



West Point City
Council Notice and Agenda
 West Point City Municipal Center
 3200 West 300 North
 West Point City, UT 84015

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

October 1, 2013

ADMINISTRATIVE SESSION

6:00 pm – Council Room

- page 5 1. Discussion of the West Point City Cemetery – Mr. Kyle Laws
- page 9 2. Discussion of Animal Keeping Regulations Regarding Roosters – Mr. Boyd Davis
- page 19 3. Discussion of Round-Abouts – Mr. Boyd Davis

GENERAL SESSION

7:00 pm – Main 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. (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).
- page 27 7. Ordinance 10-01-2013, Consideration of Amending Sections 17.80.180 and 17.80.190 of the West Point City Code, Relative to Fences – Mr. Boyd Davis
 - a. Public Hearing
 - b. Action
- page 39 8. Adoption of Minutes from the September 18, 2013 Council Meeting – Mrs. Misty Rogers
- 9. Motion to Adjourn

Following the October 1, 2013 Council Meeting, the West Point City Council Members will assist the Veteran’s Memorial Committee with tying a quilt at West Point City Hall, 3200 West 300 North, West Point City UT 84015.

Posted and dated this September 26, 2013



MISTY ROGERS, 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 eight hours prior to the meeting and we will seek to provide assistance.

TENTATIVE UPCOMING ITEMS

Date: 10/15/2013

Administrative Session

1. Discussion of West Point City General Plan – Mr. Boyd Davis

General Session

1. Swearing in of Youth Council Members
2. Recognition of Mrs. Patti Seffker, West Point City Youth Council Advisor – Mayor Erik Craythorne
3. Recognition of Mr. Rawlee Wilson, West Point City Planning Commission – Mayor Erik Craythorne
4. Recognition of Mr. Roger Woodward, West Point City Council – Mayor Erik Craythorne
5. Public Hearing to Consider Modifications to Farm Animal Regulations – Mr. Boyd Davis
6. Consideration of Removal of Yalecrest Estates Subdivision from Warranty – Mr. Boyd Davis

Date: 11/5/2013

Meeting cancelled (Municipal General Election)

Date: 11/19/2013

Administrative Session

General Session

1. Canvass Report for the West Point City Municipal General Election – Mrs. Misty Rogers
2. Public Hearing to Consider Modifications to the West Point City General Plan – Mr. Boyd Davis

Future Items

Administrative Session

1. Debris Management – Mr. Paul Rochell
2. Street Light Replacement Discussion – Mr. Kyle Laws

General Session

- Pheasant Creek Phase 3 on Warranty – Mr. Boyd Davis

West Point City 2013 Calendar

January

February

March

April

May

June

July

August

September

October

- 1 City Council-7pm
- 3 Cemetery Cleaning
- 8 Council/Staff Lunch-11:30am
- 10 Planning Commission-7pm
- 15 City Council-7pm
- 18 Halloween Carnival-7pm
- 21 Senior Lunch-11:30am
- 24 Planning Commission-7pm

November

- 5 Election Day
- 9 Flags on Veteran's Graves YC
- 11 Veteran's Day-Office Closed
- 14 Planning Commission-7pm
- 18 Senior Lunch-11:30am
- 19 City Council-7pm
- 28-29 Thanksgiving -Office Closed

December

- 6 Christmas Party-7pm
- 2 City Hall Lighting Ceremony-6:00 pm
- 3 City Council-7pm
- 12 Planning Commission-7pm
- 16 Senior Lunch-11:30am
- 17 City Council-7pm
- 20 Cemetery Luminary-4pm
- 25-26 Christmas -Office Closed

January 2014

- 10-11 Council Retreat

City Council Staff Report

Subject: Cemetery Expansion Option
Author: Kyle Laws
Department: Executive
Date: October 1, 2013



Background

Several times over the last two years staff and Council have discussed the future needs of the city cemetery. At the current rate of purchase, all plots in the cemetery will likely be sold in about 7 to 8 years. We have discussed several options in the past of how the cemetery can be expanded to accommodate more plots. Those options involved either purchasing property from adjacent landowners or relocating the Public Works facility and expanding to the South. Earlier this year, Councilmember Andy Dawson proposed a new option, not previously considered, to Mayor Craythorne. Staff has since been looking into the viability of this option. This staff report will outline this new option for the rest of the City Council to consider and what would be involved in moving forward with the project.

Analysis

The Proposal

The attached map will provide you with the easiest understanding of the proposed cemetery expansion. This option would expand the cemetery to the west into what is now the cemetery parking lot. The only way this option will work is if we can move the parking lot across the road, just above the trail. Because this is property of the Federal Government, we would need to gain approval from the U.S. Bureau of Reclamation. Weber Basin Water has rights to this property so they would also need to sign off on the project and help us through the process to gain approval to use that property for a parking lot.

Adding Life to the Cemetery

Changing the current cemetery parking lot into cemetery plots will provide us with an estimated 750 more plots. At the current rate plots are being sold, this will give us about 9 additional years to the life of our cemetery.

The Process Moving Forward

City Staff has met with several staff members from Weber Basin Water to discuss this option and to get an idea from them whether this is feasible and if we should continue to pursue expansion in this way. They have indicated that they think the Bureau of Reclamation will be supportive as they have already granted permission for the Emigrant Trail to run along the property. In addition to this being a parking lot for the cemetery we also pointed out the benefit this parking would provide for access to the trail. Weber Basin

Staff indicated that trail parking could be a positive selling point to the Bureau of Reclamation because the trail already exists on their property.

A formal application is required in order to obtain permission from the U.S. Government. Weber Basin Water will help us through the application process and has given positive support for the project. Part of the application process is that we need to provide Engineer-drafted plans for this project that includes elevations and design. As a result, we are seeking Council direction on moving forward with this project.

Recommendation

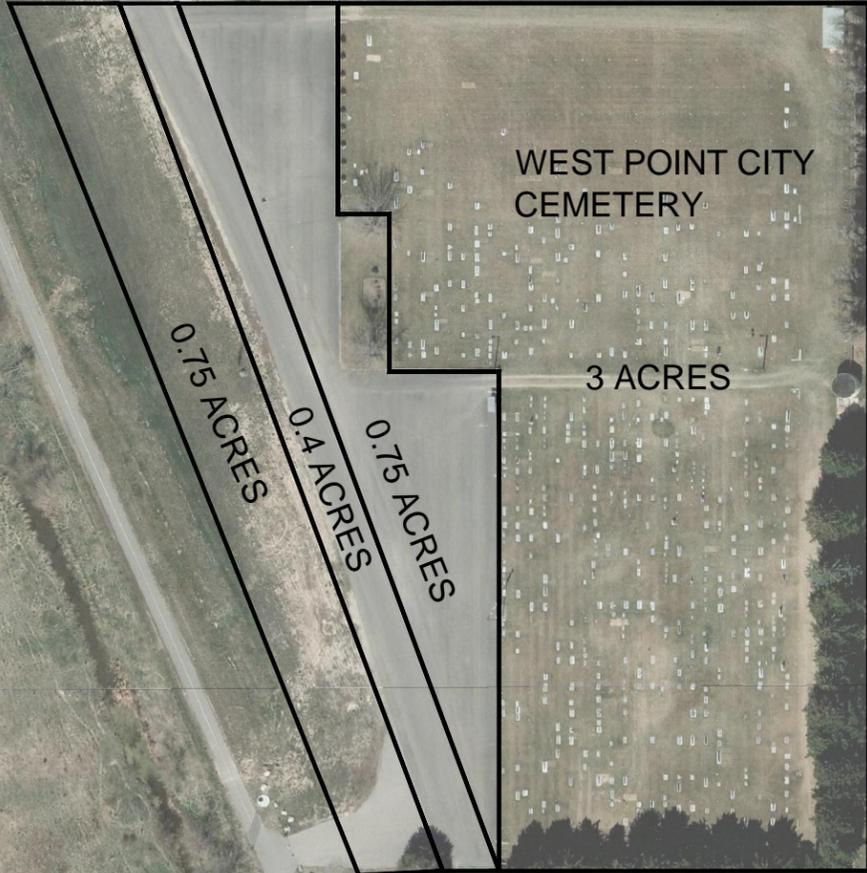
No action is required at this time; however Staff would like council direction on whether we should move forward with this project as outlined. Staff believes this is a great option and will be less costly than other options previously considered because it does not require the purchase of additional property.

Significant Impacts

No significant impacts at this time. However it is important to note that if the U.S. Bureau of Reclamation denies this request we will be out the money we paid for the project design.

Attachments

Map of Cemetery Expansion Proposal



City Council Staff Report



Subject: Animal Keeping Regulation Regarding Roosters

Author: Boyd Davis

Department: Community Development

Date: October 1, 2013

Background

Recently a resident attended the City Council meeting and made a comment about a problem he is having with his neighbor who is keeping a rooster. The resident complained that the rooster is very loud and annoying. He asked the Council to consider changing the code to prohibit roosters. He followed up his comments by submitting a formal written request to have the code changed.

The issue was presented to the Planning Commission for a recommendation. They had a surprisingly in depth discussion about the issue. There were also several people in attendance at the meeting that made comments supporting the proposal to prohibit roosters.

Analysis

The resident that made the request to prohibit roosters described in great detail the troubles that he has been having with his neighbor. The rooster crows very early in the morning every day and is causing him and his family to lose sleep. They are very irritated with the problem. He has spoken with his neighbor, but to no avail. Other residents came to the meeting to support his position and all were very adamantly opposed to roosters in residential areas.

The Planning Commission had mixed feelings about the issue. Most were in favor of prohibiting roosters, but a couple of Commissioners were not quite sure. They pointed to the fact that West Point is a rural area and that roosters is a part of life here. Another Commissioner said that he was uncomfortable prohibiting roosters without hearing from more residents of the City. I believe he felt the discussion was “one-sided”.

In the end the Commission voted 4 to 2 to prohibit roosters. The minutes from the Planning Commission meeting are attached to this report.

Staff is in favor of changing the code and prohibiting roosters, but there are several issues the Council should take into consideration before making a decision.

Many people keep chickens to produce eggs and be more self-reliant. However, many people are under the false impression that a rooster is required in order to obtain eggs, which they are not. Hens can be kept in a residential area with minimal impact as long as the maximum number requirements are adhered to.

If roosters are kept, there are measures that can be taken to reduce the noise and impact. Roosters can be kept in a dark area which will prevent them from crowing as often. If there is adequate space, a rooster can be kept farther away from homes to reduce the noise level. However, these types of provisions can be difficult to codify and enforce.

We have also been told by Davis County Animal Control that West Point is the only City that allows roosters in residential areas. In fact, one officer recently gave a ticket to a resident by mistake for keeping a rooster. She had to return and dismiss the citation. She recommended that the complainant attend the public meetings regarding the issue.

For whatever reason, this topic seems to be a rather sensitive issue. A public hearing will be held at the next meeting as required. Staff recommends that the City Council wait until after the public hearing before forming an opinion.

Recommendation

No action required. This is for discussion purposes only.

Significant Impacts

None

Attachments

Planning Commission Meeting Minutes

**West Point City
Planning Commission
3200 West 300 North
September 12, 2013**

Present: Korey Kap, Brad Lee, Curtis Seeds, John Detamore, Jeremy Strong, Jeff Macfarlane, Boyd Davis – City Engineer, Jeff Oyler – City Planner, Michelle Bailey – Planning Commission Secretary

Excused: Brian Vincent

Visitors: Farrell Cook, James McCarrery, Wynn Hall, Kyle Hamblin, Dan Sayers, David Brimhall, Jason Poulsen, Janet Hammons, Rex Brimhall, Nita Brimhall

WORK SESSION

Brad Lee stated for the record, that due to some personal reasons, Rawlee Wilson resigned his position on the commission. Brad expressed his appreciation to Rawlee for his diligent service saying Rawlee served with integrity and dignity. But due to the nature of his church calling, it took too much of his time. So for the benefit of him and his family, he needed to resign. With that, we have gained Jeff Macfarlane, our newest member of the Planning Commission. We welcome him and look forward to the expertise and insight that he can bring to the commission.

1. Discuss Farm Animal ordinance

Brad Lee welcomed the visitors to the meeting. Brad Lee reviewed the background information from the Staff Report dated September 3, 2013. It states, “The City has received a number of complaints from residents concerning crowing roosters in residential neighborhoods. The current ordinance allows chickens based on a point system. Chickens are allowed in the A-40, R-1, R-2 zones, and as a conditional use in the R-3 zone. The Code currently does not prohibit roosters. Most cities do not allow roosters in residential neighborhoods. This new ordinance, if adopted, would continue to allow chickens, but no roosters would be allowed in any residential zone.” Brad asked for discussion and thoughts about this. John Detamore asked Staff if there have been complaints made to the City by people other than the complaint heard at the last City Council meeting. Michelle Bailey said she has not personally taken any complaints but she knows that Staff has taken other complaints. Brad Lee said he has heard comments from residents stating there are people that have roosters that think they have to have a rooster in order for the hens to produce eggs, which isn’t the case. Brad also stated, “I feel that our first job is to always protect the interest of the City. Our second job, which plays a close second, is to protect the interest of the citizens, who we represent. I think if we keep those two things in balance, we will always error on the side of what’s right and that will be to the best interest of this body and to the members of the community that we represent.” Curtis Seeds asked, “If we change this ordinance, what happens to the existing roosters. How does the City approach that?” Jim McCarrey said he has talked to approximately 50 people in the residential areas of the city, and he hasn’t had one person

say they would like to have a rooster in their backyard. Jim played a recording of what he hears in his bedroom each morning from the rooster in the neighbor's yard. He stated that his family cannot sleep even with fans going on high speed and the windows shut. Brad Lee asked Jeff Oyler and/or Boyd Davis what will happen to the roosters that are currently within residential zones if this becomes part of our ordinance. Jeff Oyler stated that Staff would send a 14 day notice stating that they are violating City Code, but with animal issues, Animal Control will also be contacted and they will approach the people that are violating the Code. This will be done on a complaint basis. Jeremy Strong said we live in the country and there will be farm animals. If we start here, where do we go after roosters? Dogs? Donkeys? Jeff Oyler stated that within our City Code, farm animals are based on a point system. You have 100 points per acre, then you take part of that out for a home. So, if you had an acre of property, each chicken is five points. You could have approximately 15 chickens on an acre of property. Currently, we don't differentiate between hens and roosters. You could have 15 roosters. Staff doesn't want to tell residents that they can't have farm animals. Specifically, they are talking about residentially zoned neighborhoods. The proposed change would affect the R-1, R-2, R-3, R-4 and R-5 zones. If your property is zoned Agriculture, you can have these animals. If you are zoned Residential, you may still have hens, just not roosters. Boyd Davis said that Staff is recommending that they prohibit roosters. They receive more calls about roosters than they do noise from any other animal. Boyd Davis stated, "There are provisions about barking dogs, also. If it comes to a certain level, Animal Control can take care of those as well. Keep in mind that we have an Ag Protection Ordinance that states that someone that moves in next to agriculture cannot complain about the noise, smells and activities from that property. That is on ag properties, not residential properties." Jeremy Strong said, "People didn't move to West Point to live in Ogden or Clearfield. They moved out here to have the agricultural side of living; bigger homes, bigger properties, and animals. Once we start with one, it's not gonna stop." Korey Kap said he fears that this will start a snowball effect with other people. Farrell Cook said, "The comment about people moving here because we are in the country... We are not in the country, gentlemen. I've lived here in West Point my whole life. We're not in the country. If you go in the subdivision up there where I live, out in the middle of it, it's not in the country. It's not in the country where I live on 800 North either. West Point is a city and we are gonna have to learn to live with that. We are a city. If people want country living, they need to come out and buy an acre lot. If they are in a residential zone, they are in the city." Jeremy Strong asked Jim McCarrey how much property he has and if he has talked to his neighbor. Jim said he has 1/3 of an acre, and yes, he has spoken with his neighbor about this problem. Korey Kap asked if it would be possible to use a conditional use permit for this problem. Jeff Oyler said he had thought about the possibility of making chickens have a conditional use in the residential zones. Then he wondered what conditions could be put in place that would keep the rooster quiet. Jeff Oyler researched other cities to see what their position is regarding roosters. Most cities that he researched specifically have things in their ordinance that allows chickens but does not allow roosters in a residential neighborhood.

Jeremy Strong asked if there is any other way to resolve this problem rather than restrict all of the residential zones in the city. He wondered why it is necessary to make an

ordinance when Animal Control could take care of the problem if they receive complaints about it. Could this fall under the nuisance ordinance? Jeff Oyler said it could fall under the nuisance ordinance. He suspects it could work, but it would be much more difficult to get Animal Control to classify those things as nuisances. Jeff Oyler said he feels the strongest point is that so many cities don't allow roosters. He feels there is wisdom behind that. Wynn Hall said, "More and more, I've lived here 20 years now, and when I first moved here, all I had was fields out behind my place and there were no houses. But as the houses come in, and what not, then something probably needs to be done; it isn't Ogden, but it is high density residential. There are a lot of folks in there. It's not just the person with the rooster. He can't just say he isn't affecting anybody else so don't worry about it. I'm like you. I wonder what constitutes a nuisance." Farrell Cook stated, "That is another of my comments. You mentioned at the beginning of the meeting the importance of the community and making the community the best it can be and the next responsibility is to make our citizens happy and so forth. If we get down to where you have to complain before something is done, then you've probably made your neighbor mad at you and there might be a bad feeling between neighbors for a long time. Whereas if you have an ordinance that says you can't have it, then you don't cause a problem between neighbors. It's the same thing with barking dogs."

Jim McCarrey said, "I called 15 cities; every city in Davis County. Bountiful – no roosters or crowing hens, Centerville – no roosters and permit required for chickens, Clinton – no roosters you can't even have a chicken in residential in Clinton, Fruit Heights – no roosters, Layton – no roosters, North Salt Lake – no roosters, South Weber – not allowed, Sunset – no roosters, Woods Cross – no roosters chickens if Commission approved. I think we are a little bit behind the time. I think our Code is a little outdated." Jeff Oyler stated, "Jim asked me if he should go around and get 50 signatures on a paper and I said 'I feel like it is more effective if you come in and just describe to the Commission what your experience is.'"

Curtis Seeds asked if Davis County Animal Control has been contacted to see what they will do. Boyd Davis responded that we did contact them and that is why they stopped by and talked to the owner of the rooster. As far as the nuisance ordinance, we are speculating about whether it could be a nuisance or not. It is a gray area.

Jeff Macfarlane said that he feels for Jim because he had the same situation when he lived in Clinton. They are a terrible nuisance and make tons of noise.

Jeff Oyler told Brad Lee, "Process wise, this is where we are at. We have a letter from a citizen that has asked that we rewrite an ordinance to take care of a problem. Citizens are allowed to do that. They can ask for an ordinance to be changed or looked at. What we need to do is decide if this has merit and is something you want to vote on or against or is this something we need to have more discussion about or some more input on. We need to make a decision." Brad Lee asked the commission to give their feelings on the matter. Curtis Seeds said he feels very undecided about changing the ordinance. He is concerned about the snowball effect of what's next. He wouldn't mind further discussion on the topic and possibly more information. Korey Kap said that at first he didn't feel compelled

to change the ordinance but after the discussion he realized that this is a problem in a residential area. He wouldn't mind holding a public hearing to see what the citizens want. Brad Lee said he doesn't know how people live with the problem. He wouldn't want that in his backyard. He doesn't feel that there will be a huge snowball effect. This doesn't limit the people who live on acres of property from having roosters but they shouldn't be allowed in residential neighborhoods. He feels that is what the majority of the citizens would want. Jeremy Strong said he feels bad for these people, but with only having a small amount of input right now and not having the community's input, he is against changing the ordinance. Jeff Macfarlane said having been through the situation himself, also knowing very few people move out here for the country feel, they move out here because housing is affordable, he feels it would be good to change the ordinance in residential zones. John Detamore said he came to the meeting with mixed feelings towards this. After hearing the concerns of the citizens present at the meeting, as well as hearing how many other cities in the area have banned roosters, he feels the ordinance could be voted on and not tabled for more discussion. Brad Lee reiterated that even if a recommendation is made tonight, nothing is official until it is approved by the City Council. This body is simply making a recommendation to the City Council. The Council can send it back for the Commission to review more, they can approve it, or they can deny it. Jason Poulson said, "In Roy, we have fought this battle for the last two years. Like he said, it could be a long drawn out battle. We went through countless Council meetings and Planning Commission meetings and hearings and Public Hearings and it was declined by unanimous vote. Especially in a neighborhood setting, there is no use for roosters; all it does is cause hate and discontent between neighbors. It's not worth it. That is the fight that Roy had and they don't allow them either." Brad Lee said, "We have enough on the table to make a recommendation. We are all free to vote our conscience. We shouldn't be swayed. I think we have enough to make a recommendation to the City Council and move this on."

2. Discuss changes to the General Plan

Jeff Oyler briefly explained what has recently been discussed so as to bring Jeff Macfarlane up to date on the topic. The area being discussed is on 800 North 2000 West. This whole 20 acre parcel is Master Planned for Commercial development. We are looking at the possibility of taking some of the property out of commercial and master planning it for residential. At the last meeting, it was decided that Staff would come back with some drawings and recommendations. Jeff displayed the drawings of the options proposed. One option had approximately 10 acres on the east end being changed to residential zoning and that leaves approximately 10 acres for commercial zoning. Another option placed about 15 acres in residential zoning leaving approximately five acres for commercial zoning. The other proposed option put about eight acres in residential zoning and left 12 acres in commercial zoning. Tonight is the first step in making a change to the General Plan. We are holding a public hearing to get input from the public that are present.

REGULAR MEETING

1. Call to Order

2. Pledge of Allegiance

3. Prayer: given by Jeremy Strong

4. Approval of Minutes from August 22, 2013

Curtis Seeds made a motion to approve the minutes from August 22, 2013, as written. Jeremy Strong seconded the motion. All voted aye.

5. Public Comments: None given

6. Public Hearing on the General Plan

John Detamore made a motion to open the Public Hearing. Korey Kap seconded the motion. All voted aye. Jeff Oyler gave a brief overview of what is being discussed. There is roughly 20 acres of property at the corner of 800 North 2000 West that is Master Planned as Community Commercial (C-C). The issue that has come before the City is whether the City should consider taking a portion of that 20 acres that is master planned for commercial property and re-master plan a portion of that as residential property. The issue before the Planning Commission is whether the General Plan should be amended. There will not be discussion on any developments or development plans; they are just to discuss whether or not there is a reason to amend the General Plan to consider some property that is currently slated for commercial to go residential. Jeff Oyler presented maps illustrating three different options that were created based on discussions that the Planning Commission has had over the past few weeks. This property is currently owned by the Heslop family and the Barber family. Jeff Oyler mentioned that when talking about the General Plan, we are talking about the future land use of the property. The property is currently zoned agriculture. Some of the property along 2000 West has an R-1 or an R-2 designation. The discussion right now is not about rezoning the property, it is only about the General Plan and the future of what it might be. Option #1 shows about 10 acres of property, in an L-shape, that would potentially be rezoned residential leaving roughly 10 acres that would still be master planned as commercial. Option #2 is more aggressive. It shows approximately 15 acres that would potentially be rezoned residential leaving roughly five acres zoned as commercial. This option more closely lines up with where residential is along the back perimeter. Option #3 shows about eight acres that would potentially be rezoned residential leaving roughly 12 acres zoned as commercial. As this has been discussed in past meetings, these options were formed. The other option would be to do nothing and leave the General Plan as it is currently written. Also, in the Staff Report discussed in the meeting held on August 22, 2013, there is a chart showing popular commercial projects in the county and the number of acres those projects

currently sit on. This helps to visualize what could go on the amount of property left for commercial use.

Farrell Cook 2485 West 800 North, West Point - Mr. Cook stated that it is obvious that area is not big enough for a Walmart or a Home Depot or any of those types of things. He feels they should consider what type of commercial they are looking at; is it a little strip mall or something intermediate? That will weigh on the options considered; either more for residential or more for commercial use.

John Detamore made a motion to close the public hearing. Jeremy Strong seconded the motion. All voted aye.

7. Approve/Deny amendments to the General Plan

John Detamore made a motion to table the amendment to the General Plan for further review and discussion regarding the options given. Corey Kap seconded the motion. All voted aye.

8. Approve/Deny changes to Section 17.40, Farm Animals

James McCarrey 2455 West 800 North, West Point – Jim has been a resident of West Point for 8 ½ years. He moved here for the city-like atmosphere. Over the past three months, his enjoyment has been diminished significantly because of a neighbor's decision. About three months ago, his neighbor built a chicken coop. Shortly after building the coop, he got a rooster. For the past three months, neither Jim nor his family has had a full night's sleep. They have been sleeping with a fan on high and the windows closed and still it keeps them awake. This is an animal that cannot be trained not to crow. We need to make restrictions on certain animals within City limits. He urged the Planning Commission to allow this to go on to the City Council and let the process work.

Farrell Cook 2485 West 800 North, West Point – Farrell stated that he is for the change to eliminate roosters. He feels that most of the people in attendance at the meeting agree with that decision.

Jason Poulsen 775 North 2525 West, West Point – Jason stated that this isn't just a West Point problem. This has been a problem in multiple cities in several counties. Most cities don't allow roosters in the neighborhood settings because of this issue. There is no reason to create issues. I recommend that we get rid of the issue. Jason feels that people don't move to West Point now to enjoy acreages of land. We don't have many properties that are larger than one acre. If they want to, they can have all the roosters they want out west where there aren't close neighbors that would be affected.

Dan Sayers 607 North 2000 West, West Point – Dan stated that he is friends with Jim McCarrey and has been hearing the horror stories of what he has been dealing with. He doesn't want that to happen to him and doesn't want to have to go through that for

months and not be able to sleep. He would like to see this moved on to the next level as well.

Jeff Oyler stated that Staff recommends the change to Chapter 17.40.020 which states, "Roosters are not allowed in any residential zone".

John Detamore made a motion to change the ordinance, Chapter 17.40 to read as proposed stating, "Roosters are not allowed in any residential zone." Korey Kap seconded the motion. Jeff McFarlane, Korey Kap, John Detamore and Brad Lee voted aye. Jeremy Strong and Curtis Seeds voted nay. The motion carries.

9. Planning Commission Comments

Curtis Seeds told Brad Lee that he felt he is doing a great job stepping in as Planning Commission chairman. Curtis thanked the public for coming to the meeting. He said, "I'm confident that the City Council will do what is right for West Point City. I do feel for you, as a resident. I've got mixed feelings about this, but I do feel for you. I know where you are coming from. I've got some deeper thought and deeper root into West Point City and to the good ole country atmosphere. That's the good thing about democracy. We took a vote and I will support the rest of these Planning Commissioners on what took place here tonight."

Jeremy Strong said, "I'd like to second what Curtis had to say. I really feel for you in that, but it's hard for me to sit in one meeting and change everything for the whole city and not listen to the whole city. That is my major thing is just not having enough information. I think there are other avenues than changing the Code. That is the reason for my vote."

Jeff Macfarlane said, "I moved to West Point because I like the country atmosphere, but I understood also when I moved here, it was basically because there was a lot available and there was housing. So I moved here because the land was a little cheaper here than it was up in town. I've had a similar experience to what Jim described with having a rooster in my backyard. Luckily, the owner of the rooster took care of the problem in just a few days so I didn't have to deal with it for very long. I feel for what he is going through. I understand how that can be disruptive to family life. I generally agree with both Curtis and Jeremy. I don't like to see rules changed without a lot of thought. There are always unattended consequences whenever you set a law or make some change. However, on this particular issue, I really can't see where there is a benefit to having a rooster in a residential area. Chickens are great; they aren't nearly as noisy, but I don't see any reason why we should have a rooster. That is why I voted to make a change to the Code."

Korey Kap said, "I struggled with it at first. Then I put myself in the place of the resident that was having issues and then it was kinda a no-brainer. We all live in residential areas. As nice of a country atmosphere as West Point City has, it still is a residential area. If I had somebody causing a problem in my backyard, I would want to do something about it

too. It's too bad just a friendly conversation couldn't take care of it and we had to set a regulation on it. I appreciate the comments on this tonight."

John Detamore had no comments.

Brad Lee thanked Staff for putting together the information they needed to address these issues. Brad also thanked the public for their attendance at the meeting. Brad said, "Jim, I can appreciate your passion for what you are trying to do. I agree with what Korey said. It would have been a lot easier if a courtesy conversation with a neighbor could have resolved this. Unfortunately, sometimes that doesn't work so we have to rely on other forums to get the decision that we want. I'm confident in the process. I want to thank this body for their support. I also want to give a shout out, for the record, to Rawlee Wilson for his diligent service on the Commission. I know the decision that he had to make was gut-wrenching. But for the betterment of him and his family, I think he made the decision that was best for him. We will miss him. I told him that he is welcome at any of our meetings."

Jeff Oyler stated, "As you all know, Rawlee stepped down as a Planning Commissioner and as the chairman. We looked up the ordinance, and in the absence of the chairman, the vice chairman takes over those duties. I talked to Brad Lee and Brad, as vice-chairman, will step in and be the chairman through the end of the year. At that time, the ordinance calls for you to vote for a new chairman and vice-chairman at your first meeting in January."

10. Adjournment

Korey Kap made a motion to adjourn at 7:45 p.m. Curtis Seeds seconded the motion. All voted aye.

Chairperson – Rowland S. Wilson

Secretary – Michelle Bailey

City Council Staff Report

Subject: Round-Abouts
Author: Boyd Davis
Department: Community Development
Date: October 1, 2013



Background

At the last Council Meeting a proposal to install round-abouts along 3000 West was presented. The Council was mostly in favor of the idea, but asked that additional information be brought back before making a decision. Specifically staff was asked to prepare drawings of the round-abouts so that the Council could see the potential impacts. The concept drawings are attached to this report.

Analysis

The traffic study recommends round-abouts at 550 North, 800 North, and 1300 North. Clinton City has already decided that they will install a round-about at 1300 North. Three-fourths of that intersection is in their jurisdiction, therefore they have the controlling vote on that round-about. West Point City controls the other two intersections and will need to determine what to do.

The traffic study points out that either a round-about or a standard traffic light would work to control the intersections. However, if a round-about is selected it can be installed as part of the project and will be funded by the grant. If a traffic light is selected then it will need to be installed at a later date because it is not currently warranted. The City would be responsible for the full cost of the traffic light.

There are a few issues to keep in mind when choosing which option to select:

- Round-abouts are considered very safe.
- Fewer vehicle accidents occur in round-abouts.
- The accidents in a round-about are less severe.
- Round-abouts are efficient (more cars through an intersection in less time).
- Round-abouts take a larger area and property would need to be acquired (can be paid for with the grant).
- A round-about can be more difficult for pedestrians to navigate.
- At least two crossing guards would be required for a school cross walk at a round-about.

The decision will also be based upon personal preference. Some people simply do not like round-abouts and that is ok. Generally round-abouts have been gaining popularity around the State and are a safe and low maintenance alternative to traffic lights. In light of the fact that the round-about could be paid for by the grant, it should be seriously considered.

Potential Impacts:

Originally staff reported that the impact at 550 North would be too great and that a round-about was not recommended at that location. After studying the attached drawings it appears that a round-about at 550 may actually be a possibility. However, it would create a non-conforming lot on the northwest corner. The lot would be about 500 sq. ft. less than the required minimum size. A variance would need to be granted for that lot. I also reduced the size of the round-about from 150' to 130' to reduce the impact. 130' is considered the minimum size for a round-about.

A round-about at 800 North is also a possibility but it does have an impact to the resident on the northeast corner. Their driveway would back into one of the legs of the round-about and would only allow them to go one direction. This could possibly be mitigated by installing a circular driveway in the front yard of that home.

In both cases, approximately 1,000 sf. ft. of property would need to be acquired on each corner to accommodate the round-about.

Another question was raised at the last meeting about the appropriate distance between roundabouts and traffic signals. I have reviewed documentation where a quarter mile is recommended as the minimum spacing. However local conditions must be considered. A detailed traffic analysis of the spacing should be done as part of the design.

Staff would like to move forward with the design of the roundabouts. If the impacts are not able to be reasonably mitigated, or if other insurmountable problems arise, staff would return to council and change the recommendation.

Recommendation

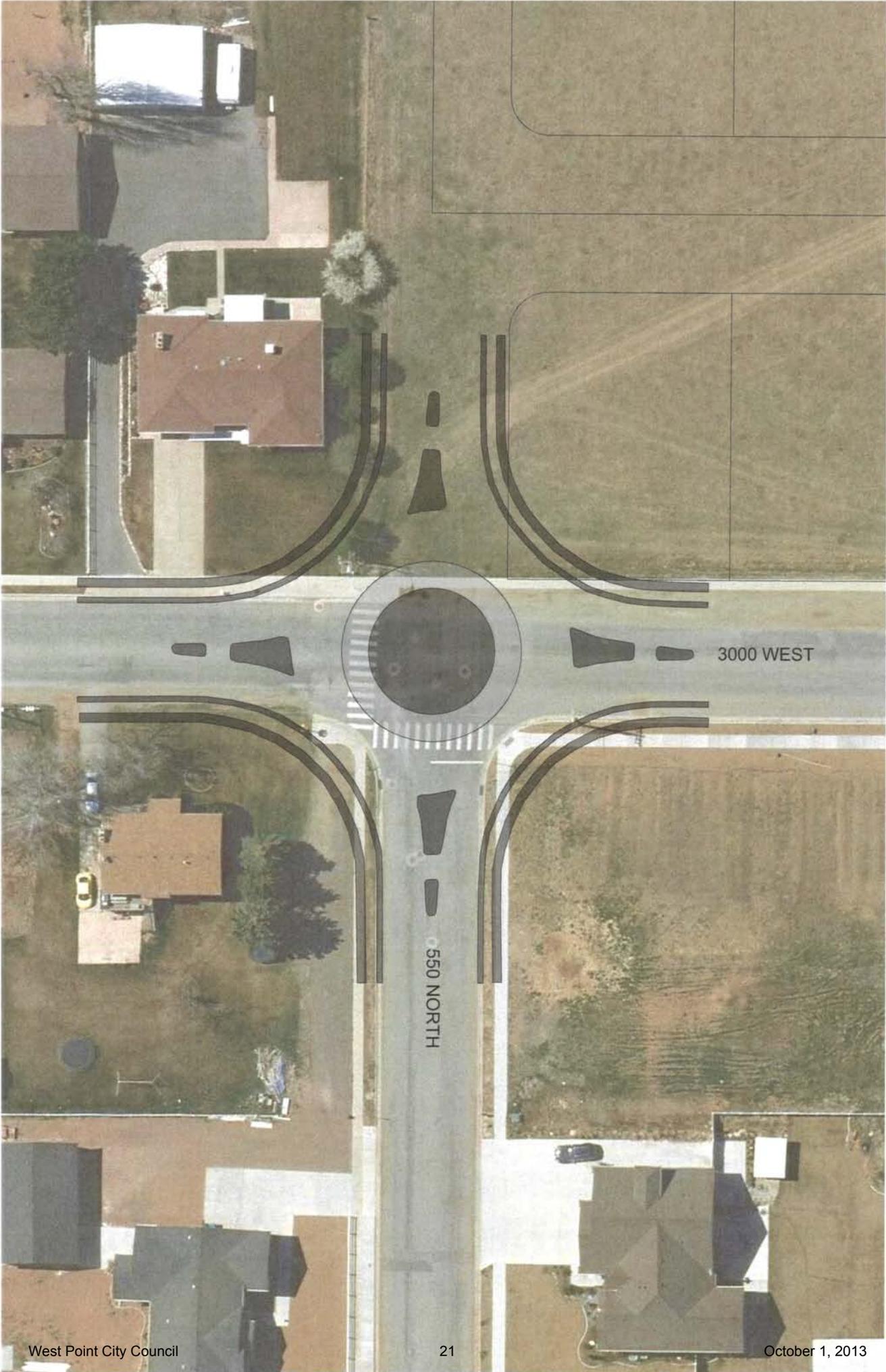
Staff recommends that the Council approve roundabouts at the intersections of 550 North and 800 North along 3000 West.

Significant Impacts

None

Attachments

Concept drawings







City Council Staff Report



Subject: Fence requirements
Author: Jeff Oyler/Boyd Davis
Department: Community Development
Date: October 1, 2013

Background

Recent discussions regarding how the existing fence ordinance is applied to corner lots raised some questions as to whether there could be some modifications to the ordinance. The discussion centered on street intersections, corner lots, the height and location of fences, and the “clear vision triangle”. Based on some analysis by the City Engineer regarding AASHTO standards it was determined that the current ordinance could be modified and still achieve safe sight distances.

The Planning Commission has discussed this issue and has made a recommendation to modify the fence ordinance as outlined in this report. This was also discussed at the last City Council meeting and it appeared that the Council was in favor of the recommended changes. It is now ready to be voted on.

Analysis

Staff made the following recommendations to the Planning Commission, which were accepted in part.

- 1- On corner lots a 6’ fence would be allowed in a side or rear property setback. Right now the requirement is 4’. This means a 6’ fence can be brought right to the sidewalk in a side yard or right to the rear property line in a rear yard.
- 2- The “clear vision triangle” would still be in effect for any corner lot unless the corner was made where a rear lot line backed onto a street. In that case, the distance used to measure the clear vision triangle would go from 40 feet to 20 feet (see drawing).
- 3- A clear vision triangle should be maintained where driveways are adjacent to a fence.
- 4- A 4 foot fence is still required for any front yard.
- 5- Section 190 clarifies that a fence permit is required of all residents without a fee.

The Planning Commission agreed with all recommendations except the smaller clear vision triangle on rear yards. They felt it would be better to have a consistent 40’ clear vision triangle on all corners. However, staff believes this will conflict with the house on rear lots. S

The following changes are proposed to the current city code:

17.80.170 Fence.

A tangible barrier or obstruction of any material with the purpose or intent or having the effect of preventing passage or view across the fence line. It includes hedges and walls. [Code 2000 § 17-22-17].

17.80.180 Fence height requirements.

A. No fence or other similar structure shall be erected in any required front yard of a dwelling to a height in excess of four feet; nor shall any fence or other similar structure be erected in any side or rear yard to a height in excess of six feet.

B. On corner lots, the following restrictions shall apply:

~~1. No fence or other similar structure shall be erected in any yard bordering a street or front yard of an adjoining lot to a height in excess of four feet.~~

~~1.~~2. No solid fence, shrubs, or other obstructions to view between the heights of two and seven feet shall be allowed within the triangular area at the corner formed by measuring a distance of 40 feet along both lot lines back from the point of intersection of said lines. This area shall be known as the "clear vision triangle."

2. Where a rear yard borders a street, creating a corner lot, no solid fence, shrubs, or other obstructions to view between the heights of two and seven feet shall be allowed within the triangular area at the corner formed by measuring a distance of 20 feet along both lot lines back from the point of intersection of said lines. This area shall be known as the "clear vision triangle."

C. Where a rear yard borders the front yard of an adjacent lot, provisions shall be made to provide a clear view for driveways. No solid fence, shrubs, or other obstructions to view between the heights of two and seven feet shall be allowed within the triangular area bounded by lines drawn from a point on the centerline of the driveway setback 15' from the front property line, to points along the front property line 30 feet either side of the centerline of the driveway.

~~D.~~ C. Lawn trees are permitted but must be planted at least 15 feet back from the street line as measured to the point of the tree nearest the street line. Trees planted closer than 15 feet from the street line shall be pruned at least seven feet above the established grade of the curb.

~~E.~~ D. Where a fence is erected upon a retaining wall, or for other reasons there is a difference in the elevation of the surface of the land on either side of a fence, the height of the fence shall be measured from a point halfway between the top of the retaining wall and the land on the lower side or from the average elevation of the surface of the land on either side of a fence, but nothing herein contained shall be construed to restrict a fence to less than four feet in height measured from the surface of the land on the side having the highest elevation.

~~F.~~ E. On public property when it is determined to be necessary for public safety, a fence no higher than six feet may be erected in a yard bordering a street or front yard of an adjoining lot; provided, that:

1. The fence is constructed of materials that do not create a barrier to vision, i.e., chain link.

2. The fence is not constructed on any portion of a public right-of-way.

3. The planning commission makes the determination that the fence is necessary for the public safety. [Code 2000 § 17-22-18].

17.80.190 Fence building permit.

A. ~~If the fence is not masonry or concrete and is six feet or less in height, compliance with West Point City zoning ordinances relating to fence height restrictions is all that is necessary.~~ A fence permit application is required for any fence erected within West Point City. There is no fee for this permit.

B. A building permit is required for a fence which exceeds six feet in height or a fence made of masonry or concrete of any height because they are considered structures under the International Building Code. The application for a permit must include a drawing of the site indicating the location and height of the proposed fence. If the wall is of masonry or concrete, construction details showing horizontal and vertical reinforcement need to be shown on the plan submitted. The design and construction must, at a minimum and subject to the building inspector's approval, meet relevant standards set forth in the International Building Code. [Code 2000 § 17-22-18.1].

Recommendation

Staff recommends that the City Council approve ordinance 10-1-2013.

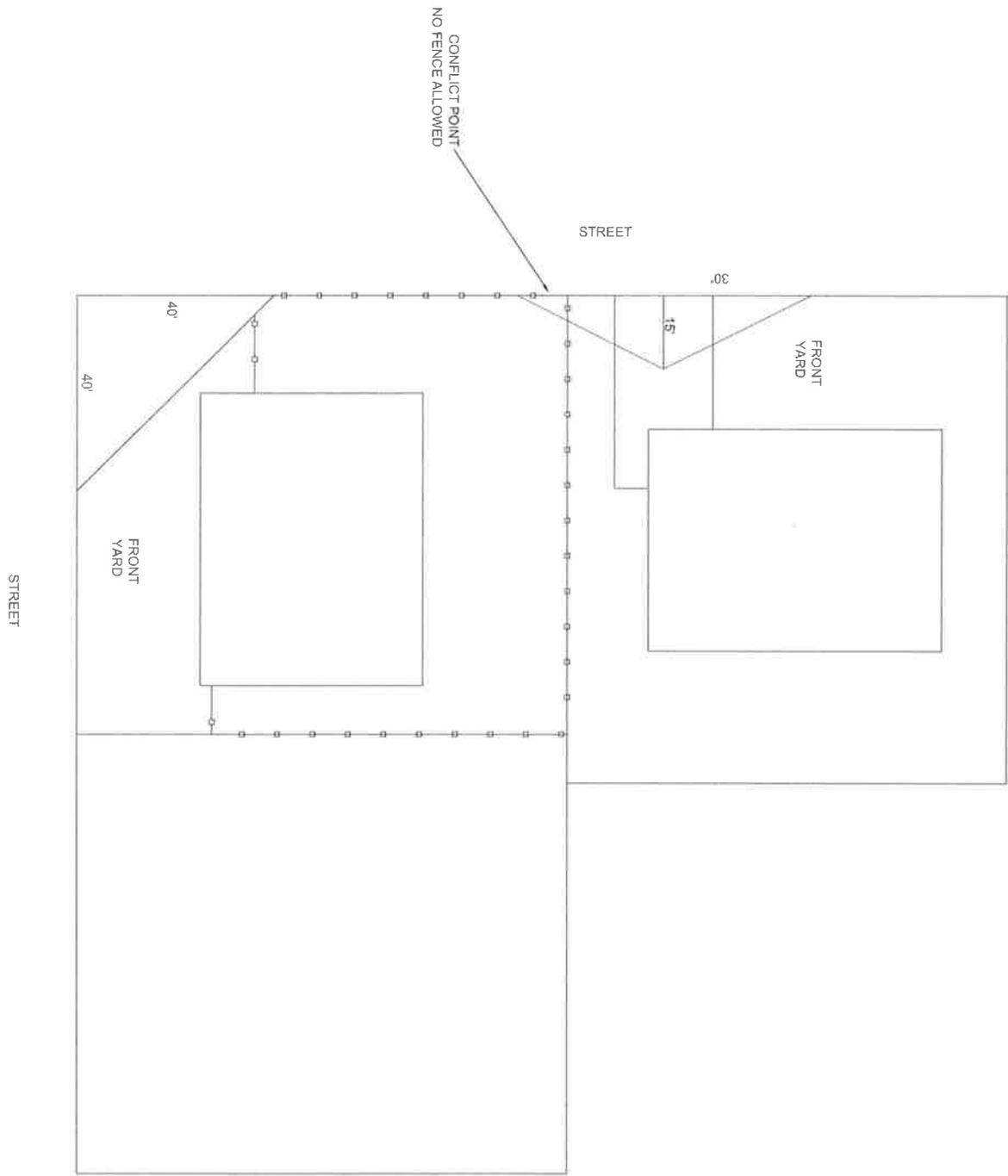
Significant Impacts

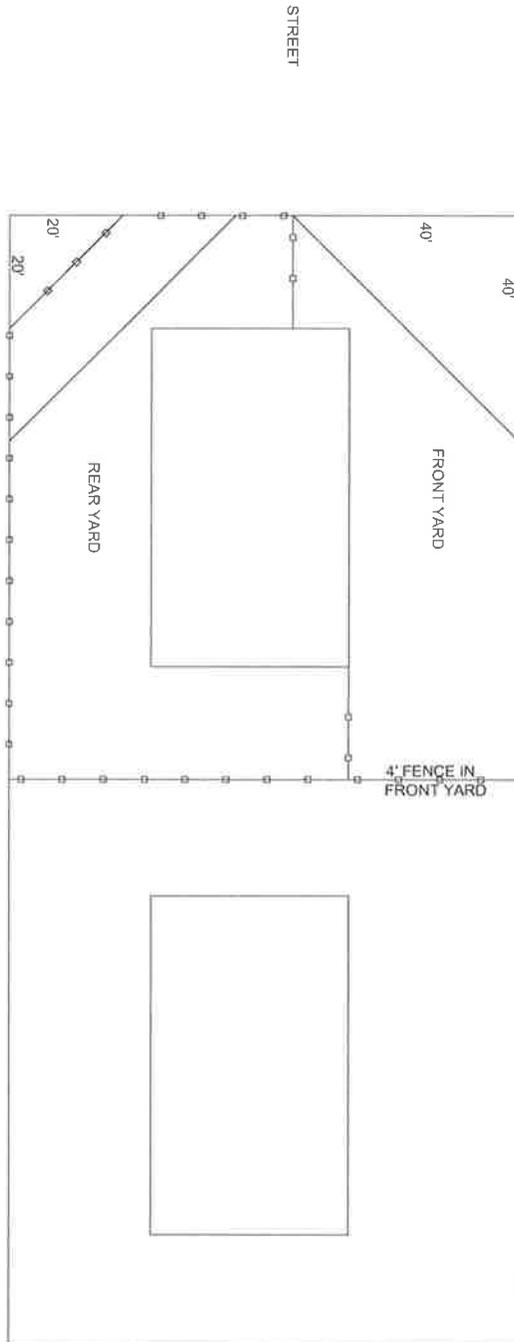
None

Attachments

Sketch

Ordinance 10-01-2013





ORDINANCE NO. 10-1-2013

**AN ORDINANCE AMENDING WEST POINT
CITY CODE SECTIONS 17.80.180 AND
17.80.190 MODIFYING FENCE
REQUIREMENTS**

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 Sections 17.80.180 and 17.80.190; and

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

WHEREAS, the City Council has duly considered said amendments; and,

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

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

Section One: Repeal of Existing Sections

The existing Sections 17.80.180 and 17.80.190, of the West Point City Code is hereby repealed.

Section Two: Adoption of New Provisions

Sections 17.80.180 and 17.80.190, of the West Point City Code is adopted to read as follows: (Strike through text indicates text being removed from the code, and underlined text indicates new additions).

17.80.180 Fence height requirements.

A. No fence or other similar structure shall be erected in any required front yard of a dwelling to a height in excess of four feet; nor shall any fence or other similar structure be erected in any side or rear yard to a height in excess of six feet.

B. On corner lots, the following restrictions shall apply:

~~1. No fence or other similar structure shall be erected in any yard bordering a street or front yard~~

~~of an adjoining lot to a height in excess of four feet.~~

~~1.-2. No solid fence, shrubs, or other obstructions to view between the heights of two and seven feet shall be allowed within the triangular area at the corner formed by measuring a distance of 40 feet along both lot lines back from the point of intersection of said lines. This area shall be known as the "clear vision triangle."~~

~~2. Where a rear yard borders a street, creating a corner lot, no solid fence, shrubs, or other obstructions to view between the heights of two and seven feet shall be allowed within the triangular area at the corner formed by measuring a distance of 20 feet along both lot lines back from the point of intersection of said lines. This area shall be known as the "clear vision triangle."~~

~~C. Where a rear yard borders the front yard of an adjacent lot, provisions shall be made to provide a clear view for driveways. No solid fence, shrubs, or other obstructions to view between the heights of two and seven feet shall be allowed within the triangular area bounded by lines drawn from a point on the centerline of the driveway setback 15' from the front property line, to points along the front property line 30 feet either side of the centerline of the driveway.~~

~~D. G. Lawn trees are permitted but must be planted at least 15 feet back from the street line as measured to the point of the tree nearest the street line. Trees planted closer than 15 feet from the street line shall be pruned at least seven feet above the established grade of the curb.~~

~~E. D. Where a fence is erected upon a retaining wall, or for other reasons there is a difference in the elevation of the surface of the land on either side of a fence, the height of the fence shall be measured from a point halfway between the top of the retaining wall and the land on the lower side or from the average elevation of the surface of the land on either side of a fence, but nothing herein contained shall be construed to restrict a fence to less than four feet in height measured from the surface of the land on the side having the highest elevation.~~

~~E. E. On public property when it is determined to be necessary for public safety, a fence no higher than six feet may be erected in a yard bordering a street or front yard of an adjoining lot; provided, that:~~

- ~~1. The fence is constructed of materials that do not create a barrier to vision, i.e., chain link.~~
- ~~2. The fence is not constructed on any portion of a public right-of-way.~~
- ~~3. The planning commission makes the determination that the fence is necessary for the public safety. [Code 2000 § 17-22-18].~~

17.80.190 Fence building permit.

~~A. If the fence is not masonry or concrete and is six feet or less in height, compliance with West Point City zoning ordinances relating to fence height restrictions is all that is necessary. A fence permit application is~~

required for any fence erected within West Point City. There is no fee for this permit.

B. A building permit is required for a fence which exceeds six feet in height or a fence made of masonry or concrete of any height because they are considered structures under the International Building Code. The application for a permit must include a drawing of the site indicating the location and height of the proposed fence. If the wall is of masonry or concrete, construction details showing horizontal and vertical reinforcement need to be shown on the plan submitted. The design and construction must, at a minimum and subject to the building inspector's approval, meet relevant standards set forth in the International Building Code. [Code 2000 § 17-22-18.1].

Section Three: **ORDINANCES TO CONFORM WITH AMENDMENTS**

The West Point City Director of Community Development is hereby authorized and directed to make all necessary changes to the West Point City Code to bring the text into conformity with the changes adopted by this Ordinance.

Section Four: **Severability**

In the event that any provision of this Ordinance is declared invalid for any reason, the remaining provisions shall remain in effect.

Section Five: **Effective Date**

This Ordinance shall take effect immediately upon passage and adoption and publication of a summary as required by law. Those subdivisions that have applied for and paid the fees for final approval prior to the effective date shall be exempt from the new requirements of this ordinance.

DATED this ___ day of _____, 20__.

WEST POINT CITY, a Municipal Corporation

By: _____
Erik Craythorne
Mayor

ATTEST:

Misty Rogers
City Recorder



**West Point City Council Meeting
3200 West 300 North
West Point City, UT 84015
September 17, 2013**

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

Minutes for the West Point City Council Administrative Session held September 17, 2013 at the West Point City offices, 3200 West 300 North, West Point City, Utah 84015 with Mayor Craythorne presiding.

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

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

VISITORS – Eldeen Barnes, Tammy Barnes, and Jeff Macfarlane

Mayor Craythorne welcomed all in attendance, he then turned the time over to Mrs. Barnes to address the Council. Mrs. Barnes expressed her appreciation to the City Council for the support in which they have given to her in regards to the installation of a new road located at 550 North 3000 West.

The Council expressed their gratitude to Mrs. Barnes for her remarks. Mayor Craythorne then turned the time over to Mr. Laws

1. Discussion of Health Insurance – Mr. Kyle Laws

Mr. Laws stated West Point City has a unique opportunity to renew health insurance in December 2013 instead of July 2014. If West Point City waits until July 2014 to renew health insurance, it is projected the premium will increase up to 30%. If West Point City chooses to renew early, the premium will increase approximately by 5%. By renewing health insurance early (December 2013), West Point City will delay the large increase to the health insurance by approximately 5 months.

Mr. Laws informed the Council that it may be difficult to determine the actual renewal rate mid-year. However, the Council would have the ability to amend the budget if the health insurance renewal rates were higher than anticipated.

Mr. Laws stated health insurance premiums are determined by an age band. Currently, the health insurance premiums have been budgeted by the highest age band across the entire board and all positions are budgeted at family rates. The health insurance budget has been budgeted conservatively, therefore the current budget will allow for the 5% increase in premiums. He then stated the current budget for health insurance is \$155,000. Mr. Laws stated when combining the current health insurance premium with the 5% increase, the projected the health insurance premium is \$147,000. Leaving the budget approximately \$8,000 under budget.

Council Member Henderson asked how the City could be affected by not choosing to renew early. Mr. Laws stated if West Point City did not choose renew early, they could be hit with an increase of approximately 30% in fiscal year 2014/2015.

Council Member Chatterton stated Planning Commissioner Macfarlane attended a class during the Utah League of Cities and Towns conference where he learned that the League may be offering health, life, and auto insurance. He then recommended that Mr. Laws contact Utah League of Cities and Towns for more information.

2. Discussion of Round-Abouts –Mr. Boyd Davis

Mr. Davis stated that West Point City had received a grant to widen 3000 West. In conjunction with the widening of 3000 West, a traffic study was completed and a recommendation has been made that West Point City consider roundabouts instead of traffic signals at certain locations. The grant in which West Point City received for the widening of 3000 West would include the installation of roundabouts. Mr. Davis stated if the City chose traffic signals, West Point City would be responsible for the entire cost involved.

Mr. Davis informed the Council that the Master Plan for Clinton City includes the use of roundabouts and the Master Plan for West Point recommends the use traffic signals. If West Point City and Clinton City do not plan, an issue may arise in future years. Mr. Davis then stated the Clinton City Council has recommended the installation of a roundabout at 1300 North and 3000 West.

Council Member Henderson asked Mr. Davis if West Point City is required to pay a percentage of the awarded grant. Mr. Davis stated the grant funding is approximately \$3 million and West Point City would be responsible for 7% of that amount. He then stated that Clinton City has agreed to pay ¼ of the 7% match and West Point City will pay ¾ of the 7% match.

Council Member Henderson inquired as to what amount West Point City would be required to pay if traffic signals were selected instead of roundabouts. Mr. Davis stated if traffic signals were selected, West Point City would be responsible for the full cost. The awarded grant only includes the installation of roundabouts.

Council Member Henderson asked if additional property would need to be acquired for the installation of roundabouts. Mr. Davis stated roundabouts are typically 150 ft. in diameter, however he was unsure if additional property would be needed, as the design phase hadn't been completed.

Mr. Davis stated the traffic study recommended using roundabouts 800 North 3000 West, 1300 North 3000 West, and possibly at 550 North 3000 West. He then expressed concern with a roundabout being located at 550 North because of the impact to the surrounding area.

Council Member Dawson asked if "roundabouts" work well with school crossings. Council Member Henderson stated two crossing guards are required if a school crossing exists at the location of a roundabout. Mr. Davis stated that roundabouts and cross walks together are typically safer for pedestrians, there are less maintenance issues, fewer accidents, and accidents are typically not as severe. Mr. Davis stated in order for a roundabout to be successful, adequate space and a correct design is crucial. Mr. Davis then showed an entertaining and informative video regarding "roundabouts."

Council Member Dawson asked if there could be an issue with snow removal in the area of a roundabout. Mr. Davis stated snow removal in the area of a roundabout typically isn't an issue.

Mr. Davis recommended the Council consider the installation of a roundabout at 800 North 3000 West. He then stated additional information could be provided upon request.

Mayor Craythorne asked when the awarded grant funding would be available to West Point City. Mr. Davis stated funding from the awarded grant should be available in 2014 and 2015. He then stated the design phases of the widening 3000 West are projected to begin within the next year.

Council Member Petersen stated 550 North could be a viable area for a roundabout because of the traffic associated with both the schools. He then stated roundabouts are good, they slow and keep traffic moving.

Council Member Dawson asked if the grant in which West Point City had received requires the installation of a round-about. Mr. Davis stated the round-about was only an option; the grant funding would assist with the installation.

The Council Members expressed interest with the use of round-abouts within West Point City. The Council then requested Staff provide a drawing and report of the possible impacts of a round-about if it were located at 550 North and 800 North.

Council Member Henderson asked how many traffic lanes the widening of 3000 West could provide. Mr. Davis stated the widening of 3000 West could allow for two traffic lanes in each direction as well as a lane separating the directions of traffic.

Mayor Craythorne stated West Point City would be required to pay for the purchase right of ways. Mr. Davis stated 550 North 3000 West may require a traffic signal in the future.

Mr. Laws asked if there was a concern if a round-about was located approximately one half of a mile from a traffic light. Mr. Davis stated he would review standards and report his findings to the Council during the October 1, 2013 Council meeting.

3. Discussion of Bartholomew Lane Phase 3 – Mr. Boyd Davis

Mr. Davis stated Bartholomew Lane Phase 3 is the final phase within the Bartholomew subdivision and is located at approximately 1300 North 3600 West. Bartholomew Lane Phase 3 consists of twelve lots and a parcel for the use of detention pond. All required documentation had been submitted and approved by the Planning Commission.

Council Member Petersen asked if one point of access was sufficient for the length of the subdivision, and if the West Point City Code allowed for the proposed subdivision. Early in the design process of the subdivision, the developer was denied access points at specific locations from both Clinton City and UDOT. Mr. Davis stated as property develops around Bartholomew Lane Phase 3, future access points will become available. He then informed the Council that the Bartholomew Lane Phase 3 subdivision had met all of the requirements found in the West Point City Code. Mr. Davis then recommended the City Council approve the Bartholomew Lane Phase 3.

Council Member Henderson asked when the required water shares would be surrendered to West Point City. Mr. Davis stated the water shares will be surrendered to West Point City when the plat is recorded.

Council Member Petersen asked if the developer would be required to install fencing. Mr. Davis stated that the developer is required to install a fence between the development and the green house.

4. Quit Claim Deed, Mr. Lowell Staker – Mr. Boyd Davis

Mr. Davis stated Mr. Lowell Staker resides at 4500 West 2267 North. His property line currently extends to the opposite side of the road. Mr. Staker would like to Quit Claim Deed the portion of his property that extends into the road (right of way) to West Point City; this would remove the tax burden from Mr. Staker.

Other Items – Mr. Laws

Mr. Laws stated while demolishing the old restroom at the Loy Blake Park, the Public works department discovered several unknown electrical wires. Mr. Rochell then stated the lights near playground and tennis court do not currently work. He stated the cost associated with the repair of those lights will be costly. Mr. Rochell asked if the Council would give direction to staff as to whether they should repair or abandon the lighting in those areas of the park. Because of numerous requests, the Council agreed the lights located near the tennis courts should be repaired. The Council agreed to remove the light poles near the playground.

Mr. Laws stated discussion of updating playground equipment, backstops, basketball standards, and the tennis court will be held during the January 2014 Council Retreat. Mayor Craythorne stated the playground equipment and basketball standards located at the Loy Blake Park have been there since he was a child.

Council Member Turner asked if the City is required to provide lighting near the playground equipment for safety. Mr. Rochell stated for security the restroom located at the park does need some type of lighting. He then stated if the park closed, there should not be any need for lighting in other areas of the park. Mr. Rochell stated in the past, lighting could be found near the baseball diamonds at the park; however due liability issues the lighting had been removed. Mr. Rochell stated a cost estimate for the electrical repairs would be brought before Council in the near future.

Council Member Dawson stated the Veteran's Memorial Committee would like to utilize the area near the tennis courts for the Veteran's Memorial Monument. Council Member Dawson stated on October 1, 2013 the Veteran's Memorial Committee has requested the Council assist them with the "tying" of a quilt. The quilt will be used for an upcoming raffle; all proceeds from the raffle will be used for the Veteran's Memorial Monument.

Mr. Laws stated he had met with the Veteran's Memorial Committee earlier in the day and committee has requested the Council finalize a location for the Veteran's Memorial Monument as soon as possible. Mr. Laws stated the Veteran's Memorial Committee has requested permission for the Veteran's Memorial Monument be located at the Loy Blake Park. He then stated before the Council could make a recommendation, they would need to review the master plan for the Loy Blake Park. Mr. Laws stated that he was still in the process of trying to locate the master plan. He then asked if the Council Members had any objections for the Veteran's Monument being located at the Loy Blake Plan.

Council Member Chatterton stated if green space was taken from a park if the City would be required to give green space in another area of the City. He then requested that staff review the process for taking green space.

Mr. Laws stated the Veteran's Memorial Committee would like to have a site selection event at the location of the Veteran's Memorial Monument on Veteran's Day (November 11, 2013 at 11:00 am).

The Council then adjourned into the General Session.



**West Point City Council Meeting
3200 West 300 North
West Point City, UT 84015
September 17, 2013**

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 September 17, 2013 at the West Point City offices, 3200 West 300 North, West Point City, Utah 84015 with Mayor Craythorne presiding.

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

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

VISITORS PRESENT – Jeff Macfarlane and Eric Hazen

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

Council Member Chatterton – no comment

Council Member Dawson - no comment

Council Member Henderson – no comment

Council Member Turner – no comment

Mayor Craythorne disclosed that his father is a partner of Bartholomew Lane Phase 3 (item #4 on the agenda).

5. **Communications from Staff**

Mr. Laws stated a CERT fair would be held at the West Point City Stake Center from 6:00pm – 9:00pm on Thursday, September 19, 2013. He then stated anyone wishing to attend the CERT fair was welcome.

Mayor Craythorne stated the Youth Councils Awards banquet would be held on Wednesday, September 18, 2013 from 5:30pm – 6:30pm.

6. **Citizen Comment** - no comment
7. **Consideration of Quit Claim Deed, Mr. Lowell Staker** – Mr. Boyd Davis

Mr. Davis stated the consideration of a Quit Claim Deed had been discussed in the Administrative Session. He then stated Mr. Lowell Staker lives at approximately 2267 North 4500 West. Mr. Staker requested that West Point City accept his property which is in the "right of way" for that street. If West Point City accepted the Quit Claim Deed, the property discussed would be removed from Mr. Staker's tax record. Mr. Davis recommended the Council accept the mentioned property and to authorize Mayor Craythorne to sign the Quit Claim Deed.

Council Member Henderson motioned accept the Quit Claim Deed as well as to authorize Mayor Craythorne to sign the Quit Claim Deed.

Council Member Chatterton seconded the motion.

The Council unanimously agreed.

8. Consideration of Approval of Bartholomew Lane Phase 3 – Mr. Boyd Davis

Mr. Davis stated the Bartholomew Lane Phase 3 is located at the intersection of 1300 North and 3600 West. He stated Bartholomew Lane Phase 3 consists of 12 lots and 1 parcel for a detention pond. All documentation has been submitted and the Planning Commission has approved Bartholomew Lane Phase 3. Staff recommended the approval of Bartholomew Lane Phase 3. Mr. Davis stated in behalf of the developer, Mr. Eric Hazen was present to answer any questions in which the Council may have.

Council Member Chatterton motioned to approve Bartholomew Lane Phase 3.

Council Member Dawson seconded the motion.

The Council unanimously agreed.

9. Adoption of Minutes from the September 3, 2013 Council Meeting – Mrs. Misty Rogers

Council Member Dawson motioned to approve the September 3, 2013 City Council Minutes.

Council Member Turner and Council Member Chatterton seconded the motion.

The Council unanimously agreed.

10. Motion to Adjourn

Mayor Craythorne asked if the Davis and Weber Counties Canal Company were able to conserve water with the conservation efforts win 2013. Mr. Davis stated the conservation effort has been successful, the hopes of the Davis and Weber Counties Canal Company is they will end the water season with approximately 5,000 acre feet left for storage.

Council Member Chatterton asked if Mr. Davis had any information with regards to the Echo project. Mr. Davis stated the embankment had been completed. He the stated it is projected that the gates and spill way will be completed by spring of 2014, allowing the runoff to be captured.

Council Member Chatterton motioned to adjourn.

Council Member Dawson seconded the motion.

The Council unanimously agreed.

ERIK CRAYTHORNE, MAYOR DATE MISTY ROGERS, CITY RECORDER DATE