

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

September 24, 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

COUNCILMEMBERS: Jerry Burns
Ken Francis
Steve Gibson
Boyd Hansen (*absent during consent item and part of #1*)
Sara Urry

STAFF: Laurie Hellstrom Bill Cobabe
Tyson Jackson Ryon Hadley

VISITORS: Ann Arrington Kevin Bailey
Christy Bailey Dave Marriott
Ambree Burggraaf

Pledge of Allegiance: Ken Francis

Opening Prayer, Reading or Expression of Thought: Ken Francis

Declaration of Conflicts of Interest:

None were given.

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

None were given.

Youth City Council Report:

Ambree Burggraaf: we had our first meeting two weeks ago. There were 40 of the 55 members in attendance. We did a scavenger hunt and we will be helping with the Pumpkin Palooza.

Consent:

Motion was made by CM Gibson to approve the consent items (minutes of September 7, 2019 and September 10, 2019 (open and closed). 2nd by CM Burns.
Voting aye: CM Burns, CM Francis, CM Gibson, & CM Urry. 4-0.

Business:

1. Public Hearing - Discussion and possible action to consider amending the General Plan under the Community Character Element for Affordable Housing. (Presenter: Bill Cobabe)

Motion was made by CM Urry to go into a public hearing to consider amending the General Plan under the Community Character Element for Affordable Housing. 2nd by CM Francis.
Voting aye: CM Burns, CM Francis, CM Gibson, & CM Urry. 4-0.

Bill Cobabe: you are all aware of the ongoing conversion of Affordable Housing in and around the state. The state legislature decided at the end of the last session to approve SB34 which ties our transportation funding to the adoption of at least three elements in the General Plan amendment. The reason for this I don't think that I have to get into. This was already in the state code and several of them were adopted into our code word for word. This represents a step back from that in regards to the number of things that the city was going to look at. In making it a requirement the city decides to dial them back. We had a pretty good discussion at the planning commission and I included the minutes in your staff report. We went through each one of these. The planning commission decided to pick the low hanging fruit and that is what is in your packet as the proposed language. It starts out with accessory dwelling units. That is item number E on the menu. One of the provisions in there is just for me and the planning commission voted in favor of this although it is not clear that they knew what they were voting for and frankly what this ultimately looks like. It is up to the city council and a potential zoning amendment. One of the clauses that I put in there was that the city may look at providing for detached accessory apartments as opposed to our code which currently only allows for attached accessory apartments. The reason for that is that there are places in the city that have structures that are apart from and detached from the main dwelling structure such as a barn, maybe or a pool house, or a guess house, in some places something over a detached garage. The nature of that is still much in flux on how that looks. If we were to do that we would need to specify where on the lot it could be located, the size of the structure, and probably put some architectural guidelines saying that it has to look like or blend in with the existing structure or the existing main residence. Those are zoning ordinance question not a general plan question. The general plan language just says we will think about it. CM Urry: so if this is adopted later on it would be addressed in the zoning and this is what it looks like? Mayor Call: maybe. Bill Cobabe: all we need to do is show that we did something towards progression towards adopting it. Once it is adopted we could put an application if and when that time ever comes. The planning commission thought that it was an easy low hanging fruit. We already allow for attached accessory apartments and planning commission thought that we could carry along with that. The next item that they looked at was to preserve moderate income housing. The cursory look that I did, we have over a 1,000 of these units between the apartments, town homes, twin homes and the trailer parks in the city. The planning commission felt that that was a pretty good number. Mayor Call: do you know the total number of dwellings in our city? Bill Cobabe: typically we look at sewer and water connections and I think we are around 3,300. Mayor Call: so it is almost 30%. That is a pretty good number I would think. Bill Cobabe: the planning commission felt good about that number and at least we are in a good place with moderate housing and that will be our effort to preserve that. In looking at the Form Base Code as it comes on line we will provide for multi-family housing where the current trailer park is located so you are swapping one form of moderate housing for another. CM Urry: so that would be a mixed use? Bill Cobabe: it would be a mixed used situation. That is how we will preserve that moderate housing section. The last one is this item number O. It says implement a mortgage assistance program for employees of the municipality or an employer that provides contracted services to the municipality. This is pretty open ended as well. What this looks like and how this looks like is completely up to us or up to the city council and the administration of that would

be left up to staff to maintain but as far as budgeting and how much we would allocate towards that is completely up to the city council and it would probably be on a need case and a first come first service basis. Obviously the city values its employees and that kind of assistance could come in handy if and when live tragedy happen and or when specific need arise. The other suggestion from the planning commission was a relocation assistance that could be made available if people move to Pleasant View. If employees of the city wanted to move to Pleasant View City rather than a mortgage assistance thing. Either help pay a mortgage or help with relocation. CM Urry: the council set the parameters. Bill Cobabe: yes the council sets the parameters and once agreed upon and a policy in place we would just administrate that as normal like the tuition assistance. Those are the three things that the planning commission decided to look at. It is ironic that we had six or seven things from the state code and we are eliminating all those and putting in the three easier low hanging fruit kind of items as a replacement. The planning commission held a public hearing and voted in favor of sending a positive recommendation of these changes to the General Plan to the city council. Mayor Call asked for comments from the public. Laurie Hellstrom: This has the appearance of being a sneaky way for the City to increase density; and it seems like a sneaky way to allow development to add an additional impact without paying a dime. As you look around the city there is a feeling of openness. Steve Gibson mentions this often. That is one quality that makes Pleasant View what it is. All of us residents bought into these 1/3 acre lots and 1/2 acre lots and what comes with it. I don't think it is right to take this amenity away from the residents. We will probably see vacant lots and vacant land get subdivision approvals for $\approx 15/20$ lots which is really $\approx 30/40$ lots. The builder will pick-up a permit for the first building and pay all the fees and then they will pick-up the permit for the second building but they will not pay the water impact fee, sewer impact fees, storm sewer impact fee, CWSID impact fee. I don't know about the fire department impact fee. We are doubling the density without getting paid for it. The attached accessory apartment and the detached accessory apartment are two different beasts. The AAA requires the home owner to live there. The home stays looking like a home. If the home owner doesn't like how things are working they can revoke it. If the city doesn't like what is happening they can revoke it. With the detached accessory apartment it would be difficult to require the home owner to live there, similar to rental units. It would increase density. If the city had a problem with it they couldn't revoke what they allowed to happen. If the City sometime in the future wants to increase density let the residents know. Create a proper place for it. Create its own zoning ordinance. I would suggest striking detached accessory apartment from the ordinance. The City is required to have 'three' Affordable Housing Elements and by striking that we will still be in compliance with the law. If you leave it in the ordinance - It is like taking a small child to the store and putting a lollipop in the grocery cart. When you get home are you ready to start hearing all the crying, whining and begging from the child/developer? And are you willing to pay any dental fees? They know that lollipop is in the bag and they want it. That is not the correct tool for Pleasant View. Mayor Call: any other comments from the public? Seeing no other, do I have a motion to close the public hearing?

Motion was made by CM Gibson to close the public hearing. 2nd by CM Burns.
Voting aye: CM Burns, CM Francis, CM Gibson, CM Hansen & CM Urry. 5-0.

Discussion: CM Gibson: I am so glad that this was brought up. I had the exact feeling of where does that end. I can see a garage but it opens it up to having countless things on the property. I agree with that is a problem thing. If you look at item number H. That would be an easy thing to put in. We have a transit area there. Mayor Call: we don't need to substitute. We can just strike that last sentence with detached accessory apartments. CM Urry: because we already met the requirement? Mayor Call: correct. I had the same concerns. I was like okay. We could draft an ordinance on how we want it to look but a year or two or five years from now who knows. CM Gibson: where does it end? You give a little and they take a lot. I don't know how you control that. Mayor Call: once it is introduced into the code where does it go? CM Urry: there was some discussion at last planning commission meeting and that there was some confusion on what was actually adopted and a few members of the planning commission mentioned that is not what we adopted and that is not what it looked like. I already express my concerns to Bill. It is too vague. CM Burns: are you speaking of the detached accessory apartments? CM Urry: yes. They were worried about the density that would occur on lots. CM Burns: Bill could you review those items that are being deleted from the General Plan? Bill Cobabe: look in your staff report and those items that are strikethrough. Bill Cobabe: I don't want to be defensive. This was just truly meant as a suggestion and perhaps an item for discussion. Any code could be well drafted in such a way that accessory dwelling units would provide a maximum lot coverage which we already have in our ordinance. We could have maximum square feet on a detached unit. You are right. The concern could be that it could grow but I could also argue the other way that if it becomes a concern you could strike it altogether and get rid of it. I appreciate the concerns but any code that would follow. Laurie is right about the impact fees but we could say that if you are doing a detached dwelling unit you are responsible for impact fees. Laurie Hellstrom: you would have to change all the impact fee reports. Bill Cobabe: so we could change all the reports. My point is that we could craft it in a way that it addresses these concerns. The question is this something we want to pursue? It was purposely written in a vague way to allow for flexibility and expansion. In a General Plan I didn't want to provide specific guide lines. Ann Arrington: the planning commission was talking about this and it was my understanding that when we passed it or brought it forward to you is that we talked about having the detached as an option for the future. When we sent it to you we are saying attached is good and later on we could think about detached. We can talk about detached down the road but attached right now. Bill Cobabe: you are right. There is no time frame associated with that. Mayor Call: I still have the concern. I think we can draft it the way we envision it and put firm restrictions but once it is in there what happens ten years from now? A new mayor and council could say that it is too restrictive. CM Urry: leave it out of the General Plan. Vagueness leads to actuality quit often and it depends on who is interpreting it.

Motion was made by CM Urry to approve the amendment to the General Plan with striking the Detached Accessory Apartments form item #1 of Ordinance 2019-4. 2nd by CM Burns.

Discussion: CM Hansen: sorry that I was late in the discussion. We are already in compliance right now. Why are we even discussing this? Bill Cobabe: state code requires us to have these things in our code and to report on them in a year and every year from then on as to what we are doing to follow the guidelines in our General Plan.

Right now we have seven items that we would have to report on in order get our transportation funding. If we simplify it, we simplify the reporting as well. Pick the things that we like and that fit better with our city.

Roll call vote. Voting aye: CM Burns, CM Francis, CM Gibson, CM Hansen & CM Urry. 5-0.

2. Public Hearing – Discussion and possible action to consider amending the 2019-2020 fiscal year budget (Resolution 2019-I). (Presenter: Laurie Hellstrom)

Motion was made by CM Gibson to go into a public hearing to consider amending the fiscal year budget (Resolution 2019-I). 2nd by CM Burns. Voting aye: CM Burns, CM Francis, CM Gibson, CM Hansen & CM Urry. 5-0.

Laurie Hellstrom referred to the attachment to the resolution. The changes are projects that were budgeted in the prior year and have not been completed and we are moving the balance to the current year.

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

Motion was made by CM Gibson to amend the budget as stated in Resolution 2019-I. 2nd by CM Francis. Roll call vote. Voting aye: CM Burns, CM Francis, CM Gibson, CM Hansen & CM Urry. 5-0.

3. Request approval to seek sealed bids for a Street Sweeper. (Presenter: Tyson Jackson)

Tyson Jackson: the purchase of the sweeper is in the budget. I looked at state contracts there are three but not the one that would fit our needs better and pay less. Discussed the various types of sweepers. Tyson Jackson: we will put out the specs that we want. CM Gibson: I want to see more than one bid.

Motion was made by CM Hansen to move forward with quotes on the street sweeper. 2nd by CM Francis. Voting aye: CM Burns, CM Francis, CM Gibson, CM Hansen & CM Urry. 5-0.

4. Discussion and possible action to consider amending the consolidated Fee Schedule to amend the garbage can fee on building permits from \$83.00 to \$84.00 and the replacement garbage can fee from \$41.50 to \$42.00 (Resolution 2019-J) (Presenter: Laurie Hellstrom)

Laurie Hellstrom: we pass along the actual costs of the cans. The cost has gone up.

Motion was made by CM Francis to amend the fees as stated in Resolution 2019-J. 2nd by CM Hansen. Roll call vote. Voting aye: CM Burns, CM Francis, CM Gibson, CM Hansen & CM Urry. 5-0.

5. Closed Meeting.

No closed meeting.

6. Discussion and possible action from the closed meeting.

No closed meeting.

Other Business:

Ryon Hadley: Officer Gillies is resigning. We will hire internal first and see if there are any takers. Officer Wilson will be coming back to work tomorrow night but the canine officer is reassigned to Officer Benson and they will work together with the transition. We completed our OSHA requirements. We are getting the new trucks in. Some of the staff is at TAC training this week in St. George.

Tyson Jackson: we are missing easements on 1000 W. Mayor Call: property will need to be acquired. Tyson Jackson: the first step is that we need to own the property to do the work there. Masyn and Mike will be out for a water and sewer certification. The striping should be started on Thursday or Friday and then stenciling can be done. The sports park is being cleaned to be a park and not a storm basin. We need to get safety grates and do seeding. Mayor Call: are we done asphaltting? At the bottom of 600 W and 2550 N it could use some. Tyson Jackson: we will be beefing up the road edges.

Bill Cobabe: I commend the Chief for doing a good job. At the League Conference there was training on how to take care of the police officers. With land use it used to be we wanted to go after the big box but energy is better spent on higher density and business density as we look at the Form Base Code. The negativity on the Form Base Code in Farrwest is coming from the planning commission and not the city council. Any efforts to have meetings with property owners on the hill – I have not heard back but I will keep trying. They have no reason to call back.

Laurie Hellstrom: the business license list and the financials are in your packet. We will start turning over information to the auditors.

CM Hansen: what about the additional gravel pit on the hill? Bill Cobabe: Shawn Wilson with Weber County will be sending their enforcement people out on it.

CM Gibson: Ryon Hadley came to a block party on neighborhood watch and he did a good job. With all the crime in the city we need to look out for each other and it takes the city to do that. We need to get something happening.

Mayor Call: remember tomorrow's meeting from 4:00P.M.-6:00P.M. Bill Cobabe: just the northern portion was invited.

Adjournment: 7:01 P.M.