



**HOOPER CITY
CITY COUNCIL AGENDA
APRIL 4, 2024 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 6:00pm and their regularly scheduled meeting at 7pm on Thursday, April 4, 2024, at the Hooper Municipal Building located at 5580 W 4600 S Hooper, UT 84315.

Work Meeting – 6:00pm

1. Discussion on Agenda Items
2. City Council Reports
3. Presentation: Stuart Adams

Regular Meeting – 7:00pm

1. Meeting Called to Order
2. Opening Ceremony
 - a. Pledge of Allegiance – Council member Fowers
 - b. Reverence – Council member Hill
3. Upcoming Events
 - a. Spring Cleanup – April 20, 2024 @ 8:00 am – 1:00 pm
 - b. Emergency Preparedness Fair – May 18, 2024 @ 10:00 – 2:00 pm
4. Public Comments
5. Consent Items
 - a. Motion – Approval of Minutes dated March 7, 2024
6. Discussion Items, Reports, and/or Presentations
 - a. Business License Regulations
 - b. City Property and Motorized vehicles
 - c. Discussion/ Motion: Arbor Day, April 26, 2024
7. Public Hearings
 - a. Title X: Accessory Dwelling Unit Review
 - b. HCC 1-1-4 (j), Voting Procedures and Quorum Requirements.
 - c. Surplus of fill dirt located west of Hooper North Park.
8. Action Items
 - a. Motion - Title X: Accessory Dwelling Unit Review
 - b. Motion - HCC 1-1-4 (j), Voting Procedures and Quorum Requirements.
 - c. Motion - Surplus of fill dirt located west of Hooper North Park.
 - d. Motion – 10-5-4; Zoning Ordinance Process
 - e. Motion – RFR Grading and Drainage Plan
 - f. Motion – Request for Developer Agreement Extension for RFR Subdivision
 - g. Motion – Veteran names for Park Monument
9. Public Comments
10. 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 4th day of April, 2024 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, MARCH 7, 2024, 7:00PM
COUNCIL CHAMBERS
5580 W. 4600 S.
Hooper, UT 84315

The Hooper City Council held a work meeting at 6:00pm and their regular meeting at 7pm on March 7, 2024, at the Hooper City Civic Center located at 5580 W. 4600 S, Hooper, UT 84315.

COUNCIL MEMBERS PRESENT:

Sheri Bingham – Mayor
Dale Fowers – Mayor Pro Tem
Bryce Wilcox
Debra Marigoni
Lisa Northrop

COUNCIL MEMBERS EXCUSED:

Ryan Hill

CITY STAFF & PLANNING COMMISSION PRESENT:

Morghan Yeoman - City Recorder
Brandon Richards – City Attorney
Briant Jacobs – City Engineer

AUDIENCE PRESENT:

Amanda Prince, Jenny Stanger, Travis Bates, Dylan Robinson, Janese Robinson, Melissa Bingham, Mike Elmer, Blake Cevering, Bridger Call, Sam Kitterman, Efrain Perez, Brian Stecklein, Stan Judkins, Alan Spaulding, Kamie Hubbard, Garff Hubbard, Casey Dalpias, Natalie Dalpias, Mary Simpson, Colton Cevering, Shay Call, Zach Spencer, Jessica Smith, Mark Wayment, Maughans, Bruce Taylor, Kathy Taylor, Mark Perry

6:00PM WORK MEETING

1. Discussion on Agenda Items

At 6:00pm the City Council held a work meeting where agenda items, Council Member reports, and Public Works truck conditions were discussed.

7:00PM REGULAR MEETING

1. Meeting Called to Order – Mayor Bingham

At 7:00 pm Mayor Sheri Bingham called the meeting to order. The Mayor would like to excuse Councilmember Hill.

2. Opening Ceremony

- a. Pledge of Allegiance
Council Member Marigoni led in the Pledge of Allegiance.
- b. Reverence
Mayor Bingham offered reverence.

3. Upcoming Events

- a. Hop in the Park – March 30, 2024
- b. Emergency Preparedness Meeting – March 20, 2024 @ 6:30 pm

4. Citizen Comment(s) on Agenda Items

(Residents attending this meeting were allotted 3 minutes to express a concern or question about any issue)

Janese Robinson located at 3223 S 5100 W talked about the RFR drainage agreement changes. Janese discussed her concerns about the drainage location.

5. Consent Items

- a. Motion – Approval of Minutes dated February 15, 2024

Changes have been made.

COUNCIL MEMBER FOWERS MOTIONED TO APPROVE THE MINUTES DATED FEBRUARY 15, 2024. COUNCIL MEMBER NORTHROP SECONDED THE MOTION. VOTING AS FOLLOWS:

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

MOTION PASSED.

6. Discussion Items, Reports, and/or Presentations

- a. TextmyGov Updates
 - i. Briant Jacobs, our city engineer gave a presentation. He showed where you can find the icon on the website to sign up. He also discussed what the benefits were for textmygov for monthly newsletters that will be apart from the quarterly newsletter.

- b. City Property Management and Maintenance
 - i. Council Member Marigoni explained that the City has property down by Hooper Park. She explains that we need to find someone to lease the field. Mayor Bingham explained that they will lose one (1) cut out of it. The mayor also explains that it is used for parking for our city event, Tomato Days. Council Member Fowers explains that it is hard to irrigate, also agrees to get an agreement.
 - c. Veteran Names for the Cemetery
 - i. Briant Jacobs, our city engineer gave a presentation. Briant explained that there is \$1,700 left in the budget. Briant explained that there are 6 names that need to be added to the monument. City staff received bids on the engravings. Bott's engravings were \$150 per name. This will need to be done in the summertime. Councilmembers agreed to not charge the families for the engraving.
 - d. Title X Review of ADU Definitions
 - i. Amanda Prince, planning commission member explained what an ADU (accessory dwelling unit) is. Amanda read the proposed changes that are available in the packet. Mayor Bingham explained that we should consider those that go on a LDS mission for 18 months. Brandon Richards talks about having the council members come up with an exemption list to be discussed at the next meeting. Brandon also explains that in other cities they require those that build an ADU to pull a license and there is an annual review/renewal required.
 - e. Board of Adjustments
 - i. Mayor Bingham explained that she had spoken with our attorneys and ULCT and a lot of other cities do not have a board of adjustments. They have an appeal authority and have an appointing for a hearing officer. The mayor also discusses about changing the wording in the Ordinance if the council members decide to not do board of adjustments. Brandon Richards, our city attorney explained that other cities have a land use authority (planning commission) then it will go to an appeal authority, then it would go to court if there is no agreement. Council member Wilcox asked if Brandon does this system in another city. Brandon confirmed that he does in Plain City.
7. Public Hearings
- a. Surplus of home on Hooper City Property located at 6240 W 5600 S

- i. Briant Jacobs, our city engineer gave a presentation on what the house looks like and what the conditions are currently. Briant explains that the land will be used for future expansion on the Rodeo grounds. Councilmember Wilcox explained that when they bought the home, their intent was to hire a property management company and rent the home, he would like to still explore that option. Councilmember Fowers thoughts are to rent the home and use a property management company. Councilmember Marigoni stated that she would like to rent the home until we have the funding to expand the grounds.

COUNCIL MEMBER NORTHROP MOTIONED TO MOVE INTO PUBLIC HEARING. COUNCIL MEMBER MARIGONI SECONDED THE MOTION. VOTING AS FOLLOWS:

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

MOTION PASSED.

Mary Simpson located at 4311 S 5700 W stated that the city does not want to be landlords. Also feels that the renters will need to know the timeline for the relocation/demolition on the home.

Bridger Call located 6440 W 5500 S was curious on how we currently access the field behind for parking.

Zach Spencer questioned if we rented the home, where would the funds go?

Mark Perry located at 5157 W 4600 S stated that if we have sat with it for this long, why now rent it?

Jessica Smith located at 6205 W 4800 S stated that she was happy for the expansion of the rodeo grounds. Feels that it will be a safe place for kids to ride.

Alan Spaulding located at 6909 W 5900 S mentioned that it is a good home and would like to see it auctioned off. Would like for the city to

keep his family in the loop. Also sees the need for the rodeo expansion.

Mark Wayment located at 4852 W 5100 S feels pretty confident that the city will get funding for the rodeo expansion. He would like to see it auctioned off.

COUNCIL MEMBER FOWERS MOTIONED TO MOVE INTO REGULAR MEETING. COUNCIL MEMBER WILCOX SECONDED THE MOTION. VOTING AS FOLLOWS:

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

MOTION PASSED.

- b. Ordinance No. 2024-01; An Ordinance Regulating Wireless Telecommunications Structures and Facilities in the City of Hooper

COUNCIL MEMBER NORTHROP MOTIONED TO MOVE INTO PUBLIC HEARING. COUNCIL MEMBER MARIGONI SECONDED THE MOTION. VOTING AS FOLLOWS:

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

MOTION PASSED.

Nathan Maughan located at 4378 W 5750 S thanked the City Council for taking the time to do this.

COUNCIL MEMBER MARIGONI MOTIONED TO MOVE INTO REGULAR MEETING. COUNCIL MEMBER FOWERS SECONDED THE MOTION. VOTING AS FOLLOWS:

<u>COUNCIL MEMBER:</u>	<u>VOTE:</u>
WILCOX	AYE

MARIGONI	AYE
FOWERS	AYE
NORTHROP	AYE
MOTION PASSED.	

8. Action Items.

- a. Discussion/Motion – Proposal to alter grading and drainage plan for RFR located approximately at 5100 W 3150 S.

Briant Jacobs, our city engineer, gave a presentation. Briant explained what parcels are included in the RMR subdivision, Rawson Ranch Phase 2, and explained that the grading was not completed correctly. The developers proposed a plan to regrade the existing homes, and one (1) lot owner did not approve. Since then, they cannot agree on a plan. Briant explained that the developers gave the homeowner (lot 1) four (4) different options so they can move forward with other developments, which in one of those plans is too put in bin block retaining walls.

Garff Hubbard located at 5156 S 5725 W explained that they have been working on this for two and a half years. Garff also explains that there have been numerous amounts of emails back and forth and 26 engineer plans.

Briant Jacobs, our city engineer, discusses the different plans that have been proposed. Briant talks more about the drainage boxes that will be located on the property to help collect standing water from the homeowners (lot 1) yard. Councilmember Fowers asked if the drainage box is on the outside of the property, Briant confirmed yes.

Zach Spencer located at 4596 W 5750 S, representing the developer, discusses the water will drain. Zach explains that there will be a twelve (12) inch pipe and drain. Feels that this is the best option that will not affect the homeowners (lot 1). Councilmember Northrop feels that the grading in Lot 1 should match the surrounding lots. Mayor Bingham explains that we cannot change the grading and we will have to move forward with something that will work. Councilmember Wilcox feels that this should not be going through them to decide and that it needs to go through mediation.

Dylan Robinson located at 3223 S 5100 W mentioned that he is the homeowner in Lot 1. Dylan explains the timeline and feels that he would be

happy with 2 drains. Mayor Bingham stated that there were some plans that were so close to agreement, but nothing moved forward. Councilmember Fowers explained that the city did not sign off on the drainage plan, so it is ultimately up to the developer and the homeowner. Fowers also stresses his concern that if we approve something, it may come back at the city. Brandon Richards, our city attorney, communicates with city council on what could happen if the plan that was brought to them tonight would happen with other future phases/developments.

COUNCIL MEMBER WILCOX MOTIONED TO TABLE UNTIL APRIL 4, 2024 WITH AN AGREEMENT WITH THE DEVELOPER AND HOMEOWNER. COUNCIL MEMBER MARIGONI SECONDED THE MOTION. VOTING AS FOLLOWS:

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

MOTION TABLED.

- b. Discussion/Motion (Roll call vote)- Surplus of home on Hooper City Property located at 6240 W 5600 S

COUNCIL MEMBER NORTHROP MOTIONED TO START WITHIN 60 DAYS WITH A MANAGEMENT COMPANY TO RECEIVE OPTIONS. COUNCIL MEMBER MARIGONI SECONDED THE MOTION. VOTING AS FOLLOWS:

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

MOTION PASSED.

- c. Motion (Roll call vote)- Ordinance No. 2024-01; An Ordinance Regulating Wireless Telecommunication Structures and Facilities in the City of Hooper

COUNCIL MEMBER FOWERS MOTIONED TO APPROVE ORDINANCE NO 2024-01; AN ORDINANCE REGULATING WIRELESS TELECOMMUNICATION STRUCTURES AND FACILITIES IN THE CITY OF HOOPER. MEMBER WILCOX SECONDED THE MOTION. VOTING AS FOLLOWS:

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

MOTION PASSED.

Councilmember Wilcox thanked Nate Maughan for bringing this to their attention.

9. Public Comments

Rosemary England talked about city property maintenance and there not being a lease agreement on the property located by the park for years. She also talks about the cost of a new work truck.

Mark Wayment located at 4852 W 5100 S mentioned that he was part of a committee for the Veteran’s monument when they were first installing it. He is concerned about the maintenance. Asked for the council to put funds aside for the upkeep and maintenance. Mark also mentions that he will be donating \$500 to start the funds.

Mary Simpson located at 4311 S 5900 W goes along with Mark’s comments. Had the thought of using the funds from the rental of the home to go towards the veteran monuments.

Sam Kitterman located at 3237 S 5100 W explains that the developer for RMR has done a lot to help with getting the yard to grade. He says he is not happy with the wall, but willing to have it done so it can be done. Sam stated that his preference would be to have the fence on top of the block wall and to have the drainage box on the Robinson’s property.

10. Adjournment

AT APPROXIMATELY 9:07 PM COUNCIL MEMBER MARIGONI MOVED TO ADJOURN THE MEETING. COUNCIL MEMBER FOWERS SECONDED THE MOTION. VOTING AS FOLLOWS:

COUNCIL MEMBER:

WILCOX

MARIGONI

FOWERS

NORTHROP

MOTION PASSED.

VOTE:

AYE

AYE

AYE

AYE

Date Approved: _____

Morghan Yeoman, City Recorder

DRAFT

The following proposed wording would be added to the definition section of Title X under Dwelling, Secondary Attached and Dwelling, Secondary Detached. It would also be added to 10-2B-6 (H). The purpose of this addition would be to clarify the owner occupancy requirement already in place in the ordinance:

For the duration of time that either the primary residence or the detached accessory dwelling unit is being rented, the dwelling not being rented must be occupied by the owner of the property. Proof of occupancy must be provided to the city annually. The city may also require proof of occupancy at any point in time. In the event of a violation of this requirement, a fine may be issued and/or the property owner charged with a misdemeanor.

Municipal Code



5. New Business Licenses Presentations and approvals.
6. Citizens Comments.
7. Adjournment.

The City Council, by majority vote, may change the order of business or consider items out of order for the convenience of the applicants or other interested parties.

The Mayor shall review items proposed for the agenda to determine whether all requirements necessary for City Council consideration have been complied with. The City Council shall establish reasonable deadlines for submission of applications and other items for City Council consideration prior to a City Council meeting to allow sufficient time for staff and member review. No agenda shall have more than ten (10) items in any combination unless the majority of Council members deem it necessary to exceed ten.

- H. *Notice Requirements:* Action cannot be taken on items of business unless that item has been properly placed on an agenda and appropriate public notice given as required by applicable law or ordinance.
1. Notice of meetings shall be given at least once each year of the City's annual meetings schedule. The public notice shall specify the date, time, and place of such meetings.
 2. In addition to the notice requirements of paragraph H,1, the City shall give not less than 24 hours public notice of agenda, date, time and place of each of its meetings.
 3. Public notice shall be satisfied by posting written notice at the principal office of the City, and providing notice to at least one newspaper of general circulation within the City, or to a local media correspondent.
- I. *Minutes:* Written minutes will be kept, recorded, and preserved according to statute. Minutes will be kept and recorded by a designated City employee or official. The minutes include the date, time, and place of the meetings; the names of the members present and absent; the substance of all matters proposed, discussed, or decided, and a record, of votes taken; the names of all citizens who appeared and the substance in brief of their testimony; and any other information that any member requests be entered in the minutes. Minutes will be reviewed by the City Council at their next meetings. The minutes will be corrected or amended if necessary, and approved.
- J. *Voting Procedures and Quorum Requirements:* Members of the City Council not officiating at the meeting may make a motion to take an action pertaining to an agenda item. The Mayor or in his/her absence the Mayor pro tempore will call for a vote on the motions. In the event of a tie vote of the members of the Council, the Mayor or in his/her absence the Mayor pro tempore will cast the tie breaking vote. When voting on issues involving resolutions, ordinances, City finance or any action which creates a liability for the City votes will be taken by roll call and recorded. Members may excuse themselves from voting on an issue for conflict of interest. Resolutions, ordinances, City finance or any action which creates a liability of the City must have 4 favorable votes.

10-5-4 Zoning Ordinance Amendments

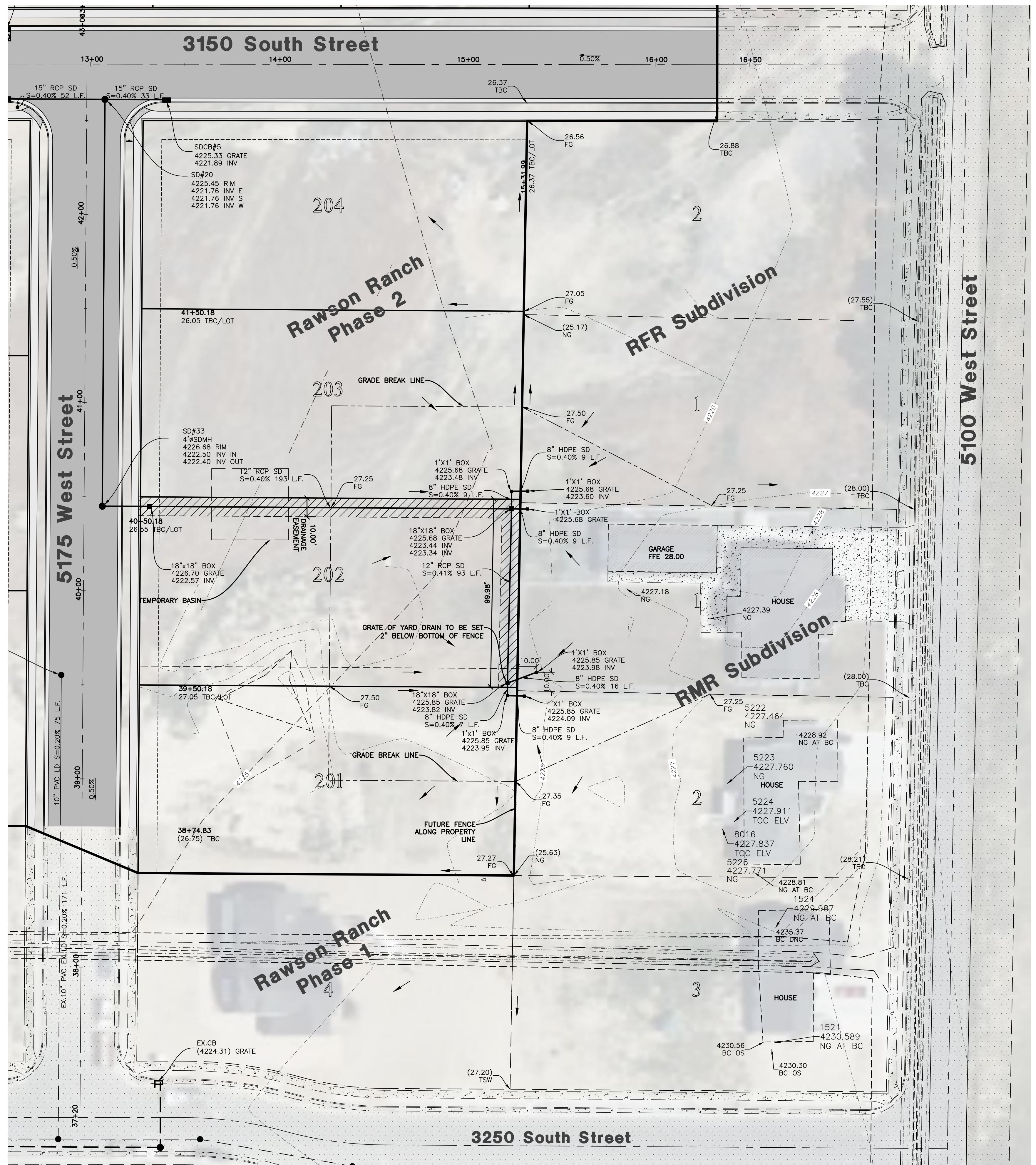
A. Process for Changing Zoning and/or The Future Land Use Map portion of the General Plan:

1. All proposed changes in zoning initiated by the City Council, Planning Commission or property owner shall follow the notice and public hearing procedures in HCC 10-5A and Utah Code 10-9a-2.
2. Proposals for changing property zoning shall be initiated by the Property Owner by submitting an application and fees, as set forth in HCC 10-5A, to the City office on forms provided by the City.
3. All proposed changes in zoning shall first come before the Planning Commission for consideration and a recommendation of approval or denial to the City Council.
 - a) If the proposed change in Zoning differs from the Future Land Use Map, the Planning Commission shall make a recommendation to the City Council as to whether or not the future Land Use Map portion of the General Plan shall be opened for the proposed amendment. The Planning Commission recommendation will be submitted to be considered by the City Council at their next available meeting.
 - i. If accepted, the City Council will open, modify, and close the Future Land Use Map portion of the General Plan in the same meeting.
 - ii. If the petition is denied by the City Council, the landowner may again apply for change no sooner than twelve months from their original Planning Commission meeting.
4. The City Council shall apply the standards listed in paragraph B and the required findings listed in paragraph C to review the zoning amendment.
5. For the general health, safety, welfare of the public, or to comply with State Law, the City Council reserves the right to open and make changes to the General Plan and/or Future Land Use Map portion of the General Plan, following the same procedural process as outlined above in HCC 10-5-4 (A)(1) and HCC 10-5-4 (A)(3).

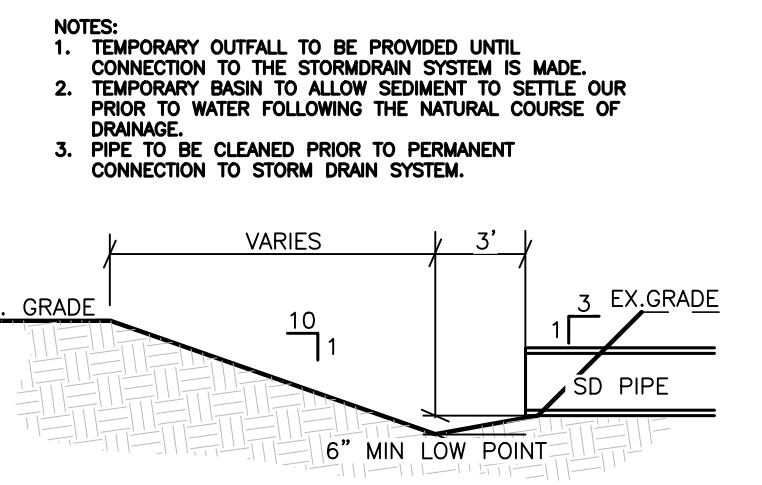
B. **Standards:** For zoning ordinance map amendments, the subject property(ies) must meet the minimum dimensional standards of the proposed based zone otherwise, the property(ies) shall not be eligible for rezone.

C. **Required Findings:** Upon recommendation from the Commission, the City Council shall make a full investigation and shall, at the public hearing, review the application. In order to grant an amendment to the zoning, whether map or text, the City Council shall make the following findings:

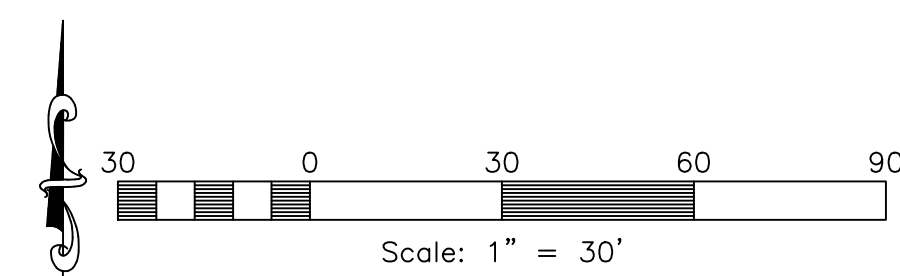
1. The zoning amendment complies with the General Plan;
2. The zoning amendment complies with the regulations outlined for the proposed base zone, specifically the purpose statement;
3. The zoning amendment shall not be materially detrimental to the public health, safety, and welfare; and
4. The zoning amendment shall not result in an adverse impact upon the delivery of services by any service provider providing services within the city including, but not limited to school districts, fire districts, water or sewer districts, or utilities.



- NOTES:
1. YARD DRAIN BOXES TO BE CONCRETE AND SET AS SHOWN ON THE PLAN.
 2. EXTEND STORM DRAIN SYSTEM IN RAWSON RANCH PHASE 2 TO CAPTURE FLOW FROM YARD DRAIN BOXES.
 3. CONTRACTOR TO PROTECT EXISTING FENCE AROUND LOT 1 OF RMR DURING CONSTRUCTION ACTIVITIES, AND PROVIDE TEMPORARY FENCING INTO LOT 1 TO MAINTAIN ANIMALS WITHIN THE YARD OF LOT 1.
 4. GRADE OF YARD DRAIN BOX TO BE SET AT OR NOT MORE THAN 2" BELOW ADJACENT ESTABLISHED GRADE WITHIN LOT 1 OF RMR SUBDIVISION.



Temporary Outfall Detail
NOT TO SCALE



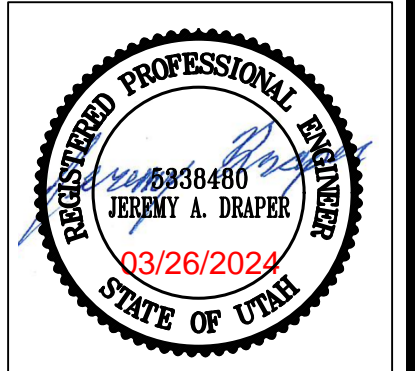
Reeve & Associates, Inc.
5160 SOUTH 1500 WEST, RIVERDALE, UTAH 84405
TEL: (801) 621-3100 www.reeve-associates.com

LAND SURVEYORS • CIVIL ENGINEERS • LAND SURVEYORS
TRAFFIC ENGINEERS • STRUCTURAL ENGINEERS • LANDSCAPE ARCHITECTS

REVISIONS	DESCRIPTION
DATE	2022.07.05
DESCRIPTION	NE Grade & LD

Rawson Ranch RMR Regrading
HOOPER CITY, WEBER COUNTY, UTAH

RMR Regrading



Project Info.

Engineer: JEREMY A. DRAPER, P.E.
 Drafter: N. FICKLIN
 Begin Date: APRIL, 2021
 Name: RAWSON RANCH SUBDIVISION
 Number: 6791-01