

**MINUTES OF THE REGULAR MEETING OF THE  
CITY COUNCIL OF PLEASANT VIEW CITY, UTAH**

**June 14, 2022**

The public meeting was held at City Hall, 520 W Elberta Drive, Pleasant View, Utah, commencing at 6:00 P.M.

**MAYOR:**

Leonard Call

**COUNCILMEMBERS:**

Ann Arrington  
Steve Gibson  
David Marriott  
Philip Nelsen - *absent*  
Sara Urry

**STAFF:**

Amy Mabey  
Laurie Hellstrom  
Ryon Hadley

**VISITORS:**

Judy Sherman	Robert Young
Tim Healy	Jared Healy
Collette Healy	Marlene Higgs
Bob Clayton	Carol Greenwood
Gary Greenwood	Clair Haglund
Kari Etherington	Brenda Medsker
Ali Smith	Bourmer Smith
Fred Medsker	Britt Anger
Reggi Anger	Pryle Anger
Steve Broadbent	Julie Broadbent
Cindy Erickson	Julia Medsker
Daniel Sherman	Susan McQuivey
Christin McQuivey	Tony Pitman

**1. Introduction.**

**a. Pledge of Allegiance and Opening Prayer, Reading or Expression of Thought**

Council Member Sara Urry gave the prayer and Mayor Call recited 'The Flag' poem.

**b. Declaration of Conflicts of Interest**

None given.

**c. Public Comments/Questions for the Mayor & Council (limited to 3 minutes)**

Robert Young: a water main repair has not been paved on 600 W by the park. It should be done in a month. To avoid the hole you have to drive into the other lane.

**2. Consent Items.**

**a. Minutes of February 19, 2022; February 22, 2022; March 8, 2022; March 22, 2022; March 31, 2022; April 12 (2 sets), April 26, 2022, May 10, 2022 and June 2, 2022**

### **b. Bills of Pleasant View City**

Motion was made by CM Gibson to approve the consent items (Minutes of February 19, 2022; February 22, 2022; March 8, 2022; March 22, 2022; March 31, 2022; April 12 (2 sets), April 26, 2022, May 10, 2022 and June 2, 2022 and the Bills of Pleasant View City. 2<sup>nd</sup> by CM Arrington. Voting Aye: CM Arrington, CM Gibson, CM Marriott and CM Urry. 4-0

### **3. Grand Marshals, Honorary Grand Marshals and Bike Parade Grand Princess.**

#### **Introduction and presentation for the 2022 Founders Day Grand Marshals and Princess.**

Tim and Collette Healy were honored as the Grand Marshals, Brenda Medsker and Judy Sherman were honored as the Honorary Grand Marshals, and Christin McQuivey was honored as the Bike Grand Princess.

### **4. Public Hearings – Ordinance Amendments. (Presenter: Amy Mabey)**

#### **a. Storage Units. Discussion and possible action to amend Chapter 18.42 – Supplementary Use Regulations Ordinance by allowing existing storage facilities outside the location limitations to expand until December 31, 2022, to the section 18.42.015 “Storage Facilities, Special Regulations”, Ordinance 2022-16.**

Motion was made by CM Gibson to go into a public hearing to consider amending Chapter 18.42 – Supplementary Use Regulations Ordinance by allowing existing storage facilities outside the location limitations to expand until December 31, 2022, to the section 18.42.015 “Storage Facilities, Special Regulations”. 2<sup>nd</sup> by CM Marriott. Voting Aye: CM Arrington, CM Gibson, CM Marriott and CM Urry. 4-0.

Amy Mabey: the petition before the city is to expand the storage units to allow this to occur. The planning commission staff memo was read. It was a split vote 3-2. The three votes felt the expansion in the location made sense and would complete the development. The two votes were concerned with fairness and issues with the time and date and catering to one request. The General Plan calls for the area to be commercial in the C-2. CM Urry: it will allow others to expand. CM Arrington: only east of Hwy 89? Amy Mabey: anywhere in the C-2 zone. The owners (Wildcat Storage) want to expand. CM Urry: will it allow all to expand? Amy Mabey: as long as it is not along 2700 N but most do not abut 2700 N. CM Urry: could they acquire more land and expand? Amy Mabey: yes. Mayor Call: from the language in the current ordinance, what is the percentage of storage units? Amy Mabey: we have not calculated that yet but in looking at growth it could possibly be there. Mayor Call: we could change Section C on the maximum number of units and leave some for growth? CM Urry: we have worked hard to preserve our corridor. CM Gibson: what are the three storage unit areas? CM Urry: is this for any new storage unit facility? Amy Mabey: only expanding. Mayor Call asked for public comments. Tony Pitman: I am concerned with the narrow focus and making it so specific for someone. The use of land makes sense but not this way to cause more problems. Amy Mabey: there are the M&M Storage, PV Storage and Wildcat Storage.

Motion was made by CM Gibson to end the public hearing. 2<sup>nd</sup> by CM Marriott. Voting Aye: CM Arrington, CM Gibson, CM Marriott and CM Urry. 4-0

CM Gibson: I agree with Tony Pitman a little bit but how to make sense to allow? I don't have a recommendation. We have to do the right thing. CM Urry: you can draft an ordinance to addresses the sizes and meet other conditions and write the uses and what to look for. How do you keep them from spreading? Mayor Call: we need to clarify 2700 N? That is fuzzy language. Amy Mabey: it is legal but not best practice. CM Gibson: it is good for this piece of property. Mayor Call: it is prohibited on 2700 N –

what does that mean? CM Marriott: that bothers me. We need to keep it commercial. CM Gibson: this is commercial – a type of commercial. CM Arrington: the General Plan calls for diversity. We need to look at ratios. I don't like the dated part. CM Gibson: if we revisit the ratio it will still open us up. Mayor Call: I would like to know the ratio. Amy Mabey: it is 1 unit to 3 dwellings.

Motion was made by CM Urry with the intent to work with the land use specialist, the State Ombudsman, to write the language that is appropriate to C-2 to make work for the area and define 2700 N. 2<sup>nd</sup> by CM Arrington.

Discussion on the motion. Mayor Call: change the ordinance now? Amy Mabey: yes. CM Marriott: how big can the storage units be? CM Urry: we can get specific. Mayor Call: make sure we protect 2700 N Corridor. We want prime commercial. We need to do it right. CM Arrington: do we need to change the motion and specify the ratio of land and define 2700 N? CM Gibson: we should table and see the number of spaces. I will be voting no. Mayor Call: the time limitation is a problem. I would like to verify all of this.

Voting Aye: CM Arrington, CM Marriott and CM Urry. Voting nay: CM Gibson. 3-1

**b. AAA's. Discussion and possible action to amend Chapter 18.66-Attached Accessory Apartments Ordinance by adding "Attached Accessory Apartments (AAA)" to the permitted uses in each chapter namely sections 18.09 (RE-20 Zone), 18.10 (RE-15 Zone), 18.16 (A-2 Zone) and 18.18 (A-5 Zone) and to obtain an AAA permit reviewed and issued by staff, Ordinance 2022-17.**

Motion was made by CM Arrington to go into a public hearing to consider amending Chapter 18.66-Attached Accessory Apartments Ordinance by adding "Attached Accessory Apartments (AAA)" to the permitted uses in each chapter namely sections 18.09 (RE-20 Zone), 18.10 (RE-15 Zone), 18.16 (A-2 Zone) and 18.18 (A-5 Zone) and to obtain an AAA permit reviewed and issued by staff. 2<sup>nd</sup> by CM Urry. Voting Aye: CM Arrington, CM Gibson, CM Marriott and CM Urry. 4-0.

Amy Mabey: this comes as a denial from the planning commission and to look further into this. The state law changed and HOA's have to allow AAA's. The planning commission would like to start from scratch. We are looking at making them permitted uses. Mayor Call: how does this fit in with the state code? CM Urry: we can define the use but we can't deny the use. Does this address vacation rental? Amy Mabey: not this. In our ordinance it has to be owner occupied. Mayor Call: if we deny this then what? Amy Mabey: we will need to vet through it more. Mayor Call: this is a procedural problem. They should help draft and review.

Motion was made by CM Gibson to end the public hearing. 2<sup>nd</sup> by CM Marriott. Voting Aye: CM Arrington, CM Gibson, CM Marriott and CM Urry. 4-0.

CM Gibson: I am not prepared to make a decision. CM Urry: it is hard to regulate. Mayor Call: we already have this. Amy Mabey: staff proposed to have this permitted with less hassle with a conditional use the planning commission has to hear it.

Motion was made by CM Gibson to adopt Ordinance 2022-17, amending Chapter 18.66-Attached Accessory Apartments Ordinance by adding "Attached Accessory Apartments (AAA)" to the permitted uses in each chapter namely sections 18.09 (RE-20 Zone), 18.10 (RE-15 Zone), 18.16 (A-2 Zone) and 18.18 (A-5 Zone) and to obtain an AAA permit reviewed and issued by staff. 2<sup>nd</sup> by CM Arrington. Roll call vote. Voting Aye: CM Arrington, CM Gibson, CM Marriott and CM Urry. 4-0.

Amy Mabey: we will look into vacation rentals.

**5. Subdivision Plat. Discussion and possible action to consider Preliminary Subdivision Plat Approval for David Erickson Subdivision containing three (3) lots on 3.76 acres at approximately 1071 W Pleasant View Drive, in the RE-20 Zone. (Presenter: Amy Mabey)**

Amy Mabey: this is preliminary subdivision approval. This started as a preliminary because of improvements but those were removed on Pleasant View Drive and this will still need to go back to city council for final approval. The staff report was read. This is 3.55 acres with three lots in the RE-20 zone off of 1071 W Pleasant View Drive. CM Urry: can the fencing along the canal be omitted? CM Marriott: the fence is not necessary. CM Urry: the liability rest on the canal company. It is their ditch. CM Iverson: the canal is not on our property. Mike Humphreys is the vice of the canal company and he said we don't want it and they need the area for large equipment to get in and they need the landowners to cooperate to maintain the canal. We will put in a fence where a fence is appropriate. There have been people along the canal since 1861.

Motion was made by CM Arrington to approve the preliminary subdivision plat for David Erickson Subdivision and omit the fence along the canal. 2<sup>nd</sup> by CM Gibson. Voting Aye: CM Arrington, CM Gibson, CM Marriott and CM Urry. 4-0.

**6. Escrow Agreement. Discussion and possible action to consider approving an escrow agreement for Peakview Plaza - Rush located at approximately 500 W 2550 N. (Presenter: Amy Mabey)**

Amy Mabey: this is the standard escrow agreement language. With this approval they can start construction.

Motion was made by CM Gibson to approve the escrow agreement for Peakview Plaza - Rush located at approximately 500 W 2550 N. 2<sup>nd</sup> by CM Marriott. Voting Aye: CM Arrington, CM Gibson, CM Marriott and CM Urry. 4-0.

**7. Ordinance Amendments.**

**a. Purchasing Policy. Discussion and possible action to consider amending the city purchasing policy to allow for purchases to be approved by the City Administrator and Mayor, or Mayor Pro Tem, in the amount of up to \$30,000 and to preclude the requirement to receive prior Council approval to request for bids on projects that have prior budgetary approval by the City Council, Ordinance 2022-15. (Presenter: Amy Mabey)**

Amy Mabey: we have had challenges with purchases. This has a lot to do with inflation and to expedite movement. The policy changes were reviewed. CM Gibson: are we giving more for spending? At one point we make those decision. What are we giving up? CM Marriott: it is mostly inflationary and to streamline the process. CM Gibson: I agree with not having to ask to go out to bid but state bids are not always the best. CM Marriott: the budget is a placeholder. Amy Mabey: 5% on a large project for a change orders is large but maybe it doesn't exceed \$30k. CM Arrington: there is a pinch in the upper part of the chart.

Motion was made by CM Arrington to approve the Purchasing Policy, Ordinance 2022-15 with the following changes: change the statement in Section 2.33.030 of the Approve Body 'City Administrator from 'or' to 'and' Mayor or Mayor Pro Tem' and change the city council approve from 30,0001 to \$20,000 in Section 2.33.040. 2<sup>nd</sup> by CM Marriott. Roll call vote. Voting Aye: CM Arrington, CM Gibson, CM Marriott and CM Urry. 4-0.

**b. Park Regulations. Discussion and possible action to amend Chapter 12-12-Park Regulations by requiring insurance for bounce houses, inflatable toys or waterslides, Ordinance 2022-18. (Presenter: Amy Mabey)**

Amy Mabey: in preparation for Founders Day there was a discussion on insurance and them not covering bounce houses. Additionally, it is a messy ordinance and this is to clean it up. Mayor Call: the item listed on the agenda is for the bounce house section. The other portion

should come back later with correct agenda language. CM Gibson: as long as we can have a water slide for Founders Day. Amy Mabey: for city events we are covered.

Motion was made by CM Gibson to amend the Bounce House portion of the ordinance as listed to require insurance and to bring back the other portion of the ordinance. 2<sup>nd</sup> by CM Arrington. Roll call vote. Voting Aye: CM Arrington, CM Gibson, CM Marriott and CM Urry. 4-0.

**8. Public Hearing. Discussion and possible action to adopt the Water Conservation Plan, dated September 2022, Resolution 2022-J. (Presenter: Tyson Jackson)**

Motion was made by CM Arrington to go into a public hearing to consider adopting the Water Conservation Plan, dated September 2022. 2<sup>nd</sup> by CM Gibson. Voting Aye: CM Arrington, CM Gibson, CM Marriott and CM Urry. 4-0.

Amy Mabey: the plan has actually been utilized since 2020. This is required by the state and law governing compliance. Mayor Call asked for comments from the public. None were given.

Motion was made by CM Marriott to end the public hearing. 2<sup>nd</sup> by CM Gibson. Voting Aye: CM Arrington, CM Gibson, CM Marriott and CM Urry. 4-0.

Motion was made by CM Gibson to adopt the Water Conservation Plan, dated September 2022, Resolution 2022-J. 2<sup>nd</sup> by CM Marriott. Roll call vote. Voting Aye: CM Arrington, CM Gibson, CM Marriott and CM Urry. 4-0.

**9. ROW Dedication. Discussion and possible action to approve a Right-of-Way (ROW) road dedication plat for two-way street conversion directly adjacent to the SunPro Company Development on 1000 West between 2700 N and 2550 N. (Presenter: Amy Mabey)**

Amy Mabey: we will be cost sharing on the road.

Motion was made by CM Gibson to approve the Right-of-Way (ROW) road dedication plat for two-way street conversion directly adjacent to the SunPro Company Development on 1000 West between 2700 N and 2550 N. 2<sup>nd</sup> by CM Urry. Voting Aye: CM Arrington, CM Gibson, CM Marriott and CM Urry. 4-0

**10. Firework 2022 Contract. Discussion and possible action to approve a contract with Vortex Production for the 2022 Founders Day Fireworks show. (Presenter: Sara Urry)**

CM Urry: this is a last-minute switch on companies. Our contract company doesn't have a license. This is a contract with Vortex for \$20,000. This will be comparable to our shows. CM Gibson: as long as we have a good show.

Motion was made by CM Arrington to approve Vortex Production for the 2022 Founders Day Fireworks show for 2022 year. 2<sup>nd</sup> by CM Gibson. Voting Aye: CM Arrington, CM Gibson, CM Marriott and CM Urry. 4-0.

**11. Vehicle Leases. Discussion and possible action to approve two three-year leases with The Bancorp for two police vehicles. (Presenter: Ryon Hadley)**

Ryon Hadley: two of the leased police vehicles are here and ready. The leases are effective July 1, 2022. It is a good price of \$4,796 per vehicle. All ten police vehicles are less than one purchase vehicle.

Motion was made by CM Gibson to approve the two three-year leases with The Bancorp for two police vehicles. 2<sup>nd</sup> by CM Urry. Voting Aye: CM Arrington, CM Gibson, CM Marriott and CM Urry. 4-0.

**12. Towing Agreement. Discussion and possible action to approve towing agreement with Lost Recovery Inc. (Presenter: Ryon Hadley)**

Ryon Hadley we have the towing agreement and no one is tied to this. If someone has a preference they can go with that company. They are all standard rates. CM Marriott: is there a year-to-year agreement?

Motion was made by CM Gibson to approve the towing agreement with Lost Recovery Inc. 2<sup>nd</sup> by CM Arrington. Voting Aye: CM Arrington, CM Gibson, CM Marriott and CM Urry. 4-0.

**13. On-Call Policy. Discussion and possible action to amend the On-Call Policy regarding compensation and response time. (Presenters: Amy Mabey and Tyson Jackson)**

Motion was made by CM Arrington to adopt Policy 2022-3 a policy amending the On-Call Policy regarding compensation and response time. 2<sup>nd</sup> by CM Marriott. Voting Aye: CM Arrington, CM Gibson, CM Marriott and CM Urry. 4-0.

**14. Audit Services. Discussion and possible action to approve Audit Services with Child Richards CPAs and Advisors. (Presenter: Laurie Hellstrom)**

Motion was made by CM Gibson to approve the six-year contract with Child Richards CPAs and Advisors. 2<sup>nd</sup> by CM Urry. Voting Aye: CM Arrington, CM Gibson, CM Marriott and CM Urry. 4-0.

**15. ARPA Employee retention agreement. Discussion and possible action to approve an employee retention agreement in accordance with American Rescue Plan Act (ARPA) funding received. (Presenter: Amy Mabey)**

Amy Mabey: this is funded by ARPA funds. We budgeted for this item, the Children Justice Center and public works projects from the ARPA funds. The employee retention portion is approximately \$280,000 and it is a one-time payment for employee retention along with an agreement. The agreement was reviewed. CM Arrington: I need to declare that my son works seasonally for the city. CM Gibson: I am not in favor of these government funds and the effect on the nation.

Motion was made by CM Urry to approve the ARPA agreement with modifications as discussed taking out seasonal employees in third paragraph and changing the month and if there are any problems the Mayor, Amy Mabey can adjust. 2<sup>nd</sup> by CM Marriott. Voting Aye: CM Arrington, CM Marriott and CM Urry. Voting nay: CM Gibson. 3-1.

**16. Retirement Contribution Pick-Up Election. Discussion and possible action to approve the Employer 'Pick-Up' Election of Employee Retirement Contributions for Tier 2 Public Safety, Resolution 2022-M. (Presenter: Laurie Hellstrom)**

Laurie Hellstrom reviewed the staff memo.

Motion was made by CM Urry to approve the Employer 'Pick-Up' Election of Employee Retirement Contributions for Tier 2 Public Safety, Resolution 2022-M. 2<sup>nd</sup> by CM Arrington. Roll call vote. Voting Aye: CM Arrington, CM Gibson, CM Marriott and CM Urry. 4-0.

**17. Consolidated Fee Schedule. Discussion and possible action to amend the following fees, Resolution 2022-N:**

- a. Sewer rates
- b. Garbage and Recycling rates
- c. Recreation registration fees
- d. Subdivisions & Planning & Zoning publishing fees
- e. GRAMA research
- f. Basement rental fee
- g. ICC Building Valuation Data & Permit Fee Calculations

Motion was made by CM Urry to adopt the consolidated Fee Schedule as discusses, Resolution 2022-N. 2<sup>nd</sup> by CM Marriott. Roll call vote. Voting Aye: CM Arrington, CM Gibson, CM Marriott and CM Urry. 4-0.

**18. Budget Workshop.**

No workshop.

**19. Public Hearings – Budget. (Presenters: Laurie Hellstrom and Amy Mabey)**

**a. Amend. Discussion and possible action to amend the 2021-2022 fiscal year budget, Resolution 2022-K.**

Motion was made by CM Arrington to go into a public hearing to consider amending the 2021-2022 fiscal year budget. 2<sup>nd</sup> by CM Marriott. Voting Aye: CM Arrington, CM Gibson, CM Marriott and CM Urry. 4-0.

Mayor Call: any comments from the public? None were given.

Motion was made by CM Marriott to end the public hearing. 2<sup>nd</sup> by CM Arrington. Voting Aye: CM Arrington, CM Gibson, CM Marriott and CM Urry. 4-0.

Motion was made by CM Gibson to adopt Resolution 2022-K amending the 2021-2022 fiscal year budget. 2<sup>nd</sup> by CM Arrington. Roll call vote. Voting Aye: CM Arrington, CM Gibson, CM Marriott and CM Urry. 4-0.

**b. Adopt. Discussion and possible action to adopt the 2022-2023 fiscal year budget, Resolution 2022-L.**

Motion was made by CM Marriott to go into a public hearing to consider adopting the 2022-2023 fiscal year budget. 2<sup>nd</sup> by CM Gibson. Voting Aye: CM Arrington, CM Gibson, CM Marriott and CM Urry. 4-0.

Mayor Call: any comments from the public? None were given.

Motion was made by CM Gibson to end the public hearing. 2<sup>nd</sup> by CM Arrington. Voting Aye: CM Arrington, CM Gibson, CM Marriott and CM Urry. 4-0.

Motion was made by CM Gibson to adopt Resolution 2022-L adopting the 2022-2023 fiscal year budget. 2<sup>nd</sup> by CM Arrington. Roll call vote. Voting Aye: CM Arrington, CM Gibson, CM Marriott and CM Urry. 4-0.

**c. Salaries. Discussion and possible action to amend the Mayor and City Council salaries for the fiscal year 2022-2023, Ordinance 2022-19.**

Motion was made by CM Arrington to go into a public hearing to consider amending the Mayor and City Council salaries for the fiscal year 2022-2023. 2<sup>nd</sup> by CM Marriott. Voting Aye: CM Arrington, CM Gibson, CM Marriott and CM Urry. 4-0.

Mayor Call: any comments from the public? None were given.

Motion was made by CM Arrington to end the public hearing. 2<sup>nd</sup> by CM Urry. Voting Aye: CM Arrington, CM Gibson, CM Marriott and CM Urry. 4-0.

Motion was made by CM Urry to adopt Ordinance 2022-19, amending the Mayor's salary to \$1100 per month and the City Council's salary to \$350 per month. 2<sup>nd</sup> by CM Arrington. Roll call vote. Voting Aye: CM Arrington, CM Gibson, CM Marriott and CM Urry. 4-0.

**20. Closed Meeting. Consideration for a closed meeting pursuant to one or more of the provisions of the Utah Open and Public Meetings Law, Utah Code § 52-4-205(1).**

No closed meeting.

**21. Other Business**

Ryon Hadley: Officer Vanbeekum is now working traffic shifts.

Amy Mabey: park vandalism is a problem. We are going to post on social media and a service project with the youth. CM Marriott: offer a reward.

**22. Adjournment**

**Adjournment: 9:50 P.M.**