



## West Point City Council Notice and Agenda

West Point City Municipal Center  
3200 West 300 North  
West Point City, UT 84015

January 21, 2014

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

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### ADMINISTRATIVE SESSION

6:30 pm – Council Room

1. Discussion of Memorandum of Understanding with Davis County Health Department – Mr. Boyd Davis

### GENERAL SESSION

7:00 pm – Main Council Chamber

1. Call to Order
2. Pledge of Allegiance
3. Prayer. (Please contact the City Recorder to request meeting participation by offering a prayer or inspirational thought.)
4. Communications and Disclosures from City Council and Mayor
5. Communications from Staff
6. Citizen Comment. (If you wish to make comment to the Council, please use the podium and clearly state your name and address, keeping your comments to a maximum of 2 ½ minutes. Please do not repeat positions already stated. Public comment is a time for the Council to receive new information and perspectives).
7. Presentation by Mr. Gary Hatch, General Manager of the Mosquito Abatement District Davis (MADD)
8. Consideration of Reappointment of Planning Commissioners – Mayor Craythorne
9. Resolution No 01-21-2014, Consideration of Reappointing City Treasurer and City Recorder – Mayor Craythorne
10. Consideration of Memorandum of Understanding with Davis County Health Department – Mr. Boyd Davis
11. Consideration of Approval of Wise Country Meadows Ph. 2 – Mr. Boyd Davis
12. Consideration of Removal of 800 North Street Church Subdivision From Warranty – Mr. Boyd Davis
13. Consideration of Removal of Lindon Estates Ph. 3 from Warranty – Mr. Boyd Davis
14. Adoption of Minutes from the December 17, 2013 Council Meeting – Mrs. Misty Rogers
15. Motion to Adjourn

Posted and dated this January 16, 2014

  
\_\_\_\_\_  
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.



# West Point City 2014 Calendar

## January

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:** Memorandum of Understanding with the  
Davis County Health Department  
**Author:** Boyd Davis  
**Department:** Community Development  
**Date:** January 21, 2014



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## **Background**

West Point City's storm water program was audited by the State about two years ago. One of the findings of the audit was that there is no agreement between the City and the Davis County Health Department for enforcement of illegal dumping of hazardous materials into a storm drain or waterway. West Point has always relied on the Health Department for these types of issues, but the State would like this to be formalized in writing. A draft document has been prepared and reviewed by the County. The West Point City Council will need to approve the document before it is forwarded to the County Commission for approval.

## **Analysis**

The document being used to address the agreement between the City and the County is called a Memorandum of Understanding (MOU). This type of document is used to clarify or restate agreements that are already in place. The County Health Department already has the authority to enforce the required regulations from County Ordinances and State Law. This MOU simply states their authority and clarifies how the enforcement will be carried out. A new agreement is not necessary because it is essentially already in place. The MOU has been used by Salt Lake County to satisfy the same requirement and we feel confident that this will satisfy the audit finding as well.

The recitals of the MOU state the authority given to the County Health Department and cite the sections of State Law and County Ordinances that apply to the Department. Among the authorities given to the County is the ability to enforce State and Local laws and ordinances relating to public health, sanitation, safety, and environmental quality in all incorporated and unincorporated areas of Davis County. The recitals also state that the original vision of the Health Department was to serve both the Cities and the unincorporated County.

The MOU goes on to make some agreements that are essentially clarifications to the existing laws and ordinances and explain how the enforcement will take place. The County Health Department will be responsible for investigating incidents, report to the City, determine the appropriate enforcement action, initiate the enforcement action, recoup any

costs from the offending party, and maintain a 24-hour hotline to report spills or illegal activity.

The City will be responsible to report incidents to the Health Department, cooperate in the investigation, have a representative on site during the investigation, and cooperate in all other ways to bring incidents to a satisfactory conclusion.

**Recommendation**

Staff recommends that the City Council approve the Memorandum of Understanding and allow the Mayor to execute the document.

**Significant Impacts**

None

**Attachments**

Memorandum of Understanding

**MEMORANDUM OF UNDERSTANDING**

**Between**

**THE DAVIS COUNTY HEALTH DEPARTMENT**

**and**

**WEST POINT CITY**

This Memorandum of Understanding (“MOU”) is entered into by and between the Davis County and its Health Department (hereinafter “Health Department” or “Department”) and West Point City (hereinafter “City”). The Health Department and the City are sometimes jointly referred to hereinafter as the “Parties”. The purpose of this MOU is to memorialize, clarify, define and describe the responsibilities of the Parties in the enforcement the City’s UPDES storm water discharge permit (#UTR09002).

**WITNESSETH:**

WHEREAS, the Davis County Health Department is organized as a “county” health department and exists pursuant to Utah Code Annotated §26A-1-103, and Chapter 2.20 of the Davis County Code of Ordinances; and

WHEREAS, the Health Department is responsible for enforcing state laws, administrative rules, local ordinances, standards and regulations relating to public health, sanitation, safety, and environmental quality in all incorporated and unincorporated areas of Davis County as provided for in the Utah Local Health Department Act, Utah Code Annotated §26A-1-114(1); and

WHEREAS, the Health Department has adopted health regulations including the Regulation Regarding Illicit Discharges prohibiting the discharge or release of pollutants or contaminants into storm sewers, drains, gutters or waters of the state; and

WHEREAS, the City has also adopted similar regulations contained in chapter 13.30 of the West Point City Code; and

WHEREAS, Utah Code Annotated §17-8-5 provides that the county legislative body may promulgate regulations to protect channels, storm sewers, and drains, and may provide for the enforcement of those regulations; and

WHEREAS, section 1.08.010 of the Davis County Code of Ordinances provides that the violation of any provision of an ordinance constitutes a Class B Misdemeanor; and

WHEREAS, Section 1.25.010 of the West Point City Code provides that the violation of any provision of an ordinance constitutes a Class B Misdemeanor; and

WHEREAS, §26A-1-120(3) of the Utah Local Health Department Act provides that the county attorney shall prosecute criminal violations of the public health laws and rules of the departments of health and environmental quality; and

WHEREAS, the City has relied upon the Health Department over the years for enforcement of the type of violations described herein and has enjoyed and benefited from the cooperation with the Health Department; and

WHEREAS, the Health Department has the resources available to respond to the type of violations described herein and was originally envisioned and tasked with the responsibility to do so for the both the incorporated and unincorporated areas of Davis County; and

WHEREAS, the Parties wish to enter into this MOU to formalize the procedure for the enforcement of the applicable statutes, ordinances and health regulations to protect water quality;

NOW, THEREFORE, in consideration of the following mutual promises, terms and conditions, it is agreed by the Parties as follows:

1. Responsibilities of the Health Department

- 1.1. The Health Department includes an Environmental Health Services Division (hereinafter "Division"). The Environmental Health Services Division is responsible for investigating incidents involving spills, releases or the discharge of pollutants, contaminants, or wastes into waterways and drainage systems.
- 1.2. The Environmental Health Services Division will respond to any reports from the City regarding spills, releases or the discharge of pollutants, contaminants or wastes in gutters, storm drains and flood control facilities. The Environmental Health Services Division will also report to the City any complaints received or violations discovered by the Environmental Services Health Division's personnel. The Division shall provide a yearly summary of reports, investigations and actions taken within the boundaries of the City.
- 1.3. The Environmental Health Services Division will determine the appropriate enforcement action, if any, with regards to a violation. The Health Department Regulation Regarding Adjudicative Hearing Procedures contain procedures to enforce the rules and regulations through civil, administrative or criminal proceedings depending upon the severity of the violation. The Division may also request that the City take responsibility for any enforcement actions, depending on the severity of the violation and the resources necessary to enforce compliance.
- 1.4. Based upon the foregoing authorities, the Environmental Health Services Division will initiate appropriate enforcement actions to compel compliance with the regulations or pursue sanctions for violations as required by the UPDES storm water discharge permit.

1.5. Utah Code Annotated §19-5-115 in conjunction with Administrative Rule 317-1-8 allows for the enforcing agency to recoup any costs incurred in the enforcement of the rules and regulations and any penalties associated with the violation. The Environmental Health Services Division shall collect such costs and penalties, including local penalties. The Division shall remit to the City that portion that is reasonably due to the City.

1.6. The Environmental Health Division shall maintain a 24-hour incident response-line to provide an opportunity for the public to report spills and illicit discharges.

2. Responsibilities of the City

2.1. The City will report to the Environmental Health Division any incidents involving spills, releases or the discharge of pollutants, contaminants, or wastes into gutters and storm drains covered by the UPDES storm water permit.

2.2. The City shall cooperate with the Division in any investigation or enforcement action initiated by the Division.

2.3. A City representative shall be on site during the investigation by the Division of any incident occurring within the boundaries of the City.

3. Cooperation

3.1. Representatives of the Parties will participate in the investigation and enforcement of alleged violations of health regulations and ordinances to protect storm sewers and drains as required by the City's UPDES storm water discharge permit. In addition, the Parties shall confer to determine an appropriate legal remedy on a case-by-case basis, including: administrative, civil, and criminal actions.

4. Effective Date. The effective date shall be the date that the final signature on this MOU is dated and shall continue in effect until terminated by either party giving six (6) months written notice in advance to the other party.

\_\_\_\_\_  
Lewis Garrett  
Davis County Health Department

\_\_\_\_\_  
Louenda H. Downs  
Chair, Davis County Commission

Date: \_\_\_\_\_

ATTEST:

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Steve S. Rawlings  
Davis County Clerk/Auditor

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West Point City Mayor

Dated: \_\_\_\_\_

ATTEST:

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West Point City Recorder

**RESOLUTION NO. 01-21-2014**

**A RESOLUTION DESIGNATING AND APPOINTING CERTAIN  
APPOINTED OFFICERS OF WEST POINT CITY**

**WHEREAS**, pursuant to *Utah Code Ann.* § 10-3-916, on or before the first Monday in February following a municipal election, the Mayor, with the advice and consent of the city council, shall appoint a qualified person to each of the offices of city recorder and treasurer; and

**WHEREAS**, the Mayor and the City Council desires now to appoint certain individuals to the appointive offices as more particularly provided herein below;

**NOW, THEREFORE**, the following are hereby reappointed to these designated offices within West Point City to serve at the pleasure of the Mayor and City Council for the next two years or until their successors are appointed and qualified.

CITY RECORDER  
CITY TREASURER

Misty Rogers  
Julie Gentry

**PASSED AND ADOPTED** by the City Council of West Point City this 21<sup>st</sup> day of January, 2014.

**WEST POINT CITY,  
A Municipal Corporation**

By: \_\_\_\_\_  
Gary Petersen, Mayor Pro Tempore

ATTEST:

\_\_\_\_\_  
Misty Rogers, City Recorder



# City Council Staff Report



**Subject:** Wise Country Meadows Ph. 2 Final Approval  
**Author:** Boyd Davis  
**Department:** Community Development  
**Date:** January 21, 2014

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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 change has been made as requested.
- 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. 13 lots have now been sold and the developer has transferred 4 additional lots to another company to satisfy the requirement.

**Recommendation**

Staff recommends that the council approve Wise Country Meadows Phase 2.

**Significant Impacts**

None

**Attachments**

Plat of property

Review comments

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MEMORANDUM

To: Reeve & Associates, Inc.

From: Boyd Davis, P.E. *B.D.*

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

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

Date Plans Received: November 14, 2013

Date Reviewed: January 14, 2014

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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 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.
- ✓ Please call out the fence line on the north boundary line and state in the description that the boundary follows the fence line.
- ✓ Curve 1 does not match curve 22 on the phase 1 plat.
- ✓ The bearing of the line just after curve 1 does not match the written boundary description.
- ✓ Please switch the N...W for S...E as shown on the redlined plat.
- ✓ Include the attached address labels on the lots.
- ✓ Please remove the reference to parcel A in the owners dedication.
- ✓ All frontages, lot sizes, and overall density meet the zoning requirements.

2. Streets

- ✓ 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.
- ✓ Show 10" of road base in the standard section.

3. Culinary Water

- ✓ 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

- ✓ 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
  - ✓ Please change the general notes to state that green pipe will be used for sewer laterals.
6. Storm Drainage
  - ✓ The 18" storm drain pipe must be stubbed to the north property line.
7. Irrigation
  - ✓ 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
  - ✓ Please submit a grading plan.
  - b. If lots do not drain completely to the street then a yard drain must be installed.
  - c. Please explain the plan for lot 42. It appears to drain to the back with no outlet.
10. Others
  - ✓ Indicate where fencing will be installed. At a minimum, a 6' chain link fence must be installed along the north boundary line.
  - ✓ A developer's agreement must be signed prior to recording the plat. (the agreement from ph. 1 covers the entire subdivision.)
  - 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.

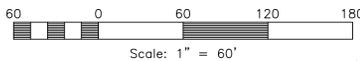
# WISE COUNTRY MEADOWS - PHASE 2

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



VICINITY MAP  
NOT TO SCALE

- LEGEND**
- = SECTION CORNER
  - = SET STREET MONUMENT
  - = BOUNDARY LINE
  - = LOT LINE
  - = ADJOINING PROPERTY
  - = EASEMENTS
  - = EXISTING FENCE LINE
  - = SECTION TIE LINE
  - = ROAD CENTERLINE
  - = 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**

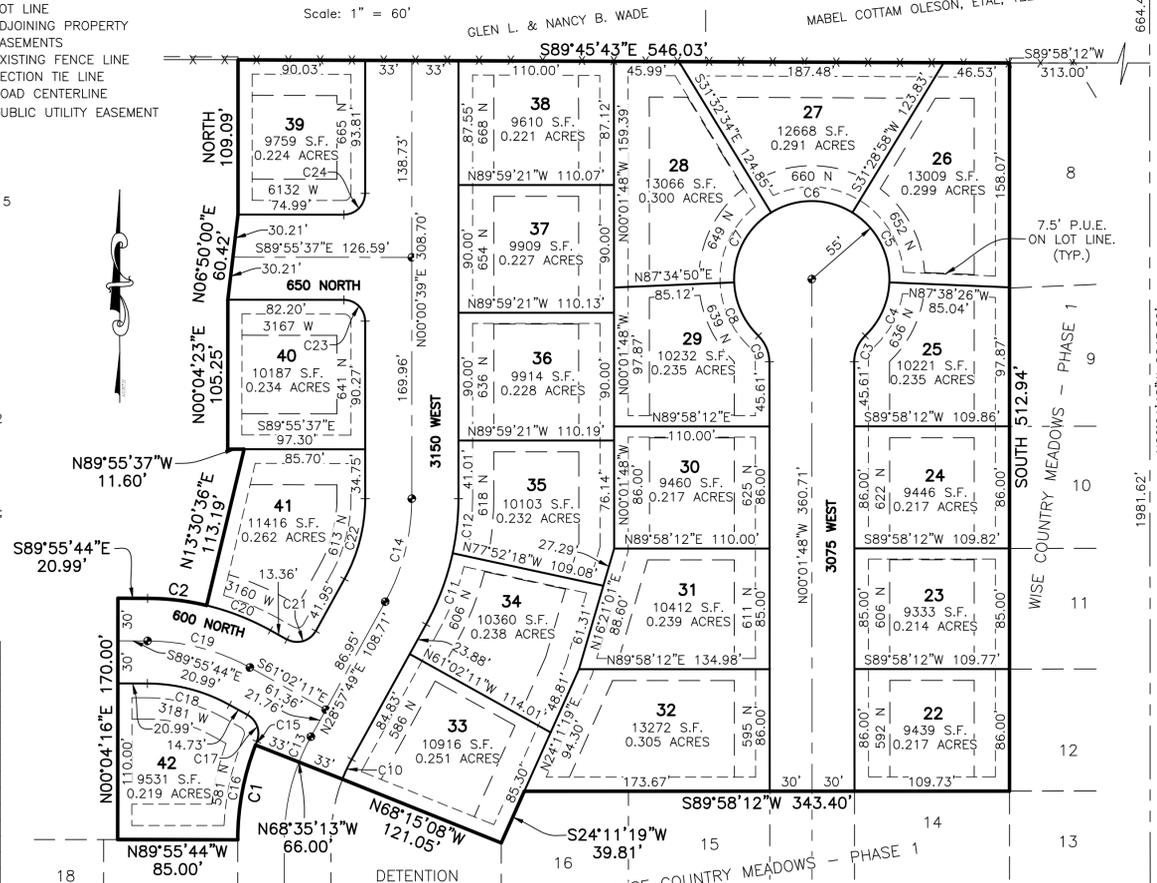
PART OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, DESCRIBED AS FOLLOWS:

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 N06°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°26'54"E | 44°10'41" |
| C5  | 55.00'  | 58.44'     | 55.73'     | 32.32'  | N28°04'44"W | 60°52'36" |
| 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' | 75.64'     | 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 5/8" 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.

**NOTES**

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 SECTIONS 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  
  
REGISTERED LAND SURVEYOR  
150228-2201  
ROBERT D. KUNZ  
STATE OF UTAH

**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 WHICH EVER 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\_PHS 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, \_\_\_\_\_ FILED FOR RECORD  
\_\_\_\_\_ IN BOOK \_\_\_\_\_ OF  
THE OFFICIAL RECORDS, PAGE \_\_\_\_\_  
  
RECORDED FOR:  
  
DAVIS COUNTY RECORDER  
\_\_\_\_\_  
DEPUTY.



**Reeve & Associates, Inc.**  
600 CHAMBER STREET, SUITE 14, COVINGTON, UTAH 84003  
TEL: (801) 621-1100 FAX: (801) 621-3968 WWW.REEVE-ASSOCIATES.COM  
LAND PLANNERS • CIVIL ENGINEERS • LAND SURVEYORS  
TRAFFIC ENGINEERS • STRUCTURAL ENGINEERS • LANDSCAPE ARCHITECTS



# City Council Staff Report

**Subject:** Subdivision Warranties  
**Author:** Boyd Davis  
**Department:** Community Development  
**Date:** January 21, 2014



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## **Background**

The 800 North Street Church Subdivision, developed by the LDS Church, is located at 3290 W 800 N. The subdivision was placed on warranty in August 2012 and has now completed the required one year warranty period. The developer is requesting that it be removed from warranty.

The Lindon Estates Phase 3 subdivision, developed by Tim Gooch, is location at 4700 W 1650 N. The subdivision was placed on warranty in February 2011 and has now completed the required one year warranty period. The developer is requesting that it be removed from warranty.

## **Analysis**

Inspections have been completed for both of the subject subdivisions and all improvements have been completed and are in good condition.

## **Recommendation**

Staff recommends the following actions be taken by the City Council:

1. 800 North Street Church Subdivision be removed from warranty.
2. The Lindon Estates Phase 3 subdivision be removed from warranty.

## **Significant Impacts**

None

## **Attachments**

None





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

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

**Administrative Session**  
**6:00 PM**

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

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

**EXCUSED** – Council Member Dawson and City Manager Kyle Laws

**CITY EMPLOYEES PRESENT** - Assistant City Manager Boyd Davis, Administrative Services Director Evan Nelson, Community Affairs Specialist Jolene Kap, and City Recorder Misty Rogers

**VISITORS** – Gary Hill, Bountiful City Mayor Randy Lewis, Glen Wade, Heather Christopherson (Ulrich & Associates), Alan McEwan and Julie Bashford (McEwan and Company).

Mayor Craythorne excused Council Member Andy Dawson and City Manager Kyle Laws due to illness. He then informed the Council that Mr. Boyd Davis would be the acting City Manager until Mr. Laws, the West Point City Manager returned to work. Mayor Craythorne then turned the time over to Mrs. Kap.

**1. Discussion of Youth Council** – Mrs. Jolene Kap

Mrs. Kap stated the Youth Council selection process occurred shortly after the beginning of the school year. Currently, the West Point City Youth Council Program has approximately 60 Youth Council members and the participation increases each year.

Mrs. Kap informed the Council that the term for leadership positions within the Youth Council program would continue as full year positions. She stated keeping the positions as full year terms would create less confusion for the Youth Council Members and hopefully encourage participants to continue with the Youth Council Program.

In the past, the Youth Council Members had the opportunity to shadow the West Point City Council Members during a regular Council meeting. Because of the success of this activity, the Youth Council had requested permission to shadow the Council Members two separate times within the coming year. The meetings in which the shadowing would occur would be determined by the agenda items being discussed.

Mrs. Kap stated Mrs. Trish Estheimer had recently been appointed as the West Point City Youth Council Advisor and she had been fantastic with both Staff and the youth thus far. Recently, Mrs. Esthemier had worked with members of Staff and to update the Youth Council Charter with regards to the roles and responsibilities of Youth Council Members, vacancies, and leadership positions. It also states that anyone serving as a Youth Council Officer must be in the grades 9 – 12 as well as attend 95% of the scheduled meetings and activities. She then presented the 2014 Youth Council calendar to the City Council Members for review. Mrs. Kap stated items may be added to the Youth Council calendar when necessary.

Mrs. Kap informed the Council that the West Point City Council has an “Adopt a Highway” program along 300 North and it had been recommended to the Youth Council that they to participate in the program over the next year.

Mayor Craythorne asked how often the Youth Council had been scheduled to meet in 2014. Mrs. Kap stated the Youth Council would meet two times per month, as well as report to the City Council once per month. It is the hope of the Advisors that the each member of the Youth Council would have the opportunity to report to the City Council within the next year.

Mayor Craythorne stated the Youth Council had approximately 60 members, he then asked Mrs. Kap if the current number of members was adequate for the program Mrs. Kap stated in the beginning of the Youth Council year, the program typically has a high number of participants, however by July the number of members consistently attending functions decreases to approximately 25.

Mayor Craythorne asked if all of the Youth Council Members would travel to Youth Council Leadership Institute held at Utah State. Mrs. Kap stated no, only those Youth Council Members who meet specific requirements would be eligible to attend. She also stated that each Youth Council Member attending the Leadership Institute would be required to pay \$100 towards registration costs.

Mayor Craythorne asked if Mrs. Estheimer, the Youth Council Advisor had an assistant. Mrs. Kap stated that Mrs. Tammy O’Neil had been assisting with the Youth Council. Parent volunteers are also being asked to help when needed, as this will allow for parent involvement.

Council Members Petersen recommended lowering the 95% participation requirement for those members with leadership roles. He also recommended the addition of excused absences into the charter, as this will allow for clear expectations for the youth.

Council Member Chatterton requested that Mrs. Kap review past records of Youth Council Members, as he would like to know the percentage of the Youth in which return each year to participate in the Youth Council program.

Council Member Petersen asked Mrs. Kap’s opinion regarding capping the number of the Youth Council participants. Mrs. Kap stated she would discourage placing a cap on the number of Youth who could participate in the Youth Council Program. She recommended in the future increasing the number of advisors to accommodate the increase on the Youth Council participation. Council Member Petersen expressed his desire to allow all interested youth the opportunity to participate in the Youth Council Program. He agreed that the structure of advisors may need to be adjusted as growth occurs.

Council Member Henderson recommended implementing a layering structure into the Youth Council Program and add advisors if necessary. He stated this would assist with parent involvement.

Council Member Chatterton stated West Point City is fortunate to have Mrs. Kap as an employee. He stated that Mrs. Kap is involved with numerous city sponsored events and she is a pleasure to work with. On behalf of the Council Members, Council Member Chatterton thanked Mrs. Kap for the time she spends in behalf of West Point City.

Mayor Craythorne welcomed Mr. Gary Hill and Mr. Randy Lewis, the Mayor of Bountiful City.

## **2. Fiscal Year 2013 Audit Report – Mr. Evan Nelson**

Mr. Nelson thanked Heather Christopherson (Ulrich & Associates, the West Point City Auditor), Alan McEwan and Julie Bashford (McEwan and Company, the West Point City Accountant), Julie Gentry the West Point City Treasurer, and the West Point City Staff for their assistance with the audit process. Mr. Nelson then stated Mrs. Gentry has been a great asset to the City, and he appreciates her efforts.

Mr. Nelson stated that financial report provides insight to West Point City's financial position. Ulrich & Associates reported that the West Point City FY2013 audit showed all financial statements were presented correctly and internal controls with regards to the handling of money were adequate. He then presented the 2013 Audit Report for FY2013 to the Council.

Mr. Nelson informed the Council that the West Point City Auditor, Ulrich and Associates receive direction from the State of Utah with regards to the type of information which should be reviewed for the financial reporting period. He then stated that it was common for the list to change periodically. Therefore the following items were found by the auditor and have since been implemented into practice by West Point City.

#### Budgetary Compliance

- State Code requires staff to provide financial reports to the City Council at least quarterly. Mr. Nelson stated the first quarterly financial report to the Council had occurred in the first quarter of FY2014. He then stated and financial reporting to the Council would continue each quarter to remain in compliance with State law.

#### Transfers from Utility Enterprise Funds

- The City is required to charge City departments for utility usage at the same rate charged to other utility customers. Mr. Nelson stated that West Point City had not been charging each department for the utilities used. For this reason, West Point City will begin to transfer the appropriate funds from the General Fund to the Utilities Fund.

Council Member Petersen asked if meters would be installed at City owned locations to meter the usage or if West Point City could estimate usage. Mr. Nelson stated the City would estimate usage. Mr. Alan McEwan, with McEwan and Company stated several City's allocate funds from their General Fund to their Utilities Fund based on estimated usage. Therefore Mr. McEwan stated estimating was an acceptable practice.

Mr. Davis asked what type of impact the General Fund could see by the implementation of this process. Mr. Nelson stated it was unclear the total impact to the General Fund, however he believed it would fairly minimal.

Mr. Nelson then highlighted the following areas of the FY2013 Audit Report:

- Governmental Funds - cash assets of approximately \$4 million, with approximately \$461,000 as unassigned.
- Statements of Revenues, Expenditures, and Changes in Fund Balances - a net increase to the Governmental Funds balance of \$631,000. The General Fund revenues were \$262,000 above budget projection and the General Fund expenditures were approximately \$200,000 below budget.
- Proprietary Funds – net positions of proprietary funds are in the positive.
- Notes to Financial Statements – West Point City debt totals are estimated at \$1 million with a scheduled interest of \$186,000 over the next 10 years.

Council Member Turner requested more information regarding Debt Service Fund. Mr. Nelson stated the Debt Services Fund pays for a bond which had been obtained to fund the construction of the West Point City Hall. He then stated that approximately 10 years remained on the life of the discussed bond.

Council Member Chatterton asked which fund would be pay for the final two payments of the Blair Dahl Park. Ms. Julie Bashford stated the final payments made for the Blair Dahl Park would be paid from the General Fund.

Council Member Petersen stated page 8 of the audit report for FY2013 shows an increase in the business type funds. He asked where the increase of funds were collected from. Ms. Julie Bashford stated water rate increases and increased building permit fees were a few of the reasons for the increase to the business type funds.

Mr. Nelson stated the West Point City is financially sound, revenues had been increasing, and City departments have kept within budget. The FY2013 budget had been amended at the end of the fiscal year, and staff will continue to monitor the FY2014 to keep within budget.

Mayor Craythorne stated the increased sales tax revenue had been appreciated. He then thanked Mr. Nelson, Mr. McEwan, Ms. Bashford, and Ms. Christopherson for their efforts with the budget process and the FY2013 audit report.

### **3. Discussion of Wise Country Meadows Ph. 2 – Mr. Boyd Davis**

Mr. Davis stated Wise Country Meadows Phase 1 is located at approximately 550 N 3000 W, West Point. He then stated Castle Creek Homes, the developer of West Country Meadows had requested permission to begin the construction of Phase 2. The West Point City Planning Commission had reviewed and approved phase 2. Mr. Davis stated the Wise Country Subdivision Phase 2 will consist of 21 building lots. Mr. Davis stated Wise Country Meadows Subdivision will have approximately 60 lots located within all three phases of the subdivision, 22 lots within phase 1, 21 lots within phase 2, and approximately 17 in phase 3.

Mr. Davis presented the Wise Country Meadows Phase 2 Plat to the Council. He stated phase 2 would be zone R-3 and lot sizes would range from 9,333 sq. ft. to 13,000 sq. ft. The minimum frontage requirement is 85' to a maximum of 135'. Mr. Davis stated phase 2 meets all of the West Point City zoning requirements.

Mr. Davis informed the Council that a concern had risen regarding the north fence line, located between Wise Country Meadows Phase 2 and property owned by Mr. Glen Wade. To resolve the concern, Mr. Glen Wade and Castle Creek Homes entered into a boundary line agreement. Mr. Wade then addressed the Council by expressing concern with the type of fence the developer might install, as it may not be of material which could hold his cattle. Mayor Craythorne stated a developer would be required to a minimum standard and the farmer would be required to install proper fencing for his cattle.

Mr. Davis informed the Council of the following items:

- Drainage of Lot 42 could flow onto other lots. The developer had been notified and they will be required to install some type of a drainage system during the construction of either phase 2 or phase 3.
- 80% of lots within a phase 1 must be sold before a developer could begin phase 2. However the developer must sale approximately six additional lots to meet the 80% requirement. Mayor Craythorne stated the Council could approve the construction of phase 2, pending the sale of the required lots.
- The developer has agreed to extend the utilities to the north boundary line, and the developer may request a payback agreement for those utilities.
- Phase 2 will be required to adhere to the same maintenance agreement of phase 1. The owner of lot 1 is required for the upkeep of the landscaping along 3000 West. If landscaping is not maintained, West Point City has the option to charge a fee to each lot owner within the subdivision.

Council Member Henderson asked if Wise Country Meadows Phase 1 could be placed on warranty if 80% of the lots had not been sold. Mr. Davis stated the requirement of 80% of lots sold did not apply to approving the warranty. The requirements to approve the warranty include all infrastructure must be installed and approved by the Inspector, with the exception of sidewalk and slurry seal.

Council Member Chatterton asked how the property owners within the Wise Country Meadows Subdivision are notified that they could potentially be charged a fee for the up-keep of landscaping along 3000 West. Mr. Davis stated the developer had been required to list this agreement into the subdivisions restrictive covenants which were filed with the County and the information could also be found on a title search.

No action required, the consideration of approval of Wise Country Meadows Phase 3 would be brought before the Council in a future meeting.

The Council then adjourned into the General Session.



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

**Mayor**  
Erik Craythorne  
**Council**  
Gary Petersen, Mayor Pro Tem  
Jerry Chatterton  
Andy Dawson  
R. Kent Henderson  
Jeffrey Turner

**City Manager**  
Kyle Laws

**General Session**  
7:00 pm – Council Room

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

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

**CITY EMPLOYEES PRESENT** - Assistant City Manager Boyd Davis, Administrative Services Director Evan Nelson, and City Recorder Misty Rogers

**VISITORS PRESENT** – Heather Christopherson, Jim (James) Rodgers, and Cody Grimaud

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

Mayor Craythorne excused Mr. Kyle Laws, the West Point City Manager and Council Member Dawson due to illness.

Council Member Chatterton stated the Mosquito Abatement District of Davis recently met and approved an increase to the Mosquito Abatement tax of approximately \$0.35 per month. The increased revenue will assist with the upgrading of Mosquito Abatement facilities and labs. He stated there is not adequate restroom and changing facilities to accommodate both male and female employees.

Council Member Petersen – no comment

Council Member Turner – no comment

Council Member Henderson – no comment

Mayor Craythorne stated Mr. Davis had been the acting West Point City Manager for the past week due to the illness of the Mr. Kyle Laws, the West Point City Manager. He then wished those in attendance a Merry Christmas and Happy Holidays. Mayor Craythorne thanked the Council for their support and willingness to serve both him and the community. He then expressed his appreciation to the employees of West Point City, for their service and uplifting attitudes.

5. **Communications from Staff**

Mr. Davis informed the Council of the following items:

- West Point Cemetery Luminary - Friday, December 20, 2013 at 4:00 pm.
- Newly Elected Officials Oath of Office – January 6, 2014, noon at City Hall
- West Point City Council Retreat – January 31, 2014 at 9:00 am.

On behalf of West Point City Staff, Mr. Davis thanked the West Point City Council Members for the Christmas Party and the support they give on behalf of the City.

Mayor Craythorne asked when SR-193 would be opening. Mr. Davis stated the opening of SR-193 would occur upon the completion of the bridge, which would be weeks away. Mayor Craythorne then stated upon completion of SR-193, West Point would take ownership of 300 North from 1500 West through 2000 West and Clearfield City would take ownership from 1500 West to Main Street in Clearfield.

Council Member Turner asked the Council to describe the events of the Cemetery Luminary. Mayor Craythorne stated volunteers would meet at the cemetery, place sand and candles in paper bags, and place them on each headstone within the cemetery. Then at dusk, each candle is lit and remains lit throughout the evening.

Mayor Craythorne stated several years ago, Mrs. Barbara Langston, a previous Council Member implemented the tradition of the Cemetery Luminary and West Point City has come to love and cherish the luminary tradition.

#### **6. Citizen Comment –**

James (Jim) Rodgers – 152 N 4700 West, West Point City, UT

Mr. Rodgers asked the City Council to consider an Ordinance prohibiting a school from imposing disciplinary action on a child for an occurrence outside of school. He then recited both Davis County School District policy and State Law.

Mayor Craythorne thanked Mr. Rodgers for his comments.

#### **7. Consideration of Approval Fiscal Year 2013 Audit Report – Mr. Evan Nelson**

Mr. Nelson stated that the FY2013 Audit Report had been completed and that Ms. Heather Christopherson with Ulrich & Associates was present during both the Administrative and General Session. The auditors reported that the West Point City FY2013 financial statements were presented correctly. However, the following items were found by the auditor and it was recommended that West Point City implement them into practice.

- State Code requires staff to provide financial reports to the City Council at least quarterly. Mr. Nelson stated financial reporting to the Council began in the first quarter of the 2014 fiscal year and would continue each quarter to remain in compliance with State law.
- The City is required to charge City departments for utility usage at the same rate charged to other utility customers. To keep compliance with State law, West Point City will implement a process to determine utility usage and transfer the appropriate funds from the General Fund to the Utilities Fund.

Mr. Nelson stated the City Council approves the budget on an annual basis and has the ability to amend the budget throughout the year if necessary.

He then reported the following items for FY2013:

- The net position of West Point City increased by approximately 9.7%.
- The Governmental Funds increased by approximately \$600,000.
- The General Fund revenues were approximately \$262,000 above the budget projection and the General Fund expenditures were approximately \$197,000 below budget.
- The Enterprise Funds which include the waste, water, and storm utilities increased by approximately \$1 million across all funds.

Mr. Nelson stated that West Point City is in a good financial position. He then recommended the approval of the FY2013 Audit Report.

Mayor Craythorne stated the minor findings mentioned in the FY2013 Audit Report were found due to a changes made by the State Auditor. He then stated the mentioned findings had since be implemented into practice.

Council Member Henderson motioned to approve the West Point City FY2013 Audit Report.  
Council Member Petersen seconded them motion.

The Council unanimously agreed.

Council Member Petersen thanked Mr. Nelson for his efforts with the FY2013 Audit.

**8. Ordinance No 12-17-2013, Consideration of Approval of 2014 City Council Meeting Schedule – Mrs. Misty Rogers**

Mayor Craythorne proposed the Council approve the 2014 West Point City Council Meeting Schedule. He stated that the first Council meeting in July has typically been cancelled due to the timing of the Fourth of July Celebration. The Council agreed to leave the date of July 1, 2014 as a scheduled Council meeting, with the knowledge that it may be cancelled due to preparation of the Fourth of July Celebration.

Council Member Petersen motioned to approved Ordinance No. 12-17-2013, approving the 2014 West Point City Council Meeting Schedule.  
Council Member Chatterton seconded the motion.

Council Member Chatterton – yes  
Council Member Petersen – yes  
Council Member Turner – yes  
Council Member Henderson - yes

The Council unanimously agreed.

**9. Consideration of Approval of Amended Plat for Paice Farms Phase 2 – Mr. Boyd Davis**

Mr. Davis stated Mr. Cody Grimaud had filed for an amended plat within the Paice Farms Phase 2 Subdivision, and that Mr. Grimaud was present at the Council meeting. Mr. Davis stated the Paice Farms Phase 2 Amended Plat had been discussed in a previous meeting. He then stated the proposed plat amendment would allow for portions of two lots to be combined into one to create one new building lot, while continuing to meet zoning requirements.

Mr. Davis stated notice had been given to the residents within the subdivision, a Public Hearing had been held and no public comment was given. The West Point City Planning Commission reviewed and approved the Amended Plat for Paice Farms Phase 2. Mr. Davis stated the proposed amended plat had been approved by both Hooper Water and Davis and Weber Counties Canal Company.

Mr. Davis stated all Staff comments had been addressed. He then informed the Council that if the amended plat were approved, an existing easement located on the property would be vacated and replaced with new easement in an appropriate location.

Mr. Grimaud verified that he had no intention to record the lot until a buyer could be found. Mr. Davis recommended the Council approve the amended plat for Paice Farms Phase 2. He then stated if approved, the amended plat would remain effective for a period of one year.

Council Member Chatterton asked if the proposed lot had drainage issues. Mr. Davis stated he hadn't reviewed Mr. Blaine Thurgood's property, however he was aware of a low spot located on the property as Mr. Thurgood had installed a pump on his property to allow for drainage.

Mayor Craythorne stated the approval of the amended plat would expire in one year with a possibility of an extension.

Council Member Petersen motioned to approve the amended plat for Paice Farms.  
Council Member Turner seconded the motion.

The Council unanimously agreed.

**10. Consideration of Placing Pheasant Creek Ph. #3 on Warranty – Mr. Boyd Davis**

Mr. Davis Pheasant Creek Phase 3, located at 4325 W1800 N and Wise Country Meadows Phase 1, located at 550 N 3000 W are both owned by Castle Creek Homes. The developer had completed all but one of the required improvements and had requested both subdivisions be placed on warranty.

Mr. Davis stated both Pheasant Creek Phase 3 and Wise Country Meadows Phase 1 were missing street number signs, because they are on backorder. Staff recommended approving the one year warranty period subject to the installation of the street signs. Mr. Davis stated escrow funds for both subdivisions would be held until the end of the one year warranty period.

Council Member Petersen motioned to approve placing Pheasant Creek Phase 3 on Warranty, effective the date of installation and approval of street signs.  
Council Member Henderson seconded the motion.

The Council unanimously agreed.

**11. Consideration of Placing Wise Country Meadows Ph. #1 on Warranty – Mr. Boyd Davis**

Council Member Petersen motioned to approve placing Wise Country Meadows Phase 1 on Warranty, effective the date of installation and approval of street signs.  
Council Member Chatterton seconded the motion.

The Council unanimously agreed.

**12. Adoption of Minutes from the December 3, 2013 Council Meeting – Mrs. Misty Rogers**

Council Member Chatterton motioned to approve the December 3, 2013 City Council Minutes.  
Council Member Turner seconded the motion.

The Council unanimously agreed.

**13. Motion to Adjourn**

Mayor Craythorne stated West Point City Hall would be closing at 1:00 pm on December 24<sup>th</sup>, and would remain closed from December 25<sup>th</sup> - 27<sup>th</sup>. Mr. Davis and Mayor Craythorne informed the Council that December 27<sup>th</sup> would not be a paid holiday, employees would be required to use either accrued time off or time off without pay. Mayor Craythorne informed the Council that a telephone number will be available for emergency situations or cemetery services, he stated services would be provided on an as needed basis. Mayor Craythorne thanked those in attendance.

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

The Council unanimously agreed.

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

\_\_\_\_\_  
DATE

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

\_\_\_\_\_  
DATE

DRAFT