



**West Point City Council Meeting
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
Jeffrey Turner
City Manager
Kyle Laws

Administrative Session
6:30 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 20th, 2016 at 6:00 pm with acting Mayor Pro Tem Chatterton presiding, per vote.

Due to the absence of Mayor Craythorne and Mayor Pro Tem Petersen needing to be excused later in the meeting, Council Member Chatterton offered to be acting Mayor Pro Tem to preside over the meeting, which became a motion. Council Member Henderson seconded the motion. All were in favor.

MAYOR AND COUNCIL MEMBERS PRESENT: Council Member Andy Dawson, Council Member Kent Henderson, and Council Member Jerry Chatterton, Council Member Gary Petersen (left at about 6:50pm)

EXCUSED: Mayor Erik Craythorne, Council Member Gary Petersen, and Council Member Jeff Turner

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

VISITORS: Rob Ortega

1. Discussion of Arlene Ross Recognition Plaque – Mr. Kyle Laws

Mr. Laws stated that the Military Memorial Committee has been discussing installing some sort of recognition plaque at the Memorial to recognize Arlene Ross for her efforts in organizing the Committee, fundraising efforts, etc. There was some confusion as to whether this would be a memorial, or a recognition and the Committee's unanimous view was that it would be a recognition. Originally, the plaque was going to state something like "In Memory Of" followed by a recognition of her efforts. Council Member Petersen has been working closely with the Committee to come up with something that would satisfy the purpose of the recognition and meet the City's desires. The Committee as a whole wished to recognize Mrs. Ross, but was concerned about memorializing her, because of the fact that it is a Military Memorial, and she was not military. Mr. Ross of the Committee had ordered another piece of granite, 18"x18"x4', for the recognition to be etched on, but the Committee was divided on whether the recognition should be on the same type and color of granite, since that might tie it too closely to the actual Military Memorial. Another option would be to have a separate post with a plaque. Council Member Petersen stated that he felt either option would be suitable, and left the decision up to the Committee. The Committee ultimately decided to use the granite slab for the recognition, and after further discussion, decided that it will be placed along the walking path to the Military Memorial and that the words "In Memory Of" would not be used.

Council Member Chatterton inquired as to whether the other members of the Committee would be recognized as well. Council Member Petersen stated that it was a unanimous view that Mrs. Ross should be recognized for her efforts, because without her, the project never would have happened. However, if other people were to be recognized, it then becomes more difficult to decide what level of contribution would qualify. The Committee decided that at the

dedication, there would be a written and verbal recognition of the names of all those involved. Mr. Laws commented that the language of the recognition will recognize her efforts in organizing the actual Committee, so the Committee as a whole will be recognized as well. Council Member Chatterton wished that the individual names of the Committee members be listed as well. Council Member Petersen commented that one of the issues with that is that there are many individuals not on the actual Committee, but whose efforts have largely contributed to the project and they should be recognized as well. The Committee made the decision that just Mrs. Ross be recognized individually, and then the Committee as a whole. Mr. Laws stated that the language will designate it as a recognition and not a memorial to her. The Council supported the Committee's decisions on the details of the recognition.

2. Discussion Regarding the Torroweap Subdivision – Mr. Boyd Davis

Mr. Davis stated that the subdivision is located just east of the Pheasant Creek subdivision. The Pheasant Creek subdivision has had a significant amount of draining and flooding issues, and the Council has previously stated its concerns on how Torroweap will affect Pheasant Creek, and also if it will have the same water issues. In response to these issues, the developers redesigned the site to drain to the west through a pipe in the side yard of an existing home. The Planning Commission was hesitant to approve this, as it is not preferable to install a drain in the side yard of a home, but it appears to be the best option. The first design was to drain the subdivision to the south to the existing storm drain on 1300 N, but this would have required the entire site to be filled, creating a 5ft. drop off from the back of the lots to the existing homes, increasing the chance of flooding for those homes. They found that by installing a drain through the side yard, the site will drain better, and they will be able to connect to the drainage system in Pheasant Creek, which has capacity for the subdivision. There is also enough capacity in the existing retention pond in Pheasant Creek to collect for this subdivision as well. In addition, the developer is planning to install yard boxes in each of their lots, which will significantly help the water issues of the adjoining lots between the two subdivisions.

There is currently a public utility easement on the side yard of the property where the drain will be located. The Council wanted to ensure that the developers work with the homeowner of the property to adequately restore the property after the installation of the drain. Council Member Petersen wanted clarification on if the City has the right to access the easement, and how it will then grant access to the developer. The Council directed Staff to research how the right to access the easement is handled.

Mr. Davis stated that even with these improvements, the basements of these homes will only be able to be two to three feet into the ground. The homes in Pheasant Creek have basements of three to four feet. Council Member Henderson stated that some of those homes were having to run multiple water pumps 24 hours a day to avoid flooding. Mr. Davis believes that the drainage design of the Torroweap Subdivision will actually mitigate some of Pheasant Creek's issues.

The Torroweap Subdivision is on the Planning Commission's next agenda for approval before coming to Council for final approval on October 4th.

The Administrative Session adjourned.



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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 20th, 2016 at approximately 7:00 pm with acting Mayor Pro Tem Chatterton presiding, per vote.

Due to the absence of both Mayor Craythorne and Mayor Pro Tem Petersen, during the Administrative Session, Council Member Chatterton offered to be acting Mayor Pro Tem to preside over the meeting, which became a motion to. Council Member Henderson seconded the motion. All were in favor.

MAYOR AND COUNCIL MEMBERS PRESENT – Council Member Kent Henderson, Council Member Jerry Chatterton, and Council Member Andy Dawson

EXCUSED – Mayor Erik Craythorne, Council Member Gary Petersen, and Council Member Jeff Turner

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

VISITORS PRESENT – Rob Ortega, James Davis, Makayla Davis, Ken Strong, and Doug Zaugg

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

Council Member Henderson – no comment

Council Member Dawson – no comment

Council Member Chatterton – disclosed that he is the developer of Item 10 on the Agenda, KenneVic Place Subdivision

5. **Communications from Staff**
Staff had no comment.

6. **Citizen Comment Follow-Up**
Mr. Laws stated that there were no citizen comments at the previous meeting.

7. **Citizen Comment**

James Davis – 188 N 2000 W: Mr. Davis' daughter, Makayla, stated that on her way home from school yesterday, she was almost hit by a car, and she did not feel safe. Mr. Davis provided the Council with a map of the location of his home and where the bus stop is in relation. To ride the bus, he has been told that he must live 1.5 miles away

from the school. From his property line to the very closest edge of the school property is 1.48 miles. He has spoken with school officials at Lakeside Elementary, and they have confirmed that they are not allowed to ride the bus and there is nothing they can do because he does not meet the requirement. He has been waiting for a return phone call from the Superintendent to discuss the issue, and he has also contacted Mr. David Roberts with the District transportation, who has also told him that there is nothing he can do either. When he contacted the City, he was told to come to the meeting and address the Council.

There are no crossing guards at the corner of 300 N and 2000 W, and the traffic along 2000 W has increased to the point where it is almost impossible to even exit their driveway. There are also no bicycle lanes or wide shoulders along 2000 W, and his kids are not able to travel to school safely. There have been many accidents along 2000 W, shutting the road down and forcing them to find an alternate route to take them to school. Each route to the school from his home is over 1.5 miles, yet they are still being denied access to the bus.

Council Member Chatterton stated that having been a school bus driver previously, he knows that those rules are set, but believes there may be exceptions for busy roads. Mr. Davis replied that so far, all those he has contacted have told him that there would be no exceptions for his situation. Mr. Davis went on to state that the entire neighborhood around him is bussed; his home is the only one affected by this rule – kids that live 100 feet around the corner are being bussed. If you measured from the school's door to his front door, it is over the 1.5 miles.

The Council turned the issue over to Staff to research what the City would be available to do.

Doug Zaugg – 438 N 3000 W: Thanked the City for repairing the manhole cover in front of his dad's home.

8. Consideration of Approval of Minutes from the September 6, 2016 City Council Meeting

Council Member Henderson motioned to approve the minutes from the September 6, 2016 City Council Meeting
Council Member Dawson seconded the motion
The Council unanimously agreed

9. Consideration of Approval of Ordinance No. 09-20-2016A, Approving Amendments to the West Point City Street Cut Permit Policy – Mr. Boyd Davis

Mr. Laws stated that Staff's goal in revising the street cut policy is to protect the new roads in the City, and make sure that there is a specific policy in place to insure the integrity of the roads. Mr. Davis stated that after the last discussion with Council, Staff has added into the revised policy additional requirements for street cuts done in the winter months, and an item that all patches be inspected by City Staff. Council Member Chatterton inquired as to whether there was a specification of "winter months", to which Mr. Davis stated that a separate part of the Code designates a temperature requirement, and he will add a reference to that section in the amendment. The previous discussion also defined new roads in the City as three years or newer, but Mr. Davis recommends changing that to five years. An additional recommendation from Mr. Davis is that regardless of the age of the road, if it is a collector road, any patch has to be the full width of the travel lane. The Council agreed with those additional recommendations.

Staff recommends approval of the Ordinance, subject to the changes discussed.

Council Member Dawson motioned to approve Ordinance No. 09-20-2016A, Approving Amendments to the West Point City Street Cut Permit Policy

Council Member Henderson seconded the motion

Roll Call Vote

Council Member Turner – Excused
Council Member Henderson – Aye
Council Member Petersen – Excused
Council Member Chatterton – Aye
Council Member Dawson – Aye

The Council unanimously agreed.

10. Consideration of Final Approval of the KenneVic Subdivision Located at 3500 W 550 N – Mr. Boyd Davis

Mr. Davis stated that the KenneVic Subdivision is a five lot subdivision at 3400 W 550 N along an existing street. After discussions at the previous Council meeting, there were three items that still needed to be addressed. One issue was that there is an existing home, and the question of whether or not that lot would be included as part of this subdivision. It was decided that it would be its own parcel and not part of the KenneVic subdivision, but in future similar situations, the Council would like to see existing single lots be included in any new subdivision plats. The second issue regarded the street cuts that would be necessary, and the developer has agreed to follow the new street cut requirements, as well as chip seal the entire street.

The third issue is in regards to the sidewalk width, and whether the developer would be required to install 4 ft. sidewalks to match the existing sidewalks, or 5 ft. sidewalks as the Code states. Council never came to a consensus on the issue, and the Planning Commission has recommended a 4 ft. sidewalk. Staff would like direction from the Council as to their interpretation of the applicable Code which states:

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

Council Member Chatterton stated that he had read a different part of the Code stating that the Council could accept the Planning Commission's recommendation and not require a minimum 5 ft. sidewalk. Council Member Henderson stated that according to the part of the Code presented, a 5 ft. sidewalk would have to be required. Mr. Davis commented that it seems that there are two interpretations to this code: one is that the Planning Commission can make a recommendation for the width of the sidewalk to be required, and the other interpretation is that if the Planning Commission recommends that a sidewalk *be* required, it must be a minimum of 5 ft. Both Staff and Planning Commission are of the opinion that a sidewalk is necessary. Council Member Henderson stated that he believes the Ordinance requires a 5 ft. sidewalk. Council Member Dawson agreed with that.

With that consensus, Mr. Davis recommended approval of the KenneVic Subdivision, with the requirement for a 5 ft. sidewalk.

Council Member Henderson motioned to approve the KenneVic Subdivision

Council Member Dawson seconded the motion

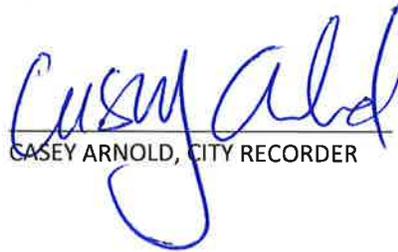
Council Member Henderson motioned to amend his motion to include the requirement of a 5ft. sidewalk in the approval of the KenneVic Subdivision
Council Member Dawson amended his second
The Council unanimously agreed

11. Motion to Adjourn the General Session

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




MAYOR ERIK CRAYTHORNE October 4, 2016
DATE


CASEY ARNOLD, CITY RECORDER October 4, 2016
DATE