Budget and FY2017 Budget – Mr. Evan Nelson
  - a. Public Hearing

### FUTURE ITEMS

#### Administrative Session

1. Open and Public Meetings Training – Mr. Felshaw King
2. Discussion of Street Light Replacement – Mr. Kyle Laws
3. Building Rental Fees & Policy – Mr. Kyle Laws
4. Interlocal Agreement with Davis County for Property use West of Blair Dahl Park – Mr. Kyle Laws
5. Discussion of Pheasant Creek Property/Park – Mr. Kyle Laws
6. Discussion of Amendment No. 3 to the Interlocal Agreements with Davis County for Animal Control Services – Mr. Kyle Laws
7. Consideration of Approval of the Payback Agreement for the Homewood Subdivision – Mr. Boyd Davis
8. Consideration of Final Approval of the Mackay Subdivision – Mr. Boyd Davis
9. Discussion Regarding the Junk Car Ordinance – Mr. Boyd Davis

#### General Session

4. Consideration of Resolution No. 02-16-2016, Approving Amendment No. 3 to the Interlocal Cooperation Agreement with Davis County for Animal Control Services – Mr. Kyle Laws

#### CDRA

1. Resolution Amending the Interlocal Agreement Between the CDRA of West Point and West Point City – Mr. Randy Sant

# West Point City 2016 Calendar

## January

- 1 New Year's Day-Closed
- 5 City Council-7pm
- 11 Senior Lunch-11:30am
- 14 Planning Commission-7pm
- 18 Martin Luther King Day-Closed
- 19 City Council-7pm
- 28 Planning Commission-7pm
- 29-30 Council Retreat

## February

- 8 Senior Lunch-11:30am
- 10 Council/Staff Lunch-11:30am
- 11 Planning Commission-7pm
- 15 Presidents Day-Closed
- 16 City Council-7pm
- 25 Planning Commission-7pm

## March

- 1 City Council-7pm
- 10 Planning Commission-7pm
- 15 City Council-7pm
- 21 Senior Lunch-11:30am
- 24 Planning Commission-7pm
- 26 Easter Egg Hunt-10am

## April

- 5 City Council-7pm
- 14 Planning Commission-7pm
- 18 Senior Lunch-11:30am
- 19 City Council-7pm
- 28 Planning Commission-7pm

## May

- 3 City Council-7pm
- 5 Cemetery Cleaning
- 7 Take Pride Day
- 11 Council/Staff Lunch-11:30am
- 12 Planning Commission-7pm
- 16 Senior Lunch-11:30am
- 17 City Council-7pm
- 26 Planning Commission-7pm
- 30 Memorial Day-Closed

## June

- 7 City Council-7pm
- 9 Planning Commission-7pm
- 11 Miss West Point Pageant SHS-7pm
- 20 Senior Lunch-11:30am
- 21 City Council-7pm
- 23 Planning Commission-7pm

## July

- 4 Independence Day-Closed
- 5 City Council-7pm
- 14 Planning Commission-7pm
- 18 Senior Lunch 11:30am
- 19 City Council-7pm
- 25 Pioneer Day-Closed
- 28 Planning Commission-7pm

## August

- 2 City Council-7pm
- 4 Summer Party-5pm
- 11 Planning Commission-7pm
- 16 City Council-7pm
- 19 Senior Dinner-5:00pm
- 25 Planning Commission-7pm

## September

- 5 Labor Day-Closed
- 6 City Council-7pm
- 8 Planning Commission-7pm
- 19 Senior Lunch-11:30am
- 20 City Council-7pm
- 22 Planning Commission-7pm

## October

- 4 City Council-7pm
- 6 Cemetery Cleaning
- 12 Council/Staff Lunch-11:30am
- 13 Planning Commission-7pm
- 14 Halloween Carnival-7pm
- 17 Senior Lunch-11:30am
- 18 City Council-7pm
- 27 Planning Commission-7pm

## November

- 1 Election Day
- 5 Flags on Veteran's Graves YC
- 10 Planning Commission-7pm
- 11 Veteran's Day-Closed
- 15 City Council-7pm
- 21 Senior Lunch-11:30am
- 24-25 Thanksgiving-Closed

## December

- 2 Christmas Party-7pm
- 5 City Hall Lighting Ceremony-6:00 pm
- 6 City Council-7pm
- 8 Planning Commission-7pm
- 19 Senior Lunch-11:30am
- 20 City Council-7pm
- 23 Cemetery Luminary-4pm
- 26-27 Christmas-Closed

## January 2017

- 6-7 Council Retreat

# City Council Staff Report

**Subject:** FY2016 Amended Budget  
**Author:** Evan Nelson  
**Department:** Administrative Services  
**Date:** April 5, 2016

---

## **BACKGROUND**

Each year cities in the State of Utah are required to adopt a balanced budget. The final budget for Fiscal Year 2016 was adopted last August. The Council may amend the budget at any time during the fiscal year, after holding a public hearing on the matter. Staff would like to propose several amendments to the FY 2016 Budget. Typically, budget amendments have been proposed and approved as part of the regular budget process in May and June. However, the proposed changes in the Community Development Department necessitate earlier approval. The proposed budget amendments will be discussed in the April 5, 2016 Administrative Session and a public hearing will be held in the General Session. The Amended Budget will be considered for approval during the general session on April 19, 2016. Brief summaries of the proposed changes are provided below.

## **ANALYSIS**

### ***Class C***

We have increased the Class C budgeted revenues by \$30,000 as a result of the legislative changes enacted to bolster this revenue. The budgeted transfer of Class C money from the General Fund to the Special Revenue Fund was also increased by \$30,000. Additional Class C balance, in the amount of \$122,571, is proposed to be spent on the 520 North road project and the 800 North sidewalk project.

### ***General Fund Transfer to Capital Projects***

Each year excess money in the General Fund is transferred over to the Capital Projects Fund. The original FY2016 budget didn't provide for this transfer. The Amended Budget allows for a transfer of up to \$800,000. This number is intentionally high to ensure the required transfer does not exceed the budget. The actual amount of the transfer is calculated during the fiscal year closing.

### ***Community Development***

An additional expenditure of \$7,765 is proposed to fund increased hours and additional benefits, including health insurance, to the Planner position through the end of the fiscal year. This change is proposed to be effective immediately in order to better facilitate work on the General Plan update.

### ***Recreation***

An additional expenditure of \$1,000 is proposed to pay for background checks on youth recreation volunteers.

### ***Park and Trail Impact Fees***

An increase of \$188,355 is proposed for the Park and Trail Impact Fee expenditure budget to cover the expenses of filling in the ponds, grading, and constructing the new parking lot at Loy Blake Park.

Originally, General Fund surplus was budgeted for this project, but we have changed the revenue source to Park and Trail Impact Fees in order to use the most restricted revenue first.

### ***Capital Projects Fund***

In the Capital Projects Fund, we propose \$242,000 of General Fund surplus be added to the Park Improvements budget for the expansion of Loy Blake Park. A \$5,000 increase is also proposed to the Military Memorial expenditure line. This line is used to pass donations from the community on to the Memorial Committee. Lastly, we propose an increase of \$8,000 to purchase a new four-wheeler for use in Public Works and Parks.

### ***Storm Water Fund***

Proposed amendments increase the Storm Water Fund Capital Projects line by \$15,199. This allows an increase to the 520 North Loop project budget for the installation of a new storm water line. A small increase to the 300 North Ditch project is also included.

### ***Pension Reporting***

Recent changes to pension reporting regulations require that we now provide a budget for annual adjustments to pension liabilities. It is difficult to know how the actual numbers will come out and whether the end-of-year entries will utilize expenditure or revenue accounts. So to be prepared, we have proposed pension revenue and expenditure lines budgeted at \$20,000 each. These budgets appear in each of the three enterprise funds.

### **RECOMMENDATION**

Staff would recommend approval of the Fiscal Year 2016 Amended Budget.

### **SIGNIFICANT IMPACTS**

Additional expenditure of City funds.

### **ATTACHMENTS**

Proposed FY2016 Amended Budget

Period: 03/16

Account Number	Account Title	2014-15 Actual	2015-16 Current year Budget	2015-16 Amended Budget
<b>GENERAL FUND</b>				
<b>TAXES</b>				
103110	Property Taxes	359,773.51	376,649.00	376,649.00
103125	Vehicle - In lieu of prop. tax	49,329.58	35,000.00	35,000.00
103130	General Sales and Use Taxes	988,139.88	917,931.00	917,931.00
103140	Cable TV	19,054.19	19,000.00	19,000.00
103150	Energy Sales and Use	366,765.01	345,000.00	345,000.00
103160	Telecommunications	97,350.12	100,000.00	100,000.00
Total TAXES:		1,880,412.29	1,793,580.00	1,793,580.00
<b>LICENSES AND PERMITS</b>				
103210	Bus. License/Cond. Use Permits	12,418.00	12,000.00	12,000.00
103221	Building Permits	131,578.03	100,000.00	100,000.00
Total LICENSES AND PERMITS:		143,996.03	112,000.00	112,000.00
<b>INTERGOVERNMENTAL REVENUE</b>				
103356	Class C Roads	301,707.74	290,000.00	320,000.00
Total INTERGOVERNMENTAL REVENUE:		301,707.74	290,000.00	320,000.00
<b>CHARGES FOR SERVICES</b>				
103410	Zoning and Subdivision Fees	12,035.00	7,000.00	7,000.00
103460	Recreation Fees	87,359.75	85,000.00	85,000.00
103478	Park & City Hall Reservations	4,605.00	4,500.00	4,500.00
103479	City Celeb. & Sponsorships	13,028.27	12,000.00	12,000.00
103482	Cemetery Interment	16,225.00	9,000.00	9,000.00
103490	Misc. Income & Concessions	17,181.10	15,000.00	15,000.00
Total CHARGES FOR SERVICES:		150,434.12	132,500.00	132,500.00
<b>MISCELLANEOUS REVENUE</b>				
103610	Interest Earnings	3,145.22	1,000.00	1,000.00
103625	Military Memorial Donations	1,505.00	.00	.00
103690	Miscellaneous	1,279.20	.00	.00
Total MISCELLANEOUS REVENUE:		5,929.42	1,000.00	1,000.00
<b>CONTRIBUTIONS &amp; TRANSFERS</b>				
103910	Surplus General Fund	.00	.00	797,494.00
103950	Fleet Contribution - Waste Fun	.00	.00	.00
103955	Fleet Contribution - Water Fun	.00	.00	.00
103960	Capital Projects Transfer	.00	.00	.00
Total CONTRIBUTIONS & TRANSFERS:		.00	.00	797,494.00
Total Revenue:		2,482,479.60	2,329,080.00	3,156,574.00
<b>GENERAL GOVERNMENT</b>				
104110	Mayor and Council Wages	41,364.55	39,600.00	39,600.00
104113	Employee Benefits	5,297.52	6,275.00	6,275.00
104133	Training and Education	4,397.64	9,000.00	9,000.00
104135	Community Service Contracts	1,075.00	3,000.00	3,000.00

Period: 03/16

Account Number	Account Title	2014-15 Actual	2015-16 Current year Budget	2015-16 Amended Budget
Total GENERAL GOVERNMENT:		52,134.71	57,875.00	57,875.00
<b>ADMINISTRATIVE SERVICES</b>				
104411	Salaries and Wages	85,334.71	90,677.00	90,677.00
104413	Employee Benefits	35,633.82	47,332.00	47,332.00
104420	Mileage Reimbursement	413.25	800.00	800.00
104421	Books, Subscrip. & Memberships	376.01	1,000.00	1,000.00
104424	Postage	3,660.92	5,000.00	5,000.00
104425	Equipment & Supplies	821.48	1,000.00	1,000.00
104426	Equipment Lease & Maintenance	12,867.56	16,500.00	16,500.00
104433	Training & Education	2,843.49	4,000.00	4,000.00
104438	Auditor & Accounting Support	25,030.00	25,500.00	25,500.00
104463	IT Support & Contracts	2,466.24	4,750.00	4,750.00
104469	Office Supplies & Expense	2,015.12	4,000.00	4,000.00
104475	Risk Management	35,752.91	34,000.00	34,000.00
104495	Credit Card Processing Fees	780.70	1,000.00	1,000.00
104498	Bank Service Charges	492.60	1,000.00	1,000.00
Total ADMINISTRATIVE SERVICES:		208,488.81	236,559.00	236,559.00
<b>PUBLIC WORKS</b>				
104811	Salaries and Wages	80,417.10	96,839.00	96,839.00
104813	Employee Benefits & Retirement	51,588.39	63,548.00	63,548.00
104820	Overtime	16,128.86	15,000.00	15,000.00
104823	Travel and Education	325.00	360.00	360.00
104825	Equipment, Supplies & Maint.	8,433.56	9,000.00	9,000.00
104826	Municipal Bldgs. Oper. & Maint	21,516.65	24,260.00	24,260.00
104854	Prot. Clothing & Equipment	2,151.49	3,000.00	3,000.00
104863	IT Support & Contracts	67.67	.00	.00
104865	Fleet Operations & Maintenance	4,478.20	4,250.00	4,250.00
104867	Fleet Fuel	10,276.00	12,865.00	12,865.00
104869	Office Supplies & Expense	212.59	1,300.00	1,300.00
104870	Fleet Leases	4,000.00	10,000.00	10,000.00
104875	Crosswalk Power	789.64	900.00	900.00
104877	Public Facilities Heating	6,791.51	5,000.00	5,000.00
104882	Public Facilities Power	18,778.86	14,000.00	14,000.00
104884	Street Lighting Pwr & Mnt.	47,114.81	52,000.00	52,000.00
Total PUBLIC WORKS:		273,070.33	312,322.00	312,322.00
<b>EXECUTIVE</b>				
104911	Salaries and Wages	127,074.93	154,079.00	154,079.00
104913	Employee Benefits	60,187.56	68,429.00	68,429.00
104920	Mileage Reimbursements	.00	750.00	750.00
104921	Books, Subscrip. & Memberships	2,209.31	3,000.00	3,000.00
104923	Travel and Education	8,425.77	6,000.00	6,000.00
104924	Postage	.00	320.00	320.00
104925	New Equipment Purchase	7,994.13	9,000.00	9,000.00
104937	Attorney	27,030.00	33,000.00	33,000.00
104962	Miscellaneous	.00	15,000.00	15,000.00
104963	IT Support & Contracts	18,258.82	24,000.00	24,000.00
104965	Emp. Awards, Rec. & Events	10,080.74	11,000.00	11,000.00
104966	Education Reimb. Program	.00	2,000.00	2,000.00
104967	Emp. Benefits & Bonus Program	296.96	13,000.00	13,000.00
104968	Wellness Program	.00	1,000.00	1,000.00

Period: 03/16

Account Number	Account Title	2014-15 Actual	2015-16 Current year Budget	2015-16 Amended Budget
104969	Office Supplies & Expense	5,384.50	5,000.00	5,000.00
104970	Cellular & Radio Serv. & Equip	9,344.69	12,000.00	12,000.00
104972	Legal Advertising	5,232.52	9,000.00	9,000.00
104980	Utah League Membership	4,051.63	4,500.00	4,500.00
104982	City Newsletter	2,896.20	1,750.00	1,750.00
104983	Economic Development	.00	8,000.00	8,000.00
104985	Volunteerism Program	.00	2,000.00	2,000.00
104988	Recorders Office	3,230.74	8,000.00	8,000.00
104989	Elections	.00	8,000.00	8,000.00
104990	City Celebrations & Events	65,312.33	63,000.00	63,000.00
104991	Youth Council	5,979.71	6,000.00	6,000.00
104992	Miss West Point Pageant	11,171.15	10,750.00	10,750.00
104993	Senior Program	2,075.31	2,500.00	2,500.00
Total EXECUTIVE:		376,237.00	481,078.00	481,078.00
<b>COMMUNITY DEVELOPMENT</b>				
105211	Salaries and Wages	90,139.42	135,316.00	138,316.00
105213	Employee Benefits & Retirement	30,910.74	54,381.00	59,146.00
105221	Books, Subscrip. & Memberships	704.14	750.00	750.00
105223	Travel, Education & Certificat	1,585.09	2,500.00	2,500.00
105225	Equipment & Supplies	4,193.39	6,500.00	6,500.00
105251	GIS	.00	1,500.00	1,500.00
105261	Miscellaneous Supplies	3.00	500.00	500.00
105262	Contract Planning & Insp Serv	6,887.60	2,000.00	2,000.00
105263	IT Support & Contracts	159.75	400.00	400.00
105265	State Building Surcharge	2,315.05	1,000.00	1,000.00
105268	Planning Comm/Board of Adj.	.00	5,000.00	5,000.00
105269	Office Supplies & Expense	175.75	500.00	500.00
Total COMMUNITY DEVELOPMENT:		137,073.93	210,347.00	218,112.00
<b>PUBLIC SAFETY &amp; EMERGENCY PLAN</b>				
105411	Crossing Guards	21,827.20	33,866.00	33,866.00
105413	Employee Benefits & Retirement	2,319.71	3,645.00	3,645.00
105415	Crossing Guard Supplies/Equip.	257.07	1,000.00	1,000.00
105460	Animal Control	23,238.66	24,000.00	24,000.00
105462	Police Services	72,566.12	101,400.00	101,400.00
105465	Narcotics Strike Force	7,133.25	7,500.00	7,500.00
105475	Hometown Security (EPRT)	2,576.15	4,000.00	4,000.00
Total PUBLIC SAFETY & EMERGENCY PLAN:		129,918.16	175,411.00	175,411.00
<b>PARKS AND CEMETERY</b>				
107011	Salaries and Wages	64,598.89	115,640.00	115,640.00
107013	Employee Benefits & Retirement	6,873.79	12,451.00	12,451.00
107020	Uniforms	.00	600.00	600.00
107025	Equipment & Supplies	13,393.32	14,000.00	14,000.00
107026	Building and Grounds	55,105.22	61,600.00	61,600.00
107029	Park & Cemetery Lights	3,843.79	3,400.00	3,400.00
107061	Misc. Services and Supplies	4,281.00	1,200.00	1,200.00
107069	Office Supplies & Expense	.00	500.00	500.00
107070	Gateways & Public Properties	1,728.25	4,000.00	4,000.00
Total PARKS AND CEMETERY:		149,824.26	213,391.00	213,391.00

Period: 03/16

Account Number	Account Title	2014-15 Actual	2015-16 Current year Budget	2015-16 Amended Budget
<b>RECREATION</b>				
107111	Salaries and Wages	87,460.60	105,577.00	105,577.00
107113	Employee Benefits & Retirement	33,101.01	41,674.00	41,674.00
107120	Recreation Program Marketing	295.55	1,000.00	1,000.00
107126	Building and Grounds	1,999.27	2,300.00	2,300.00
107130	Background Checks	.00	.00	1,000.00
107160	Soccer	11,511.96	12,000.00	12,000.00
107167	Junior Jazz	19,577.55	18,000.00	18,000.00
107168	Football	29,381.17	32,000.00	32,000.00
107169	Office Supplies & Expense	476.90	250.00	250.00
107171	Baseball/Softball	18,236.67	18,000.00	18,000.00
107173	Volleyball	3,101.66	3,000.00	3,000.00
Total RECREATION:		205,142.34	233,801.00	234,801.00
<b>TRANSFERS, CONT. &amp; OTHER USES</b>				
109063	Class C Trans. to Special Rev.	301,707.74	290,000.00	320,000.00
109065	Trans. To Capital Projects Fun	.00	8,340.00	.00
109070	Trans. Debt. Serv. City Hall	34,637.91	107,025.00	107,025.00
109086	TRANSFER TO CAP. PROJ. FUND	561,610.01	.00	800,000.00
Total TRANSFERS, CONT. & OTHER USES:		897,955.66	405,365.00	1,227,025.00
Total Expenditure:		2,429,845.20	2,326,149.00	3,156,574.00
GENERAL FUND Revenue Total:		2,482,479.60	2,329,080.00	3,156,574.00
GENERAL FUND Expenditure Total:		2,429,845.20	2,326,149.00	3,156,574.00
Net Total GENERAL FUND:		52,634.40	2,931.00	.00

Period: 03/16

Account Number	Account Title	2014-15 Actual	2015-16 Current year Budget	2015-16 Amended Budget
<b>SPECIAL REVENUE FUND</b>				
<b>DEVELOPMENT FEES</b>				
453015	Water Impact Fees	.00	.00	.00
453028	Sewer Impact Fees	.00	.00	.00
453029	Storm Water Impact Fees	.00	.00	.00
453057	Road Impact Fees	175,610.82	170,150.00	170,150.00
453070	Park and Trails Impact Fees	123,766.44	119,000.00	119,000.00
453075	North Davis Sewer	175,824.00	163,000.00	163,000.00
453080	N.D. Fire Impact Fees	15,839.74	14,750.00	14,750.00
453090	Class C Road Revenue	.00	290,000.00	.00
453099	Beginning Balance	.00	80,467.00	361,393.00
Total DEVELOPMENT FEES:		491,041.00	837,367.00	828,293.00
<b>OTHER FINANCING SOURCES</b>				
453346	Grants (Road Projects)	578,117.53	2,620,769.00	2,620,769.00
453390	Transfer from Other Funds	301,707.74	.00	320,000.00
Total OTHER FINANCING SOURCES:		879,825.27	2,620,769.00	2,940,769.00
<b>Source: 36</b>				
453610	Interest Income	9,273.92	.00	.00
Total Source: 36:		9,273.92	.00	.00
Total Revenue:		1,380,140.19	3,458,136.00	3,769,062.00
<b>SPECIAL FUND PROJECTS</b>				
455115	Parks/Trails Impact Fee Proj.	134,358.00	60,000.00	248,355.00
455171	Roads/Ped. Walkways Impact Fee	91,302.21	453,394.00	453,394.00
455180	N.D. Sewer Impact Fees	176,242.50	163,000.00	163,000.00
455185	N.D. Fire Impact Fees	15,839.74	14,750.00	14,750.00
455190	Parks and Trail Projects	22,906.00	.00	.00
455195	Class C Road Expenditures	272,049.75	402,117.00	524,688.00
455197	Road & Sidewalk Grant Projects	578,117.53	2,364,875.00	2,364,875.00
Total SPECIAL FUND PROJECTS:		1,290,815.73	3,458,136.00	3,769,062.00
<b>TRANSFERS, CONTRIB. &amp; OTHER US</b>				
459051	Transfer to Other Funds	757,751.67	.00	.00
Total TRANSFERS, CONTRIB. & OTHER US:		757,751.67	.00	.00
Total Expenditure:		2,048,567.40	3,458,136.00	3,769,062.00
SPECIAL REVENUE FUND Revenue Total:		1,380,140.19	3,458,136.00	3,769,062.00
SPECIAL REVENUE FUND Expenditure Total:		2,048,567.40	3,458,136.00	3,769,062.00
Net Total SPECIAL REVENUE FUND:		668,427.21-	.00	.00

Period: 03/16

Account Number	Account Title	2014-15 Actual	2015-16 Current year Budget	2015-16 Amended Budget
<b>CAPITAL PROJECTS FUND</b>				
<b>REVENUE</b>				
483030	Misc. Fees From Developer	.00	23,325.00	23,325.00
483045	Cemetery Permit & Perpet. Care	33,150.00	161,750.74	161,750.74
483090	Beginning Balance	.00	548,367.00	281,951.00
Total REVENUE:		33,150.00	733,442.74	467,026.74
<b>OTHER FINANCING SOURCES</b>				
483310	Transfer from General Fund	561,610.01	400,000.00	800,000.00
483335	Interest	4,275.91	.00	.00
Total OTHER FINANCING SOURCES:		565,885.92	400,000.00	800,000.00
Total Revenue:		599,035.92	1,133,442.74	1,267,026.74
<b>CAP. PROJ. FUND FINANCING USES</b>				
485115	Buildings	32,659.70	34,117.00	34,117.00
485120	Road Projects	15,467.50	467,720.00	345,740.00
485125	Park Improvement Projects	459,566.72	241,107.00	483,671.00
485128	Military Memorial Projects	.00	2,035.00	7,035.00
485143	Capital Equipment Replacement	14,909.00	18,091.00	26,091.00
485144	Vehicle Replacement	9,770.46	48,622.00	48,622.00
485153	5 Year CIP	.00	160,000.00	160,000.00
485170	Cemetery Perpetual Care	675.00	161,750.74	161,750.74
Total CAP. PROJ. FUND FINANCING USES:		533,048.38	1,133,442.74	1,267,026.74
Total Expenditure:		533,048.38	1,133,442.74	1,267,026.74
CAPITAL PROJECTS FUND Revenue Total:		599,035.92	1,133,442.74	1,267,026.74
CAPITAL PROJECTS FUND Expenditure Total:		533,048.38	1,133,442.74	1,267,026.74
Net Total CAPITAL PROJECTS FUND:		65,987.54	.00	.00

Period: 03/16

Account Number	Account Title	2014-15 Actual	2015-16 Current year Budget	2015-16 Amended Budget
<b>WASTE FUND</b>				
<b>OPERATING REVENUE</b>				
513717	Penalties	14,161.63	20,000.00	20,000.00
513726	Sewer Fees	687,310.13	780,000.00	780,000.00
513750	Garbage Collection Fees	469,708.47	462,500.00	462,500.00
513760	Greenwaste Collection Fees	98,092.83	95,000.00	95,000.00
513770	Recycle Collection Fees	97,407.37	90,000.00	90,000.00
Total OPERATING REVENUE:		1,366,680.43	1,447,500.00	1,447,500.00
<b>OTHER FINANCING SOURCES</b>				
513805	Sewer Impact Fees	12,828.09	12,100.00	12,100.00
513815	Can Purchase	9,180.00	7,000.00	7,000.00
513845	Trans from Spec Rev Fund	116,339.75	.00	.00
513880	Interest Earnings	2,947.83	500.00	500.00
513890	MISCELLANEOUS	315.08	.00	.00
513891	DEVELOPER CONTRIBUTIONS	43,175.00	.00	.00
513899	Pension	7,229.00	.00	20,000.00
Total OTHER FINANCING SOURCES:		192,014.75	19,600.00	39,600.00
<b>TRANSFERS</b>				
513995	Beginning Fund Balance	.00	256,323.00	256,323.00
513996	Sewer Impact Fee Balance	.00	9,015.00	9,015.00
Total TRANSFERS:		.00	265,338.00	265,338.00
Total Revenue:		1,558,695.18	1,732,438.00	1,752,438.00
<b>PRIMARY OPERATING EXPENSES</b>				
518111	Salaries and Wages	131,685.20	141,687.00	141,687.00
518113	Benefits and Bonus	69,190.24	87,042.00	87,042.00
518115	On call pay	7,260.00	8,500.00	8,500.00
518127	Lift Station Pumps	1,072.11	2,400.00	2,400.00
518145	Garbage Collection	268,826.26	276,000.00	276,000.00
518146	Burn Plant	255,113.00	257,020.00	257,020.00
518149	Sewer Collection and Disposal	438,173.14	550,422.00	550,422.00
518155	Sewer Maintenance and Repair	20,873.73	30,000.00	30,000.00
518163	IT Support & Contracts	9,610.02	16,925.00	16,925.00
518165	Utility Refunds	.00	1,500.00	1,500.00
Total PRIMARY OPERATING EXPENSES:		1,201,803.70	1,371,496.00	1,371,496.00
<b>MATERIALS AND SUPPLIES</b>				
518224	Utility Bills - Postage/Equip.	8,727.30	11,000.00	11,000.00
518247	Can Purchase	.00	4,500.00	4,500.00
518260	Travel and Education	347.98	1,500.00	1,500.00
518261	Misc. Supplies & Deposit Slips	9.00	1,000.00	1,000.00
Total MATERIALS AND SUPPLIES:		9,084.28	18,000.00	18,000.00
<b>WASTE - OTHER EXPENSES</b>				
518405	Sewer Impact Fee Projects	.00	21,115.00	21,115.00
518420	Admin - Waste	8,126.43	15,000.00	15,000.00
518430	Depreciation	85,889.28	85,000.00	85,000.00

Period: 03/16

Account Number	Account Title	2014-15 Actual	2015-16 Current year Budget	2015-16 Amended Budget
518435	Credit Card Processing Fees	5,409.95	5,775.00	5,775.00
518444	Vehicle Replacement	.00	4,052.00	4,052.00
518481	IT	.00	4,000.00	4,000.00
518483	Capital Improvements	.00	199,000.00	199,000.00
518484	Blue Stakes	438.21	1,000.00	1,000.00
518490	Fleet Contribution	9,377.11	8,000.00	8,000.00
Total WASTE - OTHER EXPENSES:		109,240.98	342,942.00	342,942.00
<b>TRANSFERS &amp; CONTINGENCIES</b>				
519099	Pension	.00	.00	20,000.00
Total TRANSFERS & CONTINGENCIES:		.00	.00	20,000.00
Total Expenditure:		1,320,128.96	1,732,438.00	1,752,438.00
WASTE FUND Revenue Total:		1,558,695.18	1,732,438.00	1,752,438.00
WASTE FUND Expenditure Total:		1,320,128.96	1,732,438.00	1,752,438.00
Net Total WASTE FUND:		238,566.22	.00	.00

Period: 03/16

Account Number	Account Title	2014-15 Actual	2015-16 Current year Budget	2015-16 Amended Budget
<b>WATER FUND</b>				
<b>OPERATING REVENUE</b>				
553711	Metered Water Sales	702,688.08	680,000.00	680,000.00
553713	Secondary Water Sales	776,808.02	775,000.00	775,000.00
553714	Connection Fees - Water	16,100.00	15,000.00	15,000.00
553717	Penalties	30,543.69	12,600.00	12,600.00
Total OPERATING REVENUE:		1,526,139.79	1,482,600.00	1,482,600.00
<b>OTHER FINANCING SOURCES</b>				
553805	Water Impact Fees	22,402.00	24,350.00	24,350.00
553845	Transfer from Spec Rev Fund	168,241.30	.00	.00
553855	Miscellaneous Revenue	315.09	.00	.00
553880	Interest Earnings	4,524.40	.00	.00
553891	DEVELOPER CONTRIBUTIONS	59,124.00	.00	.00
553895	Fund Reserves	.00	393,255.00	349,869.00
553896	Water Impact Fee Balance	.00	27,940.00	27,940.00
553899	Pension	7,455.00	.00	20,000.00
Total OTHER FINANCING SOURCES:		262,061.79	445,545.00	422,159.00
Total Revenue:		1,788,201.58	1,928,145.00	1,904,759.00
<b>PRIMARY OPERATING EXPENSES</b>				
558111	Salaries and Wages	143,280.60	163,821.00	163,821.00
558113	Benefits and Bonus	72,853.11	101,568.00	101,568.00
558128	Wells & Water Tank Power	6,945.96	11,500.00	11,500.00
558135	Hooper Water District	1,680.00	1,500.00	1,500.00
558141	Water Maintenance	21,753.84	18,000.00	18,000.00
558142	Water Sample Testing	2,131.23	5,000.00	5,000.00
558143	Secondary Water	743,116.31	764,000.00	764,000.00
558145	Registration & Other Expenses	100.00	1,000.00	1,000.00
558160	Travel and Education	4,060.72	4,140.00	4,140.00
558163	IT Support & Contracts	7,464.55	19,100.00	19,100.00
Total PRIMARY OPERATING EXPENSES:		1,003,386.32	1,089,629.00	1,089,629.00
<b>WATER - MATERIALS AND SUPPLIES</b>				
558224	Utility Bills - Postage/Equip	8,727.28	8,250.00	8,250.00
558247	Misc. Supplies & Deposit Slips	11.30	750.00	750.00
558250	Water Meters	64,975.19	65,000.00	65,000.00
Total WATER - MATERIALS AND SUPPLIES:		73,713.77	74,000.00	74,000.00
<b>WATER - OTHER EXPENSES</b>				
558405	Water System Impact Fee Proj.	.00	52,290.00	52,290.00
558420	Admin - Water	7,585.34	19,000.00	19,000.00
558430	Depreciation	78,046.71	75,000.00	75,000.00
558433	Capital Projects & Expenditure	13,472.48	423,186.00	379,800.00
558435	Credit Card Processing Fees	5,399.96	7,488.00	7,488.00
558440	Water Purchase - Weber Basin	138,223.00	145,000.00	145,000.00
558444	Vehicle Replacement	.00	4,052.00	4,052.00
558482	Blue Stakes	765.50	1,500.00	1,500.00
558483	IT	789.56	2,000.00	2,000.00
558485	Engineering Studies & Planning	.00	20,000.00	20,000.00

Account Number	Account Title	2014-15 Actual	2015-16 Current year Budget	2015-16 Amended Budget
558490	Fleet Contribution	16,409.94	15,000.00	15,000.00
	Total WATER - OTHER EXPENSES:	260,692.49	764,516.00	721,130.00
<b>TRANSFERS &amp; CONTINGENCIES</b>				
559099	Pension	.00	.00	20,000.00
	Total TRANSFERS & CONTINGENCIES:	.00	.00	20,000.00
	Total Expenditure:	1,337,792.58	1,928,145.00	1,904,759.00
	WATER FUND Revenue Total:	1,788,201.58	1,928,145.00	1,904,759.00
	WATER FUND Expenditure Total:	1,337,792.58	1,928,145.00	1,904,759.00
	Net Total WATER FUND:	450,409.00	.00	.00

Period: 03/16

Account Number	Account Title	2014-15 Actual	2015-16 Current year Budget	2015-16 Amended Budget
<b>STORM WATER UTILITY FUND</b>				
<b>OPERATING REVENUE</b>				
583711	Storm Sys. Maint. & Const. Fee	177,628.89	160,000.00	160,000.00
583713	Miscellaneous Revenue	83.63	.00	.00
583717	Penalties	3,537.82	8,400.00	8,400.00
583790	Fund Balance	.00	441,001.00	456,200.00
583791	Storm Water Impact Fee Balance	.00	82,185.00	82,185.00
Total OPERATING REVENUE:		181,250.34	691,586.00	706,785.00
<b>OTHER FINANCING SOURCES</b>				
583805	Storm Water Impact Fees	66,180.18	52,550.00	52,550.00
583845	Transfer From Spec Rev Fund	473,170.62	.00	.00
583870	Interest Earnings	3,666.50	.00	.00
583891	DEVELOPER CONTRIBUTIONS	77,747.00	.00	.00
583899	Pension	3,506.00	.00	20,000.00
Total OTHER FINANCING SOURCES:		624,270.30	52,550.00	72,550.00
Total Revenue:		805,520.64	744,136.00	779,335.00
<b>PRIMARY OPERATING EXPENSES</b>				
588111	Salaries and Wages	67,398.27	55,189.00	55,189.00
588113	Benefits	32,146.17	32,093.00	32,093.00
588127	Storm Sys. Maint. & Repair	349.88	11,000.00	11,000.00
588128	Construction	.00	10,000.00	10,000.00
588134	Credit Card Fees	5,394.92	3,872.00	3,872.00
588140	Sweeping & Preventative Care	1,925.25	12,000.00	12,000.00
588142	Strm Sys Maint & Phs II Comp.	1,815.00	2,500.00	2,500.00
588143	Secondary Water	2,498.00	5,000.00	5,000.00
Total PRIMARY OPERATING EXPENSES:		111,527.49	131,654.00	131,654.00
<b>STORM WTR UTILITY - OTHER EXP.</b>				
588405	Storm System Impact Fee Proj.	.00	134,735.00	134,735.00
588420	Admin - Storm	2,708.81	6,000.00	6,000.00
588430	Depreciation	64,847.84	64,000.00	64,000.00
588444	Vehicle Replacement	.00	4,052.00	4,052.00
588483	Capital Projects	.00	403,695.00	418,894.00
588490	Fleet Expense	2,344.28	.00	.00
Total STORM WTR UTILITY - OTHER EXP.:		69,900.93	612,482.00	627,681.00
<b>Department: 90</b>				
589099	Pension	.00	.00	20,000.00
Total Department: 90:		.00	.00	20,000.00
Total Expenditure:		181,428.42	744,136.00	779,335.00
STORM WATER UTILITY FUND Revenue Total:		805,520.64	744,136.00	779,335.00
STORM WATER UTILITY FUND Expenditure Total:		181,428.42	744,136.00	779,335.00

Account Number	Account Title	2014-15 Actual	2015-16 Current year Budget	2015-16 Amended Budget
	Net Total STORM WATER UTILITY FUND:	624,092.22	.00	.00

---

Period: 03/16

Account Number	Account Title	2014-15 Actual	2015-16 Current year Budget	2015-16 Amended Budget
<b>DEBT SERVICE</b>				
<b>MISCELLANEOUS REVENUE</b>				
703610	Interest Earnings	502.91	.00	.00
Total MISCELLANEOUS REVENUE:		502.91	.00	.00
<b>TRANSFERS AND CONTRIBUTIONS</b>				
703920	General Fund Transfer	34,637.91	107,025.00	107,025.00
Total TRANSFERS AND CONTRIBUTIONS:		34,637.91	107,025.00	107,025.00
Total Revenue:		35,140.82	107,025.00	107,025.00
<b>FUNDING USES</b>				
708410	Debt Service - City Hall	55,000.00	94,109.00	94,109.00
708411	Professional Fees	1.25-	.00	.00
708415	Interest on Bonds	9,860.51	12,916.00	12,916.00
Total FUNDING USES:		64,859.26	107,025.00	107,025.00
Total Expenditure:		64,859.26	107,025.00	107,025.00
DEBT SERVICE Revenue Total:		35,140.82	107,025.00	107,025.00
DEBT SERVICE Expenditure Total:		64,859.26	107,025.00	107,025.00
Net Total DEBT SERVICE:		29,718.44-	.00	.00

Account Number	Account Title	2014-15 Actual	2015-16 Current year Budget	2015-16 Amended Budget
<b>CDRA FUND</b>				
<b>REVENUE</b>				
853108	Interfund Loan	.00	20,000.00	20,000.00
853109	Proceeds From Long-term Debt	.00	1,200,000.00	1,200,000.00
Total REVENUE:		.00	1,220,000.00	1,220,000.00
<b>Source: 38</b>				
853880	Interest Earnings	18.59	.00	.00
Total Source: 38:		18.59	.00	.00
Total Revenue:		18.59	1,220,000.00	1,220,000.00
<b>EXPENDITURES</b>				
854462	Project Expenses	.00	1,200,000.00	1,200,000.00
854463	Administration	15,682.48	20,000.00	20,000.00
Total EXPENDITURES:		15,682.48	1,220,000.00	1,220,000.00
<b>Department: 84</b>				
858415	Interest Expense	800.00	.00	.00
Total Department: 84:		800.00	.00	.00
Total Expenditure:		16,482.48	1,220,000.00	1,220,000.00
CDRA FUND Revenue Total:		18.59	1,220,000.00	1,220,000.00
CDRA FUND Expenditure Total:		16,482.48	1,220,000.00	1,220,000.00
Net Total CDRA FUND:		16,463.89-	.00	.00
Net Grand Totals:		717,079.84	2,931.00	.00

# City Council Staff Report

**Subject:** Rezone – Duane Singleton – 1300 N 5000 W  
**Author:** Boyd Davis  
**Department:** Community Development  
**Date:** April 5, 2016

---

## **Background**

Duane Singleton's family owns approximately 20 acres on the southwest corner of 1300 N 5000 W. He would like to create four building lots that face 1300 N, which will occupy about 2 acres. The property is currently zoned A-40 (agriculture) and he is requesting a rezone to R-1 (residential).

## **Analysis**

The applicant is requesting that his property be rezoned from A-40 (agriculture) to R-1 (residential). This request is consistent with the general plan and seems to be appropriate for the proposed use

A public hearing is scheduled with the Planning Commission on April 14<sup>th</sup>. We plan to put this on the April 19<sup>th</sup> City Council meeting agenda for final approval of the rezone.

## **Recommendation**

No action necessary tonight. Staff recommends that this item be placed on the next City Council agenda for a public hearing and to take action.

## **Significant Impacts**

None

## **Attachments**

Application  
Map



West Point City  
3200 W 300 N  
West Point, UT 84015  
www.westpointcity.org  
Phone: 801-776-0970  
Fax: 801-525-9150

APPLICATION FOR PROPERTY REZONING

APPLICATION DATE: March 16, 2016 APPLICANT PHONE #: 801-540-8325

APPLICANT NAME: Duane Singleton dsingleton@dmail.net

MAILING ADDRESS: 1199 N. 5000 W. West Point, Ut. 84015

PROPERTY OWNER(S)' SIGNATURE: Duane Singleton for Singleton Family Trust

REZONE PROPERTY ADDRESS(ES): 1200-1300 N. 5000 W.

REZONE PARCEL ID #(S): portions of 14-116-0015 and 14-116-0002

LEGAL DESCRIPTION(S) (MAY ATTACH COPY): see attached boundary description

CURRENT ZONING: Agricultural PROPOSED ZONING: R2-R-1

PURPOSE OF REZONE REQUEST: create 4 building lots along frontage of 5000 w. to be used by family

AFFADAVIT: (SEE PAGE 2)

FOR OFFICE USE

FEE FOR REQUEST: \$250 DATE PAID: 3/17/16

Check #: 3535  Credit/Debit Card  Cash

PLANNING COMMISSION ACTION: \_\_\_\_\_ DATE: \_\_\_\_\_

CITY COUNCIL ACTION: \_\_\_\_\_ DATE: \_\_\_\_\_

**AFFIDAVIT**

**PROPERTY OWNER**

STATE OF UTAH )  
COUNTY OF Davis )

I/WE Duane L. Singleton, BEING DULY SWORN, DEPOSE AND SAY THAT I/WE AM/ARE THE OWNER(S) OF THE PROPERTY IDENTIFIED IN APPLICATION AND THAT THE STATEMENTS HEREIN CONTAINED AND THE INFORMATION PROVIDED IDENTIFIED IN THE ATTACHED PLANS AND/OR OTHER EXHIBITS ARE IN ALL RESPECTS TRUE AND CORRECT TO THE BEST OF MY/OUR KNOWLEDGE. I/WE ALSO ACKNOWLEDGE THAT I/WE HAVE RECEIVED WRITTEN INSTRUCTIONS REGARDING THE PROCESS FOR WHICH I AM APPLYING AND WEST POINT CITY STAFF HAVE INDICATED THEY ARE AVAILABLE TO ASSIST ME/US IN MAKING THIS APPLICATION.

Duane L. Singleton  
Signature of Property Owner

\_\_\_\_\_  
Signature of Property Owner

Subscribed and sworn to me this 17<sup>th</sup> day of March, 20 16

Julie Gentry  
Notary Public



Residing in: Davis County, Utah

My Commission Expires: 9-28-2019

**Agent Authorization**

I/WE \_\_\_\_\_, BEING DULY SWORN, DEPOSE AND SAY THAT I/WE AM/ARE THE OWNER(S) OF THE PROPERTY IDENTIFIED IN THE APPLICATION AND I/WE AUTHORIZE AS MY/OUR AGENT(S) \_\_\_\_\_ TO REPRESENT ME/US REGARDING THIS APPLICATION AND TO APPEAR ON MY/OUR BEHALF BEFORE ANY ADMINISTRATIVE OR LEGISLATIVE BODY IN WEST POINT CITY CONSIDERING THIS APPLICATION AND TO ACT IN ALL RESPECTS AS OUR AGENT IN MATTERS PERTAINING TO THE ATTACHED APPLICATION.

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Signature of Property Owner

Subscribed and sworn to me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

Residing in: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

## BOUNDARY DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 5 NORTH, RANGE 3 WEST, SALT LAKE BASE & MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WEST LINE OF 5000 WEST STREET, SAID POINT BEING LOCATED SOUTH 00°04'17" WEST ALONG QUARTER SECTION LINE 45.38 FEET FROM THE DAVIS COUNTY BRASS CAP MONUMENT LOCATED AT THE NORTHEAST CORNER OF SAID SECTION 36, AND RUNNING THENCE SOUTH 00°04'17" WEST ALONG QUARTER SECTION LINE 498.50 FEET TO THE NORTH LINE OF THE DUANE L. SINGLETON PROPERTY, SEE BOUNDARY LINE AGREEMENT RECORDED AS ENTRY 2480442 AT THE DAVIS COUNTY RECORDERS OFFICE; THENCE NORTH 89°54'55" WEST ALONG SAID LINE 200.00 FEET; THENCE NORTH 00°04'17" EAST PARALLEL WITH SECTION LINE 498.02 FEET TO AN EXISTING FENCELINE AS DESCRIBED IN ENTRIES 838849 AND 830212 OF DAVIS COUNTY RECORDS; THENCE NORTH 89°56'50" EAST ALONG SAID LINE 200.00 FEET TO THE POINT OF BEGINNING.

CONTAINING: 99,652 SQ.FT. (2.29 ACRES)

## DEED DESCRIPTION

ALL OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 5 NORTH, RANGE 3 WEST, SALT LAKE BASE & MERIDIAN, WEST POINT CITY, DAVIS COUNTY, UTAH. LESS PROPERTY DESCRIBED IN BOOK 684, AT PAGE 623, ALSO LESS PROPERTY DESCRIBED IN BOOK 941, AT PAGE 362. LESS PROPERTY DESCRIBED IN ENTRY 2480442, BOOK 4857, AT PAGE 382.

## SURVEYOR'S CERTIFICATE

I, STEPHEN J. FACKRELL DO HEREBY DEPOSE THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO. 191517 AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH AND REPRESENT THAT I HAVE MADE A SURVEY OF THE FOLLOWING DESCRIBED PROPERTY

STEPHEN J. FACKRELL  
LICENSE NO. 191517

DATE

EX OLD  
IRR. DITCH



5000 WEST

1300 NORTH

CURRENT ZONE: A-40  
PROPOSED: R-1  
ACRES: 2.3



# City Council Staff Report

**Subject:** Beer License – Smith’s Marketplace  
**Author:** Boyd Davis  
**Department:** Community Development  
**Date:** April 5, 2016

---

## **Background**

Smith’s Marketplace is requesting a Class “A” beer license. In addition to Utah Law, the sale of alcoholic beverages is regulated by West Point City Code 5.15 (see attachment). A Class A license would allow the licensee to sell beer on the licensed premises in original containers for consumption off premises. This would be the second business in the City to hold a beer license. The fee for a beer license is \$250 per year, in addition to the business license fee. No one under the age of 21 is allowed to sell beer unless under the supervision of someone 21 year of age or older. It is unlawful for any person to consume alcoholic beverages at any public gathering or public place. Business that sell alcohol are heavily regulated by the State of Utah. In addition to West Point City regulations, the applicant must also comply with Utah law and all regulations of the Alcoholic Beverage Control Commission. It should be noted that the City has the right to be more restrictive than Utah law, but not less restrictive as to beer sales within the City limits.

## **Analysis**

The City Council is the legislative body that approves or denies the license. Prior to approval of a license, staff is required by West Point Code 5.15.040B to report to the City Council on the following (these questions are related to beer sales only, and have nothing to do with other aspects of the business):

1. The general reputation and character of the persons who habitually frequent the place: As this is a new business, staff cannot form an opinion. Most likely they will be similar to customers at similar grocery stores nearby.
2. The nature and kind of business conducted at such place: Smith’s Marketplace is typical of similar grocery stores.
3. Whether alcoholic beverages are or have been served or permitted to be consumed in said place or by said applicant at any other place: It is a new business, they have no track record at this location. Smith’s typically sells beer at their other locations.
4. Whether said business is, or has been, conducted in a lawful quiet and orderly manner: Again, it is a new business with no track record.
5. The nature and kind of entertainment, if any, at said place: It is not anticipated that any entertainment will take place at this business.
6. The proximity of the premises to any church, public school, public library, public playground, public building, or park: Any licensee must be at least 600’ from any of these places. The nearest public property is a small detention basin/park on 150 North that is approximately 1000’ away. There are no other public uses in that vicinity.

Staff has completed a thorough review of Chapter 5.15 and finds the application is in compliance with the requirements of that chapter. Staff believes a license should be approved.

**Recommendation**

No action necessary tonight. Staff recommends that this item be placed on the next City Council agenda to take action.

**Significant Impacts**

None

**Attachments**

West Point Code Section 5.15  
Application

## **Chapter 5.15 ALCOHOLIC BEVERAGES**

### Sections:

- 5.15.010 Definitions.**
- 5.15.020 License required to sell beer.**
- 5.15.030 Classification of licenses.**
- 5.15.040 License application.**
- 5.15.050 License fees.**
- 5.15.060 Issuance of license.**
- 5.15.070 License expiration and renewal.**
- 5.15.080 Restrictions.**
- 5.15.090 Qualifications of the licensee.**
- 5.15.100 Inspections.**

### **5.15.010 Definitions.**

“Alcoholic beverages” means and includes “beer” and “liquor” as the terms are defined herein.

“Beer” means all products that contain 63/100 of one percent of alcohol by volume or one-half of one percent by weight, but not more than four percent of alcohol by volume or three and one-fifth percent by weight, and are obtained by fermentation, infusion or decoction of any malted grain. Beer may or may not contain hops or other vegetable products. Beer includes products referred to as malt liquor, malted beverages and malt coolers.

“Liquor” means and includes alcohol or any alcoholic, spirituous, vinous, fermented malt, or other liquid or combination of liquids, a part of which is spirituous, vinous, or fermented, and all other drinks or drinkable liquids that contain more than one-half of one percent of alcohol by volume and is suitable to use for beverage purposes. Liquor does not include any beverage defined as beer that has an alcohol content of less than four percent by volume.

“Retailer” means any person or business engaged in the sale of alcoholic beverages to the consumer or to the public. [Ord. 11-20-2007B § 2. 2000 Code § 16-3-1].

### **5.15.020 License required to sell beer.**

It shall be unlawful for any person to engage in the business of the sale of alcoholic beverages in any form within the corporate limits of West Point City without first having procured a license therefor from the city. A separate license shall be required for each place of sale and the license shall at all times be conspicuously displayed in the place to which it shall refer or for which it shall be issued. All licensees shall comply with Utah law and the regulations of the Alcoholic Beverage Control Commission, the laws and ordinances of West Point City, and all rules and regulations of

the Davis County health department relating to health matters. [Ord. 11-20-2007B § 2. 2000 Code § 16-3-2].

**5.15.030 Classification of licenses.**

Retail licenses issued by the city shall be of the following classes and carry the following privileges:

A. A Class "A" retail beer license entitles the licensee to sell beer on the licensed premises only in original containers for consumption off the premises in accordance with the Alcoholic Beverage Control Act and all city ordinances.

B. A Class "B" retail beer license entitles the licensee to sell beer on the licensed premises on draft and in original containers for consumption on the premises in accordance with the Alcoholic Beverage Control Act and all city ordinances.

C. A liquor license, in conjunction with a valid license issued by the state of Utah according to state law, entitles the licensee to sell liquor as permitted in the state license. [Ord. 11-20-2007B § 2. 2000 Code § 16-3-3].

**5.15.040 License application.**

A. All applications for licenses authorized by this chapter shall be verified and filed with the community development director of West Point City and shall state the applicant's name in full, that the applicant has complied with the requirements and possesses the qualifications specified in the Utah Alcoholic Beverage Control Act, and if the applicant is a co-partner, the names and addresses of all partners, and if a corporation or limited liability company, the names and addresses of all officers and directors of the corporation or members of the limited liability company, and must be subscribed by the applicant who must state under oath that the facts stated therein are true.

B. The applicant for such license, together with such information as is required by the city to be attached thereto, shall be referred to the code enforcement officer for inspection and report. The code enforcement officer shall, within 10 business days after receiving such application, make report to the city council of the following:

1. The general reputation and character of the persons who habitually frequent the place;
2. The nature and kind of business conducted at such place by the applicant or by any other person, or by the applicant at any other place;
3. Whether alcoholic beverages are or have been served or permitted to be consumed in said place, or by said applicant at any other place;
4. Whether said business is, or has been, conducted in a lawful, quiet and orderly manner;
5. The nature and kind of entertainment, if any, at said place;
6. The proximity of the premises to any church, public school, public library, public playground, public building, or park. The code enforcement officer shall add to his report his recommendation as to granting or denying the application.

C. Upon receipt of the code enforcement officer's report, the city council shall act upon the application as it shall deem necessary to protect the public health, safety, welfare and morals of the city.

D. Licenses may not be granted to sell beer within 600 feet of any church, public school, public library, public playground, or park as measured from the nearest entrance of the restaurant by following the shortest route of either ordinary pedestrian or, where applicable, vehicular travel along public thoroughfares, whichever is closer to the property boundary of the church, public school, public library, public playground, or park.

E. Each licensee must be over 21 years of age.

F. Each licensee shall not be delinquent in his financial obligations to the city. [Ord. 11-20-2007B § 2. 2000 Code § 16-3-4].

**5.15.050 License fees.**

Fees for each class of license shall accompany all applications and shall be in the amount as designated from time to time by resolution of the city council. [Ord. 11-20-2007B § 2. 2000 Code § 16-3-5].

**5.15.060 Issuance of license.**

A. The city council has the sole discretion to grant or refuse to grant a license under this chapter.

B. If the applicant has complied with all applicable laws, ordinances and regulations, the city council may direct the city recorder to issue a license to the applicant for the licensed premises.

C. The issuance of a license pursuant to this chapter shall grant only a revocable privilege as provided hereunder and under the laws of the state of Utah and shall not confer any vested rights of any kind or nature upon a licensee.

D. Any applicant whose application for a license has been denied may have a hearing before the city council regarding its decision to deny the license. No hearing will be held unless the applicant applies for the hearing within 10 days of the denial.

E. If the license application is denied by the city council, no new application shall be made for the premises until after the expiration of one year following the denial of the initial application. [Ord. 11-20-2007B § 2. 2000 Code § 16-3-6].

**5.15.070 License expiration and renewal.**

A. All licenses shall expire on the thirty-first day of December of each year unless sooner canceled or revoked. No license shall be issued for a period longer than one year.

B. Licenses may be renewed by making application therefor and paying the appropriate fee. All applications to renew licenses shall be filed by the licensee with the city recorder at least 30 days, but no earlier than 90 days, prior to the expiration date of the license. [Ord. 11-20-2007B § 2. 2000 Code § 16-3-7].

**5.15.080 Restrictions.**

A. It shall be unlawful to advertise the sale of beer except under such regulations as are made by the Alcoholic Beverage Control Commission of Utah.

B. No licensee shall violate the terms of the license issued, nor unless so licensed shall the licensee sell alcoholic beverages for consumption on the premises, or permit any beer to be consumed on the premises, and it shall be unlawful to keep or maintain a nuisance as defined by this title.

C. An alcohol retailer may not purchase, acquire, possess for the purpose of resale, or sell any alcoholic beverage except that which has been lawfully purchased from a wholesaler licensed under the Alcoholic Beverage Control Act.

D. Beer may not be sold, provided, or possessed for off-premises consumption in containers larger than two liters.

E. A minor may not sell beer on the premises of an off-premises beer retailer except under the supervision of a person 21 years of age or older who is on the premises.

F. If malt beverage coolers or malt liquor is sold by an off-premises beer retailer, the off-premises beer retailer shall display a sign at the location on the premises where malt beverages or malt liquor is sold stating: "Many malt beverages contain alcohol. Please read the label."

G. On-premises beer retailers shall comply with all the state of Utah beer retailer license provisions (Sections 32A-10-101 through 32A-10-206, Utah Code Annotated 1953).

H. It shall be unlawful for any person to consume alcoholic beverages in any public park, school, public playground or public building or at any activity or event sponsored by the city or to sell alcoholic beverages at any event or activity sponsored by the city. [Ord. 11-20-2007B § 2. 2000 Code § 16-3-8].

**5.15.090 Qualifications of the licensee.**

No license shall be granted to any person or business to sell alcoholic beverages at retail unless he or she is over the age of 21 years. No license shall be issued to anyone who has been convicted of, pled guilty to, or failed to contest any felony or violation of any law or ordinance relating to intoxicating liquors. [Ord. 11-20-2007B § 2. 2000 Code § 16-3-9].

**5.15.100 Inspections.**

All licensed premises shall be subject to inspection by any officer, agent, or peace officer of the city, or the Alcoholic Beverage Control Commission of the State Board of Health. [Ord. 11-20-2007B § 2. 2000 Code § 16-3-10].

**Mobile Version**



3200 West 300 North  
 West Point, UT 84015  
 PH: 801.776.0970  
 FAX: 801.525.9150  
 www.westpointcity.org

# BEER LICENSE APPROVAL APPLICATION

Applications must be made in accordance with Title 5 of the West Point City Code as it pertains to Alcoholic Beverages. This application must be submitted to West Point City's Community Development Department for review of the requirements specified in the West Point City Code and the Utah Alcoholic Beverage Control Act. Upon the review of this application the applicant or representative must appear before the West Point City Council to obtain final approval. For any questions please contact West Point City's Community Development Department at 801-614-5356.

DBA: Smith's #272 Est. open 5/25/14

**For Office Use Only**		
Received Payment		
\$		
AMOUNT PAID	DATE RECEIVED	INITIAL
Class A License	\$250	
Class B License	\$300	

Applicant & Business Information			
Name: SMITH'S FOOD & DRUG CENTERS, INC		Email Address: SARA.KEMP@KROGER.COM	
Date: 2-22-2016			
Applicant Address: KROGER BUSINESS LICENSE PO BOX 305103 NASHVILLE TN 37230		Applicant Phone Number: 615-232-9557	Business Name: SMITH'S #272
Business Address: 217 N 2000 W WEST POINT UT 84015	Business Phone Number: TBD	Utah Department of Agriculture Beekeeper Registration Number:	

Please Indicate what type of license you are requesting:

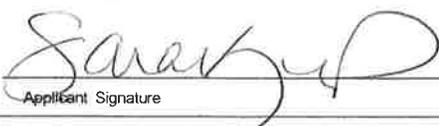
- Class "A" License** - Entitles the licensee to sell beer on the licensed premises only in original containers for consumption off the premises in accordance with the Alcoholic Beverage Control Act and all city ordinances. 250.00
- Class "B" License** - Entitles the licensee to sell beer on the licensed premises on draft and in original containers for consumption on the premises in accordance with the Alcoholic Beverage Control Act and all city ordinances.

Please answer the following:		List and addresses of all partners:																
Yes	<input checked="" type="checkbox"/>	If you are a co-partner, list the names and addresses of all partners, and if a corporation or limited liability company, the names and addresses of all officers and directors of the corporation or members of the limited liability company as required in West Point City Code 5.15.040																
Will the location of this establishment be closer than 600' from any church, public school, public playground, or park as measured from the nearest entrance of the establishment?																		
Yes	<input checked="" type="checkbox"/>	<table border="1"> <thead> <tr> <th>Name</th> <th>Address</th> </tr> </thead> <tbody> <tr> <td>SEE ATTACHED</td> <td></td> </tr> <tr><td> </td><td> </td></tr> </tbody> </table>	Name	Address	SEE ATTACHED													
Name	Address																	
SEE ATTACHED																		
Have alcoholic beverages ever been served or permitted to be consumed in said place?																		
What type of business will be conducted within the establishment?																		
RETAIL GROCERY WITH GAS STATION																		

\*\*Use revers side if more space is needed.

**NOTE:** Licensee must be over 21 years of age. Licenses may not be granted to sell beer within 600 feet of any church, public school, public library, public playground, or park as measured from the nearest entrance of the restaurant by following the shortest route of either ordinary pedestrian or, where applicable, vehicular travel along public thoroughfares, whichever is closer to the property boundary of the church, public school, public library, public playground, or park.

I hereby certify that the information provided above is accurate and in accordance with the standards of the West Point City Land Use Ordinance pertaining to Beer License Application.


2/25/2016  
 Applicant Signature Date

## SMITH'S FOOD & DRUG CENTERS, INC.

an Ohio corporation

**Date of Incorporation:** September 26, 2003  
**Entity Type:** for-profit corporation  
**Charter Number:** 1413488  
**FEIN:** 87-0258768

### OFFICERS

Jay Cummins	President - Smith's
Stephen M. McKinney	Vice President and President - Fry's
Gary E. Boyd	Vice President and Controller - Smith's
David Weakland	Vice President and Chief Financial Officer - Fry's
Christine S. Wheatley	Vice President and Secretary
Todd A. Foley	Vice President and Treasurer
Thomas Acevedo	Vice President and Assistant Secretary
Peter H. Barth	Vice President and Assistant Secretary
Zane M. Day	Vice President
Terry M. Evans	Vice President
Monica Garnes	Vice President, Merchandising - Fry's
Colleen Juergensen	Vice President
Kyle S. McKay	Vice President and Assistant Secretary
Steven J. Prough	Vice President and Assistant Secretary
Ann M. Reed	Vice President
Keith Shoemaker	Vice President, Operations - Fry's
Steven M. Sorensen	Vice President
Dorothy D. Roberts	Assistant Secretary
Joseph W. Bradley	Assistant Treasurer
Mary Elizabeth Van Ofen	Assistant Treasurer

### DIRECTORS

Christine S. Wheatley

### FOREIGN QUALIFICATIONS:

<u>State</u>	<u>Date Qualified</u>	<u>Jurisdiction ID</u>
Arizona	12/29/2003	F0042954-3
California	11/5/2003	2564140
Colorado	11/3/2003	20031345735
Idaho	7/2/2010	C187720
Missouri	11/7/2003	F00551716
Montana	11/7/2003	F042416-274926
Nevada	11/14/2003	C28311-2003
New Mexico	11/25/2003	2400257
Oregon	11/7/2003	182730-94
Texas	11/12/2003	800267918
Utah	11/12/2003	55223062-0143

8/10/2015

**MISCELLANEOUS:**

Smith's Food & Drug Centers, Inc. (formerly a Delaware corp., now Ohio) became a wholly-owned subsidiary of Fred Meyer, Inc., a Delaware corp., by merger filing dated September 9, 1997, pursuant to an Agreement and Plan of Reorganization and Merger dated as of May 11, 1997. Upon consummation of the merger, each outstanding share of Smith's common stock was converted into one share of Fred Meyer comon stock.

8/10/2015



## West Point City Beer License Application

<b>Application Date:</b>	2/25/16	<b>Applicant Phone #:</b>	615 232-9557	
<b>Legal Business Name:</b>	Smith's Food & Drug Centers, Inc (Smith's #272)			
<b>Business Address:</b>	217 N 2000 W			
<b>City:</b>	West Point City	<b>State:</b>	Utah	<b>Zip:</b> 84015
<b>Federal ID #:</b>	87-0258768	<b>State Sales Tax #:</b>		
<b>Business Owner Name:</b>	Smith's Food & Drug Centers, Inc. an Ohio Corporation			
<b>Business Owner Address:</b>	Kroger Corp PO Box 305103 Nashville, TN 37230			
<b>Date of Incorporation</b>	Sept 26, 2003			
<b>Business Organization Type:</b>				
<input type="checkbox"/> Proprietorship                      x <input checked="" type="checkbox"/> Corporation  <input type="checkbox"/> Partnership <input type="checkbox"/> LLC				
<b>Detailed Description of Business</b>				
Retail grocery with gas station.				
<b>Inspection and Report:</b>				
<p>West Point City Code 5.15.040 requires that the following questions be addresses as a part of the beer license application and inspection.</p> <p><b>1. The general reputation and character of the persons who habitually frequent the place:</b></p> <p>Smiths grocery outlets are well known in the Utah market and are located throughout other states as well, mostly in the western states. Their reputation is well known as a clean family friendly grocery chain which is a welcome addition to any community. It is anticipated that the general public will be customers of the new Smith's store. I do not expect persons of poor character will be frequent this place of business.</p> <p><b>2. The nature and kind of business conducted at such place by the applicant or by any other person, or by the applicant at any other place:</b></p> <p>This is a major grocery chain store in the Utah market. It is a retail outlet for grocery/drug store products Well known in the Utah marketplace for it's quality and family friendly reputation.</p>				



## West Point City Beer License Application

**3. Whether alcoholic beverages are or have been served or permitted to consumed in said place, or by said applicant at any place.**

As stated on the application, no alcoholic beverages ever will be served or permitted to be consumed in said Place. I have shopped at Smith Stores for many years and have never observed beer being sold for Consumption at the store.

**4. Whether said business is, or has been conducted in a lawful, quiet and orderly manner.**

As stated above, Smith Food Stores have a solid reputation for their good neighbor image and are well Maintained, clean and family friendly. There is no reason to believe that this store will be any different.

**5. The nature and kind of entertainment, if any, at said place.**

Not applicable. This is a retail grocery store.

**6. The proximity of the premises to any church, public school, public library, public playground, public Building or park.**

The business in not within 600 feet of any of the above public structures.

**Recommend approval.**

<b>Code Enforcement Officer</b>		<b>Date:</b>	
<b>Approved By:</b>		<b>Date:</b>	



# City Council Staff Report

**Subject:** Status of Code Enforcement in West Point  
**Author:** Bruce Dopp  
**Department:** Community Development  
**Date:** April 5, 2016



---

## **Background**

In order to achieve the highest quality of health, safety and the continuing beauty of the City of West Point, it is necessary to establish achievable and measurable goals for the enforcement of the ordinances established for that purpose. These goals will change from time to time depending on seasons and circumstances. If properly applied these goals will assure the continuing quality of life for the residents of the City. The day to day operation of code enforcement is driven by the following objectives:

1. Timely acknowledgement of citizen complaints with follow up to ensure satisfaction.
2. Establish priorities to make sure that health and safety issues are addressed as a top priority.
3. Ensure that staff is always courteous and respectful in dealing with complaints.
4. Pro-Active enforcement. Code Enforcement Officer spends at least 50% of working hours patrolling the City. Code Enforcement Officer needs to be visible to residents.
5. Establish "Best Practices" for code enforcement through communication with other cities, continuing education and involvement with county and state agencies.

## **Analysis**

During January, February and March 2016 Code Enforcement efforts have been focused on the following areas.

### **Winter Parking**

Continued emphasis on Winter Parking enforcement continued during January, February and March. During the 4<sup>th</sup> quarter of 2015 citizens were given warning and social media communication to inform them of winter parking requirements. Beginning in January, I established a contact point with the Davis County Sheriff's office to issue citations for those few residents who continued to ignore the winter parking ordinances. Sgt. Dan Yeaman and I established a procedure allowing me to e-mail him with the violators name and address and he would instruct one of his deputies to issue a citation and report back to me with the details.

This procedure worked fairly well, although I had to send reminder e-mails on several occasions. Four {4} tickets were issued as far as I'm aware. There were possibly more tickets issued independently as I know of at least two individuals that I encountered who said they had received a citation.

Overall, I believe we had a very successful winter parking season. I received only 2 resident complaints. Public works employees also provided positive feedback with very few vehicles interfering with snowplowing.

### **Spring Clean-up**

The fall clean-up was quite successful because it was publicized well. We have planned to a similar Spring Clean-up on April 22<sup>nd</sup> and 23<sup>rd</sup>. Similar publicity will be in the City Newsletter in March and April. We will also use the city social media to inform residents of the event. The Mayor suggested a project to hand out "door hangers" to those residents in the city in obvious need of a clean-up.

I prepared and served 26 door hangers on 3/28 and 3/29. (Copy attached)

### **Junk Cars**

In early September I began a pro-active junk car project. The objective of the effort is to eliminate the vast majority of Junk Vehicles located throughout the City. This project is continuing and will be carried out with emphasis on the highest traffic/most visible streets in the City. With the new Smiths project scheduled to open soon, 2000 W and 300 N will continue to be a high priority.

I will continue this project and hopefully you will see obvious improvement before the busy summer weed season starts.

Courtesy Notices Issued-----16  
Courtesy Notices Complied with-----15  
14 Day Notices Issued-----1 (Still open)

### **Other Miscellaneous Complaints and Issues (Tree Trimming, Yard Debris, Business Licensing, Basketball Standards)**

Courtesy Notices Issued-----39  
Courtesy Notices Complied With-----36  
14 Day Notices Issued-----4  
14 Day Notices Complied With-----2 (2 still pending)

### **Recommendations**

During the next three months I will continue to eliminate junk cars, general yard clean-up and maintenance. Early and late spring will be mostly devoted to weed control. This is the

busiest time of the year for code enforcement. I fully expect that the City will look very clean and impressive going into the summer.

**Significant Impacts**

None

**Attachments**

Spring Clean-Up Door Hanger



3200 West 300 North  
West Point, UT 84015  
PH: 801-776-0970  
FAX: 801-525-9150  
[www.westpointcity.org](http://www.westpointcity.org)

---

### **SPRING CLEAN-UP 2016**

**During the long winter months, it is common for branches to fall to the ground, last year's weeds to be covered with snow and trash to accumulate on the ground. West Point City would like to help you correct these problems.**

**On April 22<sup>nd</sup> and 23<sup>rd</sup> West Point will have a Spring Clean-up. To assist you in this effort the City will have large dumpsters available at all City Parks to make dumping easier and more convenient. The dumpsters will be there from 8:00 AM on Friday to 5:00 PM on Saturday.**

**Please take advantage of this opportunity and help us help you in keeping West Point City a beautiful and safe place to live.**

**If you have questions, please call Bruce Dopp, West Point City Code Enforcement Officer at 801 776-0970.**



**West Point City Council Meeting  
3200 West 300 North  
West Point City, UT 84015  
March 15, 2016**

**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 West Point City Hall, 3200 West 300 North, West Point City, Utah 84015 on March 15, 2016 at 6:00 pm with Mayor Craythorne presiding.

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

**EXCUSED:** Council Member Jerry Chatterton

**CITY EMPLOYEES PRESENT:** Kyle Laws, City Manager; Boyd Davis, Assistant City Manager; Evan Nelson, Administrative Services Director; and Casey Arnold, City Recorder

**VISITORS:** Rob Ortega, Justin Gort and Craig Collins

**1. Discussion of 520 N Road and Park Redevelopment–** Mr. Kyle Laws/Mr. Boyd Davis

Mr. Davis stated that since the last City Council meeting, the field has been made to accommodate the widest and longest field that it could, which is the youth age 13 field. The height of the berms has also been shortened from three feet to two feet, to save space. To keep the berms at three feet, the parking would need to be shifted, or the field size would need to be reduced. Mr. Laws commented that the field could be reduced, and still be in regulation. Council Member Henderson inquired as to what the formula is for the berms, to which Mr. Davis replied that for every foot in height, it would need to be 16 feet wider. Council Member Henderson suggest raising the berm six inches to 2 ½ feet, so that they would be higher and the field would still be within regulation. Mr. Davis spoke to the Recreation Director, Mr. Ross, who confirmed that this field size would be more than adequate for the City's needs, and would paint the lines as needed. Council Member Dawson suggested moving the parking lot more to the west to avoid the pond, but Mr. Davis felt that that would reduce the field size too much. Mr. Laws commented that there would not be room between the berm and the property line for trees or shrubbery, so that would be something to consider, but stated that the parking lot needed to be set at this meeting so that construction could begin. The rest of the design could be decided later.

Mr. Laws stated there are some mature trees on the east side that he thinks should be kept. He recommended the parking lot not shift further east in order to preserve those established trees and to avoid putting much of the lot over the pond, where there might be sinking issues. The Council was in agreement as to the location of the parking lot, but would like the entrance to the existing park to be offset by 100 feet, rather than 50.

Mr. Laws is also going to have a sign placed at the Park where residents can see a map of the proposed design, as well as a link for the general timeline for the redevelopment.

**2. Discussion of Roundabout Landscaping –** Mr. Boyd Davis

Mr. Davis stated that Tim Gooch from G&G Sprinkler will be landscaping the roundabouts, and is ready to begin. Syracuse's roundabouts have a lot of rock landscaping, as well as their city signs. In his discussions with Tim, who is also a West Point resident, he had discussed designing something really nice for the City, as well as a design to

showcase his company. Tim is not in favor of rockscaping , because dirt fills the voids and weeds grow, and it is not as maintenance free as it would seem. He suggests doing something with a lot of color, with annuals and ground cover mixture, to force the City to upkeep the landscaping each year. The Council agreed that this would be aesthetically pleasing, but would increase the time and effort that Public Works will have to put in to maintain them. Tim also suggested putting some old antique farm equipment into the middle to represent the City's heritage.

The Council would like Tim to put together some landscape proposals, as well as Staff's suggestions on maintenance capabilities, and then the Council can give further discussions to the design.

The Mayor commented that he believes that the roundabouts are too small, because people don't really have to slow down to go around them.

### **3. Discussion of Del Taco – Mr. Boyd Davis**

Mr. Davis stated that the plans that the developer has submitted meet our Code exactly, and the buildings look very nice, and will fit in well with the other buildings within the project area. The Council agreed. The City Planner, Mr. Moyes, had asked the developer why they needed so many parking stalls, and he replied that this is what they want for their business model. It will accommodate large trucks and trailers, and the Mayor commented that it is better to have too many than not enough.

Council Members Henderson and Petersen wanted confirmation that there would be some landscaping, to which Mr. Davis confirmed that they have submitted a landscaping plan, which meets Code, and Smiths will be doing additional landscaping throughout the entire project as well.

### **4. Discussion of Water Share Purchase for the Cave's Creek Subdivision – Mr. Boyd Davis**

Mr. David Pitcher is developing two lots on the southwest corner of 3000 W and 1300 N, which was recently granted final approval by the Council. The developer believed that all of the water requirements were already taken care of, but the culinary water still needed to be addressed before the City could record the plat. He would like to purchase water from the City surplus water contracted from Weber Basin. The City currently has 100 acre-ft of surplus water, and this subdivision will require .59 acre-ft, which is not a significant impact. Staff recommends sale of water shares to Mr. Pitcher in the amount of \$2,242. The Council agreed.

### **5. Discussion Regarding Churches as an Allowed Use in the CC Zone – Mr. Boyd Davis**

Mr. Davis stated that Ed Miles, owner of the office buildings just east of City Hall, has signed a lease with Cornerstone Bible Church for unfinished space in the east building. However, the current Code does not allow churches in a commercial zone. Staff has researched the city codes of Syracuse, Clinton and Layton, and they do allow churches in commercial zones, either by conditional use or permitted use. The Planning Commission has discussed the idea, and will be holding a public hearing at their next meeting to discuss, but seem open to the allowance.

Council Member Turner inquired as to how a conditional use permit would work, to which the Mayor replied that the church would have to present it to the Planning Commission, who could grant the permit with certain conditions. If the conditions were not followed, the permit would be revoked. The conditions could include things like parking, etc. The Mayor liked the idea of a CUP because it allows the City to be involved with what is going on with the business and monitor if it is still good for the City. Council Member Petersen inquired as to how much of the building the church would be using, which Mr. Gort, the Pastor of the church requesting approval, replied it is 2,500 sq. feet of the 4,000 sq. feet available. The portion that the church is currently requesting is the unfinished portion of the building, which they are planning on finishing, should they be granted approval. Council Member Petersen went on to state that in theory, he is not against allowing the church in that commercial zone, but there may be a future need for that property to become commercial, as it was originally intended, and be revenue generating for the City. The Mayor commented that the previous tenants, doctor's offices, medical buildings, etc., have not been revenue generating, and that side of the building has not been used before. The property has become more of an office space rather than revenue

generating occupants; the property tax revenue is still there. The Mayor went on to say that it may be appropriate in some zones to allow professional offices, but that it would not be smart to do it in all commercial zones, as it would take away from sales tax revenues for the City, which is the point of the commercial zones. Council Member Petersen stated that when property is set aside as commercial zones, the Council has a responsibility to its residents to ensure additional revenue from those properties.

Mr. Gort stated that the building will be occupied Sunday mornings, and Tuesday and Thursday evenings. The Council confirmed that there would be adequate parking. Mr. Gort also stated that in his research of the Code, the Council has the authority to give the Church permission to use the property. Mr. Davis stated that Staff had not interpreted the Code that way. The Mayor felt that there was a process in place to change the zoning of a property, and that process needs to be followed. The Planning Commission should move forward with a public hearing on the issue, and make its recommendation, and it will then come to the City Council for approval. Mr. Davis stated that Ed Miles can apply for a building permit to finish that space at any time, but it cannot be used for a church until the zoning is changed. Mr. Gort was hoping that the building could be finished, and then after approval, occupy the property as a church on April 10<sup>th</sup>.

The Council agreed that a building permit could be issued to finish the property, and the process would be followed to change the zoning to allow the church to operate in the commercial zone.

## **6. Other Items – Secondary Water Meters**

Mayor Craythorne commented that he has received multiple phone calls and has had many discussions from residents on the west side of the City regarding the secondary water meters that are being put in, and asked Mr. Davis for an update. Mr. Davis stated that DWCC has received a conservation grant to install 700 meters, and they are installing about 350 in West Point and 350 in Clinton. So far, all of the ones that they have installed have been in West Point, and along the main roads on the west side of the City. The Mayor commented that their reasoning for the placement of these meters seems “really odd” and that DWCC staff is telling the residents in that area that the meters are being placed there because of the excessive use of water. Residents feel like they are being targeted for having larger lots. The Mayor agreed that he thinks it is targeting, and he does not think that it is fair. He went on to say that he believes the meters should be used for comparisons between two different sections of the City, and by placing them all on the larger lots and targeting the ones that DWCC believes uses the most water, is not using the conservation grant for the meters as it was intended.

Council Member Petersen asked if DWCC would lock the meters of the residents who are using more than the allotted amount, to which Mr. Davis confirmed that he believes they could do that if the resident is using more than their allotted amount of water (which is assigned to each property).

The Mayor restated his belief that the meters should be used to gather data, rather than to police those residents that it believes are using excess water. Mr. Davis, a DWCC Board Member, stated that as a Board, that is what has been discussed and there must be a disconnect between the Board and DWCC’s staff, and what staff is telling residents. Council Member Petersen commented that he would like to have the DWCC manager come to a City Council meeting and detail what Staff is doing, because he does not believe the staff is doing what the Board has instructed them to do, and that should be of great concern. Mr. Davis agreed, and stated that Rick Smith has been hired as the new manager of DWCC, who is an engineer that has worked with DWCC for some time, and believes that he will be good for the company. He stated that he would definitely take the Council’s concerns back to the Board.

The Administrative Session adjourned.



**West Point City Council Meeting  
3200 West 300 North  
West Point City, UT 84015  
March 15, 2016**

**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 Hall, 3200 West 300 North, West Point City, Utah 84015 on March 15, 2016 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, and Council Member Andy Dawson

**EXCUSED** – Council Member Jerry Chatterton

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

**VISITORS PRESENT** – Rob Ortega, Craig Collins, Michelle Dalby, Michael Jessop, Bob Checketts, Robert Schellhase, Monty Thurgood, Ed Fratus, Carl LaValley, Tom Burton, Kyle Oliver, Halee Cram, and Mike, Becky, Peter, Jill and Aly Austin

1. **Call to Order** – Mayor Craythorne welcomed those in attendance.
2. **Pledge of Allegiance** – Repeated by all
3. **Prayer** – Given by Council Member Henderson
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 – the North Davis Sewer District is going to be lining some of the sewer pipes along 2000 W. The District will be completing that this year and he will show Staff the details of this project, which is in preparation for the 2000 W widening.

Mayor Craythorne – The Wasatch Integrated Landfill has had a designated recycling center, but with more and more cities offering curbside recycling, it was no longer feasible for that property to be used as such. To replace it, they have opened up a Parc & Save Thrift Store and Donation Center, wherein they take the material that comes into the landfill that can still be used and clean it up and resell it.

Mr. Laws commented that the concept is unique, and is a program that provides an opportunity for disabled workers to develop customer service and retail skills for the workforce, as well as practical skills gained from restoring and repairing the items for resale. The Mayor stated that this is a great use for the building, and has been successful in other areas.

## 5. Communications from Staff

Kyle Laws – would like to update the Council on the 3000 W project. Widening will begin on 1050 N to 1300 N with the roundabout being constructed at the same time. Road closure dates have not yet been provided, but he expects those in the next week. Maps will be provided to the schools outlining the closures and detour routes.

## 6. Citizen Comment Follow-Up

Mayor Craythorne stated that at the last meeting, there was a comment to the Council about why the Council makes decisions without “thinking them through” and brings commercial developments to the City “against residents’ wishes”. The Mayor stressed that the Council makes each decision after careful consideration and deliberation. West Point is surrounded by growth, with Syracuse city to the south, Clinton to the north, and Clearfield to the east. A large part of the traffic in West Point is due to these surrounding cities. In particular, the majority of the traffic that travels 2000 W is not West Point traffic, but is through traffic to the surrounding cities. The City cannot just turn a “blind eye” to this, as it is not fair to the residents who do travel this road, once it begins to fail because it cannot withstand the traffic. The Mayor has witnessed several accidents along 2000 W, due to it not being adequate to handle the amount of traffic that it currently sees. The Council’s first and foremost concern is the health and safety of its residents. Safe roads are vital for the City, and while repairs and improvements do inconvenience some residents, it has to be done for the greater well-being of the residents.

## 7. Citizen Comment

Kyle Oliver – 228 N 1750 W – Stated that he moved here in 2010, and liked the rural atmosphere where he is surrounded by fields to the east and west of his property. He understands that growth is inevitable, but the website states that West Point is a rural community. He has built a chicken coop, with three hens, and animal control has told him that it is not allowed, and they are going to fine him \$150. He stated that the chickens are harmless, have no effect on his neighbors, and the eggs his hens produce for his family are much cheaper than what he can get at the store for.

Robert Schellhase – 3672 W 2000 N – Stated that he is here regarding a road that is going in at Derby Acres that was approved by the Council, without the knowledge of any of the residents in that subdivision. The road was a dead-end when he bought his property, and he was told by the City that it would remain that way. Now, there would be all the traffic from the road connecting and it was done without the residents’ consent, and he believes that it is wrong and wants it stopped. There is no reason that Clinton can’t connect in its own city.

Tom Burton – 3573 W 2000 N – Also lives in Derby Acres, and right where he lives is where they are going to tear up the road. He would like to know who is responsible for the mess that will be created on this road with all the construction traffic. He has also heard that the cul-de-sac is going to be made into a straight road, and that will also be a big mess. When he bought his property, he was told that that could not happen, and he would like to know if the sewer system will be able to handle all the new lots that are going in. He has also spoken with the developer, who told him that this would be the only access into the new development for some time. He believes that is a lot of traffic for a little road with lots of children. If it is going to take place, another access should be opened to 1800 N so that all of that traffic does not go through this subdivision. He is also upset that residents were not notified that the road was being connected, when they were told previously that it would not be connected and would never break through. He was also told that Clinton could not hook in to West Point’s sewer system.

Monty Thurgood- 3605 W 2000 N – Also lives in Derby Acres, and was told that the cul-de-sac would never go straight through. He believes that was also outlined in the CCR's for the subdivision. He would also like to know who is going to be responsible for the maintenance and upkeep of the road that will be damaged, since the road is in West Point, but it is for a Clinton subdivision. He is also concerned about the sewer line and whether it can withstand the new homes. His biggest concern is the traffic that will go through this subdivision, and does not understand what West Point has to gain by allowing access to a Clinton neighborhood. He believes that there should at least be a temporary road to grant access directly from 1800 N to handle all the construction traffic.

Mike Jessop – 3664 W 2000 N – He is concerned as well that nobody was alerted that the road was going to connect, and there is already a track hoe at the site and it looks like work is set to begin the next day. When he bought his home, he specifically made sure that the road would stay a cul-de-sac. He is concerned about property values, and how the new homes will affect those.

Ed Fratus – 1964 N 3575 W – He is also concerned that he was not notified, and was told that it would always remain a cul-de-sac and not become a through street. He does not understand what the benefit to West Point is by having Clinton City traffic on its roads.

Ron Taylor – 3586 W 2000 N – Shares the same concerns as his neighbors. His property is located right next to the construction, and knows that the impact will be tremendous. He moved to West Point because of this particular subdivision with low traffic and large lots, and a cul-de-sac at the end. He also does not understand the benefit to West Point, when Clinton should have to address its own traffic. He hopes that the Council takes the impact seriously.

Carl LaValley – 1844 N 3675 W – Has the same concerns of increased traffic, and is also concerned about how the new homes will connect to secondary water. He has low water pressure as it is, without additional homes connecting to the system.

Rob Checketts – 4074 W 750 N – He has been here for about six years, and finds that it is really hard to monitor the website and understand what is going on in the City. When there are decisions that are going to affect certain areas of the City, he suggests putting up posters or fliers notifying residents of the public comment period so that they can be involved. He has seen that some other cities do that, and it is very effective. The Mayor commented here that public hearing notices are posted at City Hall, as well as mailed out to affected addresses.

In regards to the road connecting Derby Acres to a Clinton subdivision, the Mayor asked for clarification from the City Engineer, Boyd Davis, because he was also under the impression that the road would also not be tied onto until Clinton City had another access. Mr. Davis and Mr. Laws confirmed that that was their understanding as well. Mayor Craythorne commented that the cul-de-sac must go right to the property line for Clinton City to be able to access it, but a resident commented that he believed there was about ten feet between the cul-de-sac and the property line, and the developer has bought that few feet so that it can connect. Mr. Davis confirmed that some property must have been bought. A resident asked if there was approval from the City for the road to go straight through. The Mayor answered that the developer has requested to tie on, which happens all over, and where he owns the property, there is not a lot the City can do. However, the developer was told that he had to provide another access from 1800 N first before connecting to this road. He went on to state that the developer specifically had a map that he showed the City, designating the 1800 N access and explained that although it would eventually connect to Derby Acres, it would be faster and easier for residents to access the development through

the 1800 N access. He was granted approval under this condition. Council Member Dawson stated that he cannot make changes to that plan because it presents a fire hazard with there being no outlet.

The Mayor stated again that this was not what was agreed upon, and that Council and Staff would look into the problem and communicate with the residents as much as possible about the status of the situation.

**8. Consideration of Approval of Minutes from March 1, 2016 City Council Meeting**

Council Member Dawson motioned to approve the minutes from the March 1, 2016 City Council Meeting  
Council Member Henderson seconded the motion  
The Council unanimously agreed

**9. Youth Council Essay Contest Winners – Mrs. Jolene Kap**

The Mayor stated that each year the Youth Council holds an essay contest, and this year there were 68 entries submitted on “Why I Love My City”. The City would like to recognize three individuals for their outstanding essays. The winners would collect their prize and take a picture with the Council.

Third Place – Ally Austin, 2<sup>nd</sup> Grade

Second Place – Abby Dyson, 4<sup>th</sup> Grade

First Place – Kira Dalby, 5<sup>th</sup> Grade

The Mayor wanted to thank the Youth Council and Jolene Kap for the time and effort they spend each year on this program.

**10. Consideration of Awarding Bid to Kapp Construction to fill in the Ponds as Part of the Park Expansion Project – Mr. Kyle Laws**

Mr. Laws explained that the City has been working on cleaning up what used to be referred to as the “Nature Park” behind West Point Elementary. The area has been grubbed and the trash trees were removed last fall. The next step is to fill in the ponds and begin leveling the property. Three bids were received to do this project:

- Kapp Construction: \$57,905
- Butters Construction: \$64,208
- AccuRite Excavating: \$93,200

Staff recommends awarding the project to Kapp Construction. Council Member Turner inquired as to what part the School District would play in the leveling and clearing of the park. Mr. Laws replied that the District still has the lease on the property, and the City would not terminate that agreement until the property was in acceptable condition. They agreed to pay for half of the cost to fill and level the ponds.

Council Member Dawson motioned to award the bid to Kapp Construction to fill in the Ponds as Part of the Park Expansion Project

Council Member Henderson seconded the motion

The Council unanimously agreed

**11. Consideration of Water Share Purchase for the Cave’s Creek Subdivision – Mr. Boyd Davis**

Mr. Davis stated that Cave’s Creek Subdivision is located on the corner of 3000 W and 1300 N, and has been granted final plat approval. Before the plat can be recorded, water shares must be submitted to the City, but since the developer does not have water shares, he has requested to purchase them from the City. This subdivision will require a .59 acre-ft, at the price of \$2,242. The City has approximately 100 acre-ft of surplus culinary water, and so this will not be a significant impact. Staff recommends approval of the water share purchase.

Council Member Petersen motioned to approve the Water Share Purchase for the Cave’s Creek Subdivision  
Council Member Turner seconded the motion  
The Council unanimously agreed

**12. Motion to Adjourn**

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

\_\_\_\_\_  
MAYOR ERIK CRAYTHORNE      April 5, 2016  
DATE

\_\_\_\_\_  
CASEY ARNOLD, CITY RECORDER      April 5, 2016  
DATE

# City Council Staff Report

**Subject:** The Point Lot 6 – Del Taco Pad  
**Author:** Boyd Davis  
**Department:** Community Development  
**Date:** April 5, 2016

---

## **Background**

Plans have been submitted for a Del Taco building on lot 6 of The Point commercial project. The plan shows a 2,883 SF building with a parking lot and drive thru. The building elevation drawings were submitted and the building seems to be a very nice looking building that will fit in with the other buildings at the Smith's project.

## **Analysis**

The Planning Commission has reviewed the project and granted pad approval on March 24th. The Council must now consider the request for final pad approval.

Pad approval requires that staff and Council review the site and building for the following items:

1. Elevations.
2. Landscaping.
3. Lighting.
4. Ingress/egress.
5. Parking and traffic circulation.
6. Pedestrian access and circulation.
7. Fire department review and approval.
8. Aesthetic nature of signage.

Attached to this report are staff comments with regards to the items above.

## **Recommendation**

Staff recommends final pad approval.

## **Significant Impacts**

None

## **Attachments**

Staff Comments

Elevation Drawings/Site Plan

## MEMORANDUM

To: LMnt Architecture

From: Boyd Davis, P.E. 

cc: West Point City Planning Commission

**RE: The Point Lot 6, Del Taco, Pad Review**

Date Plans Received: March 7, 2016

Date Reviewed: March 8, 2016

---

I have completed a review of the plans for the subject commercial pad and offer the following comments for your review:

Building Elevations:

- Brick: meets requirement
- Articulation: meets requirement
- Windows: 25% windows required on each side. Need additional windows on south side

Landscaping:

- 15% minimum: meets requirement
- Tree numbers: meets requirement
- Parking lot trees and planters: meets requirement
- 5' platers: meets requirement

Lighting:

- No comments

Ingress/Egress:

- No comments.

Parking/Traffic Circulation:

- Consider reducing the number of stalls.

Pedestrian Access:

- Add sidewalk on east and south sides.

Fire Department Approval

- Please submit an approval letter.

Aesthetic Nature of Signage:

- The wall signs, and drive thru signs look good.



EAST ELEVATION



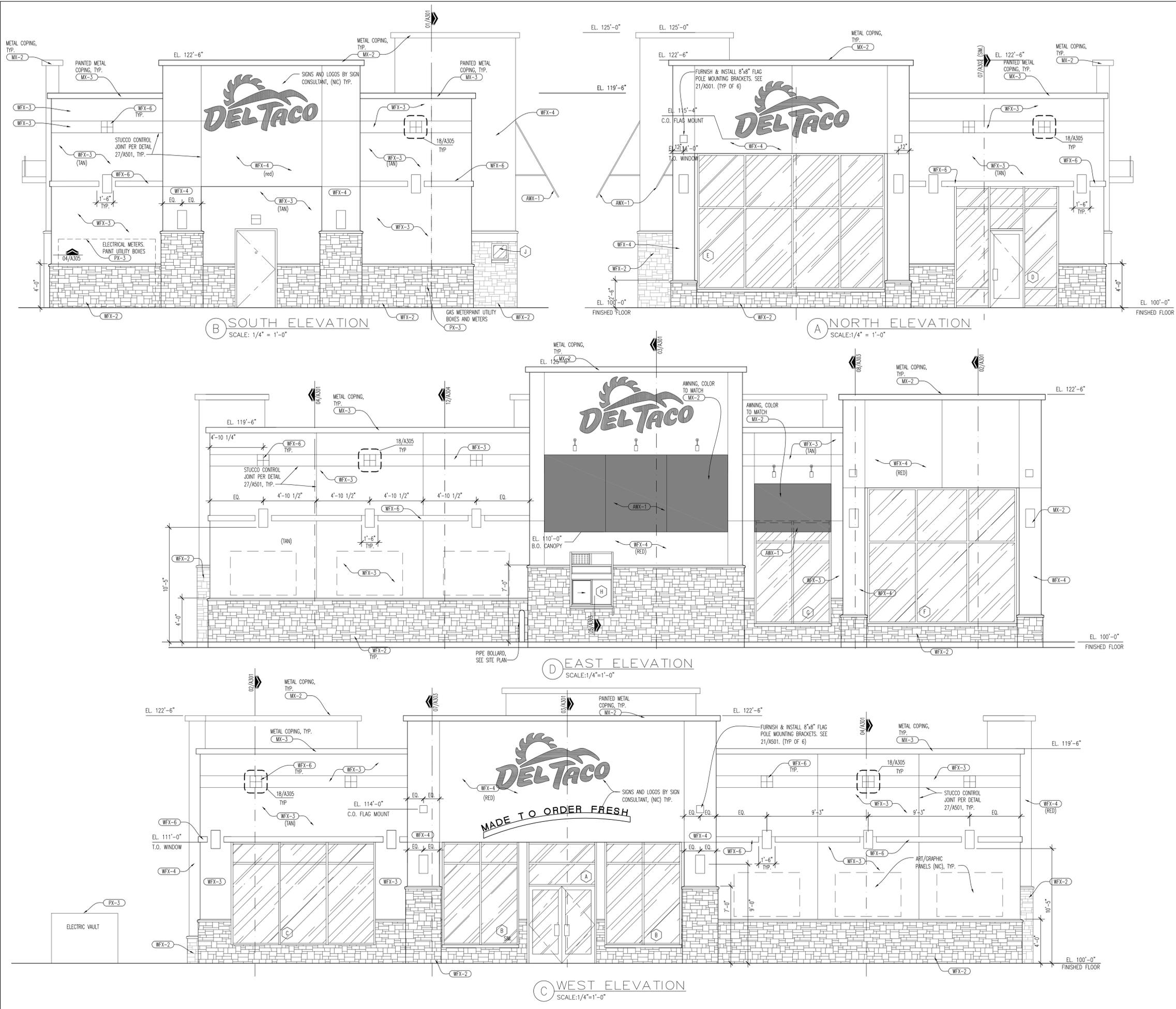
SOUTH ELEVATION



WEST ELEVATION



NORTH ELEVATION



- GENERAL NOTES**
1. REFER TO ARCHITECTURAL FLOOR PLAN FOR ADDITIONAL DIMENSIONS.
  2. ALL HEIGHT REFERENCES ARE TAKEN FROM DATUM-TOP OF SLAB FOR AREA INDICATED.
  3. REFER TO WINDOW SCHEDULE FOR WINDOW FINISHES AND WINDOW TYPES, SHEET A601.
  4. REFER TO DOOR SCHEDULE FOR DOOR FINISHES AND DOOR TYPES, SHEET A601.
  5. BUILDING SIGNAGE UNDER SEPARATE PERMIT AND SUBMITTAL.
  6. ALL SIGNS AND LOGOS BY SIGN CONSULTANT.
  7. LIGHTING FIXTURES PER ELECTRICAL LIGHTING SCHEDULE.
  8. VERIFY STUCCO COLORS WITH ARCHITECT OR CURRENT COLOR ELEVATIONS PRIOR TO INSTALLATION.
  9. PLASTER ALL EXPOSED CONCRETE FOUNDATIONS

Architecture  
 Landscape Architecture  
 Interior Designers  
 LEED Consulting

5963 South Rappahannock Cr.  
 Murray, UT 84123  
 ph. 801.707.1132  
 www.LMntArchitecture.com

The designs shown and described within these documents, including all technical drawings, graphic representation & models, are proprietary & can not be copied, duplicated in whole or in part without the express written permission from LMnt Architecture

SEAL:

D:\LMnt Library\Stamp\_signed.jpg



**FINISH LEGEND**

[Symbol]	WALL FINISH, REFER TO FINISH SCHEDULE.
[Symbol]	STONE, REFER TO FINISH SCHEDULE.
[Symbol]	STUCCO, REFER TO FINISH SCHEDULE.
[Symbol]	STORE FRONT AND GLAZING

**% OF WALL FINISHES**

ELEVATION	FINISH	AREA (SF)	PERCENT (%)
NORTH ELEVATION: 940 SF	STUCCO	487 SF	51%
	STONE	95 SF	10%
	GLAZING	320 SF	34%
	OTHER	38 SF	4%
SOUTH ELEVATION: 960 SF	STUCCO	701 SF	73%
	STONE	191 SF	20%
	DOOR	27 SF	3%
	OTHER	41 SF	4%
EAST ELEVATION: 1,680 SF	STUCCO	929 SF	55%
	STONE	268 SF	16%
	GLAZING	258 SF	16%
	OTHER	197 SF	11%
WEST ELEVATION: 1,643 SF	STUCCO	960 SF	57%
	STONE	218 SF	14%
	GLAZING	338 SF	22%
	OTHER	127 SF	7%

**LMnt ARCHITECTURE**

Architecture  
 Landscape Architecture  
 Interior Designers  
 LEED Consulting

5963 South Rappahannock Cr.  
 Murray, UT 84123  
 ph. 801.707.1132  
 www.LMntArchitecture.com

The designs shown and described within these documents, including all technical drawings, graphic representation & models, are proprietary & can not be copied, duplicated in whole or in part without the express written permission from LMnt Architecture

SEAL:

D:\LMnt Library\Stamp\_signed.jpg

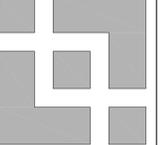
**project:** Del Taco Restaurant  
 300 N 2000 W  
 West Point, UT 84015

**data:** project no: 1424  
**date:** 01 / 18 / 16  
**revisions:**

**SCHEMATIC DESIGN**

drawn by: checked by:  
 BL FC

sheet:  
**EXTERIOR ELEVATIONS**  
**OPTION 1.18a**  
**A201**



SEAL:

D:\LMnt Library\Stamps\signed.dwg



project: **Del Taco Restaurant**  
300 N 2000 W  
West Point, UT 84015

data:  
project no: 1424

date: 01 / 18 / 16

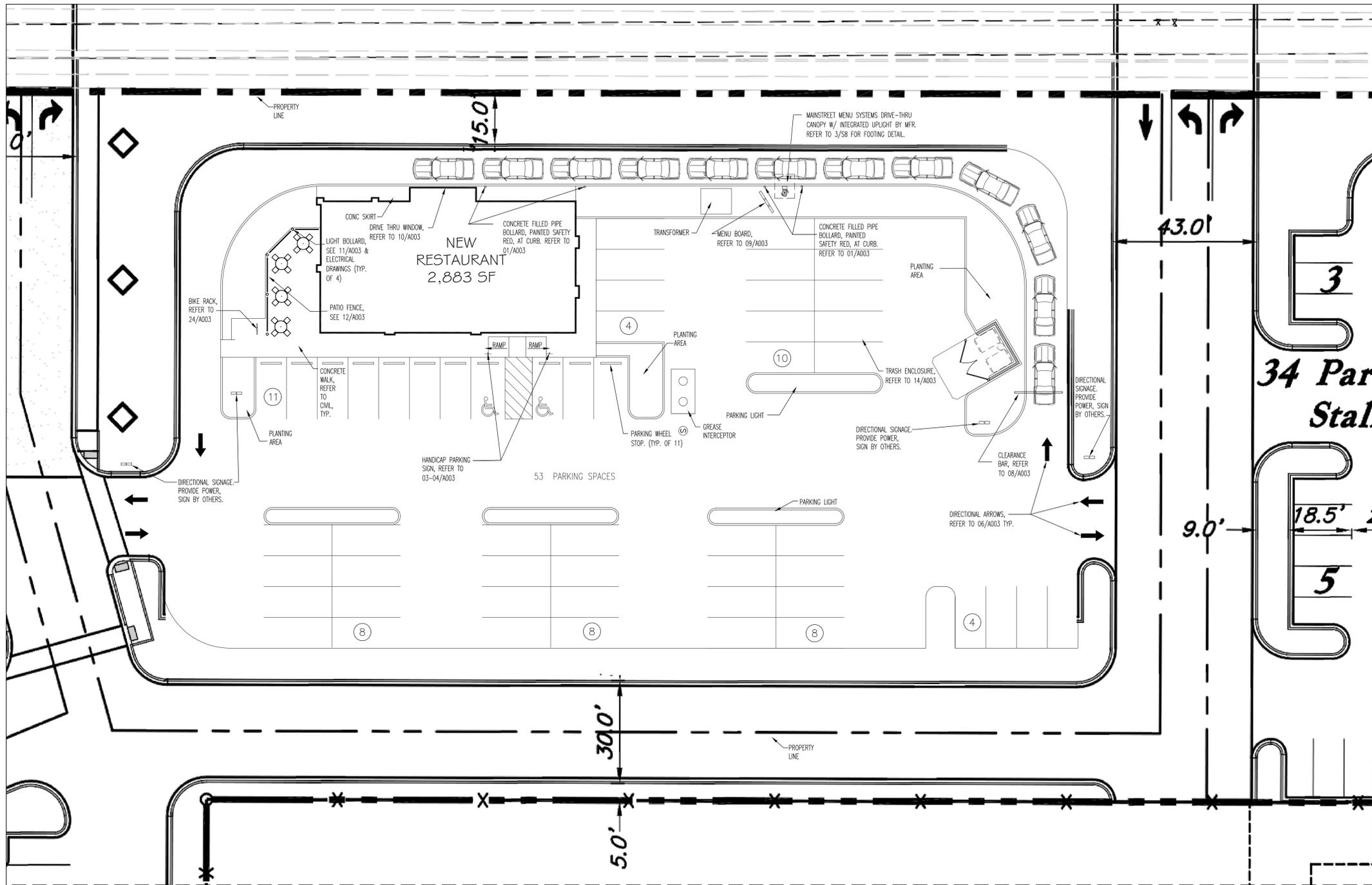
revisions:

SCHEMATIC  
DESIGN

drawn by: BL checked by: BL

sheet:  
ARCHITECTURAL  
SITE PLAN

**A002**



**01 SITE PLAN**  
SCALE: 1/16" = 1'-0"

PARKING STALLS  
29 REQUIRED  
33 PROVIDED  
RATIO: 11.4 STALLS/1000SF

NOTE:  
DRIVE-THRU SHALL BE CONCRETE.  
ASPHALT SHALL NOT BE USED.  
VERIFY VERIFY W/ CIVIL AND NOTIFY  
ARCHITECT OF ANY DISCREPANCIES.

**GENERAL SITE PLAN NOTES**

1. PLACE TRASH CANS AND RECYCLING RECEPTACLES AROUND THE SITE TO MINIMIZE LITTER.
2. CLEAN UP LEAKS, DRIPS AND OTHER SPILLS IMMEDIATELY SO THEY DO NOT CONTAMINATE SOIL OR GROUNDWATER OR LEAVE RESIDUE ON PAVED SURFACES. USE DRY CLEAN-UP METHODS WHENEVER POSSIBLE. IF WATER MUST BE USED, USE JUST ENOUGH TO KEEP DUST DOWN.
3. CHECK FREQUENTLY FOR LEAKS. PLACE DUMPSTERS UNDER ROOFS OR COVER WITH TARP'S OR PLASTIC SHEATHING SECURED AROUND THE OUTSIDE OF THE DUMPSTER. A PLASTIC LINER IS RECOMMENDED TO PREVENT LEAKAGE OF LIQUIDS. DO NOT CLEAN OUT DUMPSTER BY HOISING IT DOWN ONTO THE CONSTRUCTION SITE.
4. MAKE SURE PORTABLE TOILETS ARE MAINTAINED IN GOOD WORKING ORDER BY THE LEASING COMPANY AND THAT WASTE ARE DISPOSED OF PROPERLY. CHECK TOILETS FREQUENTLY FOR LEAKS.
5. DO NOT BURY WASTE MATERIALS OR LEAVE THEM IN THE STREET.
6. WHEN CLEANING UP AFTER DRIVEWAY OR SIDEWALK CONSTRUCTION. WASH FINES INTO DIRT AREAS, NOT DOWN THE DRIVEWAY OR INTO THE STREET OR STORM DRAIN.
7. DISPOSE OF ALL CONSTRUCTION DEBRIS AT A LANDFILL.
8. DO NOT BURY SOLID OR HAZARDOUS WASTE MATERIAL.
9. ENTRANCES AND EXITS, PATH OF TRAVEL, AND SANITARY FACILITIES, AND/OR DRINKING FOUNTAINS AND PUBLIC TELEPHONES SERVING THIS TENANT SPACE SHALL BE ACCESSIBLE TO PERSONS WITH DISABILITIES PER APPLICABLE STATE AND FEDERAL GUIDELINES.
10. FIELD VERIFY ALL EXISTING DIMENSIONS PRIOR TO STARTING WORK.
11. ALL SIGN WORK SHALL BE UNDER SEPARATE CONTRACT AND PERMIT (UNLESS NOTED OTHERWISE). SIGN COMPANY SHALL SUBMIT SIGN SHOP DRAWINGS TO OWNER/DEVELOPER FOR REVIEW AND APPROVAL PRIOR TO MANUFACTURE AND INSTALLATION, TYP.
12. CONTRACTOR SHALL OBTAIN, READ, AND IMPLEMENT ALL REQUIREMENTS AS SET FORTH BY THE DESIGN AND CONSTRUCTION CRITERIA. SHOULD ANY CRITERIA BE IN CONFLICT WITH THESE PLANS, CONTACT THE ARCHITECT AS SOON AS THE DISCREPANCY IS DETECTED. SEE ALSO SECTION 1 OF THE GENERAL NOTES.
13. FOR LOCATION OF CONCRETE CURBS, PLANTING AREAS, PAVING, PARKING STALLS, WALKWAYS, AND EXPANSION JOINTS REFER TO CIVIL DRAWINGS.
14. FOR PAVING REQUIREMENTS AND SITE WORK FINISH SURFACE ELEVATIONS. REFER TO CIVIL DRAWINGS.
15. GENERAL CONTRACTOR WILL BE RESPONSIBLE FOR ALL SITE IMPROVEMENTS WITHIN THE LIMIT OF WORK. ANY EXISTING SITE WORK DAMAGED OUTSIDE THE LIMIT OF WORK BY GENERAL CONTRACTOR SHALL BE REPLACED TO MATCH THE ORIGINAL CONDITIONS.
16. LOADING/UNLOADING ZONE/ACCESSIBLE PARKING "NO PARKING" SHALL BE PAINTED ON THE GROUND WITHIN EACH LOADING AND UNLOADING ACCESS AISLE. THIS NOTICE SHALL BE PAINTED IN WHITE LETTERS NO LESS THAN 12" HIGH AND LOCATED SO THAT IT IS VISIBLE TO TRAFFIC ENFORCEMENT OFFICIALS.



# City Council Staff Report

**Subject:** Zoning for Churches  
**Author:** Boyd Davis  
**Department:** Community Development  
**Date:** April 5, 2016

---

## **Background**

We recently received a request for a building permit for a church in the office buildings just east of City Hall. Cornerstone Bible Church has signed a lease with Ed Miles, the owner of the building, however we discovered that the zoning code does not allow churches in the C-C zone. The applicant would like the City to consider making a change to the code in order for him to use the building as planned.

## **Analysis**

Currently churches are allowed in all residential zones, but not in any commercial or professional office zone. It is not uncommon to see a church in a commercial building in other communities, but the downside is that it takes away the opportunity for sales tax generating businesses.

The building that they intend to use is more of a professional office building and it is less likely that a retail business would locate there, so a church may not impact the City's sales tax opportunity.

As we looked at what other cities do, this is what we have discovered:

- Clinton: Churches are allowed in commercial zones
- Layton: Churches are allowed in all zones as a conditional use
- Syracuse: Churches are allowed in commercial zones

The Planning Commission discussed the proposed changes and held a public hearing on March 24<sup>th</sup>. There were not comments in opposition to the proposal. The Planning Commission unanimously approved a change to allow churches as a conditional use in the C-C zone.

## **Recommendation**

Staff recommends approval of ordinance 04-05-2016A

## **Significant Impacts**

None

## **Attachments**

Ordinance 04-05-2016A



**ORDINANCE NO. 04-05-2016A**

**AN ORDINANCE AMENDING WEST POINT  
CITY CODE SECTION 17.25.070,  
MODIFYING LAND USE REGULATIONS**

**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 amend Section 17.25.070 of the West Point City Code, 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 amendments; and,

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

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

**Section One: Adoption of New Provisions**

Line 2 under the section named “Institutional/Special Services” of 17.25.070 “Table of Land Use Regulations” shall be changed to read as follows. The remainder of the table shall remain unchanged.

	A-5	A-40	R-1	R-2	R-3	R-4	R-5	N-C	C-C	R-C	P-O	R/I-P
2. Church/Temple/Rectory	C	C	C	C	C	C	C	-	C	-	-	-

**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 Code to bring the text 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 \_\_\_\_ day of April, 2016.

WEST POINT CITY, a Municipal Corporation

By: \_\_\_\_\_  
Erik Craythorne  
Mayor

[SEAL]

**VOTING:**

<u>Jerry Chatterton</u>	Yea ___ Nay ___
<u>Andy Dawson</u>	Yea ___ Nay ___
<u>Kent Henderson</u>	Yea ___ Nay ___
<u>Gary L. Petersen</u>	Yea ___ Nay ___
<u>Jeff Turner</u>	Yea ___ Nay ___

ATTEST:

\_\_\_\_\_  
Casey Arnold  
City Recorder