



**WEST POINT CITY COUNCIL NOTICE & AGENDA**

West Point City Hall  
3200 West 300 North  
West Point City, UT 84015  
September 6, 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 Regarding Street Cut Permit Policy** – Mr. Boyd Davis [page 5](#)
2. **Discussion Regarding the Temporary Regulations Pertaining to Development within the Residential Zones** – Mr. Boyd Davis
3. **Discussion Regarding the Interlocal Agreement with Davis County Relating to the CDBG Grant Program** – Mr. Kyle Laws [page 7](#)
4. **Discussion Regarding the KenneVic Place Subdivision located at 3500 W 550 N** – Mr. Boyd Davis [page 17](#)
5. **Culinary Water Update** – Mr. Paul Rochell

**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 August 16, 2016 City Council Meeting** [page 19](#)
9. **Consideration of Approval of Ordinance No. 09-06-2016A, Approving a Rezone at 800 N 3000 W from A-40 to R-3** – Mr. Boyd Davis [page 29](#)
  - a. **Public Hearing**
  - b. **Action**
10. **Consideration of Approval of Ordinance No. 09-06-2016B, Approving a Rezone at Approximately 4300 W 300 N from A-40 and R-2 to R-1** – Mr. Boyd Davis [page 33](#)
  - a. **Public Hearing**
  - b. **Action**
11. **Consideration of Approval of Resolution No. 09-06-2016A, Approving the Interlocal Agreement with Davis County Relating to the CDBG Grant Program** – Mr. Kyle Laws [page 9](#)
12. **Motion to Adjourn**

Posted this 2<sup>nd</sup> Day of September, 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.



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

## TENTATIVE UPCOMING ITEMS

Date: 9/20/2016

### Administrative Session – 6:00 pm

#### General Session – 7:00 pm

1. Citizen Comment Follow-up – Mr. Kyle Laws
2. Consideration of Final Approval of the Craythorne Homestead Phase 2 Subdivision Located at 549 S 4500 W – Mr. Boyd Davis
3. Consideration of Approval of Resolution No. 09-20-2016A, Approving a Postponement Agreement for the Craythorne Homestead Phase 2 Subdivision – Mr. Boyd Davis
4. Consideration of Final Approval of the KenneVic Place Subdivision located at 3500 W 550 N – Mr. Boyd Davis

Date: 10/4/2016

### Administrative Session – 6:00 pm

1. Discussion of Youth Council – Mrs. Jolene Kap
2. Discussion of General Plan Final Approval – Mr. Boyd Davis/Mr. Troy Moyes

#### General Session – 7:00 pm

1. Citizen Comment Follow-up – Mr. Kyle Laws
2. Swearing in of Youth Council Members – Mayor Craythorne
3. Discussion of General Plan – Mr. Boyd Davis
  - a. Public Hearing

Date: 10/18/2016

### Administrative Session – 6:00 pm

1. Discussion with the Davis County Commissioners

#### General Session – 7:00 pm

1. Citizen Comment Follow-up – Mr. Kyle Laws
2. Presentation by the Davis County Commissioners
3. Consideration of General Plan Final Approval – Mr. Boyd Davis

### FUTURE ITEMS

#### Administrative Session

1. Discussion of Street Light Replacement – Mr. Kyle Laws
2. Building Rental Fees & Policy – Mr. Kyle Laws
3. Discussion of Pheasant Creek Property/Park – Mr. Kyle Laws
4. Consideration of Approval of the Payback Agreement for the Homewood Subdivision – Mr. Boyd Davis
5. Consideration of Final Approval of the Mackay Subdivision – Mr. Boyd Davis
6. Discussion Regarding the Junk Car Ordinance – Mr. Boyd Davis

#### General Session

1. Citizen Comment Follow-Up – Mr. Kyle Laws

#### CDRA

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

# City Council Staff Report

**Subject:** Excavation Permits  
**Author:** Boyd Davis  
**Department:** Community Development  
**Date:** September 6, 2016

---

## **Background**

Staff was asked to review the policy on street cut and excavation permits and compare our policy to other cities' policies. This was discussed at a previous Council meeting and the general consensus was that West Point's code should be updated.

## **Analysis**

Below is a proposed amendment to chapter 12 of the West Point City Code:

### *12.05.090 Excavations*

.

.

*E. The following standards shall apply to excavations within asphalt:*

*1. Perpendicular Cuts.*

- a. The asphalt shall be removed and replaced a minimum of 1 ft. wider than the trench to create a "T" patch. The depth of the patch shall match the depth of the existing asphalt or a minimum of 3 inches.*
- b. On roads newer than 3 years, the asphalt shall be milled and overlaid 5 ft. on either side of the trench. The depth of the overlay shall be a minimum of 1 ½ inches.*
- c. The patch shall extend to the full width of any travel lane affected. On unmarked roads, the travel lane shall be defined as 12 ft. from the center of the asphalt. The shoulder of the road will not be treated as a travel lane.*
- d. When multiple cuts are made in the same location, the asphalt shall be milled and overlaid between patches that are 30 ft. or closer to one another.*

*2. Parallel Cuts.*

- a. Parallel cuts shall meet the same standards listed under section 1.*
- b. In addition, parallel cuts that affect a travel lane shall be patched or overlaid to the width of the travel lane regardless of the age of the road.*

*3. Fill Material.*

- a. All trenches within existing roadways shall be backfilled and compacted with imported fill materials according to the standard specifications and standard drawings adopted by the City.*

**Recommendation**

No action required. This is for discussion only. Staff would like any direction or comments that the Council may have.

**Significant Impacts**

This will affect the cost of patches for both the City and contractors.

**Attachments**

None

# City Council Staff Report

**Subject:** Interlocal Agreement with Davis County (Tour of Utah)  
**Author:** Kyle Laws  
**Department:** Executive  
**Date:** September 6, 2016



---

## **Background**

The City has previously been participating in Davis County's Community Development Block Grant (CDBG) program. We entered into an Interlocal Agreement with the County in 2010 and have renewed this agreement every three years.

## **Analysis**

Staff recently received a letter from the Davis County Clerk/Auditor's Office indicating the need to update and amend the Interlocal Agreement. The Department of Housing and Urban Development (HUD) has dictated new language that must be included in this newly executed agreement. Attached to this report is a resolution approving the agreement as well as the proposed changes to the agreement.

HUD is requiring these agreements to be executed, signed, and returned to them by September 16, 2016, which means the cities need to have them returned to the County in time for the September 13, 2016 County Commission meeting. Because of this tight deadline set by HUD we are asking the Council to approve the agreement on September 6, 2016 in our regular City Council meeting.

This information has been sent to Felshaw King, City Attorney, for his review.

## **Recommendation**

Staff recommends Council approve the Interlocal Agreement between Davis County and West Point City Relating to the Conduct of Community Development Block (CDBG) Grant Program.

## **Significant Impacts**

No significant impacts.

## **Attachments**

- Resolution No. 09-06-2016A
- Amendment No. 1 to Interlocal Cooperation Agreement between Davis County and West Point City Relating to the Conduct of Community Development Block Grant Program for Federal Fiscal Years 2011, 2012, and 2013 and Successive 3 Year Periods Thereafter.
- Letter from Davis County Clerk/Auditor's Office



RESOLUTION NO. 09-06-2016A

A RESOLUTION OF WEST POINT CITY, UTAH  
APPROVING AN INTERLOCAL COOPERATIVE AGREEMENT  
WITH DAVIS COUNTY PLANNING DEPARTMENT RELATING TO  
THE CONDUCT OF COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

WHEREAS, the West Point City Council (the “*Council*”) met in a regular session on September 6, 2016, to consider, among other things, approving an interlocal cooperative agreement with Davis County; and

WHEREAS, local government entities are authorized by the Utah Local Cooperative Act (UTAH CODE § ANN. 11-13-101, *et. Seq.*) to enter into agreements with each other, upon a resolution to do so by the respective governing bodies, to do what each agency is authorized by law to perform; and

WHEREAS, a uniform interlocal agreement between various Davis County cities including West Point City, has been prepared for approval which sets forth the purposes thereof, the extent of participation of the parties, and the rights, duties and responsibilities of the parties. A copy of such interlocal agreement is attached hereto; and

NOW THEREFORE BE IT RESOLVED by the Council that the attached interlocal agreement be approved and that the Mayor and Recorder are hereby authorized and directed to execute and deliver the same.

ADOPTED by the City Council of West Point City, Utah, this 6th day of September, 2016.

WEST POINT CITY, UTAH

BY: \_\_\_\_\_  
Erik Craythorne, Mayor

ATTEST:

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



**AMENDMENT NO. 1 TO INTERLOCAL COOPERATION AGREEMENT BETWEEN DAVIS COUNTY AND THE CITY OF WEST POINT RELATING TO THE CONDUCT OF COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR FEDERAL FISCAL YEARS 2011, 2012 AND 2013 AND SUCCESSIVE 3 YEAR PERIODS THEREAFTER**

This Amendment No. 1 to Interlocal Cooperation Agreement between Davis County and the City of West Point Relating to the Conduct of Community Development Block Grant Program for Federal Fiscal Years 2011, 2012 and 2013 and Successive 3 Year Periods Thereafter (this "Amendment") is made and entered into by and between Davis County, a body corporate and politic and political subdivision of the state of Utah (the "County"), and the City of West Point, a municipal corporation of the state of Utah (the "City"). The County and the City may be collectively referred to in this Amendment as the "Parties."

**RECITALS**

This Amendment is made and entered into by and between the Parties based, in part, upon the following recitals:

- A. The Parties previously entered into an *Interlocal Cooperation Agreement Between Davis County and the City of West Point Relating to the Conduct of Community Development Block Grant Program for Federal Fiscal Years 2011, 2012, and 2013 and Successive 3 Year Periods Thereafter*, dated June 24, 2010 by the City and July 13, 2010 by the County, which is labeled Davis County Contract Nos. 2010-229, 2010-229A, and 2010-229B (the "Cooperation Agreement");
- B. Pursuant to Notice CPD-16-05 (the "Notice") issued by the United States Department of Housing and Urban Development Community Planning and Development ("HUD"), it is necessary for the Cooperation Agreement to be amended in order to satisfy certain requirements set forth in the Notice; and
- C. The Parties, through this Amendment, desire to modify certain terms and/or provisions of the Cooperation Agreement in order to comply with the Notice.

Now, based upon the foregoing, and in consideration of the terms set forth in this Amendment, the Parties do hereby agree as follows:

**1. Recital D of the Cooperation Agreement is amended as follows:**

July 1, 2010 is replaced with October 1, 2010.

**2. Recital F of the Cooperation Agreement is omitted in its entirety and replaced with the following:**

This Agreement provides for an initial three year term commencing on October 1, 2010 and continuing through September 30, 2013 with successive three year terms corresponding with HUD qualification periods, automatically renewing.

**3. The second sentence of Recital G is amended as follows:**

The word “federal” is added after “In order to ensure participation by the City in the urban county and as part of the ...” and before “fiscal years 2011, 2012, and 2013 urban county qualification process, ....”

**4. The fourth sentence of Section 1 of the Cooperation Agreement is amended as follows:**

July 1, 2011 is replaced with October 1, 2010 and June 30, 2013 is replaced with September 30, 2013.

**5. Section 1 of the Cooperation Agreement is amended such that the sentence set forth below is the first sentence of Section 1. Section 1 shall otherwise remain the same.**

This interlocal cooperation agreement (the “agreement”) covers the CDBG Entitlement program and, where applicable, the HOME Investment Partnership and Emergency Solutions Grants Programs.

**6. The final three sentences of Section 3 of the Cooperation Agreement are omitted in their entirety and replaced with the following:**

By executing the agreement, the City understands that it may: (1) not apply for grants under the State CDBG Program for fiscal years during the period in which it participates in the County’s CDBG Program; (2) receive a formula allocation under the HOME Program, if applicable, only through the County; thus, even if the County does not receive a HOME formula allocation, the City cannot form a HOME consortium with other local governments; (3) may receive a formula allocation under the ESG Program, if applicable, only through the County.

**7. The following shall be added to the end of Section 6 of the Cooperation Agreement:**

The City is precluded from selling, trading, or otherwise transferring all or any portion of the funds that it receives from County under the Agreement to another metropolitan city, urban county, unit of general local government, Indian tribe, or insular area that, directly or indirectly, receives CDBG funds in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under Title I of the Housing and Community Development Act of 1974, as amended.

**8. The penultimate sentence of Section 7 of the Cooperation Agreement is omitted in its entirety and replaced with the following:**

In addition, the City and the County shall take all actions necessary to assure compliance with the County's certification under Section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended, regarding Title VI of the Civil Rights Act of 1964, the Fair Housing Act, and affirmatively furthering fair housing, and the City and the County shall comply with Section 109 of Title I of the Housing and Community Development Act of 1974, which incorporates Section 504 of the Rehabilitation Act of 1973 and the Age Discrimination Act of 1975, as well as other applicable laws.

**9. Section 13 of the Cooperation Agreement is amended as follows:**

*(cooperation)* is removed and replaced with cooperation.

**10. Continuing Effect of the Agreement.** Except to the extent specifically modified by this Amendment, the terms and conditions of the Cooperation Agreement shall remain in full force and effect.

[Signature Page Follows]

IN WITNESS WHEREOF, the Parties have executed this Amendment in duplicate, each of which shall be deemed an original.

DAVIS COUNTY

\_\_\_\_\_  
John Petroff, Jr., Chair,  
Davis County Board of County Commissioners  
Date:\_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Curtis Koch, Davis County Clerk/Auditor  
Date:\_\_\_\_\_

Reviewed and Approved as to Form and Legality:

\_\_\_\_\_  
Davis County Attorney's Office  
Date:\_\_\_\_\_

CITY OF WEST POINT

\_\_\_\_\_  
Mayor  
Date:\_\_\_\_\_

ATTEST:

\_\_\_\_\_  
City Recorder  
Date:\_\_\_\_\_

Reviewed and Approved as to Form and Legality:

\_\_\_\_\_  
City Attorney  
Date:\_\_\_\_\_



# Clerk / Auditor

Davis County Administration Building - P.O. Box 618 - Farmington Utah 84025  
Telephone: (801) 451-3213 – Fax: (801) 451-3421

**Curtis Koch, MBA, CGFM**  
Clerk/Auditor

August 19, 2016

Letter of Intent:

Dear Mayor,

This letter is in regards to the Community Development Block Grant program. Davis County is designated as an “Urban County” and receives entitlement funding for the CDBG program since fiscal year 2011.

Your city is a participant in the County’s CDBG program and entered into an Interlocal Cooperation Agreement (Agreement # 2010 229) with Davis County in 2010 and have renewed this agreement every three years.

At this time the Interlocal Cooperation Agreement is in need of an amendment to include new language dictated from The Department of Housing and Urban Development. Due to the necessary amendment, each city will need to execute the amended Interlocal Cooperation Agreement.

**The attached Amendment to the Interlocal Cooperation Agreement between Davis County and your city needs to be signed and dated by the Mayor, the City Recorder, and the City Attorney of your city.**

Davis County anticipates bringing the Amended Agreement before the County Commission in mid-to late September. **Because of this timeline, please review and present this Amendment for approval in your next available City Council meeting and provide the signed Agreement to the following address via mail or in person:**

**Tony Zambrana, Grant Auditor  
61 S. Main St.  
Farmington, UT 84025**

Please contact me with any questions you may have.  
Thank you,

Tony Zambrana, Grant Auditor  
1-801-451-3276  
[tzambrana@co.davis.ut.us](mailto:tzambrana@co.davis.ut.us)



# City Council Staff Report

**Subject:** KenneVic subdivision  
**Author:** Boyd Davis  
**Department:** Community Development  
**Date:** September 6, 2016

---

## **Background**

The applicant is requesting approval for a five lot subdivision located at 3400 W 550 N. The property is zoned R-3 and the proposed lots meet all requirements of that zone.

## **Analysis**

Staff has reviewed the plat for the subject subdivision and has given the developer a list of some minor corrections to be made.

This subdivision is fairly straightforward, but there are three items to note:

1. There is a holding strip along the frontage of the subdivision. This must be dedicated to West Point City on the plat.
2. The Planning Commission recommended a 4' sidewalk to match the existing sidewalk to the east.
3. There will be several cuts in the road to connect the utilities. I have recommended that the patches be 15' wide minimum and that the entire road be chip sealed over the patches.

## **Recommendation**

Staff recommends final approval of the KenneVic Subdivision.

## **Significant Impacts**

There are no significant impacts at this time.

## **Attachments**

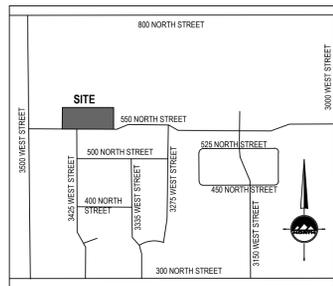
Plat

# KENNEVIC PLACE SUBDIVISION

LOCATED IN THE SOUTHEAST QUARTER  
OF SECTION 32  
TOWNSHIP 5 NORTH, RANGE 2 WEST  
SALT LAKE BASE AND MERIDIAN  
WEST POINT CITY, DAVIS COUNTY, UTAH

EARL ROGERS TRUST  
14-048-0010

S 89°55'37" E 461.25'



VICINITY MAP  
NO SCALE  
WEST POINT, DAVIS COUNTY, UTAH

## SURVEYOR'S CERTIFICATE

I, **KEITH R. RUSSELL**, do hereby certify that I am a Licensed Land Surveyor, and that I hold certificate No. **164386** as prescribed under laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets, hereafter to be known as **KENNEVIC PLACE SUBDIVISION**, and that the same has been correctly surveyed and staked on the ground as shown on this plat. I further certify that all lots meet frontage width and area re-requirements of the applicable zoning ordinances.

## BOUNDARY DESCRIPTION

Beginning at a point on the north line of Sky West Estates Subdivision No. 2, said point being South 0°03'47" East 1312.75 feet along the quarter section line to the extension of the north line of Sky West Estates Subdivision No. 2 and South 89°55'44" East 291.89 feet to and along the north line of Sky West Estates Subdivision No. 2 from the Center of Section 32, Township 5 North, Range 2 West, Salt Lake Base and Meridian, and running:  
Thence North 0°04'16" East 154.41 feet;  
Thence South 89°55'37" East 461.25 feet to the Northwest Corner of Lot 7, Lake Point Meadows at West Point Subdivision;  
Thence South 0°00'38" East 154.39 feet along the west line to the Southwest Corner of Lot 7, Lake Point Meadows at West Point Subdivision;  
Thence North 89°55'44" West 461.47 feet along the north line of Lake Point Meadows at West Point Subdivision to and along the north line of Sky West Estates Subdivision No. 2, also being the north line of 550 North Street to the point of beginning.

Contains 71,233 square feet, 1.635 acres, 5 lots.

Date **7-18-16**  
Keith R. Russell  
License no. 164386



## OWNER'S DEDICATION

Known all men by these presents that I / we, the under- signed owner (s) of the above described tract of land, having caused same to be subdivided, hereafter known as the

## KENNEVIC PLACE SUBDIVISION

do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for Public use. In witness whereof I / we have hereunto set our hand (s) this \_\_\_\_\_ day of \_\_\_\_\_ A.D., 20\_\_\_\_

Mountain View Construction Incorporated  
By: Jerry G. Chatterton  
It's: President

## CORPORATE ACKNOWLEDGMENT

STATE OF UTAH J.S.S.  
County of Davis  
On the \_\_\_\_\_ day of \_\_\_\_\_ A.D., 20\_\_\_\_, **JERRY G. CHATTERTON**, personally appeared before me, the undersigned Notary Public, in and for said County of **DAVIS** in the State of Utah, who after being duly sworn, acknowledged to me that He is the **PRESIDENT** of **MOUNTAIN VIEW CONSTRUCTION INCORPORATED**, a Corporation and that He signed the Owner's Dedication freely and voluntarily for and in behalf of said Corporation for the purposes therein mentioned and acknowledged to me that said Corporation executed the same.

MY COMMISSION EXPIRES: \_\_\_\_\_  
RESIDING IN \_\_\_\_\_ COUNTY.

## INDIVIDUAL ACKNOWLEDGMENT

STATE OF UTAH J.S.S.  
County of Davis  
On the \_\_\_\_\_ day of \_\_\_\_\_ A.D., 20\_\_\_\_, \_\_\_\_\_ personally appeared before me, the undersigned Notary public, in and for said County of \_\_\_\_\_ in said State of Utah, who after being duly sworn, acknowledged to me that He/She/They signed the Owner's Dedication, \_\_\_\_\_ in number, freely and voluntarily for the purposes therein mentioned.

MY COMMISSION EXPIRES: \_\_\_\_\_  
RESIDING IN \_\_\_\_\_ COUNTY.

## KENNEVIC PLACE SUBDIVISION

LOCATED IN THE SOUTHEAST QUARTER  
OF SECTION 32  
TOWNSHIP 5 NORTH, RANGE 2 WEST  
SALT LAKE BASE AND MERIDIAN  
WEST POINT CITY, DAVIS COUNTY, UTAH

## DAVIS COUNTY RECORDER

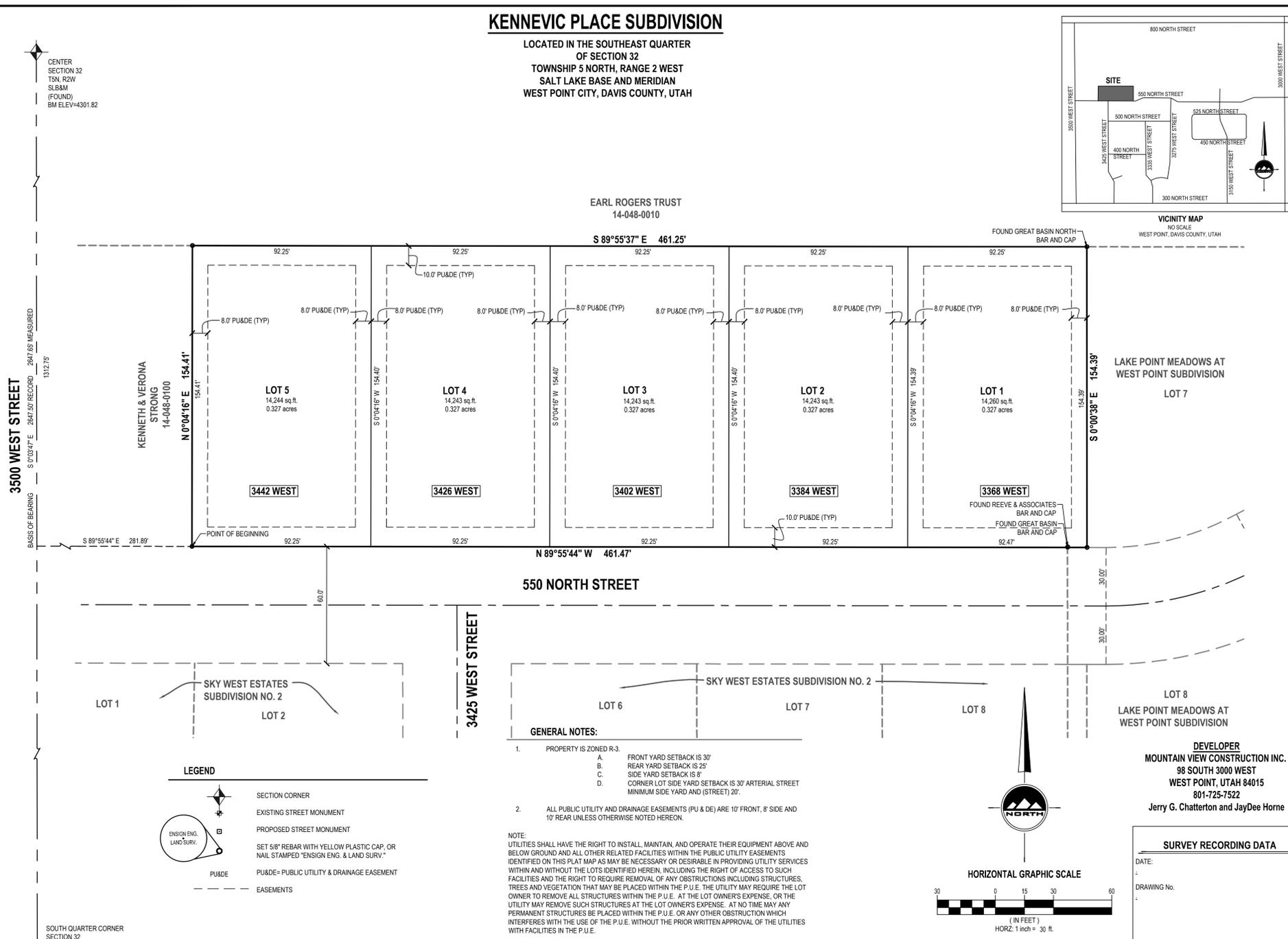
ENTRY NO. \_\_\_\_\_ FILED FOR RECORD AND  
PAID \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_  
RECORDED THIS \_\_\_\_\_ AT \_\_\_\_\_ IN BOOK \_\_\_\_\_ OF OFFICIAL RECORDS  
PAGE \_\_\_\_\_

## DAVIS COUNTY RECORDER

BY \_\_\_\_\_ DEPUTY RECORDER

## SHEET 1 OF 1

PROJECT NUMBER: L2386  
MANAGER: K.RUSSELL  
DRAWN BY: A.SHELBY  
CHECKED BY: K.RUSSELL  
DATE: 7/18/16



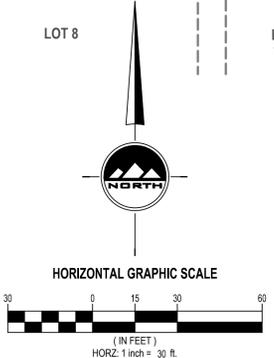
### LEGEND

- SECTION CORNER
- EXISTING STREET MONUMENT
- PROPOSED STREET MONUMENT
- SET 5/8" REBAR WITH YELLOW PLASTIC CAP, OR NAIL STAMPED "ENSGN ENG. & LAND SURV."
- PU&DE
- PU&DE = PUBLIC UTILITY & DRAINAGE EASEMENT
- EASEMENTS

### GENERAL NOTES:

- PROPERTY IS ZONED R-3.
  - A. FRONT YARD SETBACK IS 30'
  - B. REAR YARD SETBACK IS 25'
  - C. SIDE YARD SETBACK IS 8'
  - D. CORNER LOT SIDE YARD SETBACK IS 30' ARTERIAL STREET MINIMUM SIDE YARD AND (STREET) 20'.
- ALL PUBLIC UTILITY AND DRAINAGE EASEMENTS (PU & DE) ARE 10' FRONT, 8' SIDE AND 10' REAR UNLESS OTHERWISE NOTED HEREON.

NOTE:  
UTILITIES SHALL HAVE THE RIGHT TO INSTALL, MAINTAIN, AND OPERATE THEIR EQUIPMENT ABOVE AND BELOW GROUND AND ALL OTHER RELATED FACILITIES WITHIN THE PUBLIC UTILITY EASEMENTS IDENTIFIED ON THIS PLAT MAP AS MAY BE NECESSARY OR DESIRABLE IN PROVIDING UTILITY SERVICES WITHIN AND WITHOUT THE LOTS IDENTIFIED HEREIN, INCLUDING THE RIGHT OF ACCESS TO SUCH FACILITIES AND THE RIGHT TO REQUIRE REMOVAL OF ANY OBSTRUCTIONS INCLUDING STRUCTURES, TREES AND VEGETATION THAT MAY BE PLACED WITHIN THE P.U.E. THE UTILITY MAY REQUIRE THE LOT OWNER TO REMOVE ALL STRUCTURES WITHIN THE P.U.E. AT THE LOT OWNER'S EXPENSE, OR THE UTILITY MAY REMOVE SUCH STRUCTURES AT THE LOT OWNER'S EXPENSE. AT NO TIME MAY ANY PERMANENT STRUCTURES BE PLACED WITHIN THE P.U.E. OR ANY OTHER OBSTRUCTION WHICH INTERFERES WITH THE USE OF THE P.U.E. WITHOUT THE PRIOR WRITTEN APPROVAL OF THE UTILITIES WITH FACILITIES IN THE P.U.E.



**SALT LAKE CITY**  
45 W. 10000 S., Suite 500  
Sandy, UT 84070  
Phone: 801.255.0529  
Fax: 801.255.4449  
WWW.ENSGNENG.COM

**LAYTON**  
Phone: 801.541.1100  
**TOOELE**  
Phone: 435.943.3900  
**CEDAR CITY**  
Phone: 435.861.1433  
**RICHFIELD**  
Phone: 435.550.0187  
**COLORADO SPRINGS**  
Phone: 719.478.0119

### CITY ATTORNEY'S APPROVAL

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_,  
BY THE WEST POINT CITY ATTORNEY.

WEST POINT CITY ATTORNEY

### PLANNING COMMISSION APPROVAL

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_,  
BY THE WEST POINT CITY PLANNING COMMISSION APPROVAL

CHAIRMAN, WEST POINT CITY PLANNING COMMISSION

### CITY ENGINEER'S APPROVAL

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_,  
BY THE WEST POINT CITY ENGINEER

WEST POINT CITY ENGINEER

### CITY COUNCIL APPROVAL

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_,  
BY THE WEST POINT CITY COUNCIL.

CITY RECORDER CITY MAYOR



**West Point City Council Meeting  
3200 West 300 North  
West Point City, UT 84015  
August 16, 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 August 16<sup>th</sup> 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 Jerry Chatterton

**EXCUSED:** Council Member Andy Dawson

**CITY EMPLOYEES PRESENT:** Kyle Laws, City Manager; Boyd Davis, Assistant City Manager; Ryan Harvey, Administrative Services Director; Paul Rochell, Public Works Director; Jolene Kap, Community Affairs; Bruce Dopp, Code Enforcement Officer, Megan Mills, City Treasurer; and Casey Arnold, City Recorder

**VISITORS:** Rob Ortega, Brad Lee, Kelly Lee, and Kyle Hamblin

Before discussing the Agenda items, Mr. Laws introduced the new City Treasurer, Megan Mills to the Council. She was approved as the City Treasurer at the last City Council meeting, but was not able to attend. The Council welcomed her to Staff.

**1. Code Enforcement Update – Mr. Bruce Dopp**

Mr. Dopp stated that he had opened roughly 400 cases, generated by either citizen complaints or by patrol, and of those, only 10 or 12 remain open and are requiring additional enforcement action. During the last four months, he has emphasized weed control enforcement. Mr. Dopp published Newsletter articles in May and July to educate residents of the City's weed requirements. Weeds are not only unsightly, but can become a serious fire hazard during the dry summer months. Weed control will continue to be a priority, as well as illegal parking, which includes RV's, commercial vehicles, and other parking violations. Basketball standards in the street have also become a problem, and while Mr. Dopp is sympathetic to kids wanting to play ball, it is a serious safety hazard. Another high priority issue is complaints about trees blocking the view of oncoming traffic or traffic signs. Mr. Dopp addresses these as soon as possible with a shorter time frame for compliance because of the obvious safety concerns. For the most part, residents are cooperative and willing to rectify any issues.

58 citizen complaints have been received in the last four months, many online through the City's website, which Mr. Dopp has encouraged residents to use in his newsletter articles.

Council Member Chatterton inquired as to what can be done about the puncture weeds along some of the sidewalks and trails. Mr. Dopp agreed that these can be a big problem, and will try to notify property owners to take care of the problem before school starts.

Council Member Henderson and Council Member Petersen both commented that the landscaping on the corner of Smith's is also an issue, as it is full of unsightly weeds coming through the gravel. Mayor Craythorne stated that the gravel is temporary, and the developer may not have thought to use a barrier before spreading the gravel. Mr. Dopp stated that Mr. Wright is very responsive, and he will speak to him about the issue.

Council Member Petersen commented that he received a complaint from a resident that had received a code violation notice; the resident was concerned because the two week compliance period on the notice had been scratched out and a handwritten "1 week" had been written in. Mr. Dopp replied that he sometimes shortens the compliance period when the issue has caused a safety issue. Council Member Petersen suggested that in the future, Mr. Dopp use two separate notices so that it does not look like the Code Enforcement Officer was "making up rules".

## 2. **4<sup>th</sup> of July Wrap-Up Discussion** – Mrs. Jolene Kap

Mrs. Kap stated this was a great 4<sup>th</sup> of July celebration. The 5K registrations were down by roughly \$300 from last year, however, sponsorships increased by \$1,750 over last year. Most of the other activities were very close to the previous year's numbers. Changes this year included allowing only 2 spots for outside performers on the stage, a less permanent way was used to mark the 5K and walk (which came off in a few days), the Planning Committee put together the nominations for the Grand Marshal and Woman of Honor nominations, and the Syracuse Football Team, Titan Theater and Cheerleaders were in the parade. Last year, only the football team participated, so this was an improvement, but participation from the school is still lacking.

Changes for next year include the following: the 3v3 basketball tournament will be held the night of the 3<sup>rd</sup>, and run until it is finished. This will be cooler for the players, as well as free up the space for other activities on the 4<sup>th</sup>. The Fire District and Sheriff's Department has also asked to be involved earlier in the year as we begin planning the event to make sure that they have enough time to provide for appropriate staffing. They also asked that parking notices be placed along streets a few days before the event to notify residents where they will and will not be able to park. More information about parking will also be provided on the event flyer and on the City's Facebook page. The Planning Committee would also like to see a community band put together that could participate in the parade because of the lack of support from the Syracuse High School Band. Discussion was also given to changing the organization of the horseshoe tournament so that it does not last as long. The Council would also like to be included in the nominating process for the Grand Marshal and Woman of Honor.

In summary, Mrs. Kap stated that this was a really good year, and the Council thanked her for all of the hard work that she does putting on the event.

Brad and Kelly Lee, who are in charge of the parade and bingo, wanted the Council's suggestions and comments on any changes. As Mrs. Kap mentioned, zero support was received from Syracuse High School, but the Council has budgeted \$500 to recruit a band from elsewhere to participate, which Mr. Lee feels will really add patriotism to the parade. The Council was frustrated from the lack of participation from Syracuse High School, because tax revenue from West Point residents is received by the school. Council Member Chatterton commented that in discussions with High School, it might be brought up that the City donates to the School for their Senior Party each year. The Council agreed that a discussion needs to be had, again, with the School.

Council Member Turner inquired as to whether there was a way to reduce the handout of flyers from businesses participating in the parade, as he believes it takes the "hometown feel" out of the parade. Mr. Lee said that businesses see it as free advertising, and while he agrees, he thinks that might be hard to police. Council Member Turner suggested that businesses pay a fee to be in the parade, or as Mayor Craythorne suggested, be a sponsorship donor for the entire event. Mrs. Kap stated that manpower is an issue, and it is hard to regulate even the rules already in place. Mrs. Lee also suggested that to encourage more floats in the parade, an award be given out (i.e. Mayor's Choice Award) so that businesses and participants put more effort into creative entries.

The Mayor thanked the Lees and their family for their hard work, time, and dedication to the entire Party at the Point Celebration. Mr. Lee also thanked Mr. Rochell and the Public Works Department for their help and support.

**3. Quarterly Financial Report – Mr. Ryan Harvey**

Mr. Harvey stated that the revenues are exceeding expenditures in each fund, except for the Special Revenue and Capital Projects Funds. This is because we plan to use money received in previous years to pay for current year projects, and so the fund balance will make up the difference when the expenditures exceed revenues. In the Capital Projects Fund, the revenue is calculated as part of the year-end closing, when the excess revenue is transferred in from the General Fund.

The annual audit will begin in October, after which the audited financial statements will be presented to the City Council.

**4. Discussion Regarding the Torroweap Subdivision – Mr. Boyd Davis**

This subdivision is located by Pheasant Creek subdivision, and was tabled at the last Planning Commission. Mr. Davis stated that the developers are considering installing a small land drain, but even with that, will most likely be slab on grade homes because of the water issues. More discussion will be had once the Planning Commission makes its recommendation.

**5. Discussion Regarding the Heslop Development – Mr. Boyd Davis**

Mr. Davis stated that Mike Schultz, from Castle Creek Homes, was unable to attend the meeting and instead sent Kyle Hamblin to represent the company. The Council expressed its frustration that Mr. Schultz has not made himself available to speak with the Council and address their concerns. This development has been discussed many times with the Council, and several concerns were raised about the design of the buildings. The previously submitted designs included a small roof over each back door, and another design included a long continuous roof along the back of the building. The Council really wanted the designs to include bumpouts to give some architectural design, and Staff was able to find in the Code that a 12" bump out was required on walls longer than 60'. In the newly submitted plans, the developer has chosen to forgo the architectural roof detail options contained in the first two proposed options and include only the required bumpouts.

Mayor Craythorne stated that when the rezone was approved, the City used essentially the same Development Agreement that it had used with the Ivory Homes townhomes, because they are a very nice development, and was under the assumption that these townhomes would be at least comparable. What he did not realize is that Ivory Homes went above and beyond what the Agreement required. Mr. Schultz, on the otherhand, is doing the bare minimum that is required by the Developers Agreement. The Council does not believe that this proposed design meets the intent of the Developers Agreement. Council Member Petersen would like to review previous discussions about the development, along with the actual Agreement, as the Council is responsible for bringing aesthetically pleasing developments to the City. He continued to state that this new design is almost "offensive", as it does not appear that the developer is willing to work with the City and create an attractive, inviting development. Council Member Turner agreed, and while he is aware that the Council does not have the ability to 'get' whatever it desires, it still has a responsibility to residents to approve developments that have a sustainable aesthetic design.

Mr. Davis stated that the language of the Agreement is fairly vague, but does require "architectural enhancements". The question is what does that requirement actually mean. Mr. Davis will provide the Council with a copy of the Developers Agreement for review before further discussions on whether or not the Council can require additional design elements before approving the development.

**6. Discussion Regarding the Law Enforcement Contract with Davis County – Mr. Kyle Laws**

The current contract with the Davis County Sheriff's Department goes through the year 2020 and entitles the City to 3.09 hours of law enforcement services in every 24 hour period. The initial discussions of modifying the contract began because of the addition of the Smith's Marketplace development to coverage needs. However, the Sheriff was more concerned about bringing equality between the contracts of the three cities that it provides services to: Fruit Heights, South Weber, and West Point. To do this, the City would pay \$93,268.86 for FY2017, which is an increase of \$9,268.86

(11%), with a plan for the increase through 2023. The new contract is also based on 12 hours of coverage in a 24 hour period, as this more accurately reflects the time officers are actually currently spending in the City.

Staff is supportive of this plan, but the proposed contract is only good for one year, and will end in 2017. The current contract goes through 2020, and Staff does not feel it would be wise to give that up for a one-year contract. In conversations with Commissioner Petroff and Sheriff Richardson, they have both indicated that pushback is coming from the Davis County Attorney's Office, with one particular attorney giving input on the policies and finances, rather than just reviewing the legality of the contract. Mr. Laws suggested to them keeping the current contract in place, through 2020, and increase the cost of that contract, and then renegotiate after it expires. Commissioner Petroff felt that would be a reasonable compromise and Sheriff Richardson has indicated that this would be approved.

This item was for discussion purposes only at this point. Final approval of the contract will be on the Agenda once it has been received and approved by the County.

The Administrative Session adjourned.

DRAFT



**West Point City Council Meeting  
3200 West 300 North  
West Point City, UT 84015  
August 16, 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 August 16, 2016 at approximately 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 Jerry Chatterton, and Council Member Petersen

**EXCUSED** – Council Member Andy Dawson

**CITY EMPLOYEES PRESENT** – Kyle Laws, City Manager; Boyd Davis, Assistant City Manager; Ryan Harvey, Administrative Services Director; Paul Rochell, Public Works Director; and Casey Arnold, City Recorder

**VISITORS PRESENT** – Rob Ortega, Craig Gray, Brent Stoddard, Kitty Stoddard, Howard Stoddard, Anne Stoddard, LynnAnn Winterton, David Bodiker, Chad Bodiker, Matt Bodiker, Steven Bates, and Rick Jensen

1. **Call to Order** – Mayor Craythorne welcomed those in attendance.
2. **Pledge of Allegiance** – Repeated by all
3. **Prayer** – Given by Council Member Chatterton
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 Chatterton – The Zika virus is still an issue, and still being researched on how it is being transmitted and from what areas. There have only been two deaths worldwide caused by the virus, but there have been many problems with pregnancies and sickness.

Mayor Craythorne – The Wasatch Integrated Waste Landfill is part of the Northern Utah Environmental Resource Agency. This Agency was made up of communities and districts from Logan, Weber County, Wasatch Integrated Waste, Trans-Jordan Cities, Northern Point Solid Waste Special Service District, South Utah Solid Waste District, and was formed to create a landfill in Box Elder County for when the members' landfills reached capacity. The property was purchased years ago but was never approved to be a landfill, and so it was recently sold. However, the potential opportunity to purchase an existing financially struggling landfill in Elberta, located in Utah County, has arisen. Elberta is a small community with a huge landfill that has the capacity to take the waste from the Agency members for dozens of years. The Agency has approached the owners to possibly purchase that landfill. The Mayor asked the Council to consider the acquisition and let him know of any comments or suggestions to report back to the Wasatch Integrated Waste Landfill.

**5. Communications from Staff**

Mr. Laws stated that the Senior Dinner is Friday, August 19<sup>th</sup> at 5:00. The Council is invited to attend. Additionally, the contractor is scheduled to begin sealing the roads with the HA5 this coming Saturday. There will be 24 hour closures, but the contractor has scheduled the work to be completed around the schools before school starts on Wednesday. They will then begin sealing the trails, East Park and Bingham Park, and the subdivision included in the contract.

**6. Citizen Comment Follow-Up**

Mr. Laws stated that there were no citizen comments at the previous meeting.

**7. Citizen Comment**

None

**8. Consideration of Approval of Minutes from the August 2, 2016 City Council Meeting**

Council Member Petersen motioned to approve the minutes from the August 2, 2016 City Council Meeting

Council Member Henderson seconded the motion

The Council unanimously agreed

**9. Consideration of Final Approval of the Mendenhall Eden Single Lot Subdivision at 628 N 3000 W – Mr. Boyd Davis**

Mr. Davis stated that this is a single lot subdivision that is actually an existing building lot, and already has the utilities stubbed in, but the owner would still like the new plat to be recorded with the new subdivision name. The new plat also provides West Point with a public utility easement around the property. Staff recommends final approval of the plat.

Council Member Chatterton motioned to approve the Mendenhall Eden Single Lot Subdivision

Council Member Turner seconded the motion

The Council unanimously agreed

**10. Consideration of Approval of Ordinance No. 08-16-2016A, Approving Changes to the Animal Control Ordinance Regarding the Removal of Cats from the Animal At-Large Definition and Regulation the Trapping of Cats – Mr. Kyle Laws**

After citizen comments several meetings ago, the Council discussed changing the Animal Control Ordinance to exempt cats from the "Animal at Large" definition of the current ordinance. The proposed language would allow cat owners to let their cats out the house and would not require them to be restrained. The trapping of cats will also be regulated, and the language will be changed to include that residents will not be allowed to trap a cat and turn it in to Animal Control. If inadvertently trapped, a cat with clearly identifiable marks of ownership must be immediately released. The City Attorney has approved the ordinance, and it has been sent to Davis County Animal Control. The Director left Mr. Laws a message earlier this morning stating that he had some concerns about restricting trapping to only authorized organizations. Mr. Laws has not been able to talk to him about the specific concerns, though he thought that this item had already been discussed and both parties were in agreeance. Mr. Laws stated that the Council could either pass the Ordinance tonight, or wait until the next meeting after he has had a chance to speak with the Director. His preference would be to pass the Ordinance to avoid dragging out the issue any longer than it already has, and modify it later if needed.

Council Member Henderson motioned to approve Ordinance No. 08-16-2016A, Approving Changes to the Animal Control Ordinance

Council Member Petersen seconded the motion  
The Council unanimously agreed

Roll Call Vote

Council Member Turner – Aye  
Council Member Henderson – Aye  
Council Member Petersen – Aye  
Council Member Chatterton – Aye  
Council Member Dawson – Excused  
The Council unanimously agreed.

**11. Consideration of Resolution No. 08-16-2016B, Adoption of the Property Tax Rate for the 2016 Taxable Year for West Point City – Mr. Ryan Harvey**

Mayor Craythorne explained that it has been West Point’s policy to hold a Truth in Taxation each year, whether or not the Council decides to approve the Certified Tax Rate, or to maintain the rate. Each factor is looked at as they process through budget discussions. The property values have increased, and so regardless of whether the certified rate is adopted or the 2015 rate is maintained, property tax revenue received by the City will increase. Mr. Harvey stated that the Council has discussed the matter in depth at work sessions, and has tentatively decided to approve the lower Certified Tax Rate of .000984, rather than maintain the rate of .001036. In 2015, that rate of .001036 generated revenue of just over \$376,000. Because the property values in 2016 have increased, the decreased Certified Rate of .000984, with a revenue of \$400,443 will still be an increase of \$23,794 solely because of new growth and property values. If the 2015 rate of .001036 were maintained, the revenue would be \$421,604, which would increase the property tax of a \$229,000 residence by \$6.55 per year over the Certified Tax Rate.

**a. Public Hearing**

Steven Bates – 3374 W 200 N: Thanked the Council for not using the elevated tax. Asked the Council when “enough is enough”. He realizes that his issue now is with Davis County, since the City Council is considering the lower tax rate. Mr. Bates also cautioned the Council on passing ordinances, as he believes that it divides the City, and does not appreciate the Code Enforcement Corner of the newsletter because it encourages residents to report their neighbors.

The Mayor asked for any additional public comments regarding the property tax rate.

Craig Gray – 656 N 4100 W: Expressed his appreciation that the Council was not planning on implementing the higher property tax rate, but questions why the Council would even consider ever approving a rate higher than the certified tax rate. The Mayor responded that he would address that after the public hearing.

Council Member Chatterton motioned to close the public hearing  
Council Member Henderson seconded the motion  
The Council unanimously agreed

Mayor Craythorne stated that in the Council’s discussions regarding the property tax rate, the budget and the City’s needs are also analyzed. There are some surrounding cities that wait a long time before ever discussing increasing the tax rate, and are then forced to implement a very large increase in a single year to keep up with

rising costs of city maintenance and projects. The Council has decided to instead hold a Truth in Taxation process each year and determine the property tax rate based on current and future needs, and in some years, implement small increases to adapt to changing economic conditions and rising costs.

**b. Action**

Council Member Petersen motioned to approve Resolution No. 08-16-2016B, Adoption of the Property Tax Rate of .000984 for the 2016 Taxable Year for West Point City

Council Member Turner seconded the motion

The Council unanimously agreed

**12. Consideration of Ordinance No. 08-16-2016B, Adoption of the FY2017 Final Budget and Compensation Schedule for Employees and Officers of West Point City – Mr. Ryan Harvey**

Mr. Harvey stated that the budget process begins early in the spring, with multiple public hearings. Because the Council decided to go through the Truth in Taxation process, final approval of the budget could not be approved until the property tax rate was set.

**a. Public Hearing**

No comment

Council Member Petersen motioned to close the public hearing

Council Member Chatterton seconded the motion

The Council unanimously agreed

**b. Action**

Council Member Chatterton motioned to approve Ordinance 08-16-2016B, Adoption of the FY2017 Final Budget and Compensation Schedule for Employees and Officers of West Point City

Council Member Petersen seconded the motion

The Council unanimously agreed

**Roll Call Vote**

Council Member Turner – Aye

Council Member Henderson – Aye

Council Member Petersen – Aye

Council Member Chatterton – Aye

Council Member Dawson – Excused

The Council unanimously agreed.

Mr. Laws commented that if any residents had questions regarding the budget, they are free to call or come into City Hall. A copy of the Budget will also be available at City Hall, as well as posted on the City's website.

**13. Motion to Adjourn into Closed Session**

Council Member Henderson motioned to adjourn into a Closed Session

Council Member Turner seconded the motion

The Council unanimously agreed

**14. Motion to Adjourn the General Session**

Council Member Chatterton motioned to adjourn the General Session  
Council Member Turner seconded the motion  
The Council unanimously agreed

**CLOSED SESSION**

Immediately following the General Session (Board Room)

**1. Call to Order**

Mayor Craythorne called the August 16, 2016 Closed Session to Order

Roll Call -

- Mayor Erik Craythorne
- Council Member Jeff Turner
- Council Member Kent Henderson
- Council Member Gary Petersen
- Council Member Jerry Chatterton
- City Manager Kyle Laws
- Assistant City Manager Boyd Davis
- Public Works Director Paul Rochell
- City Recorder Casey Arnold

Excused – Council Member Andy Dawson

**2. The Council discussed personnel pursuant to UCA §52-4-205(1)(a)**

**3. Motion to Adjourn Closed Session and enter the General Session**

Council Member Petersen motioned to adjourn the Closed Session and enter into the General Session  
Council Member Henderson seconded the motion  
The Council unanimously agreed

\_\_\_\_\_  
MAYOR ERIK CRAYTHORNE                      September 9, 2016  
DATE

\_\_\_\_\_  
CASEY ARNOLD, CITY RECORDER                      September 9, 2016  
DATE



# City Council Staff Report

**Subject:** Rezone – Oleson – 800 N 3000 W  
**Author:** Boyd Davis  
**Department:** Community Development  
**Date:** September 6, 2016

---

## **Background**

The Oleson family property is approximately 6 ½ acres on the southwest corner of 800 N 3000 W. A developer is purchasing the property and is requesting a rezone. The property is currently zoned A-40 (agriculture) and R-2 (residential) and he is requesting a rezone to R-3 (residential).

## **Analysis**

The applicant is requesting that his property be rezoned from A-40 (agriculture) and R-2 (residential) to R-3 (residential). This request is consistent with the general plan and seems to be appropriate for the proposed use

A public hearing with the Planning Commission was held on August 11th. The Planning Commission approved the rezone.



**Recommendation**

Staff recommends approval of ordinance 09-06-2016A.

**Significant Impacts**

None

**Attachments**

Ordinance 09-06-2016A

**ORDINANCE NO. 09-06-2016A**

**AN ORDINANCE REZONING A CERTAIN  
PORTION OF WEST POINT CITY FROM  
A-40 AND R-2 to R-3.**

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

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

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

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

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

**Section One:**

That the subject property as shown on the current West Point City Zoning Map shall be and the same is hereby rezoned and the Zoning Map amended by removing the hereinafter described real property from a West Point City A-40 and R-2 zone and placing the same in a West Point City R-3 zone.

**Legal Description:**

See Exhibit A.

**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 and Zoning Map to bring them 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 \_\_\_\_\_, 20\_\_.

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

# City Council Staff Report

**Subject:** Rezone – Dahl – 300 N 4500 W  
**Author:** Boyd Davis  
**Department:** Community Development  
**Date:** September 6, 2016

---

## **Background**

The Dahl family property is approximately 20 acres on the southeast corner of 300 N 4500 W. The family is planning to develop the property into a residential subdivision. The property is currently zoned A-40 (agriculture) and R-2 (residential) and they are requesting a rezone to R-1 (residential).

## **Analysis**

The applicant is requesting that his property be rezoned from A-40 (agriculture) and R-2 (residential) to R-1 (residential). This request is consistent with the general plan and seems to be appropriate for the proposed use

A public hearing was held with the Planning Commission on August 11th. The Planning Commission approved the rezone.

**Recommendation**

Staff recommends approval of Ordinance 9-06-2016B.

**Significant Impacts**

None

**Attachments**

Ordinance 09-06-2016B

**ORDINANCE NO. 09-06-2016B**

**AN ORDINANCE REZONING A CERTAIN  
PORTION OF WEST POINT CITY FROM  
A-40 AND R-2 to R-1.**

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

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

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

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

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

**Section One:**

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

**Legal Description:**

See Exhibit A.

**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 and Zoning Map to bring them 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 \_\_\_\_\_, 20\_\_.

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