

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

January 24, 2023

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
Sara Urry (*via Zoom*)(*absent for items #1-#4*)

STAFF:

Amy Mabey
Laurie Hellstrom
Ryon Hadley
Tyson Jackson
Sonja McCauley

VISITORS:

Drake Jackson
Briana Romero

1. Introduction.

- a. Pledge of Allegiance and Opening Prayer, Reading or Expression of Thought**
(Ann Arrington).
- b. Declaration of Conflicts of Interest**
None given.
- c. Public Comments/Questions for the Mayor & Council (limited to 3 minutes)**
None given.

2. Consent Items.

a. Minutes of January 10, 2023

Motion was made by CM Gibson to approve the consent items (minutes of January 10, 2023 (open & closed). 2nd by CM Marriott. Voting Aye: CM Arrington, CM Gibson, CM Marriott, and CM Nelsen. 4-0

3. Home Occupation. Discussion and possible action to grant an exemption to the Home Occupation conditions to allow persons who are not bona fide residents of the premises to be employed on the premises, business located at 3161 N 875 W, as part of a salon business. Requester: Briana Romero. (Presenter: Laurie Hellstrom)

Laurie Hellstrom: this is an exemption for an additional person at the home. There have been complaints on the current business with cars parking in front of the neighbor's home and people coming to that home and not the business. Briana

Romero: there are teenagers across the street that park across the street. I am just asking for one more person to work. The time frame is 9 to 5 for both of us with the latest being 7pm. There is plenty of room in the driveway. I can send an automated text on where to park. I will try to do as much as I can. CM Nelsen: send them a picture of your house.

Motion was made by CM Marriott to approve an exemption to the Home Occupation conditions to allow persons who are not bona fide residents of the premises to be employed on the premises, business located at 3161 N 875 W, as part of a salon business. 2nd by CM Arrington. Voting Aye: CM Arrington, CM Gibson, CM Marriott, and CM Nelsen. 4-0

4. Monte Vista Subdivision – Improvements Guarantee. Discussion and possible action to consider approval of an escrow agreement for Monte Vista Subdivision located approximately 1650 W 3125 N. (Presenter: Amy Mabey)

Amy Mabey: we have not received a signed copy of the escrow but the motion could be contingent on the form with the correct data and if there are any changes it will come back to the city council or this can be tabled..

Motion was made by CM Arrington to approve the escrow agreement for Monte Vista Subdivision contingent upon a signed copy of the escrow with the correct data. 2nd by CM Nelsen. Voting Aye: CM Arrington, CM Gibson, CM Marriott, and CM Nelsen. 4-0

5. Ordinance Amendment. An ordinance amendment to provide for the use of varying improvement guarantees, in accordance with Utah Code Ann. § 10-9a-604.5(2)(c), which states a municipality shall establish a minimum of two acceptable forms of completion assurance. The proposed ordinance language allows for use of an escrow surety bond, a cash bond, or a letter of credit, Ordinance 2023-2. (Presenter: Amy Mabey)

Amy Mabey: this is to come into compliance with state code that changed in 2019. There needs to be at least two options for guarantees. This proposal would add three options with a limitation to letter of credits that need to be at least a \$1 million guarantee. Weber County has had issues with letter of credits with less than \$1 million and banks going out of business. Letter of credits are nice because there is less monitoring on the city's side and we still have surety. Mayor Call: let's not repeat the mistake of others.

Motion was made by CM Gibson to approve Ordinance 2023-2 as stated above. 2nd by CM Marriott. Roll call vote. Voting Aye: CM Arrington, CM Gibson, CM Marriott, CM Nelsen, and CM Urry. 5-0

6. General Plan Amendments.

a. Discussion and possible action to consider a General Plan Amendment to the Moderate-Income Housing Plans in compliance with Utah Code Ann. § 10-9a-403(2)(b)(iii) including specific measures and timelines for implementation strategies, Ordinance 2023-3; and

Amy Mabey: the General Plan is being amended for Moderate Income Housing component. Last year the legislature approved the implementation of criteria. There were 75% of cities not in compliant. With that, the proposed changes have been sent to the state for compliance and it was deemed compliant. We received notice in November and this came from that. Pleasant View City used more than half of the land for residential and a variety of residential types. The figures come from the census report. The code is cited in the ordinance. I took out the employee assistant housing program. The ordinance was reviewed. We need to look at middle income housing and ownership opportunities. CM Nelsen: what about internal apartments and apartments over garages? CM Gibson: does affordable housing allow low density? There are homes that cost more than my house. Is that affordable? Do you have rental control? How do you get homes to be affordable? The majority of police calls go to low-income areas. Mayor

Call: it is a moving target. Pleasant View City has a large amount of residential but it is less than 1% in the county. Discussion continued on what is affordable housing. Amy Mabey: this is General Plan language and it is not binding to future councils and it doesn't commit or promise anything. If we don't get into compliance we won't get funding. Mayor Call: this doesn't commit us to anything.

Motion was made by CM Arrington to adopt a General Plan Amendment to the Moderate-Income Housing Plans in compliance with Utah Code Ann. § 10-9a-403(2)(b)(iii) including specific measures and timelines for implementation strategies, Ordinance 2023-3. 2nd by CM Marriott. Roll call vote. Voting Aye: CM Arrington, CM Gibson, CM Marriott, CM Nelsen, and CM Urry. 5-0

6. General Plan Amendments.

b. Discussion and possible action to consider modifying the language describing Residential Land Uses to remove an exception within the Rural Residential (1 dwelling unit for every 5 acres) description which describes the portion of the City which lies east of 500 West and to the eastern city limits, and removing the description for Very Low Density Residential (1 to 2 dwelling units for every acre) which describes approximately 500 West to the eastern city limits, extending northward from 4300 North to 4575 North, Ordinance 2023-4. (Presenter: Amy Mabey)

Amy Mabey: this is truly a reflection of the General Plan. The map and language had different uses and this would make them match. CM Nelsen: this still doesn't clean up the agriculture zones.

Motion was made by CM Urry to modify the language in the General Plan as stated in Ordinance 2023-4. 2nd by CM Marriott. Roll call vote. Voting Aye: CM Arrington, CM Gibson, CM Marriott, CM Nelsen, and CM Urry. 5-0

7. Public Hearing - Budget. Discussion and possible action to consider amending the 2022-2023 fiscal year budget, Resolution 2023-B. (Presenter: Amy Mabey)

Motion was made by CM Gibson to go into a closed meeting to consider amending the 2022-2023 fiscal year budget. 2nd by CM Nelsen. Voting Aye: CM Arrington, CM Gibson, CM Marriott, CM Nelsen, and CM Urry. 5-0

Amy Mabey: because of the discussion on item #9 delete the Whereas and third bullet point referring to the North View Senior Center. We are also amending the budget for staffing and adding hours to the building permit tech and front desk. There are still planning burdens. The shift coverage will go from part-time to three quarter hours in the amount of \$15,700 and be re-evaluated in 6 months. There is also the annual Microsoft 365 License for \$5,262.

Motion was made by CM Gibson to close the public hearing. 2nd by CM Arrington. Voting Aye: CM Arrington, CM Gibson, CM Marriott, CM Nelsen, and CM Urry. 5-0

Motion was made by CM Gibson to adopt Resolution 2023-B as stated. 2nd by CM Marriott. Voting Aye: CM Arrington, CM Gibson, CM Marriott, CM Nelsen, and CM Urry. 5-0

8. Senior Citizens Center Interlocal Agreement. Discussion and possible action to consider an Interlocal Agreement with North Ogden City to support the Northview Senior Citizen Center. (Presenter: Amy Mabey)

This item was moved before the budget public hearing. Amy Mabey: this is a proposed agreement with North Ogden City at their request. They are trying to gather funds that other communities should be contributing to. The total they are asking for is \$12,000. The other amount the city was giving was a \$5,000 donation to the North View Senior Center. CM Gibson: is this for infrastructure of the building and programs? I would hate to learn that the seniors were short \$5,000. Mayor Call: this is for operations and maintenance (O&M). We are the only community that contributes to the seniors. This invoice is 20% of the O&M. There are 122 Pleasant View residents that use it. Ogden has 144 residences that come to it. South

Ogden and Harrisville also have residences that go there. CM Gibson: does Weber County give any support? CM Urry: Weber County supports the meals and pays ½ of the director's salary. Mayor Call: but Weber County doesn't contribute for any programming. Those funds come from us and fund raising. CM Urry: our \$5,000 donation goes to programming and they suggest donations. North Ogden's charter of the building was for the senior only. This would subsidize North Ogden's community and not the senior center. I am not aware of any other community given this agreement. They just picked us. CM Arrington: if we give North Ogden \$12,000 they can spend it however they want. What about \$7,000 to North Ogden and \$5,000 to North View Senior Center? CM Gibson: we want programming and not to rob that. I want to support the seniors. I agree with CM Arrington. Mayor Call: we received an invoice from North Ogden that just stated to pay \$12,000. We should pay our fair share and not just pay an invoice. What is fair to all. We have no control over what communities they go to for funding. The biggest concern is the \$5,000 being taken away from programming. Our city representatives are Sara Urry, David Erickson, and Christy Bailey. CM Nelsen: is there the same pricing for Pleasant View as for North Ogden residents? CM Urry: they don't charge. Amy Mabey: this is a 5-year agreement. CM Nelson: what happens if we don't pay? Do they charge our residents? Mayor Call: we need to pay our fair share. CM Nelsen: we need a fee structure. Mayor Call: they are not going to turn anyone away. CM Marriott: do the senior meet once a week? CM Urry: table it. Mayor Call: it is not for capital improvements only for lights and gas. CM Gibson: I would like to see the details. CM Nelsen: if there is no funding from us then what would be our fee structure to our seniors? CM Gibson: the County has skin in the game also.

Motion was made by CM Arrington to table for information from Weber Human Services, a fee schedule, and itemized what the \$12,000 goes towards. 2nd by CM Gibson. Voting Aye: CM Arrington, CM Gibson, CM Marriott, CM Nelsen, and CM Urry. 5-0

9. Local Transportation Funding Agreement. Discussion and possible action to accept a Local Transportation Funding Agreement with Weber County for '2725 North & 2775 North Connection Project' located in Pleasant View City and Farr West City. (Presenter: Amy Mabey)

Amy Mabey: the agreement includes matching funds with developer participation. It will be mutually beneficial to Farr West City and Weber County. Weber County has closed on the Horseshoe Pond. Mayor Call: they need roadways in that area. This is a joint application for one project.

Motion was made by CM Gibson to accept a Local Transportation Funding Agreement with Weber County for '2725 North & 2775 North Connection Project' located in Pleasant View City and Farr West City. 2nd by CM Urry. Voting Aye: CM Arrington, CM Gibson, CM Marriott, CM Nelsen, and CM Urry. 5-0

10. 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).

Motion was made by CM Arrington to go into the closed meeting to discuss security. 2nd by CM Marriott. Roll call vote. Voting aye: CM Arrington, CM Gibson, CM Marriott, CM Nelsen & CM Urry. 5-0

Mayor Call signed a sworn statement affirming the reason for the closed meeting.

Motion was made by CM Marriott to end the closed meeting. 2nd by CM Arrington. Voting aye: CM Arrington, CM Gibson, CM Marriott, CM Nelson & CM Urry. 5-0

Motion was made by CM Marriott to go into the closed meeting to the character and competency of an individual. 2nd by CM Nelsen. Roll call vote. Voting aye: CM Arrington, CM Gibson, CM Marriott, CM Nelsen & CM Urry. 5-0

Mayor Call signed a sworn statement affirming the reason for the closed meeting.

Motion was made by CM Arrington to end the closed meeting. 2nd by CM Marriott. Voting aye: CM Arrington, CM Gibson, CM Marriott, CM Nelson & CM Urry. 5-0

11. Action from Closed Meeting. Clarification/Correction on action from Closed Meeting held January 10, 2023.

Motion was made by CM Arrington to modify the original cost of security devices to \$34,210.14. 2nd by CM Nelsen. Voting aye: CM Arrington, CM Gibson, CM Marriott, CM Nelson & CM Urry. 5-0

12. Other Business

Brandon Bell: we are working to make both processes and completeness of subdivision meet benchmarks and also being fair to the city and developers.

Ryon Hadley: criminal cases have surpassed traffic cases. There was a burglary at a garage shop. We received a donated rifle to be place in a secure area of Weber High School

Tyson Jackson: thanks for your continued support. UDOT is aware of the 600 W light signals. CM Gibson: 1725 W 2700 N goes to a dead-end and that area gets a blinking light but not 600 W. What is wrong?

Amy Mabey: the Pickleball RAMP grant application has been submitted. CM Urry: RAMP meets February 2nd.

Laurie Hellstrom: you received the financials for the first 6 months. Note that building permits are low.

CM Gibson: for Founders Day I would like to meet separately with each city councilmember before our meeting.

Mayor Call: we will have a work session on February 11th and a change to the February 14th meeting to February 21st.

13. Adjournment: 8:20 P.M.