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

July 28, 2020

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

MAYOR: Attendance method:

Leonard Call (via Zoom and office)

COUNCILMEMBERS:

Ann Arrington (via *Zoom*)

Kevin Bailey (via Zoom and office)

Steve Gibson (via Zoom)
David Marriott (via Zoom)
Sara Urry (via Zoom)

STAFF:

Bill Cobabe (via Zoom and office)
Laurie Hellstrom (via Zoom and office)
Ryon Hadley (via Zoom and office)

Jill Hunt (via Zoom)

VISITORS:

Brent Bailey (via Zoom)
Carson Jones (via Zoom)
Andy Faerber (via Zoom)

Pledge of Allegiance: Leonard Call

Opening Prayer, Reading or Expression of Thought: Leonard Call

Read the Electronic Meeting Determination for conducting a meeting w/o an

anchor location: Leonard Call Declaration of Conflicts of Interest:

None were given.

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

None were given.

Consent Items:

Motion was made by <u>CM Arrington</u> to accept the consent items (May 22, 2020, June 17, 2020, June 23, 2020 and July 7, 2020 and the bills of Pleasant View City). <u>2nd by CM Bailey</u>. Voting aye: CM Arrington, CM Bailey, CM Gibson, CM Marriott and CM Urry. 5-0

Business:

1. Public Hearing - Discussion and possible action to consider a rezone from RE-20 (residential) to CP-2 (commercial) on parcels 17-050-0019, 17-072-0064 and 17-060-0003 located on 2700 N and east of 600 W, Ordinance 2020-8. (*Presenter: Jill Hunt*)

Motion was made by <u>CM Bailey</u> to go into a public hearing to consider a rezone from RE-20 (residential) to CP-2 (commercial) on parcels 17-050-0019, 17-072-0064 and 17-060-0003 located on 2700 N and east of 600 W. 2nd by <u>CM Marriott</u>. Voting aye: CM Arrington, CM Bailey, CM Gibson, CM Marriott and CM Urry. 5-0

Jill Hunt showed the location. It is currently RE-20. The General Plan allows general commercial. The current owners are Brent Bailey and the New Life Northview Church. The draft site drawing was shown. I have received calls from the White Barn and Pleasant Meadows residents. Their concerns are the heights of the buildings, keeping it residential, increased traffic on 2700 N and the biggest is the noise from the church. We are working with them on that. Mayor Call: are there any comments from the public? Bill Cobabe: Larry Watson said there is inadequate parking for the church. Mayor Call: that is not a zoning concern but addressed in the building process. CM Arrington: where are the entrances? Jill Hunt: showed their draft plan. They need approval from UDOT for the access. CM Urry: on the site plan does it connect the parcel to the west? Jill Hunt: yes. There is joint access. Bill Cobabe: Larry Watson asked does CP-2 allow churches? Bill Cobabe: conditional uses are permitted uses. CM Arrington: the church is currently outdoors. Jill Hunt: there was a tent. The agreement was they could put it up on Saturday and then take it down on Sunday. They have a port-a-potty. CM Arrington: the noise is because they are outside. Jill Hunt: they have a mic and they said they would go acoustic but I think they meant no drums. CM Urry: are there any county health requirements? Mayor Call: we are getting off the rezone request.

Motion was made by <u>CM Bailey</u> to end the public hearing. 2nd by <u>CM Urry</u>. Voting aye: CM Arrington, CM Bailey, CM Gibson, CM Marriott and CM Urry. 5-0

Motion was made by <u>CM Urry</u> to approve the rezone from RE-20 (residential) to CP-2 (commercial) on parcels 17-050-0019, 17-072-064 and 17-060-0003 located on 2700 N and east of 600 W, Ordinance 2020-8. 2nd by <u>CM Bailey</u>. Roll call vote. Voting aye: CM Arrington, CM Bailey, CM Gibson, CM Marriott and CM Urry. 5-0

2. Public Hearing - Discussion and possible action consider vacating the southeast side of a utility & drainage easement located on parcel 16-176-0008, part of the Amended Plat of Skyline Estates Subdivision No. 4, Lot 29. Ordinance 2020-9. (Presenter: Jill Hunt)

Motion was made by <u>CM Bailey</u> to go into a public hearing to consider vacating the southeast side of a utility & drainage easement located on parcel 16-176-0008, part of the Amended Plat of Skyline Estates Subdivision No. 4, Lot 29. 2nd by <u>CM Arrington</u>. Voting aye: CM Arrington, CM Bailey, CM Gibson, CM Marriott and CM Urry. 5-0

Jill Hunt: show the plat map with the easement to be vacated. The easement is 10'. The intention of this is they bought the lot to build on but in order to do so they need a retaining wall and need the easement vacated. I received approvals from Dominion Energy, Comcast, Pineview, and Rocky Mountain Power. Century Link is fine with the retaining wall and allowing an encroachment. We will continue to work with them to get an approval letter. Can this item be contingent on receiving approval letters from Century Link and Tyson with Pleasant View City? Mayor Call: are there comments from the public. Bill Cobabe: no.

Motion was made by <u>CM Urry</u> to end the public. 2nd by <u>CM Marriott</u>. Voting aye: CM Arrington, CM Bailey, CM Gibson, CM Marriott and CM Urry. 5-0

<u>CM Marriott</u>: do they have a current building permit? <u>Jill Hunt</u>: no. We need this first. <u>CM Marriott</u>: there have been some improvements on the lot. <u>Jill Hunt</u>: we took a

trip up there and it would be difficult to build on. Century Link said they are not planning anything there. CM Urry: are you okay with an encroachment? Jill Hunt: no.

Motion was made by <u>CM Bailey</u> to approve vacating the southeast side of a utility & drainage easement located on parcel 16-176-0008, part of the Amended Plat of Skyline Estates Subdivision No. 4, Lot 29, Ordinance 2020-9 contingent on approvals from Pleasant View City and Century Link. 2nd by <u>CM Urry</u>. Roll call vote. Voting aye: CM Arrington, CM Bailey, CM Gibson, CM Marriott and CM Urry. 5-0

3. Public Hearing - Discussion and possible action consider Preliminary Subdivision approval of Harris Hills Phase 4, a 7 lot subdivision located at approximately 1075 w 4150 N. (*Presenter: Jill Hunt*)

Motion was made by <u>CM Arrington</u> to consider Preliminary Subdivision approval of Harris Hills Phase 4, a 7 lot subdivision located at approximately 1075 w 4150 N. 2nd by <u>CM Bailey</u>. Voting aye: CM Arrington, CM Bailey, CM Gibson, CM Marriott and CM Urry. 5-0

Jill Hunt showed the area. It is not connecting to 4300 N. That will happen in phase 5. The detention basin is for all the phases. There are seven lots in this phase. The smallest lot is 20,000+ acres. This meets the RE-20 zoning requirements. The frontage is met. A restricted use easement is added for the Little Missouri Spring. Most of the lots are spoken for. Mayor Call: it that triangle parcel ours? Jill Hunt: no it is Leroy Harris'. CM Marriott: why is the Little Missouri Easement important? Jill Hunt: we require having so many feet from the well and that is what we need to protect our area. CM Gibson: will it be left open? Jill Hunt: it will be fenced. CM Marriott: no building on it? Jill Hunt: correct. CM Urry: that corner can't be used? Jill Hunt: it has restrictions. CM Urry: the turnaround is not an impervious surface is there an agreement with Leroy Harris? Jill Hunt: the subdivision belongs to both Leroy Harris and Carson Jones. There is no asphalt on the turnaround because within the allotted time they will start phase 5. Carson Jones: it is a temporary turnaround. CM Gibson: what are we missing Carson? Mayor Call: are there any comments from the public? None given. CM Arrington: have they been doing any unauthorized site work? Jill Hunt: they have been moving dirt, grubbing and survey work.

Motion was made by <u>CM Bailey</u> to end the public. 2nd by <u>CM Urry</u>. Voting aye: CM Arrington, CM Bailey, CM Gibson, CM Marriott and CM Urry. 5-0

<u>Mayor Call</u>: any other questions? <u>Bill Cobabe</u>: the owner of lot 24, J. Hatch, said that they will comply with the required easement to Pleasant View.

Motion was made by <u>CM Gibson</u> to approve the Preliminary Subdivision approval of Harris Hills Phase 4, a 7 lot subdivision located at approximately 1075 w 4150 N. 2nd by <u>CM Bailey</u>. Voting aye: CM Arrington, CM Bailey, CM Gibson, CM Marriott and CM Urry. 5-0

4. Discussion and possible action to authorize the Employer 'Pick-up' Election of the Employee Retirement Contributions for the Tier 2 Public Safety, Resolution 2020-L. (*Presenter: Laurie Hellstrom*)

<u>Laurie Hellstrom</u>: the Utah Retirement Systems changed how the public safety and firefighters receive benefits when they retire. It went from a 1.5% to a 2% on the number of years of service times their salary to get their final retirement benefit. In doing that, the rates increased. We have in the past picked up employee's contributions. This is where we have one employee who now has to pay an extra 2.27% and then the city's portion went from 12% to a 14% in this Tier. They (URS) are

giving cities the option to pick up employee's contributions. We only have one officer in that Tier so it's probably about \$1,500 a year but as we get younger officers they will be in Tier 2 and the cost could be up to \$15,000 plus a year that the city would pick up and that also depends on the rate if it goes up from the 2.27%. I called the URS and ask them if we pick-up the 2.27% can we change it in the future. They anticipated that we could fill out a new form and increase the amount but no decreases. This is to see if you guys want to pick up that 2.27% or if you want to pick up everything in the future or not at all. Mayor Call: I will get on my soap box. The legislature did the employees a big disservice when they overhauled the retirement system. It created so many disparities and they try to fix it every year especially amongst the Tier 2 employees. I do not know why we would make one employee pay a portion of his retirement when all the other employees have theirs fully funded. I'm very much in favor of passing this resolution. If we have to pass another one every year we'll do that. CM Arrington: we could pick up the 2.27% this year and revisit it each year. CM Gibson: I want to support the employees. They have a good package. When are we ever going to change it so it's no different from the private sector? We pick up everything. I have to pay a lot for insurance. Ryon Hadley: it is just one employee and he is getting hammered with the Tier 2. We will hire more Tier 2 officers in the future. CM Gibson: I rather do this year by year. CM Marriott: I am not comfortable leaving it open ended and pay whatever. We need to limit it what we need now and visit it each year.

Motion was made by <u>CM Arrington</u> to adopt Resolution 2020-L authorizing the Employer 'Pick-up' Election of the Employee Retirement Contributions for the Tier 2 Public Safety at 2.27%. 2nd by <u>CM Urry</u>. Roll call vote. Voting aye: CM Arrington, CM Bailey, CM Gibson, CM Marriott and CM Urry. 5-0

5. Discussion and possible action to adopt the Interlocal Agreement between Weber County and Pleasant View to administer the CARES Act Funding by Resolution 2020-M. (*Presenter: Bill Cobabe*)

<u>Bill Cobabe</u>: we already approved the agreement but needed a resolution. We were not aware of that at the time. <u>Mayor Call</u>: if you know any businesses that have been affected by the shutdown this closes Friday July 31st.

Motion was made by <u>CM Gibson</u> to adopt Resolution 2020-M as stated. 2nd by <u>CM Bailey</u>. Roll call vote. Voting aye: CM Arrington, CM Bailey, CM Gibson, CM Marriott and CM Urry. 5-0

6. Closed Meeting.

Motion was made by <u>CM Bailey</u> to go into a closed meeting to discuss property acquisition. 2nd by <u>CM Urry</u>. Roll call vote. Voting aye: CM Arrington, CM Bailey, CM Gibson, CM Marriott and CM Urry. 5-0

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

Motion was made by <u>CM Gibson</u> to end the closed meeting. 2nd by <u>CM Marriott</u>.

Voting aye: CM Arrington, CM Bailey, CM Gibson, CM Marriott and CM Urry. 5-0

7. Discussion and possible action from the closed meeting.

No action from the closed meeting.

Other Business:

Mayor Call: the flag behind me is the Heritage Committee's flag section. This is not a city flag.

Ryon Hadley: vehicle burglaries and thefts are increasing. We have a video of an auto burglary with the theft holding a semi-automatic which is very disturbing. There were seven in one night. We are seeing an increased sign of disrespect with our officers being flipped off but we are also see community support. We sold the Dodge Charger. The animal control's truck will be up for sell in a couple of weeks. The police canine is being check to why she is limping and the sore in her mouth are not cancer. A canine officer cost about \$9,500. Our canine was a donation.

<u>Bill Cobabe</u>: the city is looking at rezoning properties along 2700 N that are currently identified as commercial in the general plan to commercial. Can we get a consensus to move in that direction and should the rezones happen separately or altogether? The consensus was to move ahead and do them all together. Work is in progress in connection a road behind Maverick in Farrwest. The new shop has the steel in and the forms for the foundation. A ULCT presentation on Economy Check was briefly viewed.

<u>CM Arrington</u>: the seeding is looking good at the Multi-Sports Park. Can we do anything with a noise ordinance and the trucks? Bill, Sara and I met with EDCUtah on suggestions to attract businesses here. We would like them to come and talk with the council.

<u>CM Urry</u>: it was good information. With the food truck event last night I talked to one that has a restaurant in Sunset and asked them to come up here and I gave that information to Brent Bailey. There will be a joint meeting in August with the planning commission.

<u>CM Gibson</u>: we will be having a Founder's Day recap Tuesday at 3:00 via Zoom. Is there a CSM update? <u>Bill Cobabe</u>: no update. It is on their time frame.

<u>Jill Hunt</u>: most is what I sent to you all in an email. We have 15 outstanding complaints.

Adjournment: 7:58 P.M.