



**HOOPER CITY
CITY COUNCIL MEETING MINUTES
THURSDAY, AUGUST 17, 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 August 17, 2023, at the Hooper City Civic Center located at 5580 W. 4600 S, Hooper, UT 84315.

COUNCIL MEMBERS PRESENT:

Dale Fowers – Mayor
Bryce Wilcox
Lisa Northrop
Debra Marigoni
Ryan Hill

CITY STAFF & PLANNING COMMISSION PRESENT:

Morghan Yeoman - City Recorder
Lt. Jefferies – Weber County Sheriff's Office
Briant Jacobs – City Engineer
Reed Richards – City Attorney

COUNCIL MEMBERS

EXCUSED:

Cindy Cox – Mayor Pro Tem

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, Waste Management cost increase, pickleball court updates, possible escrow changes, and storm water fees were discussed.

7:00PM REGULAR MEETING

1. Meeting Called to Order – Mayor Fowers

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

2. Opening Ceremony

a. Pledge of Allegiance

Council Member Wilcox led in the Pledge of Allegiance.

b. Reverence

Council Member Marigoni 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)

No Public Comments.

4. Consent Items

a. Motion – Approval of Minutes dated August 3, 2023

COUNCIL MEMBER HILL MOVED TO TABLE THE MINUTES DATED AUGUST 3, 2023, UNTIL SEPTEMBER MEETING FOR CORRECTED INFORMATION ON STORM WATER FEE. COUNCIL MEMBER MARIGONI SECONDED THE MOTION.

VOTING AS FOLLOWS:

COUNCIL MEMBER:

VOTE:

WILCOX

AYE

MARIGONI

AYE

HILL

AYE

NORTHROP

AYE

MOTION TABLED.

****Corrected minutes from August 3, 2023 as discussed in the work session:**

Hooper City has implemented a “Storm Water Utility Fee” of five dollars per month. This fee is intended to provide funding for the city to meet the environmental and regulatory requirements mandated by the Federal Government (EPA - Clean Water Act) and the State of Utah DEQ (UPDES).

The majority of the funds collected from this fee will be used to fulfill the State required Storm Water Program requirements and implement the Storm Water Management Plan, which includes; Monitoring, Inspection, Documentation and reporting necessary to satisfy the State and Federal storm water regulators. Any funds from this fee remaining after the Storm Water Program obligations have been met, will be used for drainage infrastructure projects throughout the city, such as; ditch cleaning, pipe installation, drainage structure construction, repair and maintenance, engineering and planning, upgrades, etc.

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. Discussion Items, Reports, and/or Presentations

a. 4220 Elevation Line

- i. Briant Jacobs, city engineer, gave a presentation. Briant read off Ordinance 10-4A-31. Briant explained four (4) different scenarios to help understand the situation. Councilmember Hill asked if the 4215-elevation line came from the Federal and the 4220-elevation line cannot be built on? Briant confirmed yes. Council Member Marigoni stressed her concern for the 5 ft difference on what determines for things to be built on. Briant also states that the elevation line is on the Land Use Map.

Council Member Wilcox brought up the situation that has recently happened in Draper City with the homes tumbling off the side of the mountain, however they were 'structurally engineered'. Feels like if we start messing around with that, he wants to owe it to the future homeowners that we will provide them with the best product. Mayor Fowers wants to bring clarity on what we would do with a one (1) acre property that has some flood (red) zone on it. Council Member Hill states his opinion that if any of the utilities are necessary in the red zone, then the whole lot is off limits. Council Member Wilcox questioned that if you put the primary structure on the 'blue' but on the 'red' they can put an outbuilding? Briant Jacobs stated that that is what he is asking them. If they can put the primary home on the 'blue' and have all the utilities on the 'blue' is this acceptable?

Council Member Marigoni & Wilcox agree to not have dirt brought in to fill in the land, feels like it would create problems down the road. Briant Jacobs explains different situations that we could do to the 'red zone' to make it suitable for the lot. Council Member Hill asked if the current ordinance includes 4220? Briant confirmed yes, in the second paragraph. Council Member Marigoni is concerned about making decisions for people that will be in these homes in the future. Also, asked if we, the city, would be responsible for anything that happens to these future homes. Mayor Dale Fowers states that it has to be good ground, but the question is, can they fill the land or what can be built on the property.

Reed Richards, our city attorney, explained that if the lot size is one (1) acre. If half of the lot is in the 'red' zone and the other half in the 'blue', do you cancel out the whole lot? Council Member Hill states that he thinks we should go case by case. Briant Jacobs explained that he is having developers come through and would like to help them as much as possible to make things go smoothly. Briant Jacobs proceeds to get clarity from the quorum. Mayor Fowers explains that we should separate the 'red' from the 'blue' which would create two (2) separate lots. Making one buildable and the second non-buildable.

Briant Jacobs asked if we separate the current lot into two (2), what can be put on that 'non-developable lot' and/or can it be made into a flag lot? Council Member Hill confirmed that current ordinances say no. Council Member Marigoni states that everything is based on itself, and we cannot put a definitive thing on every situation, because everything is different. Briant Jacobs asked if we would do a Conditional Use Permit? Council Members agree that it would help clarify what is on the lot. Council Member Marigoni asked if we could create an easement for the 'red' locked property for others to access the back property? Council Member Hill asked if we had the Land use map showing the 4220 & 4215 elevation line.

Jeremy from Reeves and Associates came to represent Heritage land Development as their engineer. States that he appreciates the presentation. Asked for the council to do a "no boundary easement". Also mentioned that the ordinance states that it says 10% of the development not 10% of the lot, therefore he does not see any issues with staying 5 feet about the flood plain.

Council Member Hill explained that the non-developable easement makes sense, but ten (10) years from now, we have to make sure that nothing gets built on that. Mayor Fowers explained a downside to doing that, is having someone build a home on that property, they will want to bring in dirt to bring up the land. As well as having constant supervision on that.

7. Action Items

a. Motion – Generator Surplus

Mayor Fowers explained that he received a letter from the Public Work Director, Jared Hancock and stated what the cost would be to fix the generator would not be worthwhile on not getting the money back out of it. Suggested that we sell the generator and possibly get \$2,000 - \$3,000 out of it.

**COUNCIL MEMBER WILCOX MOTIONED TO
SURPLUS THE GENERATOR AS IS. COUNCIL
MEMBER MARIGONI SECONDED THE MOTION.
VOTING AS FOLLOWS:**

COUNCIL MEMBER:

WILCOX

MARIGONI

HILL

NORTHROP

MOTION PASSED.

VOTE:

AYE

AYE

AYE

AYE

8. Public Comments on items not on the agenda.

Sherry Stevens from the Governor's office of Economic Opportunity. Wanted to make the Council aware of the different grants available.

Jenny Stanger located at 3672 S 5250 W mentioned that she looked up the contract with the Weber County Sheriff and it is dated 06-10-2022. Read that there should be an active field force on duty 24 hr. a day 365 days a year. She mentioned that had spoken with an officer and they are shared between other small cities. Also explained that the police budget for Hooper in 2023 is \$693,000. Would like the reports to be posted monthly that is shared from their sheriff department.

Lamont Class located at 3905 S 5500 W stressed his concern for speeding on 5500 W. He would like to suggest that we put in some ditches on the road to slow down the traffic. Knows that this won't be as problematic as speed bumps or issues for the snowplows. Mayor Fowers states that we do have a speed trailer that we can put on the road. Lamont has personally invited the police to sit at his property.

9. Adjournment

**AT APPROXIMATELY 8:13 PM COUNCIL MEMBER NORTHROP
MOVED TO ADJOURN THE MEETING. COUNCIL MEMBER
MARIGONI SECONDED THE MOTION. VOTING AS FOLLOWS:**

COUNCIL MEMBER:

WILCOX

VOTE:

AYE

MARIGONI
HILL
NORTHROP
MOTION PASSED.

AYE
AYE
AYE

Date Approved: _____

Morghan Yeoman, City Recorder

APPROVED