

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

May 25, 2021

The public meeting was held at City Hall, 520 W Elberta Drive, Pleasant View, Utah and through ZOOM, commencing at 6:09 P.M.

MAYOR:

Leonard Call (participated briefly via zoom)

COUNCILMEMBERS:

Ann Arrington
Kevin Bailey (Mayor pro-tem)
Steve Gibson
David Marriott
Sara Urry

STAFF:

Amy Mabey
Laurie Hellstrom
Ryon Hadley
Tyson Jackson
Jill Hunt

VISITORS:

Dana Shuler	(via Zoom)	Andres Colman	(via Zoom)
Beth Holbrook	(via Zoom)	Doug Hamblin	(via Zoom)
Tyson Lund	(via Zoom)	Darci Mock	
Bryan Mock		Jason Hamblin	
Carson Jones		Shule Bishop	

Pledge of Allegiance: Sara Urry

Opening Prayer, Reading or Expression of Thought: Sara Urry

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 CM Arrington to accept the consent items (the minutes of May 11, 2021, May 13, 2021 and bills of Pleasant View City). 2nd by CM Marriott. Voting aye: CM Arrington, Mayor Pro-tem Bailey, CM Gibson, CM Marriott and CM Urry. 5-0

Business:

1. Presentation from UTA on their 5-Year Service Plan. (Presenter: Beth Holbrook, UTA Trustee)

Beth Holbrook presented UTA's Service Plan. CM Gibson: I am disappointed in UTA. We don't have good access to UTA in Pleasant View. The year 2041 is ridiculous for the north to get access. There were no promises kept for Pleasant View.

2. Discussion and possible action regarding a one-year progress review of an action that granted an exemption to the Home Occupation conditions to allow a person other than a bona fide residents of the premises and conducted outside the primary structure on the premises for contractor business at 3400 N 1000 W. (Requester: Darci Mock)

Mayor Pro-tem Bailey: there were four conditions that we talked about a year ago and that we gave an exemption on. One was only persons who are bona fide residents of the premises shall be employed on the premises. Last year you mentioned someone to help with office work and kids and employees that come and go. Darci Mock: they come in the morning and leave for the day and they come back at night. Mayor Pro-tem Bailey: the other one we gave an exemption on was that the home occupation will not physically change the dwelling to the extent that it would alter the residential character of the dwelling or the residential atmosphere of the neighborhood. Last year there were concerns with the yard and the back portion and the way things looked. We will need to adjust that. The third item was that the home occupation shall be conducted wholly within the primary structure on the premises. Your business is outside. The other thing is that the home occupation shall not generate vehicular traffic not commonly associated with the zone that it is located in. It has been a year. We have all gone by the Mock's home. They have made some good progress on the yard. But there are still some problems. From the street you still see the same problem. We will give you some time to talk about it and share you plan going forward. So we can make as informed decision as we can. We talked about that last year. Darci Mock: I appreciate the time to talk. Last year we met in the middle of Covid. The Covid crisis changed our projectory on how fast we were able to put a shop up with the price of lumber and everything like that. The price of the shop doubled and we haven't been able to put the shop up or the addition. We have put up a storage unit on the north side of the property so you can't see the piles of steel shafts from the park per say. With having this run out of our home it has provided some opportunities to the communities as well. From the windstorm, we had neighbors with trees on their houses and we were there that day and we didn't charge them but we were there with our machines. I paid for the cost of my employees to go out there. We helped people that week get their places back together. CM Marriott: what is your plan going forward and timeline? Darci Mock: we are looking at different options. We are looking at the cost of renting offsite or build a shop. We have three bids with a three-month turnover rate that are still coming in and we should have them in the two weeks. Mayor Pro-tem Bailey: is the shop you are talking about on your premises? Darci Mock: yes. That is option one. Option two is to rent somewhere else and have it offsite. Within 6 months we should either have started and finished the shop or we will be offsite. CM Gibson: I just want to make a comment. We gave you permission with some regret in turning it into something in a residential area. What it looks like. What it is. How it affects the community and the neighborhoods. We never argued that you don't deserve to have a business but just where you put that business. We have standards that we have to have. It is real tough when it is on the agenda what do you do? The problem if you let some things go and it feels like you are taking advantage of us. You give somebody time and time and you start that habitual process. It is a tough thing. We are looking at it how it affects the community, the looks and sounds. I have driven by and if there are weeds, broken down cars those are a nuisance. That is why we have houses here and businesses elsewhere. We want

Pleasant View to be maintained at a higher level. The discussion we need to have is how to let these guys continue. Mayor Pro-tem Bailey: have there been any complaints? Jill Hunt: there have been two but we didn't put them on the books because this was approved and we would let them know what was going on and let the complaints go. The complaints were in the fall – September/October. CM Marriott: what were the complaints? Jill Hunt: the yard. What they could see from the road and the side. CM Urry: the reason why this came to city council was because there were some complaints made and you checked into the complaints. Jill Hunt: we got some complaints in the beginning and then it was given to Debbie Minert for the business and then they came in for the variance is how I understand it. Not all the complaints were noise complaints. CM Arrington: I'm just looking at our ordinance Chapter 5.08 which talks about home occupations and it gives us our marching orders or rules of conduct and talks about what is lawful and unlawful and underneath the items it seems to me that there are four things that are not compliant with. I am not sure in a residential neighborhood that it will ever be compliant. For instance it says the home occupation will not physically change the dwelling to the extent that it will alter the residential character of the dwelling or the residential atmosphere of the neighborhood in which it is located. Furthermore it will not disturb the peace and quiet, including radio etc. I am thinking when I drive by that it doesn't even look remotely like a neighborhood home in the backyard. That is just one of them. The other one talks about vehicular traffic. I stopped by early to see what it was looking like and saw the coming and going of your employees and as I pulled over a big tractor came pulling in that is not normal neighborhood traveling to and from. We can give you a variance on that for a short time but where there are four items. This industrial-type business doesn't fit. In my mind it doesn't belong in a neighborhood. It needs to go somewhere industrial/commercial. What I am struggling with if something like this happens on 1000 W then why can't it happen on 500 W and 900 W, etc. Like CM Gibson said we are trying to protect residents and we want to keep neighborhoods. Darci Mock: would it be a different experience if they were in enclosed trailers? CM Arrington: no. Darci Mock: there are people on my same street with the same thing. CM Urry: those are issues that need to be addressed and they may or may not be allowed in a residential area. CM Arrington: the hard part is we have our rules that need to be followed. We think you are great people. We appreciate you in the community. It is a matter that we have to follow the rules for everybody. Mayor Pro-tem Bailey: I battled for you last time okay. I'll go to battle for you again and I want everyone to listen close. Mock's yard is not perfect. If you drive down 1000 W you can look either direction and there are places that are 10 times worse. I get that there is a mess in the backyard. I get what CM Arrington is talking about and I agree. I totally agree that we need to follow these rules but it is their livelihood and I hate to yank this up from them. They made some promises last year but they have not been able to keep them. I want to make it work and if it means six months and do or die. That is my argument in your favor. It is what it is and we still need to follow the ordinance. I would like to see you have a chance and you said that it would take you six months. Laurie Hellstrom: the hard thing for the future is if you grant them six months to build a shed or a building and then you guys come back and say nope we don't like it. They spent money. If they go out to rent it is a different situation. You are also messing with their finances. CM Arrington: we want them to be compliant in six months. What does compliant mean? We need to be very specific on what

compliant means. And we all need to agree what it means. CM Urry: to Laurie's point if they invested all that money and it is still the same story, it is their livelihood and the things they are relying on and now they are out of more money than what? CM Marriott: being specific on what to do. It is not a normal neighborhood. We need to try to make it work. CM Urry: why? It needs to keep a residential feel. What is the difference between 1000 W and someone wanting to do it in Pole Patch? It is no different. It is not an industrial zone. There is a new subdivision coming in that connects to 1000 W and they are going to say it doesn't comply. Are we going to rezone 1000 W or say it is industrial and we are not going to follow our ordinances? If you allow it on 1000 W then someone by you gets to do it, next to me gets to do it, up on the hills gets to do it. What make this anymore unique than anywhere else? CM Marriott: maybe we can't be specific about it. The amount of people coming and going. We are talking about all the equipment. When we originally talked about this it was about trustworthy. CM Urry: when you drive in a residential area you should not realize the business is there. So what do we do? Do we stay with the integrity of our ordinances for the good of Pleasant View or do we say everyone is good people? At some point we need to care about the laws. Darci Mock: are there different ordinances for horse property verse standard lots? CM Urry: not for businesses. Mayor Pro-tem Bailey: so let me use another place on 1000 W at the southend, the Gardner's old home, the horse business, that is a home business correct? Laurie Hellstrom: they don't have a business license. Thank you. Mayor Pro-tem Bailey: they don't have one? Laurie Hellstrom: we find out about businesses if people tell us or complain and then we send out notices. Mayor Pro-tem Bailey: send out a notice. CM Gibson: we had stipulations and I don't think they have been met. We do have an obligation to honor some of that, we gave you the green light but how much rope do we give you to hang? I like what CM Arrington said. The prices did go up but not until this spring. I agreed on things and those have not been met. CM Bailey wants to give another six months. Then here we are again and is that not going to be the end? You have two acres. You can do whatever you want. I am a property rights guy. You have the right to do whatever you want as long as it doesn't affect the community. That is where we are. It doesn't match the way I keep my yard and that isn't fair either but it looks like something from a scrap yard. It doesn't match what I think a yard should be. Darci Mock: can I make a proposal? In reading the code we would put up fences. Send someone to the park to see if you could see in and at 6' you can still see in. What I would like to propose is an 8' to 9' fence and an 8' to 10' retaining wall? Laurie Hellstrom: 7' is the height limit. Darci Mock: we didn't want to put something up and then take it down. We could put something up in the north and backside and front. CM Gibson: and the west side and east side by the neighbors? CM Urry: what about the coming and going of employees and vehicles? Darci Mock: there are three in and out and a trailer with a truck on it. CM Arrington: it doesn't matter what is hiding. It is a business and needs to be in a business area. There is not enough for it to fit into a residential zone. What about the option of renting? Bryan Mock: retail price has dropped during Covid but outside yards have gone up. We go to Salt Lake every day. We would love to have shop down there. It is so expensive right now to find a space. CM Arrington: you can still run the administrative portion of the business from your home. CM Urry: and store equipment offsite. CM Arrington: there are too many hurdles. CM Urry: I would propose some time to find a place to store it and keep the license while finding a place offsite. CM Bailey: you are saying, run the business from

the home and keep the equipment offsite? CM Urry: yes. Go back to what the intent of the residential area is. If it ran out of your home and no one knows the difference and not have the equipment. CM Gibson: they haven't hide it. I agreed last year to hide it and now we are changing the rules. We gave them a variance, I don't know. CM Urry: sorry. It is not compliant and not in a residential zone. CM Marriott: we want the business but one that no one knows it is operating and is clean, quiet and fits in the neighborhood. I don't want to shut you off right now. CM Arrington: we need a plan that addresses A, B, C and F. CM Urry: it is not just about them but about all the residents and do we want this everywhere too? You can learn from your mistakes and move on. Darci Mock: can I come back with a plan and make sure that at optimal times the trucks are not coming or going during those hours? We don't want to impede any traffic. CM Urry: in a residential zone you have trucks. CM Gibson: three and four trucks coming and going is not that big of deal. Personally the trucks aren't an issue. CM Marriott: so B is the issue? Darci Mock: so if we had the shop in place by July 1st or August. CM Urry: here is my concern with that is what if the shop is not what we like? Then what? You are out of a whole lot of money and we say sorry. Or we fill guilty and we allow it more. Bryan Mock: I don't have an issue with the shop. CM Gibson: that is a man thing right? Bryan Mock: but we can hide all that from the front. As you drive you can see back there. CM Gibson: I go back we probably should not have grant this in the beginning. CM Urry: I agree. CM Arrington: it was only for a one-year variance. Right? CM Gibson: we can argue that is it not working and we do away with the variance. I don't want that. I want you to have a job. I want you to be successful. I don't want it to be seen. Does it meet all those things? No, but I personally can't pull the rug out from underneath them but I want something better for the community. If there are other places in violation we have to go there also. Laurie Hellstrom: what if the business expands? Does three truck matter? Do you want 10 trucks? CM Gibson: I think there is a limit, but I don't know if you could fit 10 trucks back there. CM Urry: this is my thought. I would give them one of two options for six months either build a fence that covers what see from the street and find an offsite place to rent. And in six months it has to be or we are done. Amy Mabey: just to clarify if any of these four highlighted provisions aren't being met we still need some kind of action for a variance. CM Gibson: is your long-term goal not to have it in the backyard? Bryan Mock: we would love not to have it there. But for two things because of her health. She runs the business. The ultimate goal is not to have it there but she can't be out and about. We have looked for an option and we are three years in. All the capital goes back into product. CM Gibson: is six months a realistic thing? I don't want a promise that can't be delivered. CM Arrington: I am ready to make a motion.

CM Arrington: I make a motion to table this for one month and have the Mock's come back with a suggestion on how they can get around these items A, B, C & F and be in compliance with those four items. If they can't be compliant then we would consider variances for each of those specifically but we would need more specifics. Also that they can continue operations in this period. 2nd by CM Gibson.

Discussion on the motion. CM Urry: are you going to be specific on the type of variance that will be allowed? CM Arrington: we will address them when they come back. CM Gibson: is that fair? Darci Mock: more than fair. CM Marriott: I suggest pictures of your property, what kind of transportation and a detail plan of the shop. Give us some detail to make a decision on.

Voting: voting aye: CM Arrington, CM Bailey, CM Gibson and CM Marriott. Voting nay: CM Urry. 4-1

3. Discussion and possible action to approve Harris Hills Phase 3 final subdivision acceptance and end the guarantee period, located in the vicinity of 1075 W 4150 N. (Presenter: Jill Hunt)

Jill Hunt: Harris Hill Phase 3 has got all their information in. It is up to city standards. Ben Slater has done the inspection. This would be to end the guarantee period and the city would take responsibility for the infrastructure.

Motion was made by CM Gibson to approve Harris Hills Phase 3 final subdivision acceptance and end the guarantee period, located in the vicinity of 1075 W 4150 N. 2nd by CM Urry. Voting aye: CM Arrington, Mayor Pro-tem Bailey, CM Gibson, CM Marriott and CM Urry. 5-0

4. Discussion and possible action to approve Rocky Meadows Phase 2 preliminary subdivision plat, located between Pleasant View Drive and 3200 N at 1200 W (parcels 19-013-0102, 19-013-0101 & 19-330-0008). (Presenter: Jill Hunt)

Jill Hunt: there was a sewer issue so they did it in two phases. This is the northeast phase and it will connect to 1100 W. The detention pond was put in in phase 1 for the whole subdivision. Jason Hamblin: Doug Hamblin reached out to the resident for the connection to 1100 W regarding the inheriting of property and moving the fence. She was concern with the additional expense with the yard and fence. We will put in those expenses. Mayor Pro-tempore Bailey: is that in writing? Jason Hamblin: we could do that. Doug Hamblin: this will be with a signed agreement. Jill Hunt: the redlines have been corrected and this is ready to go. CM Marriott: what is the reason for the road (1100 W connection)? Jill Hunt: because of the length of the cul-de-sac and helps with connectivity.

Motion was made by CM Gibson to approve Rocky Meadows Phase 2 preliminary subdivision plat, located between Pleasant View Drive and 3200 N at 1200 W as stated in the agenda and with staff recommendations and other items. 2nd by CM Urry.

Discussion. CM Marriott. Can the parcels that are not part of this subdivision have access to the cul-de-sac at the end? Jill Hunt: those homes are already there. Jason Hamblin: we have an agreement with Moore that they have the first right of refusal for those lots. CM Marriott: do we need to address the access? Kevin Bailey: that is not part of the subdivision's issue.

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

5. Discussion and possible action to approve Fox Meadows Phase 5B final subdivision plat, located at the west-end of Fox Meadow Dr off of 600 W. (Presenter: Jill Hunt)

Jill Hunt: Fox Meadow Phase 5B is ready to escrow and record. We have the escrow and it is legitimate and the amount we need. There are no issues according to the ordinance. They have done some construction and the amount has been taken off the escrow. CM Gibson: they have access on 2700 N. Jill Hunt: we are recommending approval. CM Marriott: what about the wall? Jill Hunt: the wall is not required but the fence is up. CM Gibson: they are going to continue the wall.

Motion was made by Mayor Pro-tem Bailey to approve Fox Meadows Phase 5B final subdivision plat, located at the west-end of Fox Meadow Dr off of 600 W. 2nd by CM Marriott. Voting aye: CM Arrington, Mayor Pro-tem Bailey, CM Gibson, CM Marriott and CM Urry. 5-0

**6. Discussion and possible action to approve Rulon White Business Park final subdivision plat and escrow, located on Rulon White Blvd. north of 2700 N.
(Presenter: Jill Hunt)**

Jill Hunt: this is 7 lots and the escrow is posted and the taxes paid. The city has no issues. The lots range from under an acre to 5.5 acre. These are good industrial size lots. There are some redline but they will need to be fixed before it is recorded.

Motion was made by CM Arrington to approve Rulon White Business Park final subdivision plat and escrow, located on Rulon White Blvd. north of 2700 N subject to the redlines and engineer comments. 2nd by CM Urry. V

Discussion. CM Marriott: can it be approved without a road? Jill Hunt: yes. they have an escrow. If they walk away we have their escrow.

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

**7. Discussion and possible action to approve the road dedication to extend Rulon White Blvd to Parkland Blvd, located at 2741 N Parkland Blvd (Lot 17 of Parkland Business Center Subdivision Phase #1) owned by Pleasant View City.
(Presenters: Jill Hunt)**

Jill Hunt: this is the last piece to connect Rulon White Blvd to Parkland Blvd. This is a dedication for a road. CM Gibson: what are they going to do with the extra property? Jill Hunt: it is for a detention pond. It needs to be there. CM Urry: it is a 107' road with two bicycle lanes. Amy Mabey: Jlet will be building the road. This has been a great partnership.

Motion was made by CM Arrington to approve the road dedication to extend Rulon White Blvd to Parkland Blvd, located at 2741 N Parkland Blvd (Lot 17 of Parkland Business Center Subdivision Phase #1) owned by Pleasant View City. 2nd by CM Marriott. Voting aye: CM Arrington, Mayor Pro-tem Bailey, CM Gibson, CM Marriott and CM Urry. 5-0

**8. Discussion and possible action to approve an agreement between Wasatch View Estates and Pleasant View City regarding a Sewer Infrastructure Ownership Transfer (parcels #19-016-0160, 19-016-0026, 19-016-0087, 19-125-0001).
(Presenters: Dana Shuler and Tyson Jackson)**

Dana Shuler: this will incorporate the sewer into the city's infrastructure and give connection. CM Gibson: is it big enough? Tyson Jackson: yes. Jill Hunt: Wasatch View Mobile Home Park is being renovated. This is just the front area.

Motion was made by CM Urry to approve an agreement between Wasatch View Estates and Pleasant View City regarding a Sewer Infrastructure Ownership Transfer (parcels #19-016-0160, 19-016-0026, 19-016-0087, 19-125-0001. 2nd by CM Marriott. Voting aye: CM Arrington, Mayor Pro-tem Bailey, CM Gibson, CM Marriott and CM Urry. 5-0

9. Discussion and possible action for a request to go out to bid for a Transportation Master Plan. (Presenter: Amy Mabey)

Amy Mabey: this is a request to go out to bid. This is for a future road plan and to prioritize the plan. And for the Capital Facilities Plan with Impact Fee plan and Active Transportation plan. The time frame is to start in August. CM Gibson: I am tired of studies. I know we are getting some money but I don't want to spend the money. The consultant are the only ones that get the money. They are going to tell us what we already know. I am going to vote no. This is throwing money away. CM Urry: this will show that the city has done their due diligence to go out and get funding. Amy Mabey: we can apply for funding depending on the grant. Tyson Jackson: part of this is to get impact fees. We can't collect until we have a study. CM Gibson: by the time we use the studies they are out of date. Mayor Call: we don't need the study if we don't want to collect impact fees. CM Arrington: there is no harm in an RFP. CM Gibson: but it takes us down the path. CM Marriott: there are a couple of areas that this would be beneficial. Don't all developments put in the new road? Dana Shuler: the impact fees would be used for upgrading and upsizing of roads. CM Marriott: what is the cost? Amy Mabey: approximately \$80k. Kevin Bailey: this is just to go out for a proposal and see what comes back. Amy Mabey: this request is comprehensive and there are three main components. CM Arrington: can the three components be broken down?

Motion was made by CM Arrington to go out to bid for a Transportation Master Plan into three section which we could then select all or some of the sections. 2nd by Mayor Pro-tem Bailey. Voting aye: CM Arrington, Mayor Pro-tem Bailey, CM Marriott and CM Urry. Voting nay: CM Gibson. 4-1

10. Discussion and possible action for a request to go out to bid for a mid-sized Ventrac Mower and Aerator attachment. (Presenter: Tyson Jackson)

The wording on the agenda is wrong. It should be a request to purchase.

Motion was made by CM Gibson to bring this item back later. 2nd by CM Urry. Voting aye: CM Arrington, Mayor Pro-tem Bailey, CM Gibson, CM Marriott and CM Urry. 5-0

11. Budget Workshop.

Laurie Hellstrom: this is a time if you have any questions on any line items. We will be having the public hearing on June 8th. It will also be for the amending this year's budget. CM Gibson: we will have some additional Founders Day expenses i.e. tables.

12. Closed Meeting.

No closed meeting.

13. Discussion and possible action from the closed meeting.

No closed meeting.

Other Business:

Tyson Jackson: Weber County is selling off a triangle parcel behind the homes on 1000 W at the cost of \$3,300 a fair market value.

Ryon Hadley: we are getting requests to move the new radar trailer. School is out this week and we are getting nighttime activity. We broke up a fighting club. We helped on a Harrisville family fight with a gun.

Amy Mabey: there will be a meeting next week regarding the properties with no street connectivity by Pleasant View Landing.

CM Gibson: the Founders Day newsletter is going out. I don't want to miss anything. Let me know is something is missing. We are looking for more tables and food warmers.

CM Marriott: I am concerned about the road cuts in Casey Lane for Pleasant View Landing. Tyson Jackson: the fix them to the patch standard and then it will be chip sealed. We can't make them pave the whole road.

CM Urry: we are getting ready for Founders Day.

CM Arrington: I enjoy serving with all of you.

Mayor Pro-tem Bailey: June 14th we are having a groundbreaking/open house for the Veteran Monument. We also have a table of sponsors.

Adjournment: 8:49 P.M.