



WEST POINT CITY COUNCIL NOTICE & AGENDA

West Point City Hall
3200 West 300 North
West Point City, UT 84015
September 20, 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 Arlene Ross Recognition Plaque – Mr. Kyle Laws
2. Discussion Regarding the Torroweap Subdivision – Mr. Boyd Davis [page 5](#)

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 September 6, 2016 City Council Meeting [page 7](#)
9. Consideration of Approval of Ordinance No. 09-20-2016A, Approving Amendments to the West Point City Street Cut Permit Policy – Mr. Boyd Davis [page 15](#)
10. Consideration of Final Approval of the KenneVic Place Subdivision located at 3500 W 550 N – Mr. Boyd Davis [page 21](#)
11. Motion to Adjourn

Posted this 19th 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.

TENTATIVE UPCOMING ITEMS

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
4. Consideration of Final Approval of the Craythorne Homestead Phase 2 Subdivision Located at 549 S 4500 W – Mr. Boyd Davis
5. Consideration of Approval of Resolution No. 09-20-2016A, Approving a Postponement Agreement for the Craythorne Homestead Phase 2 Subdivision – Mr. Boyd Davis

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

Date: 11/1/2016

Administrative Session – 6:00 pm

1. Code Enforcement Update – Mr. Bruce Dopp

General Session – 7:00 pm

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

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

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

City Council Staff Report



Subject: Toroweap Subdivision
Author: Boyd Davis
Department: Community Development
Date: September 20, 2016

Background

This Subdivision was discussed at a previous Council meeting and some concerns were raised about the drainage and impacts on the existing homes to the west. Since that discussion we have received final plans that give us more details of how they plan to address the issues. This report will summarize the details of those plans.

This subdivision has not yet been approved by the Planning Commission, but will be presented to them at their next meeting.

Analysis

The subdivision consists of 12 lots on a cul-de-sac that is approximately 600 ft. long. Originally they planned to drain the subdivision to the south to the existing storm drain on 1300 North. However, this required that the entire site be filled to a depth of approximately 5 ft. and created a drop off from the back of the lots to the existing homes on the north and west. They have since redesigned the site to drain to the west through the side yard of an existing home. Although it is not preferred to install a drain through the side yard of a home, it appears to be a better option than filling the site 5 ft. deep. With that said, staff would like the Council's opinion and direction on this option.

The storm drain in the Pheasant Creek Subdivision, to the west, has capacity for this project. It also has capacity in the existing detention pond. This means that the new subdivision would not need to build their own detention pond, if the Council agrees to this.

The new subdivision also plans to install yard drains and a shallow land drain. All of these items will greatly help the drainage situation and will likely help the existing homes to the west.

Recommendation

No action required. This is for discussion only.

Significant Impacts

None

Attachments

Plat



**West Point City Council Meeting
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
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 September 6th, 2016 at 6:00 pm with Mayor Craythorne presiding.

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

EXCUSED: Council Member Gary Petersen

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: Rob Ortega and Mike Bastian

1. Discussion Regarding Street Cut Permit Policy – Mr. Boyd Davis

Mr. Davis explained that Staff has been asked to review the policy on street cut and excavation permits and to compare our policy to other cities' policies, as it was the general consensus that the current code should be updated. After comparing to surrounding cities, Mr. Davis felt that Layton City's policy was the ideal code to pattern the amendment after. The proposed amendment to Chapter 12 of the West Point City Code is as follows:

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.*

Council Member Dawson inquired as to whether there is a higher standard for temporary patches, which are not filled in the winter months. Mr. Davis replied that temporary patches were not included in this revision, but the current requirements require cold-fill until the final repair is completed, which would need to be done according to these standards. The Council felt that it would be a good idea to have a deadline for temporary patches to be finalized, so that the repair is not delayed any longer than necessary. Council Member Chatterton suggested that a chip overlay also be required.

The Council also wanted a way for the City to make sure that the repairs were completed according to the requirements. Council Member Chatterton suggested that a member of the Public Works department be required to approve each street cut repair. The Council agreed.

2. Discussion Regarding the Temporary Regulations Pertaining to Development within the Residential Zones – Mr. Boyd Davis

Mayor Craythorne stated that a temporary moratorium has been placed on new subdivision applications and rezones. Since the moratorium was approved, a meeting with Staff was held, including himself, Planning Commission Chair Brad Lee, and Council Member Petersen. In the meeting, a general idea for the different zones in the City was created, and Staff was directed to put a draft plan together for further discussion. Mr. Laws stated that the reasoning behind the creation of the committee was to give the Planning Commission something to start with, as it develops the General Plan revision. The Mayor thought that the meeting with representatives from all different bodies would ensure that everyone was on the same page throughout the process of revising the General Plan. Three particular zones are being discussed: the R-1, R-2, and R-3 zones. The Mayor stated that there are many ways to develop property, and the City wants to make sure that future high quality projects are constructed in the City. Developer Agreements, CCR's, and other requirements in these different zones will help to ensure this.

Just as an example, not to be construed as what is going to take place, the Mayor stated that currently in the R-1 zone, it is 2.2 lots per acre, minimum 12,000 square foot lots. If the R-1 was changed to 2.2 units per acre, minimum lot size of 16,000 square feet, but with an exception that if you work with the City and agree to a developer's agreement, you would be allowed to develop 12,000 square foot lots. The developer's agreement would include things like landscaping, home architectural designs, etc. Mayor Craythorne felt like this would be a win-win for both the City and developers, as it increases the chances of quality, attractive projects.

3. Discussion Regarding the Interlocal Agreement with Davis County Relating to the CDBG Grant Program – Mr. Kyle Laws

Mr. Laws stated that Staff received a letter from the Davis County Clerk/Auditor's Office stating that the Interlocal Agreement with the County regarding the County's Community Development Block Grant program needs to be updated. The Department of Housing and Urban Development has dictated new language that must be included. The City Attorney has reviewed and approved the Agreement.

Mayor Craythorne commented that several years ago, each City was applying separately for the CDBG program, wherein the City did receive some funding, but due to program changes, it became beneficial for the cities to come together and apply for the grants as a County, and then the funds be distributed accordingly. Two cities have since chose not to participate in the CDBG, and are now seeing the disadvantages of their decision.

Staff recommends approval of the Interlocal Agreement by resolution in the General Session.

4. Discussion Regarding the KenneVic Place Subdivision located at 3500 W 550 N – Mr. Boyd Davis

Mr. Davis stated that this is a five lot subdivision, and while the subdivision itself is simple, many street cuts will have to be made to provide utilities. Mr. Davis has suggested that a chip seal be required over the entire affected area, because of how many patches will be in such a close proximity. Mayor Craythorne agreed with that suggestion, and also felt that a chip seal be required as part of policy when there are multiple street cuts in a concentrated area.

In regards to the subdivision itself, the existing lot conforms to all requirements, but Mayor Craythorne suggested that in the future, there be an active requirement that existing lots in new subdivisions conform to all new regulations.

Council Member Chatterton stated that the code requires a 5 foot sidewalk, but no sidewalks in that area are 5 feet wide. He stated that the Planning Commission discussed recommending that only a matching 4 foot sidewalk be required. Mayor Craythorne stated that he did not believe that the Code allowed for an exception, and while he understands the reasoning, he doesn't think there is an "out" for the City to not uphold the requirement. The Mayor directed Staff to research the issue for possible solutions.

5. Culinary Water Update – Mr. Paul Rochell

Mr. Rochell wished to update the Council on the culinary water issue that arose with a bad water sample taken in July from the 792 N 4100 W area. The sample was coliform positive, which is an indicator of bacteria. No bacteria were found, but the positive test meant that bacteria *could* be present. Three repeat samples were taken, which is what the State requires, and all three of those samples were good. In August, at the same location, another bad sample was taken. Three repeat samples were again taken, and all three of those samples were coliform positive. Additional samples were taken, as well as flushing and chlorinating of the system. To eliminate the possibility of a cross-connection, this section of the City was isolated from the rest of the City, and the water was shut off. All meters in the area were then checked to make sure that they were not spinning backwards, which would indicate that secondary water was flowing back into the culinary water system. Fire hydrants were also opened to make sure that no water was flowing through the area. Once that area was cleared, similar tests were done in surrounding areas to eliminate the possibility of a cross-connection elsewhere in the City.

Once those tests were completed, the subdivision at 500 N at 4100 W and north were chlorinated and residuals were monitored at every single cul-de-sac to make sure that the chlorination levels were effective, but not unsafe. The chlorination was left to settle overnight, and more samples were pulled the next day and sent to the County. Results are available 18 hours after each test, and there were two more bad samples. That Sunday, more sampling was done and sent to the County and on the following Monday, the system was again shut down, flushed, and chlorinated to the level of .4 residual. On average, that area has a chlorine residual of .03. Taste and smell will not start to be noticed until around a 2.0 residual level. The samples taken after this last treatment were all good, but Mr. Rochell wanted to make sure that a problem wasn't being masked by the chlorination. Mr. Laws agreed, and so samples continued to be taken after the system had returned to normal levels for the next two weeks, just to make sure that the water really was safe. In a typical month, 9 water samples are taken. During this month, 70 samples were taken throughout the entire City.

The water in August is always at its hottest temperature, and during this time, the water was at 84 degrees. Mr. Rochell stated he is positive that the temperature was the cause of the bad samples.

During this time, Mr. Rochell suggested that the water in Hooper be tested as well, so he took a sample and sent it to the County to be tested. 18 hours later, the sample tested came back coliform positive. Hooper Water District uses a different testing lab than the Davis County Health Department, and their samples were all satisfactory, according to the testing method used. However, the Davis County Health Department kept getting bad samples, and the State required Hooper Water to meet the Health Department's standards. Hooper Water's entire system, including the Weber County side, had to be chlorinated, and the problem was only recently resolved.

During the sampling in West Point, the water was still safe to drink, and at the recommendation of the Health Department, residents were not notified of the bad samples because there was no real danger or evidence of actual bacteria in the water.

The Council thanked Mr. Rochell and his crew for their efficiency in solving the problem, and also for the lengths they went to make sure that the water is safe for residents.

The Administrative Session adjourned.



**West Point City Council Meeting
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
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 September 6th, 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 Andy Dawson

EXCUSED – Council Member Gary Petersen

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 – Linda Webb, Susan Kelley, Robert Hunt, DeeAnn Hunt, Rod Carter, Lola Carter, Kari Sparrow, Mike Bastian, Boyd Kelley, Rob Ortega, David Dahl, and Doug Zaugg.

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

Council Member Henderson – no comment

Council Member Turner – no comment

Council Member Dawson – no comment

Mayor Craythorne – Del Taco opened this past week, and he was very happy with the restaurant, as well as the food. He also reminded the Council of the Youth Council end-of-year banquet, and thanked the Youth Council and advisors for all that they do. UDOT will also be holding a meeting in West Point City, at which point they will announce that they were able to acquire the funding to extend SR-193 from 2000 W to 3000 W. This is a great accomplishment, and is a “big deal” for West Point.

5. **Communications from Staff**

Mr. Laws updated the Council on the 520 N project. The contractor’s equipment has been broken, but is supposed to be fixed by the end of the week and the curb and gutter will then be poured and the project will continue.

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 16, 2016 City Council Meeting

Council Member Turner motioned to approve the minutes from the August 16, 2016 City Council Meeting
Council Member Henderson seconded the motion
The Council unanimously agreed

9. Consideration of Approval of Ordinance No. 09-06-2016A, Approving a Rezone at 800 N 3000 W from A-40 and R-2 to R-3 – Mr. Boyd Davis

Mr. Davis stated that this property was owned by the Oleson family, and a developer is purchasing the property and is requesting that it be rezoned. The property is 6 ½ acres, and has been used as agriculture for a number of years. The rezone is to be changed to an R-3 zone, which is consistent with the General Plan. The Planning Commission held a public hearing and approved the rezone, and Staff recommends approval as well.

a. Public Hearing

None

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

b. Action

Council Member Turner motioned to approve Ordinance No. 09-06-2016A, Approving a rezone at 800 N 3000 W from A-40 and R-2 to R-3
Council Member Dawson seconded the motion

Roll Call Vote

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

10. Consideration 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

Mr. Davis stated that this property is approximately 20 acres and owned by the Dahl Family, who is requesting that it be rezoned to an R-1 for possible future development. The rezone is consistent with the General Plan. The Planning Commission also held a public hearing, at which there were no negative comments. Staff recommends approval of this rezone.

a. Public Hearing

Rod Carter – 358 N 4500 W: Inquired as to what part of the property is currently zoned as R-2. Mayor Craythorne stated that roughly 20 to 30 years ago, the City rezoned the front 200 feet of property along main roads in the City. Mr. Carter did not remember every being notified of this, but the Mayor stated that it was many, many years ago

and he was not able to confirm how that rezone came about. This rezone will change the entire property to R-1. Mayor Craythorne confirmed to Mr. Carter that the R-1 lots will require bigger lot sizes than those in the R-2 and R-3 zones.

David Dahl – 5755 S 2325 W, Roy, UT: Stated that he is one of the trustees of this piece of property, and wanted to clarify a point brought up by Mr. Carter. As they have paid taxes on the property, they have been paying taxes according to the County’s calculation of over 30 acres. When the property was surveyed, there is actually only 27 ½ usable acres. Mr. Davis stated that the 2.2 units per acre requirement is based on the full acreage, including what might be roads, etc. However, in addition to that, the Code has a minimum lot size requirement to protect the lot sizes.

Robert Hunt – 128 N 4500 W: Asked for clarification on the 200 feet at the front of the property that is zoned R-2. Mayor Craythorne replied that years ago, there was a philosophy that many people were coming in building homes along the main roads, and there needed to be a zoning designation for that. The R-2 zone along the front of the property just means that if a resident had one acre, and split the lot, the R-2 zone would require different standards for lot frontage, size of lot, etc. It doesn’t change any of the tax valuation; it just changes what size of lot you could have on the street. Mr. Hunt also asked about the road width off of 4500 West. He was concerned about a 66 foot road that would take 3 feet of his property. Mayor Craythorne confirmed that the road was only 60 feet wide and would not require more property than currently exists there.

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

b. Action

Council Member Dawson motioned to approve Ordinance 09-06-2016B, Approving a Rezone at Approximately 4300 W 300 N from A-40 and R-2 to R-1
Council Member Henderson seconded the motion

Roll Call Vote

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

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

Mr. Laws explained that this item relates to the Interlocal Agreement that the City has had with the County for roughly 6 years pertaining to the Community Development Block Grant. The money received by the County is disbursed to participating cities according to project needs. The funding is disbursed by the Department of Housing and Urban Development (HUD), and they have dictated changes to the language in the existing Agreement, and this revised Interlocal Agreement includes those changes. The County has to have the Agreements

signed by the cities and back to HUD by September 16th. The item was discussed in the Administrative Session, and Staff recommends approving the Interlocal Agreement by resolution.

Council Member Henderson motioned to Approve Resolution No. 09-06-2016A, Approving the Interlocal Agreement with Davis County Relating to the CDBG Grant Program

Council Member Turner seconded the motion

The Council unanimously agreed

12. Motion to Adjourn the General Session

Council Member Chatterton motioned to adjourn the General Session

Council Member Henderson seconded the motion

The Council unanimously agreed

MAYOR ERIK CRAYTHORNE September 20, 2016
DATE

CASEY ARNOLD, CITY RECORDER September 20, 2016
DATE

City Council Staff Report



Subject: Excavation Permits
Author: Boyd Davis
Department: Community Development
Date: September 20, 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

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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. On roads newer than 3 years, 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. When three or more cuts are made a chip seal and fog coat shall be placed over top of the patches. The chip seal shall extend across all patches and shall be the full width of the road.*

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.*

- 4. Winter Time Cuts*
 - a. Whenever a road must be cut during the winter season, the asphalt shall be patched with cold asphalt as approved by the City.*
 - b. The cold patch shall be removed and replaced with a hot mix asphalt patch by May 15. The patch shall meet all requirements of this section*

- 5. Inspections*
 - a. All patchwork shall be inspected by City Staff to ensure that all requirements have been met.*

Recommendation

Staff recommends approval of Ordinance 09-20-2016A

Significant Impacts

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

Attachments

Ordinance 09-20-2016A

ORDINANCE NO. 09-20-2016A

**AN ORDINANCE AMENDING SECTION
12.05.090 OF THE WEST POINT CITY CODE
REGARDING EXCAVATIONS WITHIN CITY
STREETS**

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 12.05.090 of the West Point City Code; 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:

The following items shall be added to section 12.05.090. All existing items of the section shall remain in effect.

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. On roads newer than 3 years, 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. When three or more cuts are made a chip seal and fog coat shall be placed over top of the patches. The chip seal shall extend across all patches and shall be the full width of the road.*

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.*

4. *Winter Time Cuts*
 - a. *Whenever a road must be cut during the winter season, the asphalt shall be patched with cold asphalt as approved by the City.*
 - b. *The cold patch shall be removed and replaced with a hot mix asphalt patch by May 15. The patch shall meet all requirements of this section*

5. *Inspections*
 - a. *All patchwork shall be inspected by City Staff to ensure that all requirements have been met.*

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 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: KenneVic subdivision
Author: Boyd Davis
Department: Community Development
Date: September 20, 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

This subdivision was discussed at the last Council Meeting and it was determined that the road cuts should meet the requirements of the new street cut permit policy. It was also suggested that the sidewalk should be 5 ft. wide, although the Planning Commission recommended a 4 ft. side walk. The code states the following:

I. Sidewalks. The minimum of five-foot sidewalks shall be required in all subdivisions where in the opinion of the planning commission they will be necessary for reasons of safety and public welfare.

This issue needs to be finalized by the Council. All other issues have been addressed.

Recommendation

Staff recommends final approval of the KenneVic Subdivision.

Significant Impacts

There are no significant impacts at this time.

Attachments

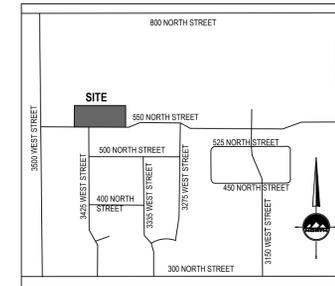
Plat

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**
Signature: *Keith R. Russell*
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.

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.

DEVELOPER
MOUNTAIN VIEW CONSTRUCTION INC.
98 SOUTH 3000 WEST
WEST POINT, UTAH 84015
801-725-7522
Jerry G. Chatterton and JayDee Horne

SURVEY RECORDING DATA

DATE: _____
DRAWING No. _____

KENNEVIC PLACE SUBDIVISION

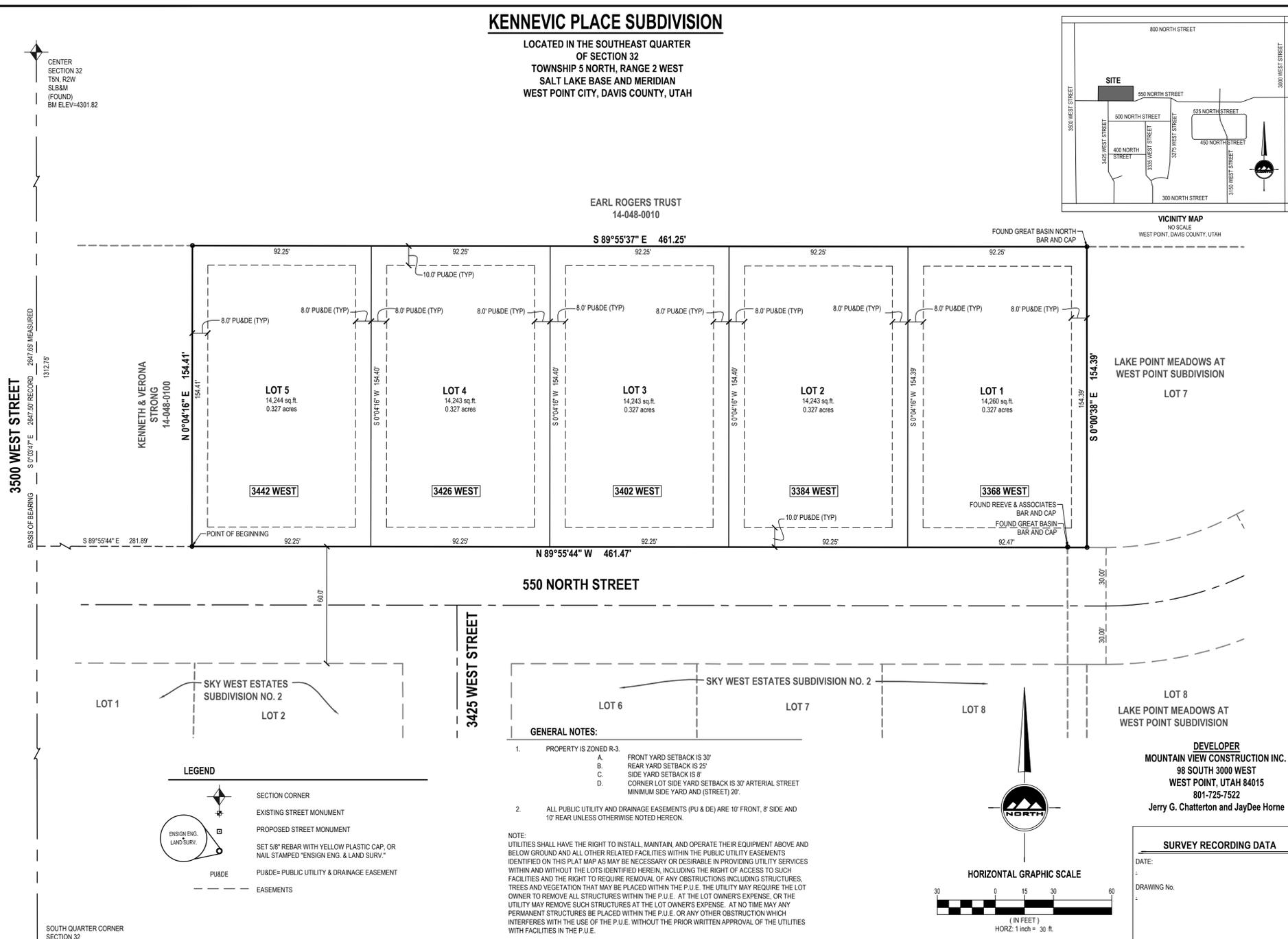
LOCATED IN THE SOUTHEAST QUARTER
OF SECTION 32
TOWNSHIP 5 NORTH, RANGE 2 WEST
SALT LAKE BASE AND MERIDIAN
WEST POINT CITY, DAVIS COUNTY, UTAH

DAVIS COUNTY RECORDER

ENTRY NO. _____ FEE _____
PAID _____ FILED FOR RECORD AND
RECORDED THIS _____ DAY OF _____ 20____
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



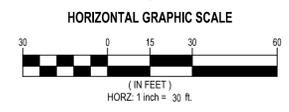
LEGEND

- 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
CELEBRITY CITY Phone: 435.865.1483
RICHFIELD Phone: 435.586.0187
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