



HOOPER CITY
CITY COUNCIL AGENDA
SEPTEMBER 21, 2023 7:00PM
COUNCIL CHAMBERS
5580 W. 4600 S.
Hooper, UT 84315

Notice is hereby given that the Hooper City Council will hold a work meeting at 6:30pm and their regularly scheduled meeting at 7pm on Thursday, September 21, 2023, at the Hooper Municipal Building located at 5580 W 4600 S Hooper, UT 84315.

Work Meeting – 6:30pm

1. Discussion on Agenda Items – City Council
2. Plan Day & Time for a Work Meeting for Escrow Changes

Regular Meeting – 7:00pm

1. Meeting Called to Order
2. Opening Ceremony
 - a. Pledge of Allegiance
 - b. Reverence
3. Public Comments on Agenda Items
4. Consent Items
 - a. Motion – Approval of Minutes dated August 3, 2023
 - b. Motion – Approval of Minutes dated August 17, 2023
5. Declarations of conflicts of interest or disclosures by council members
6. Discussion Items, Reports, and/or Presentations
 - a. Building Inspector Contract Updates
 - b. 4220 Elevation Line
7. Action Items
8. Public Comments on items not on the agenda (*No action can or will be taken on any issue presented*)
9. Adjournment

Morghan Yeoman

Morghan Yeoman, City Recorder

**Please see notes regarding public comments and public hearings*

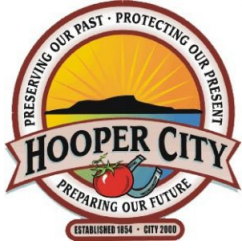
In compliance with the American with Disabilities Act, persons needing special accommodations, including auxiliary communicative aids and services, for this meeting should notify the city recorder at 801-732-1064 or admin@hoopercity.com at least 48 hours prior to the meeting.

CERTIFICATE OF POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted within the Hooper City limits on this 21st day of September, 2023 at Hooper City Hall, on the City Hall Notice Board, on the Utah State Public Notice Website, and at <https://www.hoopercity.com/meetings>.

***NOTES REGARDING PUBLIC COMMENT AND PUBLIC HEARINGS**

- A. Time is made available for anyone in the audience to address the City Council during public comment and through public hearings.
 - a. When a member of the audience addresses the council, they will come to the podium and state their name and address.
 - b. Each person will be allotted three (3) minutes for their remarks/questions.
 - c. The City Recorder will inform the speaker when their allotted time is up.



HOOPER CITY
CITY COUNCIL MEETING MINUTES
THURSDAY, AUGUST 3, 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 3, 2023, at the Hooper City Civic Center located at 5580 W. 4600 S, Hooper, UT 84315.

COUNCIL MEMBERS PRESENT:

Cindy Cox – Mayor Pro Tem
Bryce Wilcox
Lisa Northrop
Debra Marigoni

COUNCIL MEMBERS

EXCUSED:

Ryan Hill
Dale Fowers – Mayor

CITY STAFF & PLANNING COMMISSION PRESENT:

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

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 – Council Member Cox

At 7:00pm Council Member Cox called the meeting to order. Council Member Cox announced that there was a typo in the Planning Commissions public hearing letter that the dates were showing August 3, 2023 and will be next Thursday August 10, 2023. Also excused Mayor Fowers and Council Member Hill from the meeting.

2. Opening Ceremony

a. Pledge of Allegiance

Council Member Marigoni led in the Pledge of Allegiance.

b. Reverence

Council Member Northrop 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)

Ken Cordon located at 6102 W 5900 S talked about the property damage from HL Parker Legacy Subdivision.

Chris Ott, the developer of HL Parker Legacy Subdivision discussed what he and the city staff have discussed and explained why the extension will help.

Scott Carlson, the engineer of HL Parker Legacy Subdivision also discussed the extension request and hopes it will get approved for the subdivision to be finished.

Jeremy Cornic, the excavator contractor, is also aware the irrigation boxes are low and will get them fixed. They are willing to alternate the plans to be able to finish plans. Council member Wilcox asked when the pipe was laid, Jeremy stated last year.

4. Consent Items

a. Motion – Approval of Minutes dated July 20, 2023

**COUNCIL MEMBER NORTHROP MOVED TO
APPROVE THE MINUTES DATED JULY 20, 2023.
COUNCIL MEMBER MARIGONI SECONDED THE
MOTION. VOTING AS FOLLOWS:**

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

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. Curb and Gutter Escrow Changes

- i. Briant Jacobs, city engineer, gave a presentation. Briant read off Ordinance 10-4A-28. Amanda Prince and Sheldon Greener came to represent the Planning Commission and read off planning commissioner, Blake Cevering's text message and their proposal on what they would like to see change. Council Member Wilcox talked about his property and asked how it would work with old subdivisions. Communication between city engineer and council members discussed the process of escrows.

7. Action Items

a. Motion – Title X Changes

Council Member Wilcox explained what changes will be made from the document provided in the packet. Also discussed that the ADU setback requirements will be set to have it not exceed the back corner of the primary residence.

COUNCIL MEMBER WILCOX MOTIONED TO ADJUST TITLE X WITH THE ITEMS THAT WERE DISCUSSED PERTAINING TO THE ACCESSORY DWELLING UNITS. COUNCIL MEMBER NORTHROP SECONDED THE MOTION. VOTING AS FOLLOWS:

COUNCIL MEMBER:

WILCOX

MARIGONI

NORTHROP

MOTION PASSED.

VOTE:

AYE

AYE

AYE

b. Discussion / Motion – Waste Management price increase

Briant Jacobs, our city engineer, gave a presentation.

COUNCIL MEMBER MARIGONI MOVED TO APPROVE OF THE 10% INCREASE WITH STIPULATION THAT THE ACTIVATION CHARGE STAYS AT \$22.89. COUNCIL MEMBER WILCOX SECONDED THE MOTION. VOTING AS FOLLOWS:

COUNCIL MEMBER:

WILCOX

MARIGONI

NORTHROP

VOTE:

AYE

AYE

AYE

MOTION PASSED.

- c. H.L. Parker Legacy Subdivision Developer Agreement Extension Request located approximately at 5900 S 5900 W

Briant Jacobs, our city engineer, gave a presentation. Briant explained the development and the developer timeline, what has been completed and what is still remaining.

Brandon Richards, our city attorney, explained what was discussed in the July Planning Commission meeting. Brandon stated that he had read the land use law with the state and believes that it would be recommended to extend the Developers agreement. Council Member Northrop asked if we could put a timeline on certain things if we do extend the agreement. Council Member Marigoni asked the party representing H.L Parker legacy Subdivision if they have a timeline.

Jeremy Cornic, the excavator for the development, gave comments on what needs to be done and the timeline on each item. Council Member Cox asked if they could do it during irrigation season and if they have worked with the irrigation company, Jeremy confirmed yes.

Scott Carlson, the engineer for H.L. Parker asked for the one (1) year extension if there are any other issues that they may run into.

**COUNCIL MEMBER MARIGONI MOVED TO
APPROVE THE EXTENSION REQUEST FOR H.L.
PARKER LEGACY SUBDIVISION DEVELOPERS'
AGREEMENT FOR ONE (1) YEAR FROM THE DATE
APRIL 2023 WITH AN UPDATED ESCROW
AGREEMENT LOCATED APPROXIMATELY AT 5900
S 5900 W. COUNCIL MEMBER NORTHROP
SECONDED THE MOTION. VOTING AS FOLLOWS:**

COUNCIL MEMBER:**VOTE:****WILCOX****AYE****MARIGONI****AYE****NORTHROP****AYE****MOTION PASSED.**

8. Public Comments on items not on the agenda.

Rosemary England located at 5338 W 4325 S gave comments on the ditch on 4600 S and the barricades that are falling in. Rosemary would like the road to be fixed and avoid any other accidents that it could cause.

Theo Cox located at 5779 S 6300 W asked about the storm drain and if it could be cleaned. Stated that he is upset that he pays money each month and would expect it to be cleaned. Briant Jacobs, city engineer, explained to Theo that the money he pays each month goes to the state for an imposed fee, but will make a note to pass it along.

***Corrected information for the storm drain will be on August 17, 2023 minutes.*

9. Adjournment

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

COUNCIL MEMBER:

VOTE:

WILCOX

AYE

MARIGONI

AYE

NORTHROP

AYE

MOTION PASSED.

Date Approved: _____

Morghan Yeoman, City Recorder



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: _____

Morghen Yeoman, City Recorder

DRAFT

August 16, 2023

To Hooper City

This letter is to propose a price increase for building inspection and plan reviews. We have been charging the same price since June 2020. The increase in price is based on cost of living increase and what other city are now charging for inspection and plan reviews. We would implement the price increase for the month of August 2023. Below is a chart of the old prices and proposed new prices. We have never charged for a site plan review and that propose it to be a new cost.

Sincerely,

Nate R. Tolman

	Current	Proposed
Single family/ADU plan review Mike Thomas	\$100	\$120
Single family/ADU site plan review Nate Tolman	\$0	\$50
Solar plan review Mike Thomas	\$45	\$50
IRC plan review Mike Thomas	\$40	\$50
IBC plan review Jeff Woody	\$100	\$120
Any other site plan review Nate Tolman	\$0	\$50
All inspections Nate Tolman	\$40	\$45
All inspections Mike Thomas	\$40	\$45
All inspections Jeff Woody	\$40	\$45

4220 Elevation Discussion

10-4A-31 Unsuitability

Following receipt of recommendations from the City Staff, if the Planning Commission or City Council finds lands unsuitable for development due to high groundwater, a history of standing surface water, flooding, improper or inadequate drainage, natural hazards, fire, geologic hazards, potentially toxic wastes, adverse earth formations or topography, wetlands, utility easements, wildlife habitats that cannot be reasonably mitigated, historical artifacts, or other natural features, which will be detrimental to the safety, health and general welfare of the present or future inhabitants of the development or surrounding areas, the land shall not be developed.

Language gives the City leeway to consider subdivisions case-by-case

4220 Elevation Discussion

10-4A-31 Unsuitability

These areas have currently been identified as lands falling below Elevation 4220.0, with no utilities permitted below Elevation 4215.0. Minor interior portions (10% or less) of the development which are surrounded by suitable lands may be made suitable if adequate methods are formulated by the developer and approved by the City, upon recommendation of a qualified planner or engineer hired by the developer and approved by the City, to solve or remedy the problems created by the unsuitable land conditions. The burden of the proof shall lie with the developer to establish the viability of development in these sensitive or unsuitable areas. In residential developments, each building lot must be suitable in its entirety. Unsuitable land shall be set aside or reserved for uses that will not create a danger or severe environmental impact. Additionally, considerations must be given to soil conditions, drainage patterns, and ground water existence and may include appropriate setbacks and conservation requirements.

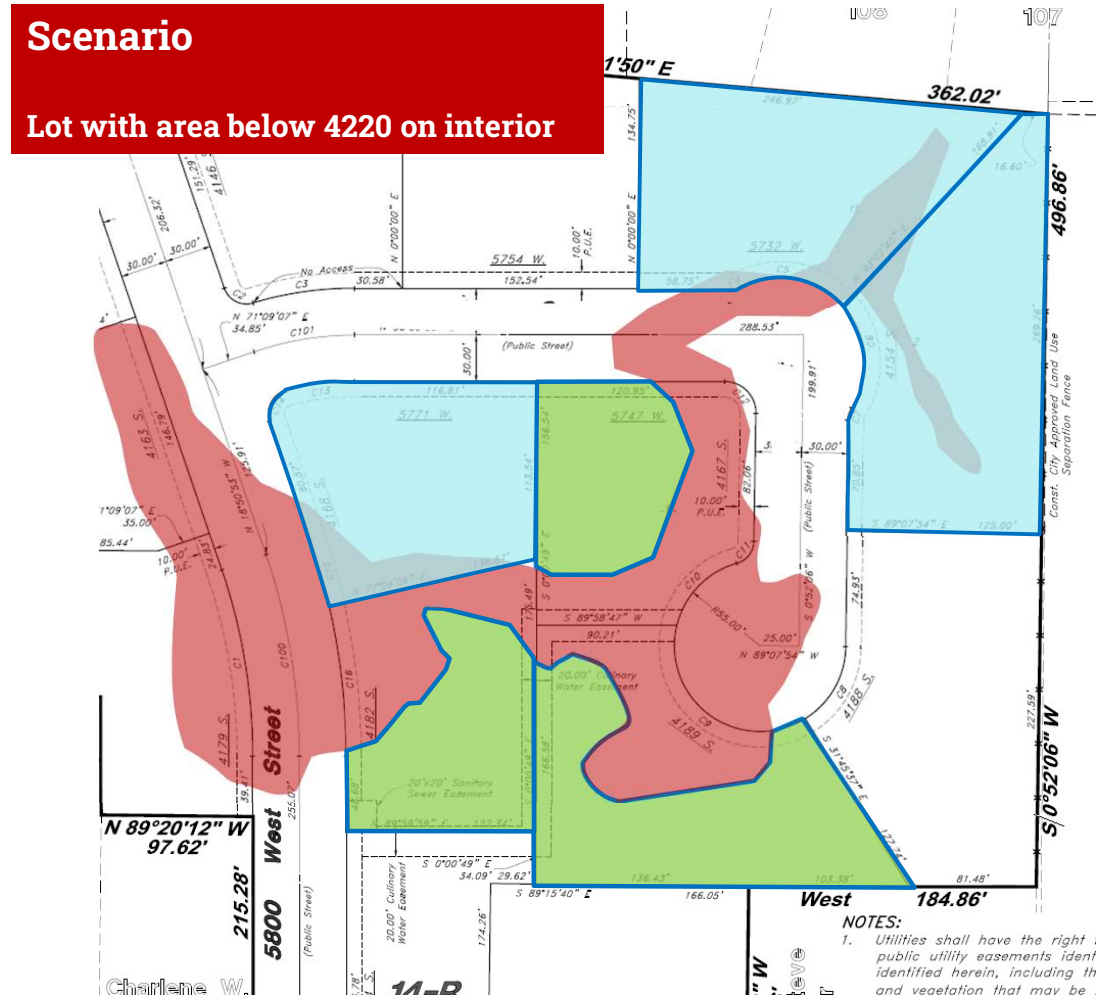
4220 Elevation Discussion

Scenario

Lot with area below 4220 on interior

Scenario

Lot with area below 4220 on interior



These areas have currently been identified as lands falling below Elevation 4220.0, with no utilities permitted below Elevation 4215.0. Minor interior portions (10% or less) of the development which are surrounded by suitable lands may be made suitable if adequate methods are formulated by the developer and approved by the City, upon recommendation of a qualified planner or engineer hired by the developer and approved by the City, to solve or remedy the problems created by the unsuitable land conditions. The burden of the proof shall lie with the developer to establish the viability of development in these sensitive or unsuitable areas.

Solution

Filling low spots should be acceptable for all lot uses that will not create a danger or severe environmental impact.

Solution

Filling low spots should be acceptable for all lots

Filling low spots should be acceptable for all low-density uses that will not create a danger or severe environmental impact.

