



**HOOPER CITY
CITY COUNCIL MEETING MINUTES
THURSDAY, JANUARY 19, 2023, 7:00PM
COUNCIL CHAMBERS
5580 W. 4600 S.
Hooper, UT 84315**

The Hooper City Council held a work meeting at 6:30pm and their regular meeting at 7pm on January 19, 2023, at the Hooper City Civic Center located at 5580 W 4600 S, Hooper, UT 84315.

COUNCIL MEMBERS PRESENT:

Cindy Cox – Mayor Pro Tem
Dale Fowers – Mayor
Debra Marigoni
Lisa Northrop
Bryce Wilcox
Ryan Hill

CITY STAFF & PLANNING COMMISSION PRESENT:

Morghan Yeoman - City Recorder
Briant Jacobs – City Engineer
Jared Hancock – Public Works Director
Reed Richards – City Attorney

COUNCIL MEMBERS EXCUSED:

AUDIENCE PRESENT:

See attached list.

6:30PM WORK MEETING

1. Discussion on Agenda Items

At 6:30pm the City Council held a work meeting where agenda items were discussed.

7:00PM REGULAR MEETING

1. Meeting Called to Order – Mayor Dale Fowers

At 7:00pm Mayor Dale Fowers called the meeting to order.

2. Opening Ceremony

a. Pledge of Allegiance

Council Member Cox led in the Pledge of Allegiance.

b. Reverence

Mayor Dale Fowers offered reverence.

3. Citizen Comment(s) on Agenda Items

(Residents attending this meeting were allotted 3 minutes to express a concern or question about any issue that was ON THE AGENDA)

There were no citizen comments made.

4. Consent Items

a. Motion – Approval of Minutes dated January 5, 2023

**COUNCIL MEMBER COX MOVED TO APPROVE
THE MINUTES DATED JANUARY 5, 2023. COUNCIL
MEMBER NORTHROP SECONDED THE MOTION.
VOTING AS FOLLOWS:**

<u>COUNCIL MEMBER:</u>	<u>VOTE:</u>
COX	AYE
MARIGONI	AYE
HILL	AYE
NORTHROP	AYE
WILCOX	AYE

MOTION PASSED UNANIMOUSLY.

5. Declarations on conflicts of interest or disclosures by council members

There were no declarations of conflicts of interest or disclosures by council members.

6. Action Items

a. **Motion** – Final Approval of the Hardy Denny Subdivision located at 5176 W. 4000 S. and 5164 W. 4000 S. for Nate Denny

City Engineer Briant Jacobs gave a presentation and explained the details of the subdivision. Showing the final plat, he described the two (2) parcels for residential and a little remainder parcel that will no additional structure attached to it. 1 acre minimum. They will have a road that will be fronting the UDOT road [4000 S.] Key issues are/were addressed with all entities. Briant explained the driveway approach and being satisfied by both the State and Hooper City. UDOT accepted the vacuum sewer for both lots, to be installed with the open ditch system. There is a ditch on the North side of the subdivision that is used for both Irrigation and Tail water. Due to the City ordinance, the owners are responsible to pipe the ditch and grant an easement to Hooper City. Mayor Fowers asked about the Wilson Irrigation and the

differences it has with both having the Irrigation to the fields and also used for tail water. Briant confirmed that the Hooper Irrigation and Wilson Irrigation will not combine and be kept separate. Jared Hancock, Public Work Director, explained that the collection box in Morning Meadows will be used to collect the tail water.

Nate Denny located at 4470 Haven Creek Road, West Haven, will be representing. Council Member Cox asked about the piped ditch and tail water. Nate confirmed that they will pipe the Hooper Irrigation ditch north of the property. The tail water will be created to collect tail water from the property 5 feet off of the ditch. Explains to Council Member Cox that he will be working with other owners to get their ditch piped for better success in the future.

COUNCIL MEMBER WILCOX MOVED TO APPROVE THE FINAL APPROVAL OF HARDY DENNY SUBDIVISION LOCATED AT 5176 W. 4000 S. AND 5164 W 4000 S. FOR NATE DENNY WITH THE CONDITION OF THE SEWER SERVICES INSTALLED BY OPEN DITCH METHOD AND ESCROW FOR CURB, GUTTER, AND SIDEWALK. COUNCIL MEMBER COX SECONDED THE MOTION. VOTING AS FOLLOWS:

<u>COUNCIL MEMBER:</u>	<u>VOTE:</u>
COX	AYE
MARIGONI	AYE
HILL	AYE
NORTHROP	AYE
WILCOX	AYE

MOTION PASSED UNANIMOUSLY.

b. **Motion – Rawson Ranch Impact Fee**

City Engineer, Briant Jacobs, gave presentation. Explained that Phase 1, Phase 2, RMR, and RFR are all using the sewer pump station. Sewer from all four will gravity fall to the pump box and be pumped to 5100 W. City decided to minimize the infrastructure for the sewer pump. Jared Hancock corrected the flow of RMR and RFR, they will not be flowing to the pump station, they will be flowing to Central Weber trunk line. Briant explained the cost to upsize the pump station, and the cost the city is taking on to upsize. Which is \$129,629. This will be divided up by the amount of lots will be going in. All those that will be using the pump station in Rawson Ranch will be Raw Ute [21.5 acre], Torghele [110.6 acre], and the Rawson Ranch Estates [Phase 1 &2]. Jared

Hancock, Public Works Director, asked if it was rezoned to new lot size, the city will revise the fee and once that is approved, the impact fee will be put in progress again. When the city adopts the fee, the impact fee number can be pushed through and adopted. Council Member Hill asked how much it cost for the Rawson Ranch to install the pump station. Garff Hubbard from the audience spoke up and said \$907,000. After conversation between Jarad Hancock and council members, he explained why we are only giving \$129,629 back to Rawson Ranch.

Mayor Dale Fowers opened it up to public comment.

Garff Hubbard located at 5156 S. 5725 W. expresses his concerns about how long the process has taken. He discusses the agreement that was in place at the start of the development. He did agree to accept the \$129,629 amount. Asked to have this motion tabled until their questions are addressed that were sent in an email to City Staff and Council Members.

Sheldon Greener located at 5638 S. 6800 W. had asked a question on how Rawson Ranch will get paid back the from Heritage Landing Development for the pump station. Jared Hancock said they will be paid once the homes are built. After 20 years, the impact fee goes away.

Kamie Hubbard located at 5638 S. 6800 W. asked Council Members if they had received their email. Council Member Cox responded yes. Kamie questioned why they are just hearing about the Impact fee when it was done in September 2022. Also asked Council Members to be tabled and have conversation with them.

Bob Torghele located at 900 Oakdrive in South Ogden, also questioned about the pump station and how they were told that they were unable to get ½ acre lots.

Mayor Dale Fowers re-explained the \$129,629 amount and how it will be paid back by how many lots are in the development.

Bob Torghele asked to have a discussion on what they can do the re-zone their subdivision [Heritage Land Development] with the new school being built next too. Briant Jacobs explained that we can review the process. Council Member Cox says we can look at it at the time that it is wanting to be done. Mayor Fowers explained that we will be review the General plan when it is the right time.

Council Member Hill asked about the 10 lots that were developed prior to the agreement being signed.

Jared Hancock explained that himself, Brandon Richards (City attorney) and Rawson's attorney met and talked that he demanded that we do not charge them [10 lots] an impact fee since it does not affect the city. Talked about the impact fee and how it has not changed because they did have an impact. Jared had email chains between those that are involved and discussed that everything had been explained.

COUNCIL MEMBER NORTHRUP MOVED TO TABLE THE RAWSON RANCH IMPACT FEE UNTIL INFORMATION AND QUESTIONS ARE ADDRESSED. COUNCIL MEMBER HILL SECONDED THE MOTION. VOTING AS FOLLOWS:

<u>COUNCIL MEMBER:</u>	<u>VOTE:</u>
COX	AYE
HILL	AYE
MARIGONI	AYE
NORTHRUP	AYE
WILCOX	AYE

MOTION TABLED UNANIMOUSLY.

c. **Motion – Hooper City Amendment to General Plan for Affordable Housing**

City Engineer, Briant Jacobs, gave presentation. Talked about the requirements, metrics, and plan of action. He had shown graphs from 2022 to understand census data. Talked about the median household income, moderate income, and the max purchase price of a home. Addressed three [3] items that we have added for the Affordable Housing for the state. Council Member Hill asked about Country View Estates on how the homes are bigger and lots are smaller – making it on the affordable housing. Briant Jacobs gave information on what can make it affordable by the state and what is affordable in the city.

COUNCIL MEMBER MARIGONI MOVED TO APPROVE THE HOOPER CITY AMENDMENT TO GENERAL PLAN FOR AFFORDABLE HOUSING. COUNCIL MEMBER WILCOX SECONDED THE MOTION. VOTING AS FOLLOWS:

<u>COUNCIL MEMBER:</u>	<u>VOTE:</u>
COX	AYE
MARIGONI	AYE

HILL **AYE**
NORTHROP **AYE**
WILCOX **AYE**
MOTION PASSED UNANIMOUSLY.

d. **Discussion– Approval of the Utah Broadband Franchise Agreement**

Reed Richards, City Attorney, explained that the Franchise Agreement is the same agreement from 9 months ago and are now ready to proceed. There was one modification that there is no Franchise fee right now. But could be one in the future.

e. **Discussion – Approval of Connex Franchise Agreement**

Reed Richards, City Attorney, explained the Franchise Agreement. Wanting to provide services to Commercial buildings. Reed will provide a list of buildings that we will want/need for this. Council Member Hill asked what kind of buildings this would be going to. Reed responded that it would be offered to any commercial or city buildings.

f. **Motion – Approval of Funds for the Construction of a New Children’s Justice Center**

Reed Richards, City Attorney, explained the Justice Center and the number of cases that have jumped in the past few years. Ogden School District has provided property. So, it will essentially be free. HARPA funds will be providing the City \$23,105.61.

Lisa Northrup was excused at 8:23 PM

Reed Richards explains that the agreement explains the process. Council Member Hill asked about how many cases there has been. Mayor Dale Fowers said that he will get the information and provide it to us. Also asked for Resolution number. Mayor provided Resolution number: R-2023-01

**COUNCIL MEMBER HILL MOVED TO APPROVE THE FUNDS
FOR THE CONSTRUCTION OF A NEW CHILDREN’S JUSTICE**

CENTER. COUNCIL MEMBER COX SECONDED THE MOTION.

VOTING AS FOLLOWS:

<u>COUNCIL MEMBER:</u>	<u>VOTE:</u>
COX	AYE
MARIGONI	AYE
HILL	AYE
NORTHROP	AYE
WILCOX	AYE

MOTION PASSED UNANIMOUSLY.

g. **Motion – Approval of Funding Agreement of 5500 W.**

City Engineer, Briant Jacobs, gave presentation. Explained the construction that will be done on 5500 W. This will be improving both sides of the road. Discussed the cost that the city and WACOG will be providing for the upgrades. The final cost from the city will be \$326,000 and WACOG \$5,775,909. Jarad Hancock explained the new sewer in the road that will be added. Council Member asked and confirmed the budget if everything was covered, Mayor responded yes. Council Member Hill asked if homes will be charged? Jarad Hancock responded no because there is no transportation fee.

COUNCIL MEMBER COX MOVED TO APPROVE THE FUNDING WITH THE RECOMMENDATION TO APPROVE ADDITIONAL \$126,000 FOR A TOTAL OF \$326,000 FOR THE 5500 WEST PROJECT. COUNCIL MEMBER MARIGONI SECONDED THE MOTION. VOTING AS FOLLOWS:

<u>COUNCIL MEMBER:</u>	<u>VOTE:</u>
COX	AYE
MARIGONI	AYE
HILL	AYE
NORTHROP	AYE
WILCOX	AYE

MOTION PASSED UNANIMOUSLY.

h. **Motion- Award Contract of both phases of 5500 W.**

City Engineer, Briant Jacobs, gave presentation. Showing the numbers from multiple Bidder names. Explained the money that has already been spent. Jarad Hancock explained more on the sewer pipeline that will be installed and the cost that is included in the bid to improve this. Council Member Cox asked if there was a timeline that we or the Bidder is looking for. Jarad

responded that we are ready to get going on this as soon as possible. They are needing to get this done before Irrigation starts on April 1.

COUNCIL MEMBER HILL MOVED TO APPROVE THE AWARD CONTRACT OF BOTH PHASES OF 5500 W. COUNCIL MEMBER WILCOX SECONDED THE MOTION. VOTING AS FOLLOWS:

<u>COUNCIL MEMBER:</u>	<u>VOTE:</u>
COX	AYE
MARIGONI	AYE
HILL	AYE
NORTHROP	AYE
WILCOX	AYE
MOTION PASSED UNANIMOUSLY.	

7. Citizen Comment

(Resident(s) attending this meeting will be allotted 3 minutes to express a concern about any issue that IS NOT ON THE AGENDA. No action can or will be taken on any issue presented.)

Garth Hubbard located at 5156 S. 5725 W. asked about RMR & RFR final grade and what they can do to help with that. He states that they will take care of the grading, but they are not doing anything about it. He has two engineered plans from the city to, one, be able to grade the lots to make them level and two, to not touch anything. Asked to meet up and discuss about this situation.

Kirk Nigro 4338 w. 5550 s. Representing Rocky Mountain Power. Talked about the new meters that will be installed. 3 phase meters will be installed March 1, 2023. Also notified the Council Members that they had donated towards Tomato Days. Mayor Dale Fowers asked if there is a Franchise tax and is it a fixed amount or percent. Kirk gave response that it is 6% tax. Hooper is not taking advantage at this time.

Kamie Hubbard located at 5156 S. 5725 W. also brought up the concerns they have for the surrounding neighbors. What they need or could do for the grading of those properties. She was able to discuss what she sent in her email to the Council Members and also outside entities. Asked if there was a deadline for the neighbors to get the grading complete. Stated that she willing to bring in the dirt to get the surrounding grades done, that way they can move forward with their development. Reed Richards agreed to discuss a timeline for them to get a complete engineered plan for the yard.

Bruce Taylor located at 4745 W. 5100 S. He has brought to the Council Members that there is a water tank being built in his backyard. It was rejected 2 ½ years ago. Since then, there has been new renters and they have proceeded with this. They have a 30 ft. right away getting ready to be paved. Bruce Taylor gave a handout to each Council Member of what the progress is. Council Member Marigoni asked when the road was going to be put it. Bruce said it has been surveyed. Asked for his support and to look into this.

8. Adjournment

**AT APPROXIMATELY 9:02 PM COUNCIL MEMBER HILL
MOVED TO ADJOURN THE MEETING. COUNCIL MEMBER
WILCOX SECONDED THE MOTION. VOTING AS FOLLOWS:**

<u>COUNCIL MEMBER:</u>	<u>VOTE:</u>
COX	AYE
MARIGONI	AYE
HILL	AYE
NORTHROP	AYE
WILCOX	AYE
MOTION PASSED UNANIMOUSLY.	

Date Approved: _____

Morghan Yeoman, City Recorder