



**West Point City Council Meeting
3200 West 300 North
West Point City, UT 84015
October 15, 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
6:30 PM

Minutes for the West Point City Council Administrative Session held October 15, 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, Council Member Gary Petersen, and Council Member Jeffrey Turner

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

Mayor Craythorne welcomed those in attendance. He then stated the following items were scheduled for the General Session:

- A public hearing with regards to animal keeping regulations.
- The swearing in of the 2013/2014 Youth Council Members.
- The recognition of Mrs. Patti Seffker and Mr. Rawlee Wilson.

Mayor Craythorne then turned the time over to Mr. Davis.

1. Discussion of Interlocal Agreement with UDOT for 200 South Trail – Mr. Boyd Davis

Mr. Davis stated West Point City had been awarded a grant for approximately \$393,000 for the construction of the 200 South Trail. West Point City must provide a 6.7% match of the total cost (approximately \$26,650), in addition to the cost of an environmental review. Mr. Davis stated the planning of the 200 South Trail and the environmental review had begun.

Mr. Davis then showed a PowerPoint presentation of the proposed trail alignment. The trail will run along the south edge of the Schneider's Bluff golf course and continue east along the Davis County drainage channel. The 200 South trail will connect to an existing trail installed by UDOT along the SR193 project.

Mr. Davis stated that Mr. Dick Thornley is the owner of property to the south of the Schneider's Bluff golf course. He then stated that Mr. Thornley has agreed to give West Point City an easement along the Rocky Mountain Power easement. Mr. Davis stated West Point City will be required to obtain permission from the Bureau of Land Reclamation to cross the Layton Canal. He then stated a portion of the proposed trail located on Davis County's property had already been paved and only a few sections east of 3000 West will need to be paved. The last section of trail, between 3000 W and 2000 W, currently has roto-mill in place, if the project runs over budget the roto-mill could potentially be left and the trail could be utilized.

Mr. Laws stated that there are currently Autumn Blaze Maple trees planted along the proposed trail between 3000 West and 2000 West.

Mr. Davis stated Davis County and the Wasatch Front Regional Council are excited about the 200 South trail project. He then stated that the 200 South trail is a top transportation alternative project.

Mr. Davis stated during the General Session, the Council would be asked to approve an agreement between UDOT and West Point City for the installation of the 200 South trail. He then stated if the Council approved the agreement, UDOT will provide \$367,000 in funding for the project and that West Point City will provide approximately \$26,000.00. Mr. Davis then informed the Council of both UDOT and West Point City's role with regards to the 200 South project.

- UDOT will oversee project for compliance.
- UDOT will provide a project manager (Patrick Cowley).
- UDOT will administer all funds.
- West Point City must provide the \$26,000 match before the project can begin.
- West Point City must design, contract, construct, and coordinate with UDOT for the 200 South trail project.
- West Point City is required to pay for the environmental study.

Mr. Davis stated that Mr. Felshaw King, the West Point City Attorney had been unable to review the agreement prior to this meeting; however staff felt comfortable recommending the approval of the Interlocal Agreement with UDOT subject to attorney approval and to the following amendments.

- Show funds in 2014 rather than 2015.
- Change the word "road" to the word "trail".
- Add the Mayor's name to the signature block.

ANIMAL KEEPING REGULATIONS:

Mayor Craythorne asked if any Council Members had questions with regards to proposed Ordinance No. 10-15-2013, Animal Keeping Regulations.

Council Member Petersen recommended changing the proposed animal keeping ordinance to permit roosters on lots $\frac{1}{2}$ acre or larger. He then expressed concern with banning roosters within residential for lots over $\frac{1}{2}$ acre, as Council Member Petersen lives in an area of the City zoned residential with large lots which range in size from $\frac{1}{2}$ to $1\frac{1}{2}$ acre. The proposed ordinance would ultimately prohibit residents on larger lots from keeping roosters because they are zoned residential.

Mr. Davis stated the smallest lot zoned as agriculture in West Point City is a minimum of one acre. Council Member Petersen stated there have been roosters within his neighborhood, and he is ok with allowing them on a $\frac{1}{2}$ acre lot or larger.

Mayor Craythorne stated a $\frac{1}{2}$ acre lot located within a cul-de-sac is different than that of a $\frac{1}{2}$ acre lot located within other areas of the City. He then stated that West Point is the only City in Davis County to allow for roosters in residential zones. Mayor Craythorne stated that Davis County Animal Services is in support of the proposed ordinance, as this would allow for easier enforcement.

Council Member Petersen stated the current zoning for his subdivision is R-3; however his area has had agriculture use from the beginning. Council Member Petersen again expressed concern with limiting roosters within those areas in which he had described.

Council Member Chatterton stated the Planning Commission had reviewed animal keeping regulations in detail. He then expressed the need to finalize the recommendation given from staff. Council Member Chatterton stated once the ordinance was adopted, amendments could be made if necessary. Mayor Craythorne stated adopting the proposed animal keeping ordinance could be tabled until a future date. He recommended the Council consider all the public comments during the General Session and then determine how to proceed.

Council Member Henderson expressed the need for the Council to act in a timely manner with regards to these animal keeping regulations.

Mr. Davis informed the Council that any property owner located within a residential zone with a minimum of one acre could apply for a rezone to agriculture.

Mayor Craythorne then reminded the Council that a public hearing would be held during the General Session and a discussion would be held between the Council Members at that time.

Council Member Turner asked if a rooster complaint could be considered under the nuisance ordinance. Mr. Davis stated staff had discussed that as an option; however it is difficult to enforce the noise portion of a nuisance complaint.

2000 WEST WIDENING

Mayor Craythorne stated he and Mr. Laws had recently met with Stewart Adams and Jerry Stevenson regarding possible funding to begin the widening of 2000 West. He then stated as SR193 is completed and it connects to 2000 West there will be increased amounts traffic, creating additional traffic delays. Mayor Craythorne stated it seemed as if West Point City is in a good position with Mr. Adams, Mr. Stevenson, and the Appropriations Committee as they are aware that 2000 West is in need of widening. Mayor Craythorne stated the widening from Antelope Drive in Layton to Midland Drive in Roy is approximately an \$80 million project.

WEST POINT CITY BUILDING USE

Council Member Chatterton stated he has an acquaintance who is a retired art teacher and suffers from Parkinson's disease. He then requested permission from the Council to allow this person to hold an art sale at West Point City Hall to earn money to donate to the American Parkinson's Foundation. The foundation will advertise for the event, they are only asking for the use of the building. Mr. Laws reviewed the policy with regards to the building use and it fits within the requirements. The Council agreed to the use of the West Point City building for this event.

The Council then adjourned into the General Session.



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Erik Craythorne
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Gary Petersen, Mayor Pro Tem
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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 October 15, 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, Council Member Gary Petersen, and Council Member Jeff Turner

CITY EMPLOYEES PRESENT - City Manager Kyle Laws, Assistant City Manager Boyd Davis, Public Works Director Paul Rochell, Community Affairs Specialist Jolene Kap, and City Recorder Misty Rogers

VISITORS PRESENT – Caleb Davidson, Steven Wolford, Anna Wolford, Julie & Greg Lundell, Farrell Cook, James McCarrey, Shayne Tueller, Randy Tobler, Tawra Tobler, Chenille Morris, Adam Porter, Tevan Tobler, Karsyn Dahl, Katie Dahl, Chloe Titensor, Everton Checketts, Brian Vincent, Hannah Steed, Julianne Orton, Katie Orton, Ammi Orton, Kaitlyn Beckstead, Malinda Beckstead, Shah Phaysonnlaphong, Taya Tobler, Sonia Jewkes, Hayden T., Kerstee Buxton, Karee Campbell, Josie LeDay, Chelsea Pike, Hayden Livingston, Tyler Slade, Chase Ritter, Brock George, Meisha Kendall, Troop 897 & Brian Kelley, Arlene Ross, Harry Trease, Karlie Winterbottom, Jeff Flint, Amy Petersen, Michael O'Neil, Kendal Chapman, Korissa Jeppsen, Ashley Carter, Ian Corey, Jayden Schultz, Parker Bowden, Ashton Wehus, Rachel Webb, Linda Webb, Darrell Mueller, Cindy Petersen, Tyler Petersen, Randy Estheimer, Brock Estheimer, Curtis Seeds, Gail Perkes, Kelsey Perkes, Marty Qualls, Patti Seffker, Harry Seffker, Rawlee Wilson, Daisy Wilson, Philip Eckersley, Jason Poulsen, and Holly Rackham

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

Council Member Henderson – no comment

Council Member Turner – no comment

Council Member Petersen – no comment

Council Member Dawson – no comment

Council Member Chatterton stated in 2013, the Mosquito Abatement District of Davis had spent approximately \$485,000 for insecticide to treat for mosquitos. Within Utah, 66 mosquito pools had tested positive for West Nile Virus. Council Member Chatterton then stated 1 chicken within West Point City had tested positive for West Nile Virus.

Mayor Craythorne stated he had recently received a compliment from a resident of West Point City regarding the upkeep of the City Cemetery. He expressed his thanks to the West Point City Public Works Department for their efforts in the keeping of the Cemetery.

5. Communications from Staff

Mr. Laws reminded those in attendance of the following items:

- The West Point City Halloween Carnival - Friday, October 18, 2013 at 7:00 pm.
- Meet the Candidates Night - Friday, October 18, 2013 from 6:00 pm – 8:00 pm at the North Davis Fire Station, hosted by the West Point Military Memorial Committee. Free hot dogs and nachos would be provided.
- A program for the site selection of the Military Memorial and a raffle would be held on November 11, 2013 at 11:00 am at the Loy Blake Park. The West Point Military Memorial Committee and the Council Members tied a quilt to be used for a raffle; the funds from the raffle will be used for the producing of the Veteran's Memorial Monument. Council Member Dawson invited all to view the West Point City Military Memorial Committee Facebook page.

6. Citizen Comment

Mayor Craythorne informed those in attendance that a public hearing with regards to animal keeping regulations would be held later in the meeting.

No public comment was made.

7. Swearing in of Youth Council Members

Mayor Craythorne stated the Youth Council Members are amazing youth from the West Point City Community. He stated Youth Council provides service to West Point City, its residents, and also to the surrounding areas.

Mayor Craythorne informed the upcoming Youth Council Members that their actions are noticed. He then requested that each Youth Council Member and their parents remember to keep the commitments in which they have made and will make. Mayor Craythorne then requested that respect be shown to the Youth Council Advisors.

Mayor Craythorne introduced the following West Point City Youth Council Members:

Mikey Nash, Zack Nash, Taylor Nash, Robert Unsicker, Rachel Webb, Kylie Kap, Caitlin Steed, Lauren Steed, Haley Durrant, Anna Wolford, Steven Wolford, Adam Porter, Makayla Davidson, Brandon Davidson, Marissa Mayer, Dallen Mayer, TJ Pehrson, Jonathan Pehrson, Katie Orton, Taya Tobler, Tevan Tobler, Tyler Slade, Chenille Morris, Austin Morris, Scott Seffker, Ashley Porter, Avin Checketts, Katie Dahl, Kirwan Checketts, Everton Checketts, Loran Leerskov, Valerie Hart, Erin Estheimer, Brock Estheimer, Katie Estheimer, Hunter Stanger, Aaron Stanger, Kaitlyn Beckstead, Shelbee Hoffman, Noelle Olsen, Karlie Winterbottom, Jared Seffker, Kylee Nott, Kelsey Perkes, Hannah Steed, Julianne Orton, Logan Kelley, Austin Mattison, Chloe Titensor, Sonia Marie Moreno Jewkes, Karsyn Dahl, and Allie Leerskov

Mayor Craythorne introduced the Youth Council Officers for 2013/2014:

Austin Madison – Historian
Kelsey Perkes – Head Chair
Allie Leerskov – Treasurer
Logan Kelley – City Recorder
Julianne Orton – City Manager
Jared Seffker – Mayor Pro-Tem
Hannah Steed - Mayor

The Youth Council Members then repeated the "Oath of Office". Mayor Craythorne introduced and welcomed the 2013/2014 Youth Council Advisor, Ms. Trish Estheimer. He then requested parents be willing to assist Ms. Estheimer whenever possible.

8. Recognition of Mrs. Patti Seffker, West Point City Youth Council Advisor – Mayor Erik Craythorne

Mayor Craythorne introduced Mrs. Patti Seffker, the previous Youth Council Advisor to those in attendance. He stated that West Point City had been fortunate to have a resident such as Mrs. Seffker. Mayor Craythorne stated she is a unique individual with a commitment to the youth in West Point City. He stated Mrs. Seffker had served with the Youth Council for the past 5 year and has had an immeasurable effect on those in which she has worked with. Mayor Craythorne expressed the Council's appreciation to Mrs. Seffker and her family for the countless hours she dedicated to West Point City and the Youth Council program.

Mayor Craythorne introduced the West Point City Event Coordinator, Jolene Kap to those in attendance. He then excused the Youth Council Members and their parents for refreshments.

9. Recognition of Mr. Rawlee Wilson, West Point City Planning Commission – Mayor Erik Craythorne

Mayor Craythorne stated Mr. Rawlee Wilson served on the West Point City Planning Commission from 2009 – 2013. He stated Mr. Wilson had earned the respect of fellow Planning Commissioners and City Council Members because of his integrity and service. In behalf of West Point City, Mayor Craythorne thanked Mr. and Mrs. Wilson for the time in which he had provided on behalf of the City.

Mr. Wilson thanked the Council for the opportunity in which he had to serve on the West Point City Planning Commission. He then stated the Planning Commissioners, Council Members, and City Staff are capable individuals and wonderful to work with.

10. Ordinance No. 10-15-2013, Consideration of Modifications to Animal Keeping Regulations Regarding Roosters – Mr. Boyd Davis

Mayor Craythorne stated a public hearing would be held following comments from Mr. Davis, the West Point City Assistant City Manager/City Engineer.

Mr. Davis stated the current code allows for a resident to keep roosters within their yard. However several complaints have been received regarding the noise and nuisance of roosters. A West Point City resident submitted a formal request asking that the Council consider amending the code to follow that of Davis County Animal Control, prohibiting roosters within residential zones.

Mr. Davis stated the West Point City Planning Commission reviewed and discussed both the current code and the proposed ordinance. He then stated the Planning Commission Members had differing opinions. A vote was taken by the Planning Commission and a vote of 4 to 2 prohibiting roosters within residential zones was received.

Mr. Davis stated the current code allows the keeping of chickens, including roosters. It also states the distance a chicken coop must be located from a house or a street. The majority of the Planning Commission Members were in favor of prohibiting roosters. Mr. Davis shared the following comments made by the West Point City Planning Commission:

- West Point City is a rural area and roosters are part of life.
- The Planning Commissioners requested hearing additional comment from residents in favor and opposed of allowing roosters within residential zones.

Mr. Davis then informed the Council of the following ways to potentially reduce noise from roosters:

- Keep roosters in dark areas could limit their crowing.
- Roosters could be kept further away from homes.

Staff recommended approving Ordinance 10-15-2013, it states, "Roosters shall not be kept in any residential zone".

a. Public Hearing

Philip Eckersley - 983 North 3000 West, West Point City

Mr. Eckersley stated he currently has roosters on his 1 acre of property. He stated he has never had a complaint with regards to his roosters. Mr. Eckersley stated he understands complaints; however a rooster is also like a pet. He stated roosters make noise just as a dog makes noise. He then expressed concern of how a resident living in a residential zone would dispose of a rooster if the proposed ordinance was approved.

Greg Lundell – 56 North 1875 West, West Point City

Mr. Lundell stated behind his home there are 15 acres of land. Over the summer he discovered that his neighbors across the field had roosters. During the summer months he stated it became impossible to leave their windows open because the roosters would begin to crow at 4:00 am. Mr. Lundell expressed his satisfaction with the proposed ordinance.

Shayne Tueller – 697 North 2575 West, West Point City

Mr. Tueller stated that he had been a resident of West Point City for 25 years and over those years, West Point City has changed. He then stated he had not had a direct issue with roosters; however they can be heard in the morning hours. Mr. Tueller stated he couldn't imagine being woken up by a rooster in early hours of the morning. Mr. Tueller expressed his satisfaction with the proposed ordinance as it makes sense for roosters to be allowed in agriculture zones and not residential zones.

Mayor Craythorne stated if the proposed ordinance ~~were~~was approved, zoning would be used to determine if a rooster were allowed in an area.

Jason Poulsen – 775 North 2525 West, West Point City

Mr. Poulsen recommended the Council follow the Davis County Animal Services policy. He stated that many cities within the Davis and Weber County areas do not allow roosters within residential zones for good reason. Mr. Poulsen did however recommend the Council consider roosters be allowed by acreage, and not by zoning. He stated that roosters can be a nuisance within neighborhoods.

James McCarrey – 2455 West 800 North, West Point City

Mr. McCarrey thanked the Council for their time and consideration. He stated since his neighbor had installed a chicken coop in his backyard his quality of life has diminished. Mr. McCarrey stated that West Point City has both rural and country areas within the City; he then expressed the need to keep roosters within the appropriate areas. Mr. McCarrey urged the Council approve the proposed ordinance, limiting roosters within residential areas.

Marty Qualls – 2618 West 725 North, West Point City

Mr. Qualls stated that he has had neighbors with roosters. He stated his family was fortunate enough to have neighbors who were aware of the noise in which roosters produced. The neighbors were considerate enough to get rid of the roosters, as they were a nuisance to not only the owners, but also the neighbors. He then encouraged the proposed ordinance change.

Council Member Henderson motioned to close the public hearing
Council Member Dawson seconded the motion

The Council unanimously agreed.

b. Action

Mayor Craythorne informed Mr. Eckersley that his lot was currently zoned agriculture; therefore the proposed ordinance would not affect him. Mayor Craythorne then asked if the Council Members had questions or comments regarding the proposed ordinance.

Council Member Chatterton motioned to approve Ordinance 10-15-2013, Modifications to Animal Keeping Regulations Regarding Roosters.
Council Member Dawson seconded the motion.

Council Member Petersen expressed his disappointment with the quick action of the approval of Ordinance 10-15-2013. Council Member Petersen stated a member of the audience by the name of "Brayden" lives within his subdivision. Council Member Petersen asked Brayden if he currently owns roosters, Brayden stated that he did. Council Member Petersen then asked Brayden if any of his neighbors had roosters; Brayden stated yes, both of his neighbors currently own roosters.

Council Member Petersen stated he is opposed to allowing roosters within residential areas; however he stated there are several areas within the City which are zoned residential but have 1 acre lots or larger. Council Member Petersen clearly stated that he agreed that the current ordinance was in need of amending; however expressed the need for the Council to discuss options for those areas of the city which are zoned residential but have larger lots.

Mayor Craythorne stated Council Member Petersen lives in an area of the city which has ½ acre to 2 acre lots; however those lots are zoned residential. He then stated this ordinance would prohibit those residents within that area from owning roosters.

Council Member Chatterton expressed his concern with spot zoning. He stated a resident with a 1 acre lot or larger zoned residential may apply for a rezone; this could possibly allow a resident to have roosters. Council Member Chatterton then stated the enforcement of the ordinance is complaint driven only. He then gave his appreciation for Council Member Petersen's comments. Council Member Chatterton recommended the approval of Ordinance 10-15-2013 as amendments could be made in the future as needed.

Council Member Petersen stated the ordinance being discussed is not a zoning ordinance it is an animal keeping ordinance. He expressed the need for the Council to be cautious of approving an ordinance that may put complying residents into non-compliance situations. He recommended the Council table this item until a future meeting, as he would like the Council to review and possibly tweak the proposed ordinance.

Council Member Chatterton expressed concern tabling the animal keeping regulations ordinance until the next Council meeting, as the November 5th Council meeting had been cancelled due to the Municipal General Election.

Council Member Henderson thanked the West Point City Planning Commission for their efforts with regards to the animal keeping ordinance. He then recommended an exemption be made for those residents living within the Bingham Estates Area to allow for roosters due to uniqueness of their situation.

Council Member Chatterton amended his motion to approve Ordinance 10-15-2013, with the addition of a waiver within the Bingham Estates area.

Mayor Craythorne allowed Holly Rackham to address the Council.

Holly Rackham – 4475 West 25 South, West Point City

Ms. Rackham stood before the Council and stated she grew up in West Point and her father has always had roosters and livestock. She suggested the Council grant a waiver to residents who have lived within West Point City for their entire life. Ms. Rackham stated that West Point City is part of a free country.

Council member Dawson seconded the amended motion.

Mr. Davis expressed concern with granting waivers or variances. He requested the Council consider the approval of the proposed ordinance, with a policy stating the enforcement will not take place within Bingham estates until the Council has had an opportunity to review this ordinance in further detail.

Council Member Petersen requested that the animal keeping regulations discussion be brought before Council in the future for more discussion.

Council Member Turner asked what “complaint driven” actually means. Mayor Craythorne stated a resident would need to complain in order for Davis County Animal Services to act.

Council Member Chatterton then retracted his amended motion, and motioned to approve Ordinance No. 10-15-2013, Modifications to Animal Keeping Regulations Regarding Roosters.

Council Member Dawson seconded the motion.

Mayor Craythorne stated Ordinance 10-15-2013, would prohibit roosters within residential zones; however enforcement wouldn’t take place in Bingham Estates until a future date.

Roll Call Vote:

Council Member Jerry Chatterton - yes

Council Member Andy Dawson - yes

Council Member Gary Petersen – yes

Council Member Jeff Turner - yes

Council Member Kent Henderson – yes

The Council unanimously agreed.

11. Consideration of Approval of Interlocal Agreement with UDOT for 200 South Trail – Mr. Boyd Davis

Mayor Craythorne informed those in attendance that West Point City received approximately \$400,000 in grant funding for a trail extension from below the bluff to the SR193 trail. This connection will allow anyone on West Point City trails to connect from the Emigrant Trail to the D&RG Rail Trail.

Council Member Dawson motioned to approve the Interlocal Agreement with UDOT for the 200 South Trail. Council Member Petersen seconded the motion

The Council unanimously agreed.

12. Adoption of Minutes from the October 1, 2013 Council Meeting – Mrs. Misty Rogers

Council Member Petersen motioned to approve the October 1, 2013 City Council Minutes. Council Member Chatterton seconded the motion.

The Council unanimously agreed.

Mr. Laws stated the November 5, 2013 Council meeting had been cancelled due to the 2013 Municipal General Election which would be held at City Hall.

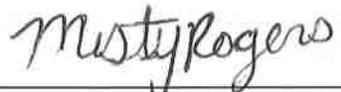
13. Motion to Adjourn

Mayor Craythorne thanked those in attendance.

Council Member Dawson motioned to adjourn.
Council Member Henderson seconded the motion.

The Council unanimously agreed.


ERIK CRAYTHORNE, MAYOR 11-19-2013
DATE


MISTY ROGERS, CITY RECORDER 11-19-2013
DATE

