



## 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  
Jeff Turner  
**City Manager**  
Kyle Laws

December 17, 2013

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### ADMINISTRATIVE SESSION

6:00 pm – Council Room

1. Discussion of Youth Council – Mrs. Jolene Kap [page 5](#)
2. Fiscal Year 2013 Audit Report – Mr. Evan Nelson [page 13](#)
3. Discussion of Wise Country Meadows Ph. 2 – Mr. Boyd Davis [page 15](#)

### 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).
7. Consideration of Approval Fiscal Year 2013 Audit Report – Mr. Evan Nelson [page 13](#)
8. Ordinance No 12-17-2013, Consideration of Approval of 2014 City Council Meeting Schedule – Mrs. Misty Rogers [page 21](#)
9. Consideration of Approval of Amended Plat for Paice Farms – Mr. Boyd Davis [page 25](#)
10. Consideration of Placing Pheasant Creek Ph. #3 on Warranty – Mr. Boyd Davis [page 31](#)
11. Consideration of Placing Wise Country Meadows Ph. #1 on Warranty – Mr. Boyd Davis [page 31](#)
12. Adoption of Minutes from the December 3, 2013 Council Meeting – Mrs. Misty Rogers [page 33](#)
13. Motion to Adjourn

Posted and dated this December 12, 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:** 1/6/2014

Swearing in of Newly Elected Council Members – 12:00 pm

**Date:** 1/7/2014

**Administrative Session**

**General Session**

1. Consideration of Approval of Wise Country Meadows Ph. 2 – Mr. Boyd Davis

**Date:** 1/31/2014

Council Visioning

**Date:** 2/4/2014

Meeting Cancelled

**Date:** 2/18/2014

**Administrative Session**

**General Session**

**Future Items**

**Administrative Session**

1. Debris Management – Mr. Paul Rochell
2. Street Light Replacement Discussion – Mr. Kyle Laws
3. Discussion of the West Point City General Plan – Mr. Boyd Davis

**General Session**

- Public Hearing to Consider Modifications to the West Point City General Plan – Mr. Boyd Davis
  - a. Public Hearing
  - b. Action



# West Point City 2013 Calendar

January  
February  
March  
April  
May  
June  
July  
August  
September  
October  
November

December

16 Senior Lunch-11:30am  
17 City Council-7pm  
20 Cemetery Luminary-4pm  
25-26 Christmas -Office Closed

January 2014

10-11 Council Retreat

# West Point City 2014 Calendar

## January

- 1 New Year's Day-Office Closed
- 6 Swearing in of City Council 12:00pm
- 7 City Council-7pm
- 13 Senior Lunch-11:30am
- 16 Planning Commission-7pm
- 20 Martin Luther King Day-Office Closed
- 21 City Council-7pm
- 30 Planning commission-7pm
- 31 Council Retreat

## February

- 10 Senior Lunch-11:30am
- 12 Council/Staff Lunch-11:30am
- 13 Planning Commission-7pm
- 17 Presidents Day-Office Closed
- 18 City Council-7pm
- 27 Planning Commission-7pm

## March

- 4 City Council-7pm
- 13 Planning Commission-7pm
- 17 Senior Lunch-11:30am
- 18 City Council-7pm
- 27 Planning Commission-7pm

## April

- 1 City Council-7pm
- 10 Planning Commission-7pm
- 15 City Council-7pm
- 19 Easter Egg Hunt-10am
- 21 Senior Lunch-11:30am
- 24 Planning Commission-7pm

## May

- 1 Cemetery Cleaning
- 3 Take Pride Day
- 6 City Council-7pm
- 14 Council/Staff Lunch-11:30am
- 15 Planning Commission-7pm
- 19 Senior Lunch-11:30am
- 20 City Council-7pm
- 26 Memorial Day-Office Closed
- 29 Planning Commission-7pm

## June

- 3 City Council-7pm
- 12 Planning Commission-7pm
- 16 Senior Lunch-11:30am
- 17 City Council-7pm
- 26 Planning Commission-7pm
- 28 Miss West Point Pageant SHS-7pm

## July

- 1 City Council-7pm
- 4 Independence Day-Office Closed
- 4th of July activities
- 10 Planning Commission-7pm
- 15 City Council-7pm
- 21 Senior Lunch 11:30am
- 24 Pioneer Day Observed-Office Closed

## August

- 5 City Council-7pm
- 7 Summer Party-5pm
- 14 Planning Commission-7pm
- 15 Senior Dinner-5:30pm
- 19 City Council-7pm
- 28 Planning Commission-7pm

## September

- 1 Labor Day-Office Closed
- 2 City Council-7pm
- 11 Planning Commission-7pm
- 15 Senior Lunch-11:30am
- 16 City Council-7pm
- 25 Planning Commission-7pm

## October

- 2 Cemetery Cleaning
- 7 City Council-7pm
- 8 Council/Staff Lunch-11:30am
- 16 Planning Commission-7pm
- 17 Halloween Carnival-7pm
- 20 Senior Lunch-11:30am
- 21 City Council-7pm
- 30 Planning Commission-7pm

## November

- 4 Election Day
- 8 Flags on Veteran's Graves YC
- 11 Veteran's Day-Office Closed
- 13 Planning Commission-7pm
- 17 Senior Lunch-11:30am
- 18 City Council-7pm
- 27-28 Thanksgiving -Office Closed

## December

- 1 City Hall Lighting Ceremony-6:00 pm
- 2 City Council-7pm
- 5 Christmas Party-7pm
- 11 Planning Commission-7pm
- 15 Senior Lunch-11:30am
- 16 City Council-7pm
- 19 Cemetery Luminary-4pm
- 25-26 Christmas -Office Closed

## January 2015

- 9-10 Council Retreat

# City Council Staff Report

**Subject:** Youth Council  
**Author:** Jolene Kap  
**Department:** Administration  
**Date:** December 17, 2013



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## **Background**

The Youth Council is a group of Youth who, under the direction of an Advisor, volunteer many hours to multiple service projects throughout the year. Through activities the youth are being trained to become exceptional citizens. The advisor emphasizes implementing a consistent structured council that mirrors the structure of the City Council, encourages growth of character through service and helps the youth to look beyond themselves.

Over the last few years we have seen a large growth in the Youth Council participants. This only shows what great examples we have that are helping others who want to serve in the community.

## **Analysis**

The new Youth Council is selected shortly after the beginning of each school year. As in prior years, staff would like to take an opportunity to visit with Council about the upcoming year to discuss proposed changes and receive any additional direction from the City Council.

For the past 2 years the YC leadership structure has remained the same with the leadership position being held for the full year. This helps alleviate confusion and lack of accountability. It also helps encourage the kids to remain with the program for future years so they can have that opportunity to serve as a leader.

Last year we had the Youth Council shadow the City Council at a meeting. This was a great learning opportunity for the youth and we would like to make this a biannual activity. The dates of meetings would be chosen by the YC advisor and Staff so that agendas items would pertain to the youth.

One other change this year was that a new Youth Council Advisor was chosen, Trish Estheimer. She will be working closely this year with City Staff as she takes on this new role. As one of her first assignments for the year we have updated the Youth Council Charter. Changes were made to help clarify what each member's responsibilities are. It also makes clear what requirements must be fulfilled in order to serve as a leader, what the purposes of the Youth Council are and how vacancies will be filled. This will serve as a good source for Trish and City Staff as we move forward with the Youth Council.

**Recommendation**

Staff would like Council to discuss the proposed changes to the program and provide input and direction.

**Significant Impacts**

There are no significant impacts at this time.

**Attachments**

Calendar of proposed activities for the 2013-2014 year and Youth Council Charter.

# West Point City 2013 Calendar

## October 2013

Report @ CM  
Halloween Carnival  
Retirement Home

## November

Report @ CM  
Retreat  
Veteran Program  
Retirement Home

## December

Report @ CM  
Lighting Ceremony  
Luminary  
Retirement Home  
Sub-For-Santa

## January 2014

Report @ CM  
Legislature Day (Officers Only)  
Winter Ball  
Retirement Home

## February

Report @ CM  
Start filling Easter Eggs  
Retirement Home

## March

Report @ CM  
Essay Contest  
Retirement Home

## April

Report @ CM  
Easter Egg Hunt  
USU Conference  
Mini Retreat  
Retirement Home

## May

Report @ CM  
Take Pride Day  
Community Garden  
Retirement Home

## June

Report @ CM  
Community Garden  
Training for face painting  
Retirement Home

## July

Report @ CM  
4<sup>th</sup> of July  
Retirement Home

## August

Report @ CM  
Youth Summer Games w/all Utah YC  
Serve at Senior Dinner  
Community Garden  
Retirement Home

## September

Report @ CM  
Awards Ceremony  
Retirement Home

## October

Report @ CM  
Swearing in Ceremony for new YC  
Retirement Home

## Dates of the following TBD-

City Council Shadow 2x's a year  
Adopt a Highway clean-up 3 x's a year  
(spring, summer, fall)



## **WEST POINT CITY YOUTH COUNCIL CHARTER**

### **PURPOSES:**

1. To provide an opportunity for the youth of West Point City, Davis county to acquire a greater knowledge of and appreciation for the political system through active participation in the system.
2. To help the Mayor and City Council to solve the problems and accomplish the goals of the community by working directly with the representatives of the youth.
3. To serve the youth of West Point by:
  - A. Informing the West Point City municipal government of the needs and wishes of the youth.
  - B. Planning and implementing social, educational, cultural and recreational activities for the youth.
  - C. Working with the Mayor, City Council, City Departments Heads, Schools, Chamber of Commerce, Civic Clubs and service Organizations to provide service and leadership opportunities for the youth of the City.
  - D. To instill a feeling of positive self-worth and esteem. To teach respect for the rights and property of others. To promote community pride and to eliminate potential negative influences among our future community leaders.

### **REQUIREMENTS TO SERVE ON THE WEST POINT CITY YOUTH COUNCIL:**

1. Reside in West Point City.
2. Attend 7<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup>, 10<sup>th</sup>, 11<sup>th</sup>, 12<sup>th</sup> grade.
3. Service members must attend at least 75% of all meetings and activities.
4. To be an officer you must be in 9<sup>th</sup>-12<sup>th</sup> grade, and must attend 95% of all meetings and activities.

### **REQUIREMENTS TO REMAIN ON THE WEST POINT CITY YOUTH COUNCIL:**

1. Must be a resident of West Point City, Utah.
2. Service members must attend at least 75% of all meetings and activities.
3. Officers must attend at least 95% of all meetings and activities.
4. Must maintain at least a 2.5 grade point average at school.
5. Fulfill the responsibilities of the office held, according to job assignment.
6. Set a proper example, in appearance, communication, and language, as a representative of the Youth Council and the City of West Point.

### **VACANCIES:**

1. Any vacancy on the Youth City Council, either by removal of by resignation, shall be filled by selection from the previous application, or may be opened for more applications.

**WEST POINT CITY YOUTH COUNCIL:**

1. The Council shall consist of a Youth Mayor, Mayor Pro-Tem, City Manager, City Recorder, Treasurer, Head chair Person and Historian.
2. Ending term will be August 31 of each year. Any Youth Council member who would like to remain on the Youth Council will need to reapply. Applications will be accepted September 1st thru September 30th each year.

**DUTIES AND RESPONSIBILITIES OF THE WEST POINT CITY YOUTH COUNCIL:**

1. Meet twice monthly to conduct business.
2. Develop and adopt, by majority vote, a Council Charter.
3. Pass motions and resolutions as necessary by majority vote.
4. Carry out the purposes of the Youth Council as outlined in the charter.
5. Plan activities for the youth or the community, coordinating all such activities with the Youth Council, City Council Members and the Youth Council Advisors(s).
6. Activities shall be limited to a maximum of one per month and/or a minimum of one per quarter.

**DUTIES AND RESPONSIBILITIES OF THE WEST POINT CITY YOUTH COUNCIL:**

1. The Youth Council must have a quorum in order to conduct business. Officers unavailable to attend must have another member of the Youth Council fill in for them.
2. The agendas of the Youth Council meetings need to be made available to all members of the Youth Council three days prior to each meeting.
3. All activities are to be coordinated with the Youth Council Advisors and City Representative.

**THE SWEARING IN:**

1. The youth leaders and service members shall be sworn in at the first City Council meeting following the selection of the leaders. The youth shall be given the same "Oath of Office" that the City Council members are given.

# City Council Staff Report

**Subject:** Fiscal Year 2013 Audit  
**Author:** Evan Nelson  
**Department:** Administrative Services  
**Date:** 12/17/2013



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## **Background**

Utah Code requires all local governments to prepare financial statements each fiscal year. The financial statement report must be audited by a Certified Public Accountant. The City has selected Ulrich & Associates as our independent auditor.

The financial statement report provides a snapshot of the City's financial condition on June 30, 2013 and summarizes financial activity for the fiscal year.

## **Analysis**

The auditors reported the following:

- The financial statements present fairly, in all material respects, the financial position of the City, in accordance with generally accepted accounting principles.
- Findings (see page 54 for more detail)
  - *Budgetary Compliance.* State Code requires the City Council to review financial reports at least quarterly. Staff has begun providing quarterly financial reports in Fiscal Year 2014.
  - *Transfers from Utility Enterprise Funds.* The City is required to charge City departments for utility usage at the same rates charged to other utility customers. Staff has begun an analysis to determine appropriate amounts to be charged to City departments in Fiscal Year 2014.

Highlights for Fiscal Year 2013 include the following (see pages 5-10 for more detail):

- The City's net position increased by 9.7% (\$25,883,082 to \$28,395,357).
- The balance in City governmental funds increased by \$631,283.
- Enterprise Fund net position increased by \$1,020,536.
- The General Fund balance increased by \$116,212.
- Total debt decreased by \$179,691.
- Tax revenues increased by 6%.

## **Recommendation**

Staff recommends Council action to approve the Financial Statements and Audit Report for Fiscal Year 2013.

**Significant Impacts**

None.

**Attachments**

Annual Financial Statements Fiscal Year 2013

# City Council Staff Report



**Subject:** Wise Country Meadows  
**Author:** Boyd Davis  
**Department:** Community Development  
**Date:** December 17, 2013

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## **Background**

Castle Creek Homes, the developer of the Wise Country Meadows subdivision, has submitted plans for the second phase of the subdivision. All of the improvements in phase 1 are complete and several homes are under construction. Phase 2 will be just to the west of Phase 1.

## **Analysis**

Wise Country Meadows Phase 2 contains 6.8 acres and 21 lots. The lots range in size from 9,333 sq. ft. to 13,272 sq. ft. The lots and the streets meet all of the requirements of the zoning code for the R-3 zone.

The improvement plans have been reviewed by staff and a copy of the review letter is attached to this report. Most of the comments have been completed. The most significant issues with this subdivision are as follows:

- The property owner to the north (Glen Wade) was concerned that the boundary of the new subdivision would overlap with his fence line. He feels very strongly that the fence line is the property line. The Developer agreed to use the fence line as the property line and this is reflected in the legal description. However, there is one minor error that must be corrected on the plat before final approval. The Developer is having the change made.
- We have requested that the developer extend the utilities to the north boundary line. He will likely request a payback agreement for the cost to extend the utilities, which is allowed by code.
- This phase of the subdivision will be subject to the developer's agreement from phase 1, which requires the owner of lot 1 to maintain the landscaping along 3000 West. If it is not properly maintained, then the City may impose a fee to each resident of the subdivision for the maintenance.
- The City Code requires that 80% of the lots in phase 1 be sold before the next phase can be approved. Currently there 9 lots that have been sold in phase 1. Before final approval can be granted, at least 17 lots must be sold. The Developer believes the lots will be sold soon and they will likely be ready for the next Council Meeting.

**Recommendation**

No action required at this time. This is for discussion purposes only. Staff would like any feedback or direction that the City Council may have.

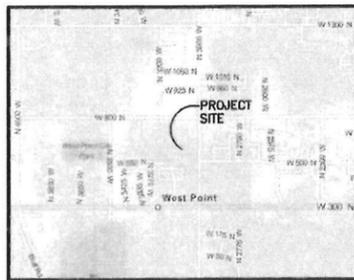
**Significant Impacts**

None

**Attachments**

Plat of property

Review comments

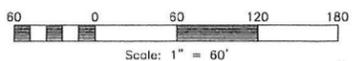


VICINITY MAP  
NOT TO SCALE

# WISE COUNTRY MEADOWS - PHASE 2

PART OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY  
WEST POINT CITY, DAVIS COUNTY, UTAH  
SEPTEMBER, 2013

- LEGEND**
- SECTION CORNER
  - SET STREET MONUMENT
  - BOUNDARY LINE
  - LOT LINE
  - ADJOINING PROPERTY
  - EASEMENTS
  - EXISTING FENCE LINE
  - SECTION TIE LINE
  - ROAD CENTERLINE
  - P.U.E. = PUBLIC UTILITY EASEMENT



## BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS PLAT IS THE SECTION LINE BETWEEN THE SOUTHEAST CORNER AND THE EAST QUARTER CORNER OF SECTION 32, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY. SHOWN HEREON AS: N00°01'48"W

## BOUNDARY DESCRIPTION

PART OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT, SAID POINT BEING N00°01'48"W 1981.62 FEET AND S89°58'12"W 313.00 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION 32; THENCE ALONG WISE COUNTRY MEADOWS PHASE 1 THE FOLLOWING SEVEN (7) COURSES: (1) S00°00'00"W 512.94 FEET; (2) S89°58'12"W 343.40 FEET; (3) S24°11'19"W 39.81 FEET; (4) N68°15'08"W 121.05 FEET; (5) N68°35'13"W 66.00 FEET; (6) ALONG A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 68.32 FEET, A RADIUS OF 183.00 FEET, A CHORD BEARING OF S10°43'02"W, AND A CHORD LENGTH OF 67.93 FEET; AND (7) N89°55'44"W 85.00 FEET; THENCE N00°04'16"E 170.00 FEET; THENCE S89°55'44"E 20.99 FEET; THENCE ALONG A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 42.22 FEET, A RADIUS OF 180.00 FEET, A CHORD BEARING OF S83°12'34"E, AND A CHORD LENGTH OF 42.12 FEET; THENCE N13°30'36"E 113.19 FEET; THENCE N89°55'37"W 11.60 FEET; THENCE N00°04'23"E 105.25 FEET; THENCE N00°50'00"E 60.42 FEET; THENCE N00°00'00"W 109.09 FEET TO A FENCELINE; THENCE S89°45'43"E ALONG SAID FENCELINE, 546.03 FEET TO THE POINT OF BEGINNING.

CONTAINING 297,473 SQUARE FEET OR 6.829 ACRES

## CURVE TABLE

#	RADIUS	ARC LENGTH	CHD LENGTH	TANGENT	CHD BEARING	DELTA
C1	183.00'	68.32'	67.93'	34.56'	S10°43'02"W	21°23'28"
C2	180.00'	42.22'	42.12'	21.21'	S83°12'34"E	13°26'20"
C3	25.00'	20.32'	19.76'	10.76'	S23°15'13"W	46°34'03"
C4	55.00'	42.41'	41.37'	22.32'	N24°26'34"E	44°10'41"
C5	55.00'	58.44'	55.73'	32.32'	N28°04'44"W	60°52'38"
C6	55.00'	60.50'	57.50'	33.72'	S89°58'12"W	63°01'31"
C7	55.00'	58.44'	55.73'	32.32'	S28°01'08"W	60°52'36"
C8	55.00'	42.41'	41.37'	22.32'	S24°30'30"E	44°10'41"
C9	25.00'	20.32'	19.76'	10.76'	N23°18'49"W	46°34'03"
C10	117.00'	15.42'	15.41'	7.72'	S25°11'18"W	7°33'03"
C11	183.00'	53.77'	53.58'	27.08'	N20°32'46"E	16°50'07"
C12	183.00'	38.70'	38.63'	19.42'	N06°04'11"E	12°07'03"
C13	150.00'	19.77'	19.75'	9.90'	S25°11'18"W	7°33'03"
C14	150.00'	75.80'	74.99'	38.73'	N14°29'14"E	28°57'10"
C15	183.00'	2.59'	2.59'	1.29'	S21°49'04"W	0°48'35"
C16	183.00'	70.94'	70.50'	35.92'	S11°07'00"W	22°12'43"
C17	15.00'	21.80'	19.93'	13.33'	N19°24'25"W	83°15'32"
C18	120.00'	60.51'	59.87'	30.91'	N75°28'57"W	28°53'33"
C19	150.00'	75.84'	74.84'	38.64'	N75°28'57"W	28°53'33"
C20	180.00'	48.55'	48.40'	24.42'	N68°45'47"W	15°27'13"
C21	15.00'	23.56'	21.21'	15.00'	N73°57'49"E	90°00'00"
C22	117.00'	59.12'	58.50'	30.21'	N14°29'14"E	28°57'10"
C23	15.00'	23.55'	21.20'	14.98'	N44°57'29"W	89°56'16"
C24	15.00'	23.58'	21.22'	15.02'	N45°02'31"E	90°03'44"

## NARRATIVE

THE PURPOSE OF THIS PLAT IS TO DIVIDE THIS PROPERTY INTO LOTS AND STREETS. ALL BOUNDARY CORNERS AND REAR LOT CORNERS WERE SET WITH A 3/8" REBAR AND PLASTIC CAP STAMPED "REEVE & ASSOCIATES". ALL FRONT LOT CORNERS WERE SET WITH A LEAD PLUG IN THE TOP BACK OF CURB AT THE EXTENSION OF THE SIDE LOT LINES.

MANY AREAS IN WEST POINT HAVE WATER PROBLEMS DUE TO A SEASONALLY HIGH (FLUCTUATING) WATER TABLE. APPROVAL OF THIS PLAT DOES NOT CONSTITUTE REPRESENTATION BY THE CITY THAT ANY BUILDING AT ANY SPECIFIED ELEVATION WILL SOLVE GROUND WATER PROBLEMS. SOLUTION OF THESE PROBLEMS IS THE SOLE RESPONSIBILITY OF THE PERMIT APPLICANT AND PROPERTY OWNER.

THIS SUBDIVISION IS IN LAND DRAIN ZONE D, BASEMENTS ARE ALLOWED WITH A SUMP PUMP OR A LAND DRAIN.

ALL P.U.E. ARE 10' EXCEPT INTERIOR LOT LINES WHICH ARE 7.5' AS NOTED ON PLAT

SOUTHEAST CORNER OF SECTION 32, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY.

## DEVELOPER:

CASTLE CREEK HOMES  
MIKE SCHULTZ  
1798 W. 5150 S. #103  
ROY, UTAH 84067  
(801) 731-7618

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

CHAIRMAN, WEST POINT CITY PLANNING COMMISSION

**WEST POINT CITY ENGINEER**  
I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.

WEST POINT CITY ENGINEER DATE

**WEST POINT CITY COUNCIL**  
PRESENTED TO THE WEST POINT CITY COUNCIL THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

WEST POINT CITY MAYOR CITY RECORDER

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

WEST POINT CITY ATTORNEY

**SURVEYOR'S CERTIFICATE**  
I, ROBERT D. KUNZ, DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT; AND THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THIS PLAT, AND THAT THIS PLAT OF WISE COUNTRY MEADOWS - PHASE 2 IN WEST POINT CITY, DAVIS COUNTY, UTAH, HAS BEEN DRAWN CORRECTLY TO THE DESIGNATED SCALE AND IS A TRUE AND CORRECT REPRESENTATION OF THE HEREIN DESCRIBED LANDS INCLUDED IN SAID SUBDIVISION, BASED UPON DATA COMPILED FROM RECORDS IN THE DAVIS COUNTY RECORDER'S OFFICE AND FROM SAID SURVEY MADE BY ME ON THE GROUND. I FURTHER CERTIFY THAT THE REQUIREMENTS OF ALL APPLICABLE STATUTES AND ORDINANCES OF WEST POINT CITY, DAVIS COUNTY CONCERNING ZONING REQUIREMENTS REGARDING LOT MEASUREMENTS HAVE BEEN COMPLIED WITH.

SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
150228  
UTAH LICENSE NUMBER ROBERT D. KUNZ



**OWNERS DEDICATION AND CERTIFICATION**  
WE THE UNDERSIGNED OWNERS OF THE HEREIN DESCRIBED TRACT OF LAND, DO HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND STREETS AS SHOWN ON THE PLAT AND NAME SAID TRACT WISE COUNTRY MEADOWS - PHASE 2, AND DO HEREBY DEDICATE TO PUBLIC USE ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS STREETS, THE SAME TO BE USED AS PUBLIC THOROUGHFARES ALSO TO GRANT AND DEDICATE A PERPETUAL RIGHT AND EASEMENT OVER, UPON AND UNDER THE LANDS DESIGNATED HEREON AS PUBLIC UTILITY, STORM WATER DETENTION PONDS, DRAINAGE EASEMENTS AND CANAL MAINTENANCE EASEMENT, THE SAME TO BE USED FOR THE INSTALLATION MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINE, STORM DRAINAGE FACILITIES, IRRIGATION CANALS OR FOR THE PERPETUAL PRESERVATION OF WATER CHANNELS IN THEIR NATURAL STATE WHICHEVER IS APPLICABLE AS MAY BE AUTHORIZED BY THE GOVERNING AUTHORITY, WITH NO BUILDINGS OR STRUCTURES BEING ERRECTED WITHIN SUCH EASEMENTS.

SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
MIKE SCHULTZ  
CASTLE CREEK HOMES

**ACKNOWLEDGMENT**  
STATE OF UTAH )ss.  
COUNTY OF \_\_\_\_\_ )  
ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, (AND) \_\_\_\_\_ SIGNER(S) OF THE ABOVE OWNER'S DEDICATION AND CERTIFICATION, WHO BEING BY ME DULY SWORN, DID ACKNOWLEDGE TO ME \_\_\_\_\_ SIGNED IT FREELY, VOLUNTARILY, AND FOR THE PURPOSES THEREIN MENTIONED.

COMMISSION EXPIRES \_\_\_\_\_ NOTARY PUBLIC

**ACKNOWLEDGMENT**  
STATE OF UTAH )ss.  
COUNTY OF \_\_\_\_\_ )  
ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, (AND) \_\_\_\_\_ BEING BY ME DULY SWORN, ACKNOWLEDGED TO ME THEY ARE \_\_\_\_\_ AND \_\_\_\_\_ OF SAID CORPORATION AND THAT THEY SIGNED THE ABOVE OWNER'S DEDICATION AND CERTIFICATION FREELY, VOLUNTARILY, AND IN BEHALF OF SAID CORPORATION FOR THE PURPOSES THEREIN MENTIONED.

COMMISSION EXPIRES \_\_\_\_\_ NOTARY PUBLIC

**PROJECT INFORMATION**  
Surveyor: R. KUNZ Project Name: WISE COUNTRY MEADOWS PHASE 2  
Designer: N. ANDERSON Number: 3784-44  
Begin Date: 09-12-13 Scale: 1"=60'  
Checked: \_\_\_\_\_ Revision: \_\_\_\_\_

**DAVIS COUNTY RECORDER**  
ENTRY NO. \_\_\_\_\_ FEE PAID \_\_\_\_\_  
AND RECORDED \_\_\_\_\_ AT \_\_\_\_\_  
IN BOOK \_\_\_\_\_ OF \_\_\_\_\_  
THE OFFICIAL RECORDS, PAGE \_\_\_\_\_  
RECORDED FOR: \_\_\_\_\_



DAVIS COUNTY RECORDER DEPUTY



MEMORANDUM

To: Reeve & Associates, Inc.

From: Boyd Davis, P.E.

cc: West Point City Planning Commission, Castle Creek Homes.

**RE: WISE COUNTRY MEADOWS PHASE 2 FINAL PLAT REVIEW**

Date Plans Received: October 18, 2013

Date Reviewed: October 22, 2013

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I have completed a review of the final plan for the subject subdivision and offer the following comments for your review:

1. Plat
  - a. The description states that the point of beginning is the corner of lot 8; however it does not start on the corner. Please remove this call.
  - b. Please call out the fence line on the north boundary line and state in the description that the boundary follows the fence line.
  - c. Curve 1 does not match curve 22 on the phase 1 plat.
  - d. The bearing of the line just after curve 1 does not match the written boundary description.
  - e. Please switch the N...W for S...E as shown on the redlined plat.
  - f. Include the attached address labels on the lots.
  - g. Please remove the reference to parcel A in the owners dedication.
  - ✓ All frontages, lot sizes, and overall density meet the zoning requirements.
2. Streets
  - a. Can the catch basins at the corner of 600 N and 650 N be raised? I am concerned that if the inlets get plugged that the water will back up in the street to the west.
  - b. Show 10" of road base in the standard section.
3. Culinary Water
  - a. Written approval from the North Davis Fire District is required.
  - b. 20.5 acre-feet of water shares must be transferred to the City prior to recording the plat. This will satisfy the culinary and secondary water needs.
4. Secondary Water
  - a. Written approval from the Davis and Weber Counties Canal Co. is required.
  - b. 20.5 acre-feet of water shares must be transferred to the City prior to recording the plat. This will satisfy the culinary and secondary water needs.

5. Sanitary Sewer
  - a. Please change the general notes to state that green pipe will be used for sewer laterals.
6. Storm Drainage
  - a. The 18" storm drain pipe must be stubbed to the north property line.
7. Irrigation
  - a. What is the plan with the irrigation ditches? I assume they will all be abandoned, but that must be indicated on the plans. Please state if they will be filled in.
8. Land Drainage
  - ✓ Subdivision is in land drain zone D. Basements are allowed.
9. Grading Plan
  - a. Please submit a grading plan.
  - b. If lots do not drain completely to the street then a yard drain must be installed.
10. Others
  - a. Indicate where fencing will be installed. At a minimum, a 6' chain link fence must be installed along the north boundary line.
  - b. A developer's agreement must be signed prior to recording the plat.
  - c. The developer may request a payback agreement prior to recording the plat.
  - d. A title report must be submitted prior to recording the plat.
  - e. A cost estimate must be submitted prior to recording the plat.
  - f. A storm water permit must be submitted prior to construction.

**ORDINANCE NO. 12-17-2013**

**AN ORDINANCE SETTING THE WEST  
POINT COUNCIL MEETING SCHEDULE  
FOR CALENDAR YEAR 2014**

**WHEREAS**, West Point City, a Municipal Corporation, hereafter referred to as the “city,” is a public body of the state of Utah; and

**WHEREAS**, as the city is governed by a Mayor and City Council duly elected according to law; and

**WHEREAS**, the City Council has traditionally met to consider and deliberate matters of city business on the first and third Tuesdays of every month; and

**WHEREAS**, the city is required by State Law (U.C.A. 10-3-502) to set by ordinance the meeting schedule and venue of the City Council;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF WEST POINT CITY, UTAH as follows:** The Mayor and City Council of West Point City, Davis County, State of Utah, Hereby set the City Council meeting schedule for the calendar year 2014, as put forth in exhibit A, attached hereto. This ordinance shall become effective immediately upon passage.

**Passed and adopted** this 17<sup>th</sup> day of December, 2013.

WEST POINT CITY, a Municipal Corporation

By: \_\_\_\_\_

ERIK CRAYTHORNE

MAYOR

ATTEST:

\_\_\_\_\_

MISTY ROGERS

CITY RECORDER



## WEST POINT CITY COUNCIL 2014 MEETING SCHEDULE

All meetings are scheduled to be held at West Point City Hall at 6:00 pm, unless otherwise noticed.

Date	Consideration/Significance of Day
January 7, 2014	
January 21, 2014	
January 31, 2014	Council Visioning (9:00 am)
February 4, 2014	meeting cancelled
February 18, 2014	
March 4, 2014	
March 18, 2014	
April 1, 2014	
April 15, 2014	
May 6, 2014	Presentation of the Tentative Budget
May 20, 2014	Budget Public Hearing, Public Hearing for Utility Fund Transfers
June 3, 2014	Budget Public Hearing, Tentative Budget Adoption
June 17, 2014	Final Budget Adoption
July 1, 2014	
July 15, 2014	
August 5, 2014	
August 19, 2014	
September 2, 2014	
September 16, 2014	
October 7, 2014	
October 21, 2014	
November 4, 2014	No Meeting - Elections
November 18, 2014	
December 2, 2014	
December 16, 2014	



# City Council Staff Report

**Subject:** Paice Farms Ph. 2 Amended Plat  
**Author:** Boyd Davis  
**Department:** Community Development  
**Date:** December 17, 2013



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## **Background**

The Owners of lots 203 and 212 in the Paice Farms Ph. 2 Subdivision would like to take a portion of each of their lots and combine them to create a new lot. This is allowed under State Code by amending the original plat.

## **Analysis**

Utah State Code 17-27a-608 states that the owners of land in a subdivision may petition the local land use authority to amend the plat. A public hearing is also required and one was held by the Planning Commission on October 24<sup>th</sup>. Letters were sent to every resident of the subdivision inviting them to the meeting. There were no residents in attendance at the meeting and no comments were made.

The Planning Commission approved the amended plat and have forwarded it to the City Council for final approval.

The plat has been reviewed and meets the final plat requirements of the City's subdivision code. There will be no modifications to any street right-of-ways or public utility easements other than the easement that ran between the two original lots. That easement will obviously not be needed once the lots are combined. An easement will be dedicated on the new lot.

## **Recommendation**

Staff recommends that the City Council approves the Paice Farms Ph. 2 amended plat.

## **Significant Impacts**

None

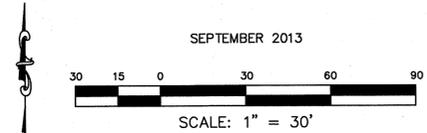
## **Attachments**

Plat  
Review Letter



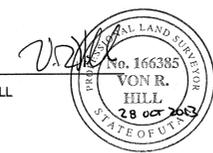
**PAICE FARMS CLUSTER SUBDIVISION PHASE 2 AMENDED**

COMPRISING LOTS 203 AND 212 PAICE FARMS CLUSTER SUBDIVISION PHASE 2  
 LOCATED IN THE NORTHWEST QUARTER OF SECTION 6, T4N, R2W, SLB&M  
 WEST POINT CITY, DAVIS COUNTY, UTAH



**SURVEYOR'S CERTIFICATE**

I, VON R. HILL, A PROFESSIONAL LAND SURVEYOR HOLDING CERTIFICATE NO. 166385 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH, DO HEREBY CERTIFY THAT BY THE AUTHORITY OF THE OWNERS I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED HERewith AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS HEREAFTER TO BE KNOWN AS PAICE FARMS CLUSTER SUBDIVISION PHASE 2 AMENDED.



**BOUNDARY DESCRIPTION**

ALL OF LOTS 203 AND 212 PAICE FARMS CLUSTER SUBDIVISION PHASE 2 LOCATED IN THE NORTHWEST QUARTER OF SECTION 6, T4N, R2W, SLB&M, WEST POINT CITY, DAVIS COUNTY, UTAH.  
 CONTAINS 1.03 ACRES TOTAL

**OWNER'S DEDICATION**

KNOWN ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED SAME TO BE SUBDIVIDED INTO PRIVATE LOTS, HEREAFTER TO BE KNOWN AS PAICE FARMS CLUSTER SUBDIVISION PHASE 2 AMENDED, DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE.

SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

**ACKNOWLEDGMENT**

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ THERE PERSONALLY APPEARED BEFORE ME \_\_\_\_\_, SIGNERS OF THE OWNER'S DEDICATION, WHO DULY ACKNOWLEDGED THEY SIGNED IT FREELY AND VOLUNTARILY AND FOR THE PURPOSES MENTIONED HEREIN.

NOTARY PUBLIC: \_\_\_\_\_  
 RESIDENCE: \_\_\_\_\_

**PAICE FARMS CLUSTER SUBDIVISION PHASE 2 AMENDED**

COMPRISING LOTS 203 AND 212 PAICE FARMS CLUSTER SUBDIVISION PHASE 2  
 LOCATED IN THE NORTHWEST QUARTER OF SECTION 6, T4N, R2W, SLB&M  
 WEST POINT CITY, DAVIS COUNTY, UTAH

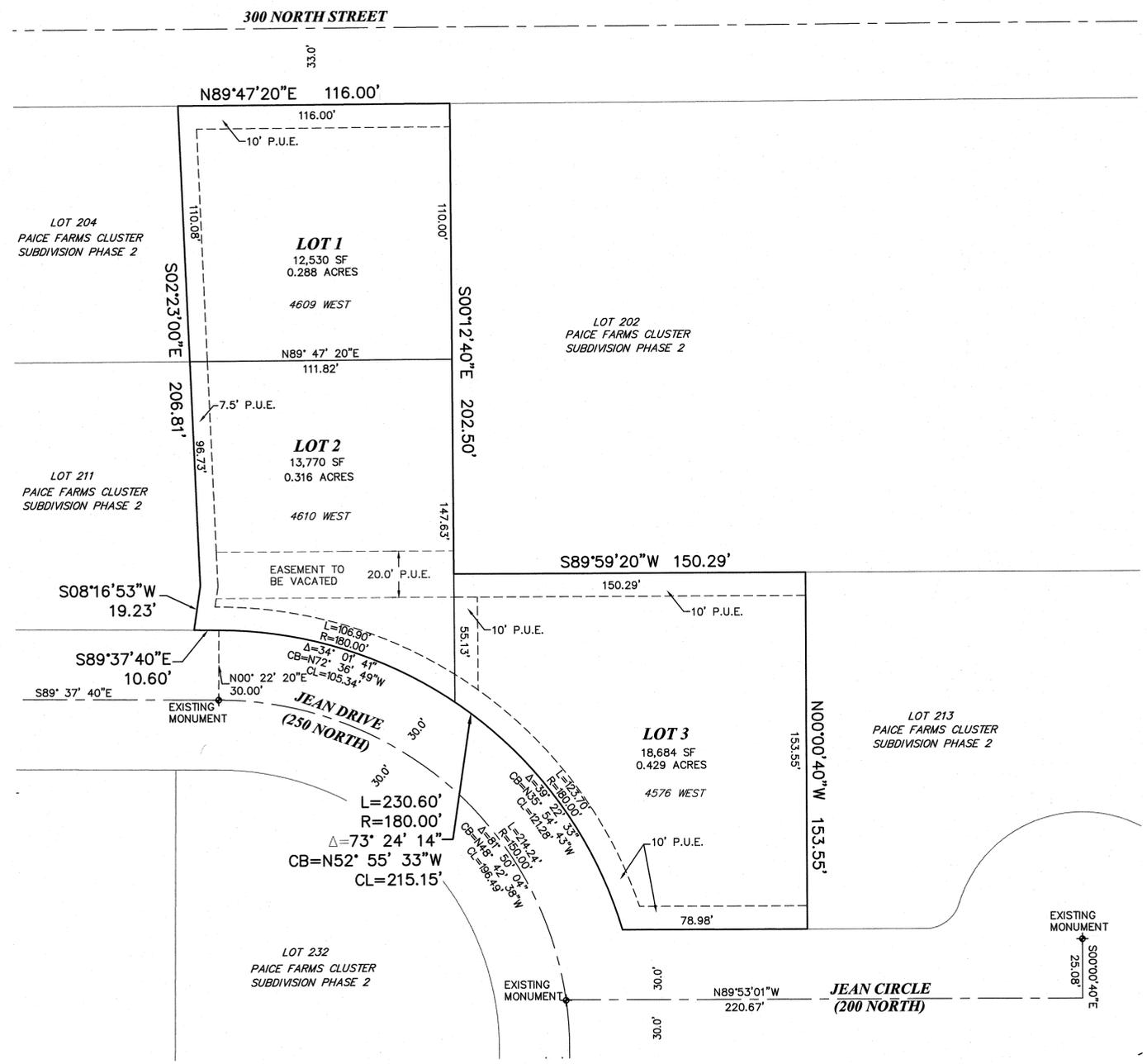
**GENERAL NOTES:**

1. ALL COORDINATES SHOWN ARE BASED ON DAVIS COUNTY SURVEYOR'S OFFICE DATUM.
2. P.U.E. DENOTES A PUBLIC UTILITY EASEMENT AND A DRAINAGE EASEMENT.
3. MANY AREAS IN WEST POINT CITY HAVE WATER PROBLEMS DUE TO A SEASONALLY HIGH (FLUCTUATING) WATER TABLE. APPROVAL OF THIS PLAT DOES NOT CONSTITUTE REPRESENTATION BY THE CITY THAT ANY BUILDING AT ANY SPECIFIED ELEVATION WILL SOLVE GROUND WATER PROBLEMS. SOLUTION OF THESE PROBLEMS IS THE SOLE RESPONSIBILITY OF THE PERMIT APPLICANT AND PROPERTY OWNER.
4. LAND DRAINS ARE NOT AVAILABLE IN THIS SUBDIVISION.
5. BASEMENT DEPTHS WILL BE GOVERNED BY THE DEPTH OF THE SEWER LATERAL. OWNER IS RESPONSIBLE TO VERIFY DEPTH OF SEWER LATERAL PRIOR TO CONSTRUCTION, TO CONFIRM HOUSE ELEVATION.

**LEGEND**

- SUBDIVISION LINE \_\_\_\_\_
- ROAD CENTERLINE \_\_\_\_\_
- TIE TO MONUMENT \_\_\_\_\_
- PUBLIC UTILITY EASEMENT (P.U.E.) \_\_\_\_\_

**OWNER/DEVELOPER**  
 CODY GRIMAUD  
 4576 WEST JEAN CIRCLE  
 WEST POINT, UTAH  
 801-940-4556



**H HILL & ARGYLE, Inc.**  
**Engineering and Surveying**  
 181 North 200 West, Suite #4, Bountiful, Utah 84010  
 (801) 298-2236 Phone, (801) 298-5983 Fax  
 13-280  
 10/22/13

**CITY COUNCIL'S APPROVAL**  
 PRESENTED TO THE CITY COUNCIL OF WEST POINT CITY  
 ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_  
 CITY RECORDER ATTEST: \_\_\_\_\_  
 MAYOR: \_\_\_\_\_

**PLANNING COMMISSION APPROVAL**  
 ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_  
 CHAIRMAN \_\_\_\_\_  
 PLANNING COMMISSION OF WEST POINT CITY

**CITY ATTORNEY'S APPROVAL**  
 ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_  
 WEST POINT CITY ATTORNEY \_\_\_\_\_

**CITY ENGINEER'S APPROVAL**  
 ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_  
 WEST POINT CITY ENGINEER \_\_\_\_\_

**DAVIS COUNTY RECORDER**  
 ENTRY NO. \_\_\_\_\_ FEE PAID \_\_\_\_\_  
 FILED FOR RECORD AND RECORDED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ AT \_\_\_\_\_  
 \_\_\_\_\_ IN BOOK \_\_\_\_\_ OF \_\_\_\_\_  
 COUNTY RECORDER \_\_\_\_\_  
 BY \_\_\_\_\_ DEPUTY



MEMORANDUM

To: Hill & Argyle, Inc.

From: Boyd Davis, P.E.

cc: West Point City Planning Commission

**RE: PAICE FARMS CLUSTER SUBDIVISION PHASE 2 AMENDED PLAT REVIEW**

Date Plans Received: September 17, 2013

Date Reviewed: November 13, 2013

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I have completed a review of the final plan for the subject subdivision and offer the following comments for your review:

1. Plat
  - ✓ The total acreage shown in the boundary description is incorrect. It should be 1.03 acres.
  - ✓ The distance on the west boundary line is incorrect. It should be 206.81'.
  - ✓ Remove the approval block for Questar Gas.
  - ✓ Show the developers name and address on the plat.
  - ✓ Show the address of the new lot as 4610 West.
  - ✓ All frontages, lot sizes, and overall density meet the zoning requirements.
2. Streets
  - a. A street cut permit will be required before construction begins.
3. Culinary Water
  - ✓ Written approval from Hooper Water is required.
4. Secondary Water
  - ✓ Written approval from the Davis and Weber Counties Canal Co. is required.
  - a. Water shares are required.
5. Sanitary Sewer
  - ✓ No comments
6. Storm Drainage
  - a. A storm water permit is required before construction begins.
7. Irrigation
  - ✓ No comments.

8. Land Drainage
  - a. Lot is in drainage zone C. No basement allowed without a foundation drain and a sump pump.
  
9. Grading Plan
  - ✓ No comments.

# City Council Staff Report



**Subject:** Subdivision Warranty  
**Author:** Boyd Davis  
**Department:** Community Development  
**Date:** December 17, 2013

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## **Background**

The Wise Country Meadows subdivision Ph. 1, developed by Castle Creek Homes, is located at 550 N. 3000 W. The developer has completed all of the required improvements and is now asking that the subdivision be placed on a 1 year warranty.

The Pheasant Creek subdivision Ph. 3, developed by M&D Developers, is located at 4325 W. 1800 N. The developer has completed all of the required improvements and is now asking that the subdivision be placed on a 1 year warranty.

## **Analysis**

The subdivisions have been inspected to ensure all the required improvements have been completed and are in good condition prior to beginning the warranty period. The subdivisions will be placed on a 1 year warranty as required by the State Code. The required guarantee amount will be retained in escrow for the duration of the warranty period.

## **Recommendation**

It is recommended that the Wise Country Meadows Ph. 1 and Pheasant Creek Ph. 3 subdivisions be placed on a one year warranty.

## **Significant Impacts**

None

## **Attachments**

None





**West Point City Council Meeting  
3200 West 300 North  
West Point City, UT 84015  
December 3, 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 December 3, 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 Gary Petersen, Council Member Jeffrey Turner and Council Member Jerry Chatterton (arrived at approximately 6:15pm).

**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** – Bart Gross, Leslie and Karen Duersch, Rod Carter, John Long, and Earl Cammack

Mayor Craythorne stated there were two cards available for Council Members to sign, one for Jeff Oyler the West Point City Planner as he had been hired by Davis County and Brent Page the West Point City Inspector thanking him for the remodeling which he had done at City Hall. He then turned the time over the Mr. Davis.

**1. Discussion of Cooperative Agreement with UDOT for the 3000 West Project** – Mr. Boyd Davis

Mr. Davis stated this item had been discussed during the November 19, 2013 Administrative Session. He stated that West Point City had received a \$3.3 federal grant for the widening and reconstruction of 3000 West from 300 North to 1300 North.

Mr. Davis stated that UDOT had located an I-15 corridor project which is being funded by both state and federal money. Because UDOT is using federal funding for the project, they are required to meet federal funding requirements for the entire project. Therefore they have proposed swapping the state funds received for their I-15 project with federal funds from West Point, Syracuse, Clinton, and Hooper for the 3000 West corridor project.

Mr. Davis stated when state and federal funds are swapped, 15% of the funding is lost leaving 85% of the funding available. The City match also increases from a 6% match to a 10% match. Mr. Davis stated that even with the loss of approximately \$500,000 from the funding swap and the match increase, Staff believed there could be a savings of approximately \$1 million to West Point City.

West Point City has the opportunity to either complete the project for less money or the City could apply \$75,000 in addition to the matched funds for other enhancements to the project. Staff recommended the City budget for the \$75,000 match; therefore the City would receive \$750,000 in state funding. Due to the nature of the project, the matching funds would be paid from the road impact money.

Mr. Davis stated by swapping federal funds for state funds, West Point City estimated the following savings:

- Davis Bacon Wages could save approximately 10%.
- Buy America could save approximately 5%.
- UDOT Oversight could save approximately 10%.

- 1 Year of inflation could save approximately 2%.
- Not bidding the project as a UDOT bid could save approximately 10%.

Mr. Davis stated by using state funds, West Point City could save approximately 37% on the 3000 West project. Staff recommended the Council approve the Cooperative Agreement with UDOT for the state and federal funding swap during the General Session. Mr. Davis also informed the Council the Cooperative Agreement should be approved as Resolution No 12-03-2013.

The Council Members expressed no concern with the proposed funding swap.

## 2. Discussion of Property Owned by Mr. Leslie Duersch – Mr. Boyd Davis

Mr. Davis stated Mr. Duersch owned property located at approximately 300 North just below the Bluff and east of the Hooper Canal. Over the past several years, Mr. Duersch and his neighbors had been experiencing flooding. A map of the property was then shown to the Council Members for review.

Upon review of the area it was determined the property to the east had little slope to the south, the property mostly slopes from east to west. Mr. Davis stated that snowmelt and rain runoff seem to be the cause of flooding. Mr. Davis then presented a power point presentation showing the map of the area being discussed.

Mr. Davis stated in the past, a ditch located to the west of the discussed property had successfully drained water away from the mentioned properties to prevent flooding. However over the past few years, portions of the ditch had been filled in and a pipe which crossed under 300 North was relocated 4" higher and reduced in size from a 15" pipe to a 10" pipe by the Davis and Weber Counties Canal. To keep compliance with UDOT standards, Davis and Weber Counties Canal was required to reduce the size of the pipe from a 15" to a 10" pipe, as this allowed for a specific amount of coverage over the pipe. Mr. Davis stated due to the reduction in pipe size, it may allow water to back up. However each year Staff has inspected the area and there had not been any water which had reached the 10" pipe.

Mr. Davis stated the City had been in contact with the property owners and requested that the property owners clean the ditches in the area as they are private ditches. He then stated the property owners had made several improvements to the area over the past summer which may alleviate the drainage issue.

Mr. Davis stated that Mr. Duersch had requested the City replace the 10" pipe with a 15" pipe. However, because of the improvements made to the area and the steeper slope of the existing pipe Staff recommended waiting to see if the 10" pipe would accommodate the drainage. Mr. Davis stated because of the slope, the 10" pipe in theory could carry more than the old 15" pipe. Staff also recommended that the property owners continue to keep the ditch clean and free from debris.

Mr. Carter asked if Mr. Davis had located the ends of both pipes being discussed. Mr. Davis stated yes, he had located both ends of the pipe. Mr. Gross stated the pipe being discussed is 4" higher and he is concerned the water will continue to back up in the area. Mr. Davis stated some water may back up into the ditch, he then stated the ditch is approximately 1 foot to 1 ½ foot deeper than the surrounding property. Because the ditches had been cleaned properly the possibility of flooding should decrease.

Mr. Gross asked if Mr. Davis had taken a survey shot of the discussed area. Mr. Davis stated he had taken a survey shot of the area a few days prior to the meeting. Mr. Gross stated the pipe is 4" higher than the original 18" pipe and it followed the West boundary line. He then stated the new 10" pipe is sloping up hill at the box. Mr. Gross asked why the drainage pipe couldn't be relocated under the Davis and Weber Counties Canal pipe. He then stated since Mr. Jim Burt placed a ditch bank along the canal, it had become even more difficult for water to drain properly.

Mr. Gross, Mr. Duersch, and Mr. Carter all stated the original size of the pipe was in fact an 18" pipe, not a 15" pipe.

Mr. Davis stated that over the past few years, Mr. Duersch had discussed the following three issues with Staff. He also stated that Mr. Duersch had filed a complaint with the Property Rights Ombudsmen.

- 10 inch pipe vs. a 15" pipe (Staff agreed to re-measure and verify the size of pipe)
- Plugged drainage ditch to the south. (The Public Works Dept. had cleaned the drainage ditch several years ago to try to help alleviate flooding)
- Berms along the south of property prohibited water to access the ditch. (This had been resolved as breaks had been made within the berm to allow for drainage)

Mr. Carter stated over the past 50 years, the ditch to the south drained properly, until a berm was placed by Mr. Jim Burt. He stated it was his opinion that even if the improvements that had been made over the past year were successful and allowed for draining there would be years the 10" pipe would be incapable of accommodating drainage from the property. Mr. Carter stated on his property he installed an 18" pipe to accommodate the amount of water draining from his property. He stated in his opinion a 10" pipe could not accommodate the amount of drainage from the other discussed properties.

Mayor Craythorne asked Mr. Davis what percentage of fall the existing 10" pipe currently had. Mr. Davis stated the existing 10" pipe had a fall of approximately one foot or 3%. Mr. Carter requested that Staff re-survey the slope of the original pipe.

Mayor Craythorne stated depending on the slope of the original pipe, the new 10" pipe at a 3% fall could take almost as much water as a 15" pipe laid at a 1% slope. He then stated that both slope and size are critical elements to determine the amount of water which could flow through a pipe. Mayor Craythorne stated the slope of the original pipe was unknown. Mr. Carter stated the original pipe had a "good" slope. He then stated it didn't matter the slope of the pipe, at some point a pipe reaches capacity.

Council Member Petersen stated Davis and Weber Canal had replaced the original pipe with a 10" pipe. He asked if Mr. Duersch had contacted the Davis and Weber Counties Canal regarding the flooding issue. Mr. Gross and Mr. Duersch stated on many occasions they tried to discuss the flooding matter with Davis and Weber Counties Canal.

Council Member Petersen stated calculating water is difficult. He then stated there are multiple players within the issue. Mr. Gross stated that the property owners had done all that they could do, they need assistance from key players. Mr. Gross asked who approved the relocating of the original pipe; he also asked why the original pipe needed to be relocated. He stated he would like 18" pipe to be relocated to its original location and position.

Mr. John Long presented photographs to the Council.

Mayor Craythorne stated that Staff and members of the Council had viewed the area of concern. He then stated over the past 12 months the property owners had made improvements to the area. Therefore, Staff recommended waiting to see what type of effects the improvements would have on the area and the possibility of flooding. Mr. Gross expressed concern with waiting to make alterations to the pipes. He stated the water backs up into his barn and his horses are left standing in water.

Mr. Carter stated the old 18" pipe had been taking 58% more water than relocated 10" pipe. The flow with a 18" pipe is better and the flow of a 10" pipe.

Mayor Craythorne stated that water enters a box and must raise 4" before it can drain into the 10" pipe. The water then backs up into the ditch.

Mr. Davis stated he could not guarantee that the improvements made to the area would be adequate for proper drainage of the 10" pipe. However, Staff recommended not acting too quickly and to wait to see if the improvements made would allow for successful draining of the properties.

Mr. Davis stated the property owners had requested that West Point City replace the 10" pipe with a larger pipe. He then posed the question as to who should be responsible for the material, labor, and improvements associated with the installation of a larger pipe. Mr. Davis stated that the West Point City Attorney replied to the Property Rights Ombudsmen regarding this issue, and in the response from the City Attorney he stated that West Point City did not have any responsibility with the issue, however the Council could choose to assist the property owners with the issue.

Mr. Long stated there had also been modifications made to the canal. Mr. Davis stated that the ditches are private, and the modification issues would need to be discussed with the canal company.

Council Member Petersen stated West Point City may not be able to assist with the actual improvements and modifications to the 10" pipe. He then stated West Point City may be able to assist with communication between the property owners and the responsible parties.

Mr. Carter asked the City Council where they would draw the line to assist residents and property owners who have been affected by others actions. Council Member Petersen stated he was sympathetic towards the issue at hand, however the City cannot intervene with civil issues. He stated the Council could possibly help with communication with responsible parties but the City could not take responsibility.

Mr. Duersch and Mr. Gross asked who approved the relocation of the original drainage pipe. Mayor Craythorne stated West Point City did not have any jurisdiction over a project on a state road. Therefore a permit was not required to be filed with West Point City for the modifications which were being done. Mayor Craythorne stated the canal company is a private entity; therefore modifications made to the canal are not filed with West Point City.

Mr. Long asked if a permit would be required for storm drain work within West Point City. Mayor Craythorne stated storm drain modifications within city streets would require a permit but storm drain modifications on a state road would not.

Mayor Craythorne asked the property owners if they believed the improvements done over the past 12 months would prevent or ease the flooding. Mr. Gross stated a portion of the improvements had completed last year and they still flooded in 2013. Each of the property owners stated no, they believed the improvements made would not successfully eliminate the current flooding issues.

Mr. Gross stated a 36" culvert being used as a thrust box is located on the north side of 300 North is also causing issue. Mr. Long stated the 36" cement culvert near his property sits higher than the pipe upstream causing water to back up and flooding to occur. Mr. Long stated during the spring of 2013, water reached nearly to the top of the culvert and a swirling effect could be seen. He then stated before the thrust box was installed the water would properly drain down the ditch. Since the installation of the thrust box, he has had flooding and water drainage issues.

Council Member Chatterton asked who installed the 36" culvert. Mr. Davis stated the Davis and Weber Counties Canal had also installed the 36" pipe. Mayor Craythorne asked when the 36" culvert was installed. A comment was made that the culvert had been installed at the same time that Davis and Weber Counties Canal had relocated the 10" pipe.

Mr. Carter stated flooding on Mr. Duersch's property has reached his basement floor or higher.

Mayor Craythorne stated over the years, water would flow to the west, into the ditch, and drain out. Mr. Duersch stated 35 years had passed without flooding issues. He stated flooding on his property hadn't occurred until the installation of the 10" pipe.

Mr. Duersch stated flooding started to occur around the time in which Mr. Jim Burt began developing his property. Mr. Duersch stated that Mr. Burt had begun making improvements to his property before the City approved his development. Mr. Duersch stated it was his opinion that if West Point City had forced Mr. Burt to follow state regulations, install a silt fence, and adhere to city code there would not be flooding issues. Mayor Craythorne stated West Point City is not required to force a property owner to adhere to city code if make improvements to his property.

Mr. Cammack asked if a property owner could make improvements to their property by adding sewer and storm drain lines without having a building permit. Council Member Petersen and Mayor Craythorne both stated that a property owner could make improvements such as those at the risk of the property owner, as West Point City may not approve the improvements made. Someone expressed concern with manholes installed by Mr. Burt that do not have any covers installed. Mayor Craythorne stated he understood the property owners concerns; however that was not the current issue.

Council Member Petersen stated the Council is concerned and is sympathetic to the flooding issues. He expressed his desire for Staff to discuss this issue with Davis and Weber Counties Canal.

Mayor Craythorne stated the Council would commit to contacting the Davis and Weber Counties Canal for further discussion and review. He then thanked the property owners for their input.

Mr. Duersch asked if it is the responsibility of the City or another property owner to notify another property owner know if they are causing flooding because of improvements made to property. He stated he had contacted Mr. Davis several times with regards to improvements being made by Mr. Burt. Mr. Cammack then read aloud West Point City Code section 13.25.090.

Mr. Carter asked if West Point City would be willing to provide a pump for instances when the flooding occurs.

Mayor Craythorne stated Staff would set up a meeting with Davis and Weber Canal regarding the discussed issue.

#### **OTHER ISSUE**

Mayor Craythorne stated the Council retreat had been scheduled for January 10, 2014. He then stated he had a conflict of interest and asked if the Council would be willing consider moving the retreat. The Council members agreed to change the Council retreat to January 31, 2014. He then stated the January 7<sup>th</sup> and 21<sup>st</sup> Council meetings would be held.

The Council then adjourned into the General Session.



**West Point City Council Meeting  
3200 West 300 North  
West Point City, UT 84015  
December 3, 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 December 3, 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, and City Recorder Misty Rogers

**VISITORS PRESENT** – Preston Turner, Kandace Evans, Makayla Winegar, Austin Manjuca, unknown person, Alesha Horton, Kelton Smith, Brandon Swenson, Wyatt German Hugh Ryan, Kevin Ryan, Kevin Ryan, Logan Kelley, Jace Purser, Zach Ricker, Bailey Baner, Steven Fullmer, Madison Neyts, Ashley Weeks, Hannah Steed, Kelsey Perkes, Gail Perkes, Serina Hammon, Daminiqve Vasquez, Shaylee Milne, Kavika Fonua, Jace Gallegoes, and Bailee Franklin.

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 Chatterton – no comment

Council Member Dawson – no comment

Council Member Petersen – no comment

Council Member Turner – no comment

Council Member Henderson – no comment

Mayor Craythorne stated most of the cities within Davis County had lowered their flags h to half-staff due to the passing of the Mr. Steve Curtis, the Layton City Mayor.

5. **Communications from Staff**

Mr. Laws stated the Cemetery Luminary would be held on Friday, December 20, 2013 at 4:00 pm

Mayor Craythorne stated the West Point City Lighting Ceremony had been held on Monday, December 1, 2013. He then expressed his thanks to the West Point City Staff for their efforts and preparation for the celebration.

**6. Citizen Comment – no comment**

**7. Youth Council Update**

Mayor Craythorne welcomed the Youth Council Members.

Youth Council Mayor, Hannah Steed stated the Youth Council currently had 54 members. She then stated within the last several weeks the Youth Council had accomplished many great things.

Youth Council Mayor Pro-Tem, Jared Seffker stated that the Youth Council had placed flags on the Veteran's graves at the West Point City Cemetery. He then stated that Mr. Harry Trease had spoken to the Youth Council about his military experiences.

Youth Council Treasurer, Allie Leerskov stated that since the Youth Council Swearing in, the Officers had met and planned the Youth Council Fall Retreat which had the theme of "Tangled". She stated during the retreat the Youth Council Members discussed rules and requirements for remaining on the Youth Council.

Youth Council Recorder, Logan Kelly stated during the fall retreat the Youth Council Members played get to know you games and formed better communication skills.

Youth Council Historian, Austin Madison stated during the West Point City Lighting Ceremony, the Youth Council Members served hot chocolate, took photographs of Santa and the children, played the piano, and assisted with other activities.

Youth Council Head Chair, Kelsey Perkes stated December 4, 2013 would be the first official Youth Council meeting. They would be planning events and activities for the next year. She then thanked the Council Members for their support with the Youth Council Program.

Mayor Craythorne thanked the Youth Council Members for their involvement with the City and the Youth Council program.

**8. Consideration of Approval of Cooperative Agreement with UDOT for 3000 West Project – Mr. Boyd Davis**

Mr. Davis stated West Point City received a federal grant in the amount of \$3.3 million for the reconstruction and widening of 3000 West from 300 North to 1300 North. Mr. Davis then stated the City was required to match 6.7% of the funds.

Mr. Davis stated UDOT had approached the City and proposed swapping the federal grant with a state grant. Mr. Davis stated when using a federal grant, special requirements and stipulations which are costly must be met. He then stated the proposed fund swap with UDOT would be beneficial to West Point City as the requirements with state funding are not as cumbersome. Mr. Davis then stated if the funding swap were approved, West Point City would lose 15% of the funding amount and the City match would increase from a 6.7% match to a 10% match. However, West Point City could save 37% overall.

Staff recommended the Council accept the funding swap and approve of Resolution No 12-03-2013, the Cooperative Agreement with UDOT for 3000 West Project.

Mayor Craythorne stated the reconstruction and widening of 3000 West could include roundabouts at 800 North 3000 West and 1300 North 3000 West. He then stated this project is scheduled to fund in 2013, and the design phase will begin in 2014.

Council Member Dawson motioned to approve Resolution No 12-03-2013, the approval of the Cooperative Agreement with UDOT for the 3000 West Project.

Council Member Henderson seconded the motion.

The Council unanimously agreed.

**Adoption of Minutes from the November 19, 2013 Council Meeting – Mrs. Misty Rogers**

Council Member Petersen motioned to approve the November 19, 2013 City Council Minutes.  
Council Member Chatterton seconded the motion.

The Council unanimously agreed.

Mayor Craythorne thanked the West Point City Recorder for her efforts with the Council minutes.

**Motion to Adjourn**

Mayor Craythorne thanked those in attendance.

Council Member Petersen motioned to adjourn.  
Council Member Chatterton seconded the motion.

The Council unanimously agreed.

\_\_\_\_\_  
ERIK CRAYTHORNE, MAYOR

\_\_\_\_\_  
DATE

\_\_\_\_\_  
MISTY ROGERS, CITY RECORDER

\_\_\_\_\_  
DATE