

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

November 15, 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
Sara Urry

STAFF:

Amy Mabey
Laurie Hellstrom
Ryon Hadley
Tyson Jackson
Brandon Bell
Dana Shuler, Jones & Associates

VISITORS:

Court Henderson	Spencer Barlow
Jace Montano	Nancy Jensen
Dela Morgan	Florence Stowe
Clarion Haglund	David Clark
Le Hashimoto	Norman Farrell
Andy Nef	Deborah Price
Eunice Williams	Edmund Williams
Larry Hansen	Larry Jensen
Kelli Jensen	Jaiden Olsen
Rich Olsen	Jan Blackburn
Chad Winward	Jerald Erickson
Julie Farr	Dennis Farr
P.S	Steiner Waddoups
Leslie Waddoups	Colin Bagley
Charlyn Isakson	Brad Jones
Jennifer Jones	Kendal Madsen
Jerry K	Sean Williamson
Charlotte Christopher	John Sutton
Jace Montano	Jake Crazier
George Bateman	Steve Weller
Derek Draper	Glen Ames
John Hendrickson	Craig Mock
Jeff Clark	Mike Cragun
Kelly Clarkson	Tony Pitman

Chris Andres
Danielle Jeppson

Andrew Sandstrom
Pamela Weeks

1. Introduction.

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

Phil Nelsen.

b. Declaration of Conflicts of Interest

None given.

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

Dereck Draper: thank you city councilmembers who answered my questions. I have had no response on the question of using public funds on private property and a request to fix his sewer line. Dereck Draper questions and comments were submitted in writing and are included in the packet.

2. Consent Items.

a. Minutes of November 1, 2022, November 3, 2022 and August 22, 2022

Motion was made by CM Urry to approve the consent items (minutes of November 1, 2022 and August 22, 2022). 2nd by CM Marriott. Voting Aye: CM Arrington, CM Gibson, CM Marriott, CM Nelsen and CM Urry. 5-0

3. Appointments.

a. Discussion and possible action to appoint Sean Wilkinson as a member of the Planning Commission.

Sean Wilkinson introduced himself. He has been the Weber County Community Development Director for 18 years.

Motion was made by CM Urry to appoint Sean Wilkinson as a member of the Planning Commission. 2nd by CM Gibson. Voting Aye: CM Arrington, CM Gibson, CM Marriott, CM Nelsen and CM Urry. 5-0

b. Discussion and possible action to appoint Brandon Bell as the Records Officer for Planning and Zoning.

Motion was made by CM Arrington to appoint Brandon Bell as the Records Officer for Planning and Zoning. 2nd by CM Urry. Voting Aye: CM Arrington, CM Gibson, CM Marriott, CM Nelsen and CM Urry. 5-0

c. Discussion and possible action to reappoint Richard Evans to the Board of Adjustment with the term of appointment extending through November 2027.

d. Discussion and possible action to reappoint Robert Knapp to the Board of Adjustment with the term of appointment extending through November 2025.

e. Discussion and possible action to reappoint Richard Rhees to the Board of Adjustment with the term of appointment extending through November 2026.

f. Discussion and possible action to reappoint Dave Wade to the Board of Adjustment with the term of appointment extending through November 2027.

g. Discussion and possible action to reappoint Larry Wadman to the Board of Adjustment with the term of appointment extending through November 2026.

Motion was made by CM Gibson to reappoint each member: Richard Evans, Robert Knapp, Richard Rhees, Dave Wade and Larry Wadman to the Board of Adjustment as state above in 3(c).(d).(e).(f).(g.). 2nd by CM Nelsen. Voting Aye: CM Arrington, CM Gibson, CM Marriott, CM Nelsen and CM Urry. 5-0

4. Public Hearing. Discussion and possible action to consider a Rezone of 27 acres of land from Agricultural (A-5) to Residential (RE-20) located at 500 West 4300 North, Ordinance 2022-32. (Presenter: Amy Mabey)

Motion was made by CM Arrington to go into a public hearing to consider a Rezone of 27 acres of land from Agricultural (A-5) to Residential (RE-20) located at 500 West 4300 North. 2nd by CM Marriott. Voting Aye: CM Arrington, CM Gibson, CM Marriott, CM Nelsen and CM Urry. 5-0

Amy Mabey: before you this evening is a consideration of a planning commission's recommendation for a rezone of property located at 500 W 4300 N from A-5 to RE-20. The difference is density. 5 acre lots to ½ acre lots. The planning commission deny the request on October 20, 2022 with a 6 to 1 vote. The one vote from planning commission member Stokes didn't give a reason. All comments have been forwarded to the city council. Amy Mabey reviewed the staff report with those in attendance (staff report included in the packet)

Mayor Call: we will have the developer speak and then we will take public comments. The water ERU's are based on density calculated on the General Plan Map and not the Text and any changes in zoning will affect that.

Jaiden Olsen (developer): gave a power point presentation (included in the packet). We have a soil report and some wetlands. We have gone from 37 lots to 19 lots. The current proposal was shown. We have a Pineview letter for the area south of 4775 N. There is a 1.5-acre lot and we are keeping the tree line. We are giving a generous donation of 3 acres of land for open space. The water line will be moved and replaced with an easement of 25' that the city would have to front but we will relocate it. It is currently zoned 5 acres with a water line. Two acre lots are a challenge also. Five acres will not work and will be hobby farms. We will put water into the retention basin from the subdivision. We are placing a zoning transition point. Some easements on lots. The General Plan is ambiguous with stating ½ acre lots east of 500 W. Some of the land is used by the city for travel and water retention. We want to maintain open space and expand Wadman Park. We procured secondary water and less will be used if there are not mini farms and water will be reduced with xeriscape look. The schools are overcrowding and this will be a tax resource base and open space. This is the best use for the property and needs of the community and will be developed responsibly.

Chris Andres (developer's attorney): in being sensitive to water and use, this development proposal takes care of those watering but bring their own water is just something to be very mindful of. Also as far a zoning concern there is already A-2 close to this development and A-5 to the west and there has already been some play with this and with this area.

Mayor Call: we have received a lot of comments from the public asking why the city keeps bringing this back. The City is not but this is a new petitioner and they have the right and we protect that. How to proceed with this hearing - time is important. With comments, hit the points with a spokesman and if points are missed keep this up until all is said. Everyone has the right to speak though. We will take input and discuss. Three minutes per person.

Charlotte Christopher: what is parcel A? Sure Pineview can provide water but every year our pressure is less. I have lived here since 1977. I am not opposed to development as long as it stays A-5. I am asking you to deny this request. I don't believe this is the best use. Water resources are a concern and additional homes will diminish ground water rechargeability no matter what they say. We are all being asked to conserve water. We have some dangerous intersections and 500 W and 4300 N will be one of those. Someone has to die before streetlights are put in. I appreciate the time the city put in to Wadman Park.

Jerry Erickson: two big concerns, the amount of water and the sensitive hillside. We don't want to disturb the natural springs for those downstream. We finally cut back the traffic on 500 W with the gravel pit being purchased from Parsons and we don't want more traffic coming down. There have been many mailboxes and utilities taken out with accidents. They are proposing a number of expensive homes which generally means several vehicles. I would deny this request.

Craig Mock: I am against this. I have had my spring dry up with the development by the new fire station. The people don't want this and this is a waste of time.

Glen Ames: I have been here for 16 years. I have been an engineer for 28 years specializing in water resources with UDOT. When we put homes in water goes away. Where is the piping going? Someone stated: this is just a concept plan right now we are here for the rezone. With drainage, pipes leaving the area means water is not getting recharged. That is scary because it is not being recharged but going to the Great Salt Lake. That is my caution.

Edward William: I have been here 40 years. I chose to live here because of the environment. In 2017 the planning commission understood and created the General Plan and created that special environment. He read from the General Plan regarding the low density and sensitive area and to promote the character of the city. Above 4300 N is either 5 acres or larger or left as open space. There won't be mini farms. There are not many farms in Pole Patch. Existing zone is to protect agriculture and that is why most of us moved here. Developers want to maximize their profit. That is their right. But only to conform to plan as forced to. Get a good job to move to Pleasant View. We don't want smaller lots that benefit a developer.

John Sutton: I like to revisit outside lights. Wadman Park is in a dark area and a low crime area. There is a generation that has not seen a dark sky. We can require a dark sky light but there is no control with residential lighting and LED lighting. 5 acre lots make sense in the area.

Andrew Sandstrom: I am a renter. This could be great somewhere else but not here. You can look at the point of the mountain and as a grandchild I love to see it. I also do mini farming. A duplex or mid-house would be more affordable but honor the plan and buy into the area. I like dark skies but you don't see them in Provo.

Danielle Jeppson: I have lived here 11 years. I was an engineer in California with water. I served on the Planning Commission. There was a correction in the General Plan language that was taken out. It was meant to be A-5. The City has history. The water source is trickling now. Jessie Creek well dried up as a major producer and then we drilled another well. We had two years with no build. Consider and ask for responsible development. The hillside has a purpose and don't comprise it. I am against this proposal.

Nick Bennett: I work for the military. I am a numbers guy. 5 mini farms don't take up the same amount of water. I grew up on a farm. I understand the need for water. The trout farm needs an air pump because there is no water in the spring. Pineview is out of water and Causey is out of water so we can have green grass. More houses equal more water need.

Steiner Waddoups: as a landscaper, 5 acres is not entirely landscaped but ½ acre lots are landscaped. Pleasant View has changed since we moved here. People don't want to be overcrowded and it is not intended for the hillside to be crowded. This is the 6th person I heard mention things drying up. This is not the time to be building homes up there.

Jeff Clark: in my business I was good at listening to people and interpreting what was being said. Often developers are not the property owners but tell the owners this is how it will be developed. Affordability equals loss of value to homes. We bought into 5-acre lots with bigger homes and made economic decisions we fought for and it would be a loss to us. Affordability equals a loss of value to the people that live here and that is not fair. Property owners have rights but you need to balance with the rights of existing property owners. You have to draw a line somewhere.

Larry Hansen: this is a water issue. We received a letter from the Mayor with comments to save water. The governor declared a state of emergency because of the lack of water. Does a development guarantee water? Water statistics were given and stated that a farm doesn't use as much water. I am opposed to this and look at the facts and look at the future of the city.

Della Morgan: I have lived here 30 years. I am talking for my neighbor. The ground water has dried up and the fishpond is now empty.

Tony Pitman: when creating the General Plan the citizens saw the maps not the writing and that is what the residents asked for. The maps are what the city bought into. As soon as the rezone happens discretion goes down. They could have 54 lots. At this stage you can decide and it is up to your discretion to follow the citizens or not.

Jan Blackburn: I live on 6.5 acres that abuts this property. I share a well with my neighbor and I have grass around my home that I water but I don't water all 6.5 acres. My house is the first to lose water and I will call the city and let them know. I am barely making the minimum requirement for water. If there are water breaks I am without water. I don't want that to happen to all these homes.

Dennis Farr: my literature is in my letter. I want to note that for the last three times I have been down here the packaging has changed but the request is the same. They will do whatever is allowed in the zone. The planning commission voted against it 6 to 1. I would like to hear the reason for the one vote.

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

Motion was made by CM Urry to deny the rezone request from Agricultural (A-5) to Residential (RE-20) located at 500 West 4300 North and to add to amend the General Plan to clear-up the language. 2nd by CM Arrington.

Discussion: CM Arrington: deny with an amendment to the General Plan. CM Marriott: I appreciate the comments. They were helpful. We haven't talked about multiple people wanting to change the zoning to the west and to the north. We really don't have the infrastructure from roads or water and the list goes on. My biggest point is that I am against this. CM Nelsen: my biggest concern is the map and where the parcel is located and the current zone and its presentation was as if it were crystal clear. I am concerned about Danielle's comments with some change in the General Plan because regarding the language. I don't know what A-5 zone is. It is not agriculture and we need to look at the zone. CM Urry: can there be a cluster? CM Nelsen: the point is I have an ½ acre and I can do more agriculture than they can. It needs to be cleaned up and clarified going forward. Mayor Call: one difficulty in this area is historically going back to the 60's and 70's when it was created and what were they thinking, I don't know. It probably needs to be fixed. It was done a long time ago and doesn't make sense to us today. We need to deal with the mountainside. CM Urry: I have looked at the minutes in the 60's. A-5 was a placeholder. A-2 was a political decision. A-5 was placed with the sensitive lands. There was then the foothill study to protect until we get it right.

Voting Aye: CM Arrington, CM Gibson, CM Marriott, CM Nelsen and CM Urry. 5-0

5. Public Hearing - Amend Budget. Discussion and possible action to consider amending the 2022-2023 fiscal year budget, Resolution 2022-V. (Presenter: Laurie Hellstrom)

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

Laurie Hellstrom reviewed the resolution with the budget request. CM Urry: there will be a tent rental expense and panel to enclose. Mayor Call asked for public comment. None given.

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

Motion was made by CM Arrington to adopt Resolution 2022-V, amending the budget. 2nd by CM Nelsen. Roll call vote. Voting Aye: CM Arrington, CM Gibson, CM Marriott, CM Nelsen and CM Urry. 5-0

6. 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.

7. Other Business

Ryon Hadley: Shop with a Cop is coming up. We are working on a case in Idaho. There was a gun incident this morning and a felony arrest out of it.

Tyson Jackson: our new inspector has started today and our street superintendent starts the 21st. There have been a couple of leaks and they will be cold patched next week. The patch is gone at the round-a-bout.

Amy Mabey: the WACOG grant was awarded for the partnership with Farr West City. Safety will be improved and we anticipate a development participation agreement. We can begin developing in 2023 but the funding is for 2025. For cyber security - don't click links. Brandon Bell our new plan er is here. In January/February will be cleaning up the General Plan.

CM Arrington: we are re-applying for the pickleball grant with increased costs. Amy Mabey: we will have a dialogue for RAMP ideas next meeting. CM Urry: the deadline is January 14th. Dana Shuler: we see the cost of concrete coming down.

CM Urry: the Kinder Market is December 10th. The youth city council will be helping. Thanksgiving meals will be here on November 22nd.

Mayor Call: where are the Christmas lights at? Tyson Jackson: we are getting quotes for the roundabout and jellyfish lighting for the building.

8. Adjournment: 8:06 P.M.