

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

May 14, 2019

The public meeting was held in the city office at 520 West Elberta Dr. in Pleasant View, Utah, commencing at 6:00 P.M.

MAYOR: Leonard Call (*absent*)

COUNCILMEMBERS: Jerry Burns (Mayor Pro-tem)
Ken Francis
Steve Gibson
Boyd Hansen
Sara Urry

STAFF: Laurie Hellstrom Bill Cobabe
Tyson Jackson

VISITORS: Lorin Gardner Ben Knight Family
Brian Dee Conner Bullock
Steve Bullock Emma Flattery
Melissa Flattery James Flattery
Conrad Ferrin Toby Mileski
Shawn Maynard Bradon Martin
Spencer Bradley Dave Hilliard
Greydon Hilliard

Pledge of Allegiance: Steve Gibson

Opening Prayer, Reading or Expression of Thought: Steve Gibson

Declaration of Conflicts of Interest:

None given.

1. Present Youth City Council Scholarships to Grant Knight and Emma Flattery.

Jerry Burns (Mayor-Pro-tem) presented youth city council scholarships of \$500 to Grant Knight and Emma Flattery.

Comments/Questions for the Mayor & Council for items not on the agenda.

Boyd Hansen: I am responding to a nuisance complaint letter at my daughter's house. Boyd showed pictures a several other nuisances in the city. Good people move to the county to be country. They don't understand the violation. We are taking steps to alleviate it. I asked who complained but told that it was anonymous and would not give out a name because of retaliation. Many others should be getting letters. What do the citizen's want? It shouldn't be a complaint without a name.

Toby Mileski: I would like to address a letter I received. I'm not a sinner on this thing. That is concerning. I GRAMA requested all the complaints. Eleven of them with pictures and names redacted and that is illegal. Myself and Boyd were not given due diligence. I like to see someone fired about this. There are only three possibilities either a staff member, or an elected official or a police officer complained. It wasn't the police. Why not take picture of this if legal or not? This is a malicious act. I am going to take their job. On agenda item #3, I don't see the problem to annex them in and get the property tax. We collect the tax and they not irrigate more than a 1/3 acre.

Conrad Ferrin: I like to thank Toby when I got flooded because I at least got road base and a response. This is your road in my front yard (show a piece of road). I have live here 45 years and the last two/three years it's washing out. Bill Cobabe: we have looked at it. Conrad Ferrin: I have heard that for the last four to five years. Toby said there is money but it needs paper work. I need a four wheeler to drive on Pleasant View Drive. We are spending so much money on the park (Multi-Sports Park).

Brian Dee: the internet is horrible here. Comcast is not put in by me. I called Comcast and was told the best bet was to ask the city council and see what they can get done. Brian Dee showed that areas that don't have Comcast. Bill Cobabe: why contact the city? Brian Dee: Comcast will not invest without a financial offset. CM Burn: follow up with Bill Cobabe:

Tammy Krebs: I live in a nice area. I have never seen the taxes gone up as much as they do each year and I don't see any benefit. We are looking for a new house. We can't afford to retire in Pleasant View. CM Gibson: look at your taxes. Pleasant View is only a small portion of your bill. Pleasant View has not gone up but Weber County Schools has gone up. Compare that part of your bill. Tammy Krebs: we hired a gentleman to increase revenue and we got storage units. CM Gibson: look along Hwy 89. There are a lot of new businesses and in Parkland. We are trying to bring in sales tax. Tammy Krebs: I hope that they are things that will bring in value. We could use a restaurant or craft stores, etc.

Consent:

Motion was made by CM Gibson to approve the consent items (minutes of April 9, 2019 and the bills of Pleasant View City). 2nd by CM Francis. Voting aye: CM Burns, CM Francis, CM Gibson, CM Hansen & CM Urry. 5-0

2. Discussion and possible action to grant conditional acceptance to Harris Hills Subdivision Phase 3 and begin the guarantee period. (Presenter: Bill Cobabe)

Bill Cobabe: I recommend approval from Ben Slater's recommendation letter.

Motion was made by CM Gibson to grant conditional acceptance to Harris Hills Subdivision Phase 3 and begin the guarantee period. 2nd by CM Francis. Voting aye: CM Burns, CM Francis, CM Gibson, CM Hansen & CM Urry. 5-0

3. Discuss a proposed subdivision. Property located in Weber County northwest of Pole Patch . Discussion only. (Presenter: Spencer Bradley).

Spencer Bradley showed a drawing with 27 lots on their 29 acre parcel. Bradley Spencer: there is a 2005 agreement and it will give up to 200 water connections. We want to developer and we are looking here to develop and work with Weber County. We need a will serve letter for water and sewer. It is in an A-1 zone (in Weber County) which is 40,000 sq. ft. lots. We don't want to do that. We are getting forced to get secondary water. We are looking at two options. One option: of the 200 water connections, Randy Marriott has 170 connection and we have 25 connections. We are willing to give up water connections for secondary water use to get a will service letter. Second Option: have a deed restriction for 'no landscaping' in that area. Third Option: on the top right corner there is a piece of ground that was supposed to be conveyed back by Pleasant View City according to the agreement. We would give that up to get water. Paxton Guyman, Attorney for Spencer Bradley: the property owners are willing to cooperate. They have 29 acres and they are only proposing 3 lots. It will be a low impact subdivision. The hurdle is secondary water. The sewer needs approval or denial. They are asking for three lots. A concession is the 1.7 acre parcel conveyed to Pleasant View to be give back to Wadman, they will allow Pleasant View to keep it. A true value given and in this rare instance allow culinary water for secondary water. If it happened we can do a develop agreement and designate landscape areas. A default could be xeriscape until such time as secondary water system is there. Here are people that want to cooperate. Mayor Pro-tem Burns: thank you. Bill Cobabe: my position is a tough one. The spread sheet showing culinary water usage in Pole Patch and using culinary water as secondary water purposes and the owners are limited ¼ acre and it is difficult to enforce and measure. They use quite a bit. Equivalent to 173 connections. Below that's a lot for 30 homes up there. And for the sewer connections, it is not allowed to connect to a private connection. The city doesn't own Pole Patch. Per state code we can't allow it. There is a sewer manhole by their gate. That is an expensive connection. If they stay in Weber County septic systems are allowed and it would be in our protection area. That could possibly be. Before make a recommend on that. Pleasant View doesn't have water capacity. In conversation with Weber County they allow drilling a shallow well but we would probably file a protest because it would adversely affect our wells. Those are our concerns before action is taken. Paxton Guyman: state code doesn't force to connect to public. It's not different than private road. If the HOA consents to us, we can. CM Urry: meet with the state on the sewer. Tyson Jackson: state sewer representative expressed if individual lots go into private system but sewer system is sponsored your liable and not allowed. Bill Cobabe: there are technical details before issuing a letter. They still have to provide secondary water through Weber County. Connect to our culinary water and use our culinary water as secondary water. CM Gibson: does Randy Marriott have ERU's? Bill Cobabe: the agreement was with Wadman and it was bought by Randy Marriott and that gets transferred into Box Elder County. CM Gibson: you want three lots but what is your long term thoughts? CM Hansen: only three lots. CM Urry: we would have to redo the CFP and the ordinances states that it is needed and we will not issue a building permit without it. CM Hansen: I am opposed to it without them coming into Pleasant View. It is an advantage to us, not Weber County. Spencer Bradley: it is easier with Weber County. CM Hansen: that is not the first time we have heard that. Mayor Pro-tem Burns: in dry years we are very tight. Spencer Bradly: who do I work with to figure it out? I have not heard back from the city attorney. Shawn Maynard: I am the president

of Pole Patch. Most of us built before the 1/4 acre rule. Our usage for the top 11 lots is 60,000 gallons average and 7,000 gallons not in the summer months. Bill Cobabe: handed out a water usage table from the city's records.

4. Discussion and possible action to approve Resolution 2019-E confirming Pleasant View City's position that culinary water connections will not be given unless secondary water is available.

Bill Cobabe: this is to reaffirm the city's position that our water is not for irrigation use. Mayor Pro-tem Burns: pointed out our multi-million dollar infrastructure. Water comes at a great expense to Pleasant View and the community. We need to use what it is intended for; culinary and that is our recommendation. Tyson Jackson: clarify the intended use. We spend a lot of money for the drinking water and then we throw it out on the ground on vegetation that is not even natural vegetation. We have spent millions on getting us out of that last issue. We don't want to be in the secondary water business. CM Gibson: is it not stated? Bill Cobabe: they need secondary water and they are requesting it for that. It is a statement of policy and resolution that it is for culinary water. It is clear and simple to make it. They want an exemption - It is done there so why not here? CM Urry: our wells don't produce that much. Bill Cobabe: we have springs that fluctuate. Tyson Jackson: the State of Utah shows a steady decline trend in water. This is not a short term trend. That is the direction it is going. Bill Cobabe: as the hillside is filling in there is pressure to want homes, gardens, and landscaping. We want to make it clear that the water is for bath/cooking. CM Hansen: I talked with Pineview and they don't have the capacity or the water in the Ogden Canal. CM Urry: North Ogden is annexing property. That will further tax Pineview if it goes through. Bill Cobabe: I'm sure North Ogden requires secondary. CM Hansen: how does Pineview figure the lots? Where is 4300 N getting water? Bill Cobabe: we are going to see pressure to develop on the hillside and the pressure will only get greater.

Motion was made by CM Hansen to table this. Motion died for lack of second.

Motion was made by CM Francis to accept Resolution 2019 E and sign as stated. Died for lack of second.

CM Gibson: it is already in here. In my mind I am not clear. Bill Cobabe: this is not to single anyone out.

Motion was made by CM Urry to table this item. 2nd by CM Hansen. Voting Aye: CM Burns, CM Francis, CM Hansen and CM Urry. Voting Nay: CM Gibson. 4-1

5. Request to order Leased Police Vehicle from the 2019-2020 budget. (Presenter: Ryon Hadley).

Ryon Hadley: I am requesting to lease 7 vehicles but not the equipment except for the new one. There will be about \$1K to transfer the equipment from the old to new vehicles. CM Gibson: how do we approve this in next year's funds? CM Francis: in Texas they would approve subject to the budget being approved.

Motion was made by CM Gibson to approve to order leased police vehicles from the 2019-2020 budget pending approval of the 2019-2020- budget. 2nd by CM Francis. Voting aye: CM Burns, CM Francis, CM Gibson, CM Hansen & CM Urry. 5-0

6. Request approval of change order on City Hall's Carpet in the amount of \$9,923.00 (Presenter: Laurie Hellstrom)

No action except ask for the full amount off or up to 50% split from the carpet order mix up.

7. Approval of extending insurance coverage with the Utah Local Governments Trust with a term of July 1, 2019 to July 1, 2020 for General Liability Insurance, Property Insurance, and Auto Physical Damage Insurance. (Presenter: Bill Cobabe)

Bill Cobabe: the rate went down 12%.

Motion was made by CM Gibson to approval of extending insurance coverage with the Utah Local Governments Trust with a term of July 1, 2019 to July 1, 2020 for General Liability Insurance, Property Insurance, and Auto Physical Damage Insurance. 2nd by CM Urry. Voting aye: CM Burns, CM Francis, CM Gibson, CM Hansen & CM Urry. 5-0

8. Discussion and possible action to amend the Park Regulations Chapter 12.12 regarding

- a. Allowing dogs to run at large or leashed in public parks; and
- b. Pavilion notice requirements for reservations and cancellations,

Ordinance 2019-2. (Presenter: Laurie Hellstrom)

Motion was made by CM Gibson to amend the Parks Regulation Chapter 12.12 as all dogs will be leashed in all parks and unleashed in a zone for dogs and no dogs in Wadman park; and give a two business day notice for reservations and cancellations and delete the words 'no exceptions' but add refunds allowed because of inclement weather, Ordinance 2016-2. 2nd by CM Francis. Roll call vote. Voting aye: CM Burns, CM Francis, CM Gibson, CM Hansen & CM Urry. 5-0

9. Amend the Consolidated Fees Schedule by:

- a. Updating CWSD's new impact fee to be collected by the City; and
- b. Correcting the Large Group Events-Non-Residents fee,

Resolution 2019-D. (Presenter: Laurie Hellstrom)

Motion was made by CM Francis to amend the Consolidated Fees Schedule, Resolution 2019-D. 2nd by CM Francis. Roll call vote. Voting aye: CM Burns, CM Francis, CM Gibson, CM Hansen & CM Urry. 5-0

10. Closed Meeting.

Motion was made by CM Gibson to go into a closed meeting on property acquisition. 2nd by CM Francis. Roll call vote. Voting aye: CM Burns, CM Francis, CM Gibson, CM Hansen & CM Urry. 5-0

Minutes of the closed meeting are protect records and are filed separately.

Motion was made by CM Gibson to end the closed meeting. 2nd by CM Francis. Voting aye: CM Burns, CM Francis, CM Gibson, CM Hansen & CM Urry. 5-0

11. Discussion and possible action from the closed meeting.

No action from the closed meeting.

Other Business:

Ryon Hadley: the radar speed sign is at 1100 W 3800 N. There is a huge deal going on. There have been 13 calls on vehicle thefts. There was a homeless man living at Shady Lane Park. The Mongules motorcycle group has moved into Evergreen Trailer Park. Officer Wilson is back to work and Weber County cleared him. In April there were 79 citations, 656 service calls, and 12 custodial cases. The School Resource Officer can now start helping.

CM Francis: should there be a signal light at 500 W and Elberta Drive?

CM Hansen: Bill or the staff needs to call us when there is a water break.

CM Burns: there were 60 people at the Multi-Sports Park planting trees. We are changing the Founder's Day parade route.

CM Urry: the fireworks will be in the soccer field this year.

Bill Cobabe: the people that work for the city are professional top notch people. No one should lose their job because they are doing their job because of a city ordinance. Staff has a job and that is what we are doing. We act on complaints that come in. Either change the ordinance but not the person that is doing the job. If there is a violation own up to it for fix it. Our understanding is that we get better complaints if they don't feel that they will be ratted out. It is complaint driven.

Bill Cobabe: the CWSID's sewer at capacity issue is not a Pleasant View City problem but we are being held to account for the problem. We want to avoid backups but we have interest in the city with properties being held hostage because of Farrwest's infiltration. CWSID was going to address the problem in 2030 but growth has bumped it up. CM Gibson: Toby Mileski said the flooding was because of sump pumps being put into the system. Bill Cobabe: there will be a meeting with CWSUD on May 20th. CM Burn: hopefully we can honor current developments. Bill Cobabe: it is a 2 to 3 year solution.

Bill Cobabe: we received an application for a sober living facility, not a halfway house with the maximum of 12.

Adjournment: 8:52 PM