

**PUBLIC NOTICE OF A MEETING
OF THE CITY COUNCIL OF PLEASANT VIEW CITY, UTAH**

March 24, 2015

Public Notice is hereby given that the City Council of Pleasant View, Utah will hold a Public Meeting in the city office at 520 West Elberta Dr. in Pleasant View, Utah on Tuesday, March 24, 2015, commencing at 6:00 P.M.

The agenda consists of the following:

Pledge of Allegiance: Toby Mileski

Opening Prayer, Reading or Expression of Thought: Toby Mileski

Comments/Questions for the Mayor & Council for items not on the agenda (public)

Consent Items:

- Consideration and possible approval of final acceptance of Willow Brook, Phase B subdivision.

Business:

- 6:10 P.M. 1. Appointment to fill the midterm city councilmember vacancy expiring in January 2016.
- 6:30 P.M. 2. Consideration and possible approval on the expenditure for Pleasant View City Park north ball field improvements to Dura-Edge for the amount of \$12,095. *(Presenter: Valerie Claussen)*
- 6:35 P.M. 3. Consideration and possible approval on the expenditure for Shady Lane Park Irrigation improvements to Ben Lomond Landscaping for the amount of \$18,000. *(Presenter: Valerie Claussen)*
- 6:40 P.M. 4. Public Hearing, discussion, and possible action on the adoption of an Ordinance to enact ZTA 15-006, a text amendment to the Municipal Code Title 17, Chapter 17.12 for the clarification of term "temporary power" in reference to power clearances required prior to obtaining building permits for a new subdivision. *(Presenter: Valerie Claussen)*
- 6:55 P.M. 5. Public Hearing, discussion, and possible action on the adoption of an Ordinance to amend Ordinance 2002-2 known as Pleasant View City's "Drinking Water Source Protection Ordinance", and to codify the Ordinance to be included in the Municipal Code as *Title 13.14 Drinking Water Source Protection*. *(Presenter: Valerie Claussen)*
- 7:10 P.M. 6. Discussion and possible action on amendments to the City's Fee Schedule:
 - Recreation field reservations;
 - Administrative Process for Fee Assessment Waivers. *(Presenters: Melinda Greenwood and Valerie Claussen)*
- 7:20 P.M. 7. Discussion on 500 W Construction and final project close out. *(Presenter: Melinda Greenwood)*
- 7:30 P.M. 8. Presentation to Councilmember Mel Marker. *(Presenter: Mayor Mileski)*
- 8:00 P.M. 9. Closed Meeting.
10. Action items from closed meeting.

Other Business

Adjournment

The City Council at their discretion may change the order and times of the agenda items.

In compliance with the Americans with Disabilities Act, persons needing auxiliary services for these meetings should call the Pleasant View City Office at 801-782-8529, at least 24 hours prior to the meeting.



City Council

STAFF REPORT

AGENDA ITEM

#CONSENT

TO: Honorable Mayor and City Council

FROM: Valerie Claussen, MPA, AICP
Assistant City Administrator
vclaussen@pleasantviewcity.com or (801) 827-0468

MEETING DATE: March 24, 2015

SUBJECT: Consideration and possible approval of the final acceptance of Willow Brook, Plat B Subdivision.

RECOMMENDATION

Move to accept the subdivision improvements of Willow Brook, Plat B for perpetual maintenance by the City and release any remaining warranty escrow funds associated with the project to the developer.

BACKGROUND

Willow Brook subdivision is located west of Highway 89 and Willow Brook Lane. Plat B is the second phase of the subdivision that consists of eleven lots on Willow Brook Lane between 925 W and 950 W. In accordance with Title 17, Chapter 20, of the Pleasant View City Code, the City Engineer has completed the final inspection, after a minimum one year warranty period, of the subdivision, and found the public improvements to be installed correctly. Final acceptance of the improvements and release of the remaining warranty escrow is being recommended.

It should be noted, that the subdivision consists predominately of private streets and infrastructure; however, there were some public improvements associated with the development, subsequently put under warranty and now are being accepted by the city for perpetual maintenance. Private improvements will remain under the perpetual maintenance of the property owner, as delineated in the final plat approval.

ATTACHMENT

A) Acceptance letter, dated March 12, 2015



**JONES &
ASSOCIATES** CONSULTING ENGINEERS

March 12, 2015

Pleasant View City Corporation
Attn: Valerie Claussen
520 West Elberta Drive
Pleasant View, Utah 84414

RE: Willow Brook Subdivision Plat B - Final Acceptance

Dear Valerie:

I have completed an inspection of the improvements in the above mentioned subdivision and found them to be completed satisfactorily and to meet minimum requirements of Pleasant View City standards in accordance with engineering and/or subdivision plans submitted and previously approved. I have presented this request to the DRC (Development Review Committee) where it was accepted. We now recommend granting Final Acceptance of this subdivision.

All remaining escrow funds can be released at this time.

If you have any questions, or if I can be of any help, please let me know.

Sincerely,

JONES AND ASSOCIATES
Consulting Engineers
Pleasant View City Engineers

Benjamin A. Slater, P.L.S.
City Inspector

Date of Final Acceptance to be determined by the City Council

Accepted by

Brandon K. Jones, P.E.
City Engineer



City Council

STAFF REPORT

AGENDA ITEM

2

TO: Honorable Mayor and City Council

FROM: Valerie Claussen, MPA, AICP
Assistant City Administrator
vclaussen@pleasantviewcity.com or (801) 827-0468

MEETING DATE: March 24, 2015

SUBJECT: Consideration and possible approval on the expenditure for Pleasant View City Park north ball field improvements to Dura-Edge for the amount of \$12,095.

RECOMMENDATION

Move to approve the expenditure for City Park north ball field improvements to Dura-Edge for the amount of \$12,095.

BACKGROUND

This item is brought for Council's approval because the expenditure is over \$10,000. City Park north ball field improvements were budgeted at \$12,000 in the current budget cycle to be completed this year. The improvements include laser leveling of the field, the infield dirt mixture and mound clay. Staff has obtained the quote for the work to be completed and it will be \$12,095.

ATTACHMENT

A) Field Saver Project Quote, dated March 18, 2015



QUOTATION AND ACCEPTANCE ORDER

Date: March 18, 2015
 Customer: Pleasant View City
 Attention: Allison Christensen
 Project: FieldSaver Project

I am pleased to quote you the following price(s):

Quantity	Unit Type	FOB	Product Description	Delivered Price	Total
26	Bulk Ton	UT	DuraEdge Pro Infield Mix	\$ 140.00	\$ 3,640.00
1		UT	Laser Grading		\$ 2,000.00
1		UT	Mobilization		\$ 475.00
120	50 Lb Bag	UT	ProSlide Topdressing	\$15.75	\$1,890.00
80	50 Lb Bag	UT	DuraPitch Premium		
			Mound Clay	\$14.25	\$1,140.00
1		UT	Spread, Till, Roll mix*		\$2,950.00
				Grand Total	\$ 12,095.00

TERMS AND CONDITIONS OF SALE:

- Payment terms are Net 30 days with approved credit.
- Prices are subject to change if signed quote is not returned within 30 days and for any reason after 90 days.
- Pleasant View City will be responsible all labor and equipment needed to move infield mix onto the field, spreading it evenly, tilling it three inches deep (three different directions) and rolling the material into place with a one ton roller under the guidance of Cam Toone and DuraEdge Utah. PV City will also be responsible for providing equipment and labor to install mound clay and conditioner under the guidance of Cam Toone and DuraEdge Utah. The last line item (spread, till and roll is optional - marked *)
- Prices quoted exclude applicable sales or related taxes.
- Prices include delivery to Project Site and based upon safe and easy access for delivery.
- All orders are F.O.B. Ogden, UT, freight prepaid and add.
- Additional Terms and Conditions of Sale on page -2-

THIS QUOTE AND COMPLETE TERMS AND CONDITIONS ARE HEREBY ACCEPTED AND QUOTE BECOMES AN ORDER ON THIS 18th DAY OF March, 2014-2015

Pleasant View City :

By: Walter Crano
 Title: Assistant City Administrator
 Authorized Signor

DuraEdge Utah:

Jamie Farquhar, HR & Sales
 Email: jfarquhar@DuraEdge.com
 Cell: (970) 401-0703



City Council STAFF REPORT

AGENDA ITEM

3

TO: Honorable Mayor and City Council

FROM: Valerie Claussen, MPA, AICP
Assistant City Administrator
vclaussen@pleasantviewcity.com or (801) 827-0468

MEETING DATE: March 24, 2015

SUBJECT: Consideration and possible approval on the expenditure for Shady Lane Park Irrigation improvements to Ben Lomond Landscaping for the amount of \$18,000

RECOMMENDATION

Move to approve the expenditure for Shady Lane Park Irrigation improvements to Ben Lomond Landscaping for the amount of \$18,000.

BACKGROUND

This item is brought for Council's approval because the expenditure is over \$10,000. Shady Lane Irrigation Clock Update project was funded for \$11,000 this budget year and \$10,000 next year. Installing irrigation in the northern and northeastern area of Shady Lane is the first "phase" of this project. The remaining items of purchasing and installation of clocks and sensors will be completed over the course of the next couple of years.

The final Shady Lane Park RAMP Grant fund numbers are not available, but preliminary estimates indicate there will be approximately \$2,000 available for the irrigation. All of this year's \$11,000 for the irrigation project will pay for the majority of the work, and the remaining balance will be paid for from the RAMP Population Grant monies the City receives every year.

The City obtained three price quotations that were more akin to requests for proposals, as the City provided a site plan for their reference and requested the quote to be divided between the north area and the northeast area work. Ben Lomond provided the most specific plan and information regarding the project, and with a successful past working history this is the proposal that is recommended for approval.

Two other proposals were received; one for \$13,200 and another one for \$20,460.25. The highest bid did not provide specific detail or plan and the lower bid provided only minimal detail when compared to the quote that is being recommended for approval.

ATTACHMENT

- A) Ben Lomond Landscape Irrigation System Quote, dated February 27, 2015
- B) Proposed Shady Lane Park Irrigation Plans



487 West 4050 North
Pleasant View, UT 84414
Phone (801) 786-8600
Fax (801) 786-8605

Shady Lane Park
Along 600 West
Pleasant View, Utah 84414
Attn: Bob Shriber
801-726-4724
February 27, 2015

Irrigation system installation (Area #1): **\$12,500**

- ◆ Install six (6) ea. zones in the north area of Shady Lane Park
 - Includes one (1) ea. zone along 600 West
 - Each valve box will contain a quick coupler for easy winterization and/or hose bibs
 - New system will be compatible with existing clock

Irrigation system installation (Area #2): **\$5,500**

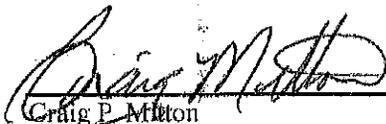
- ◆ Install three (3) ea. zones in the south area of Shady Lane Park (East of the horse arena):
 - Valve box will contain a quick coupler for easy winterization and/or hose bibs
 - New system will be compatible with existing clock

All sprinkler heads for both areas will be positioned for double coverage to reduce dry areas from tree blockage.

Grand Total: **\$18,000**

Pleasant View Parks agrees to pay interest at the rate of 1.5% monthly (19% annually) on all balances over 30 days from the original due date, plus court costs and reasonable attorneys' fees, with or without suit incurred in collecting any past due balance, and a collection fee equal to 40% of the outstanding balance.

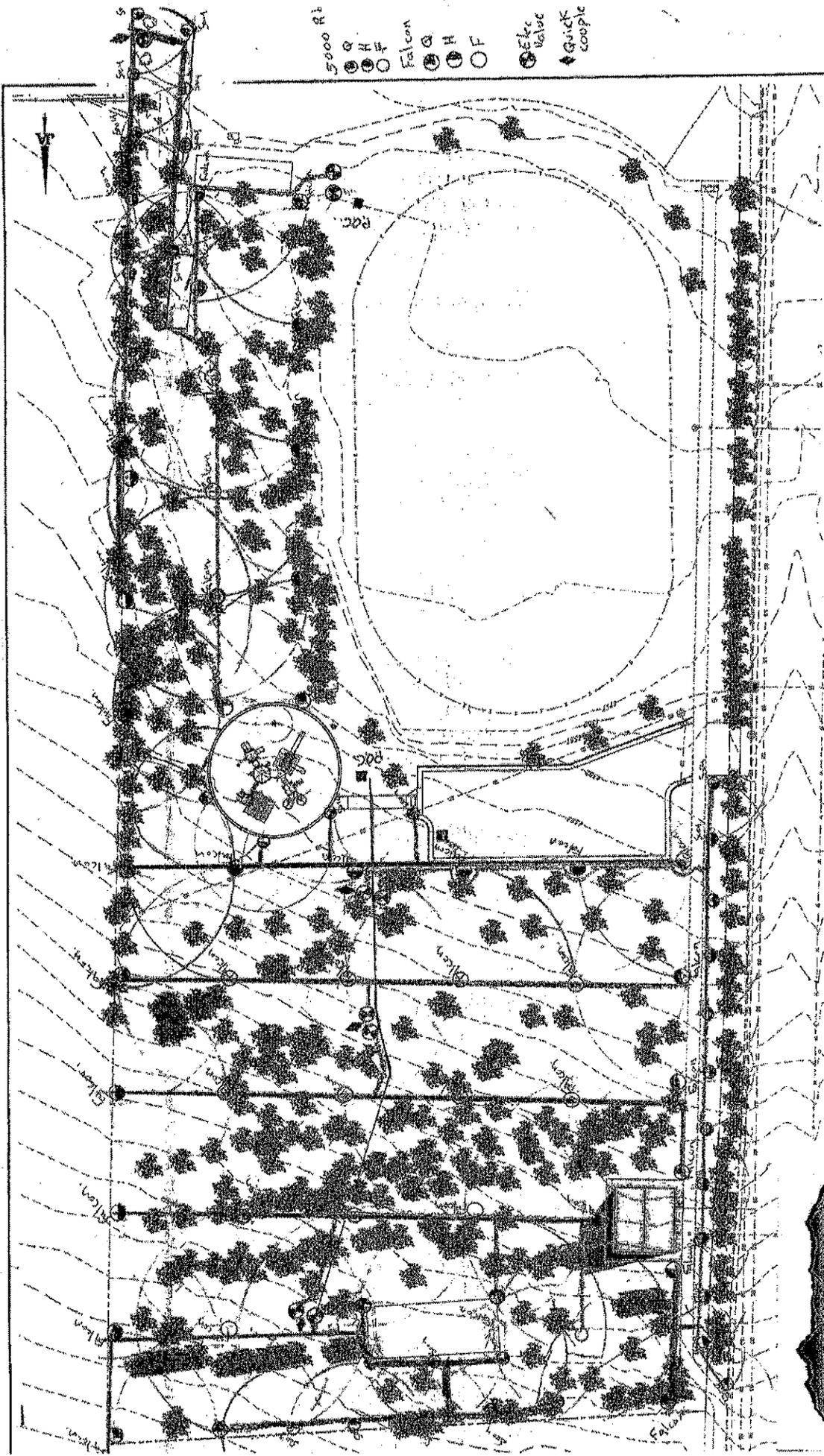
This bid remains in effect through February 2016.

 2-27-15 Concur:
Craig P. Mitton Date

President
Ben Lomond Landscape Maintenance
A division of Mitton & Mitton, Inc.

Bob Shriber, P.V. Parks

Date



- 5000 Rb
- Q
 - H
 - F
 - Falcon
 - Q
 - H
 - F
 - Eke
 - Baloc
 - Quick couple

1

RICHMOND NEW CITY CORPORATION
 SHADY LAKE PARK (NORTH AREA) PRESERVED RECREATION

CONSULTING ENGINEERS
 1105 East 55th Street
 South Ogden, Utah 84403 (801) 467-8877



DATE: 11-10-07
 DRAWN BY: JAC
 CHECKED BY: JAC
 DATE: 11-10-07

SCALE: 1" = 40'

PK

BEN LOMOND
 LANDSCAPE/MAINTENANCE
 736-6600



City Council

STAFF REPORT

AGENDA ITEM

4

TO: Honorable Mayor and City Council

FROM: Valerie Claussen, MPA, AICP
Assistant City Administrator
vclaussen@pleasantviewcity.com (801) 827-0468

MEETING DATE: March 24, 2015

SUBJECT: Public Hearing, Discussion, and Possible Action on the adoption of an Ordinance to enact ZTA 15-006, a text amendment to the Municipal Code Title 17, Chapter 17.12 for the clarification of term "temporary power" in reference to power clearances required prior to obtaining building permits for a new subdivision.

RECOMMENDATIONS

- 1) Hold Public Hearing
- 2) Move to **approve** the Ordinance which will enact ZTA 15-006, a text amendment to Title 17, Chapter 17.12 for the clarification of term "temporary power" based on the findings stated in the Staff Report and discussion held at this Council meeting.

PLANNING COMMISSION

Planning Commission heard this item at their March 5, 2015 meeting and unanimously recommends approval of the proposed changes. No public comment was received.

BACKGROUND

This text amendment was brought forward the end of 2014 and requested to clarify the provision of temporary power clearances being required prior to obtaining building permits in a new subdivision.

TEXT AMENDMENT

Municipal Code Title 17

The proposed changes to the City Code are shown in *italic bold* below:

17.12.010 Building Permit Issuance:

2. For the granting of special approval for permits prior to completion of all required improvements, the following minimum standards shall apply, as determined by the city:

- a. All utilities to be installed in the street right of way have been installed and such installation approved.
- b. The culinary water system has been installed, inspected and approved and the fire hydrants are operational.
- c. Curb and gutter have been installed.
- d. Roads are sufficiently completed (with road base installed) to assure continued access for construction and emergency vehicles.
- e. Sewer systems have been installed, inspected and approved, including all off site connections, so as to be functional upon connection to buildings.
- f. Storm water facilities are deemed sufficiently operational to prohibit damage to adjacent properties.
- g. ~~Power for the project has been installed and is available for temporary connections.~~
Power for the project must be available and connected to the site, either by permanent connection or temporary connection (if appropriate clearances have been obtained from Rocky Mountain Power).

FINDINGS

Change of Zoning Approval

Pursuant to City Code Chapter 18.60.040 the Planning Commission is to make recommendation to the City Council on proposed text amendments, and City Council makes the final determination.

The following findings can be made for this text amendment:

- 1) The proposed text amendment provides clarification of an existing requirement in the subdivision ordinance regarding temporary power connections in new subdivisions.

ATTACHMENT

- A) Ordinance for ZTA 15-006

ORDINANCE NO. 2015-_____

AN ORDINANCE OF THE PLEASANT VIEW CITY COUNCIL FOR AMENDMENTS TO TITLE 17, CHAPTER 17.12 FOR THE CLARIFICATION OF TERM "TEMPORARY POWER", AND OTHER MATTERS PROPERLY RELATED THERETO.

WHEREAS, Pleasant View City finds that amendments to Chapter 17 are consistent with the City's existing General Plan and further implements the purposes of Chapter 17 of the Municipal Code;

WHEREAS, Pleasant View City finds that such an amendment is in the best interest of the City.

NOW THEREFORE, Be it hereby ordained that:

SECTION ONE: The Pleasant View City Municipal Code shall be and hereby amended to the following:

17.12.010 Building Permit Issuance:

2. For the granting of special approval for permits prior to completion of all required improvements, the following minimum standards shall apply, as determined by the city:

- a. All utilities to be installed in the street right of way have been installed and such installation approved.
- b. The culinary water system has been installed, inspected and approved and the fire hydrants are operational.

- c. Curb and gutter have been installed.
- d. Roads are sufficiently completed (with road base installed) to assure continued access for construction and emergency vehicles.
- e. Sewer systems have been installed, inspected and approved, including all off site connections, so as to be functional upon connection to buildings.
- f. Storm water facilities are deemed sufficiently operational to prohibit damage to adjacent properties.
- g. ~~Power for the project has been installed and is available for temporary connections.~~ ***Power for the project must be available and connected to the site, either by permanent connection or temporary connection (if appropriate clearances have been obtained from Rocky Mountain Power).***

SECTION TWO: This ordinance shall take effect immediately upon posting.

DATED this 24th day of March, 2015.

PLEASANT VIEW CITY, UTAH

Toby Mileski, Mayor

Attest:

Laurie Hellstrom, City Recorder

Posted this ____ day of _____, 2015

This ordinance has been approved by the following vote of the Pleasant View City Council:

- _____ Councilmember Boehme
- _____ Councilmember Burns
- _____ Councilmember Gibson
- _____ Councilmember Humphreys
- _____ Councilmember Marker



City Council

STAFF REPORT

AGENDA ITEM

5

TO: Honorable Mayor and City Council

FROM: Valerie Claussen, MPA, AICP
Assistant City Administrator
vclaussen@pleasantviewcity.com (801) 827-0468

MEETING DATE: March 24, 2015

SUBJECT: Public Hearing, Discussion, and Possible Action on the adoption of an Ordinance to amend Ordinance 2002-2 known as Pleasant View City's "Drinking Water Source Protection Ordinance", and to codify the Ordinance to be included in the Municipal Code as *Title 13.14 Drinking Water Source Protection*.

RECOMMENDATIONS

- 1) Hold Public Hearing
- 2) Move to **adopt** the Ordinance which amends Ordinance 2002-02 to include a conflict provision section, and codify the Ordinance to be included in the Municipal Code as *Title 13.14 Drinking Water Source Protection*, based on the findings stated in the Staff Report and discussion held at this Council meeting.

BACKGROUND

The original Drinking Water Source Protection Ordinance was adopted in 2002, and is consistent with the boiler plate ordinance that the State's Division of Drinking Water provided to cities for adoption.

Since then, individual Water Source Protection Plans have been adopted by the City for each of the water sources and well sites. The original ordinance did not have a conflicting provision that if there were conflicts between the ordinance and adopted Protection source plan that the more stringent standard would apply. This amendment is intended to clarify that the more stringent standard will apply, even if that higher standard is in the Plan and not stated in the Ordinance.

Also, Ordinance 2002-02 is being recommended to be codified as a new chapter in the Municipal Code, which will increase its accessibility and ease the administration of this ordinance. Section 13.14 is directly after the other sections that have the City's culinary water provisions.

ORDINANCE AMENDMENT

Conflicting Provision

The proposed addition to the Ordinance is shown below:

Section 7. Conflicting Provision. The provisions of this ordinance apply, unless otherwise indicated in a specific wellhead or water source protection plan adopted by the City. If there are instances of conflicting provisions between this ordinance, and an adopted water source protection plan, the more stringent standard shall apply.

FINDINGS

The following findings can be made for this amendment:

- 1) The proposed amendment provides clarification of applicable standards, particularly when development occurs or may be affected by the provisions when located near these identified water sources.
- 2) The City's efforts in maintaining adequate public facilities for the City, specifically the further protection of the City's limited water sources is advanced with this amendment.

ATTACHMENT

- A) Ordinance

ORDINANCE NO. 2015-_____

AN ORDINANCE OF THE PLEASANT VIEW CITY COUNCIL TO AMEND ORDINANCE 2002-02 THE "DRINKING WATER SOURCE PROTECTION ORDINANCE", AND FOR THE CODIFICATION OF THIS ORDINANCE TO BE INCLUDED AS CHAPTER 13.14 OF THE MUNICIPAL CODE, AND OTHER MATTERS PROPERLY RELATED THERETO.

WHEREAS, Pleasant View City finds that amendments to the Drinking Water Source Protection Ordinance are consistent with the Municipal Code, and with the City's efforts in maintaining adequate public facilities for the City, specifically the further protection of the City's limited water sources;

WHEREAS, Pleasant View City desires the ordinance be codified as Chapter 13.14 in the Municipal Code;

WHEREAS, Pleasant View City finds that such an amendment is in the best interest of the City.

NOW THEREFORE, Be it hereby ordained that:

SECTION ONE: The Pleasant View City Ordinance 2002-02 shall be and hereby amended to include the following section:

Section 7. Conflicting Provision. The provisions of this ordinance apply, unless otherwise indicated in a specific wellhead or water source protection plan adopted by the City. If there are instances of conflicting provisions between this ordinance, and an adopted water source protection plan, the more stringent standard shall apply.

SECTION TWO: The Pleasant View City Municipal Code shall be and hereby amended to include Section 13.14 "Drinking Water Source Protection Ordinance" which is attached by reference as EXHIBIT "A", with the inclusion of Section 7 Conflicting Provision. The renumbering and other matters properly related to codification will occur.

SECTION THREE: This ordinance shall take effect immediately upon posting.

DATED this 24th day of March, 2015.

PLEASANT VIEW CITY, UTAH

Toby Mileski, Mayor

Attest:

Laurie Hellstrom, City Recorder

Posted this ____ day of _____, 2015

This ordinance has been approved by the following vote of the Pleasant View City Council:

_____ Councilmember Boehme
_____ Councilmember Burns
_____ Councilmember Gibson
_____ Councilmember Humphreys
_____ Councilmember Marker

ORDINANCE 2002-2

DRINKING WATER SOURCE PROTECTION ORDINANCE

BE IT ORDAINED by the Mayor and Council of the City of Pleasant View in Council duly assembled and it is hereby ordained by the authority of same that the following ordinance known as the Drinking Water Source Protection Ordinance is adopted and made a part of the Code of Ordinance of the City of Pleasant View, to wit:

Section 1. Short title and purpose.

(a) This ordinance shall be known as the "Drinking Water Source Protection Ordinance."

(b) The purpose of this ordinance is to ensure the provision of a safe and sanitary drinking water supply for the City by the establishment of drinking water source protection zones surrounding the wellheads for all wells which are the supply sources for the City water system and by the designation and regulation of property uses and conditions which may be maintained within such zones.

Section 2. Definitions. When used in this ordinance, the following words and phrases shall have the meanings given in this Section:

(a) Design standard - means a control that is implemented by a potential contamination source to prevent discharges to the ground water. Spill protection is an example of a design standard.

(b) Land management strategies - means zoning and non-zoning controls which include, but are not limited to, the following: zoning and subdivision ordinances, site plan reviews, design and operating standards, source prohibitions, purchase of property and development rights, public education programs, ground-water monitoring, household hazardous waste collection programs, water conservation programs, memoranda of understanding, written contracts and agreements, and so forth.

(c) Pollution source - means point source discharges of contaminants to ground water or potential discharges of the liquid forms of "extremely hazardous substances" which are stored in containers in excess of "applicable threshold planning quantities" as specified in SARA Title III. Examples of possible pollution sources include, but are not limited to, the following: storage facilities that store the liquid forms of extremely hazardous substances, septic tanks, drain fields, Class-V underground injection wells, landfills, open dumps, landfilling of sludge and septage, manure piles, salt piles, pit privies, and animal feeding operations with more than ten animal units. The following clarify the definition of pollution source:

(1) Animal feeding operation - means a lot or facility where the following conditions are met: animals have been or will be stabled or confined and fed or maintained for a total of 45 days or more in any 12 month period; and crops, vegetation forage growth, or post-harvest residues are not sustained in the normal growing season over any portion of the lot or facility. Two or more animal feeding operations under common ownership are considered to be a single feeding operation if they adjoin each other, if they use a common area, or if they use a common system for the

disposal of wastes.

(2) Animal unit - means a unit of measurement for any animal feeding operation calculated by adding the following numbers; the number of slaughter and feeder cattle multiplied by 1.0, plus the number of mature dairy cattle multiplied by 1.4, plus the number of swine weighing over 55 pounds multiplied by 0.4, plus the number of sheep multiplied by 0.1, plus the number of horses multiplied by 2.0.

(3) Extremely hazardous substances - means those substances which are identified in the Sec. 302(EHS) column of the "TITLE III LIST OF LISTS - Consolidated List of Chemicals Subject to Reporting Under SARA Title III," (EPA 560/4-91-011).

(d) Potential contamination source - means any facility or site which employs an activity or procedure which may potentially contaminate ground water. A pollution source is also a potential contamination source.

(e) Regulatory agency - means any governmental agency with jurisdiction over hazardous waste as defined herein.

(f) Sanitary landfill - means a disposal site where solid wastes, including putrescible wastes, or hazardous wastes, are disposed of on land by placing earth cover thereon.

(g) Septic tank/drain-field systems - means a system that is comprised of a septic tank and a drain-field which accepts domestic wastewater from buildings or facilities for subsurface treatment and disposal. By their design, septic tank/drain-field system discharges cannot be controlled with design standards.

(h) Wellhead - means the upper terminal of a well, including adapters, ports, seals, valves and other attachments.

Section 3. Establishment of drinking water source protection zones. There is hereby established use districts to be known as zones one, two, three, and four of the drinking water source protection area identified and described as follows:

(a) Zone one is the area within a 100-foot radius from the wellhead.

(b) Zone two is the area within a 250-day ground-water time of travel to the wellhead, the boundary of the aquifer(s) which supplies water to the ground-water source, or the ground-water divide, whichever is closer.

(c) Zone three (waiver criteria zone) is the area within a 3-year ground-water time of travel to the wellhead or margin of the collection area, the boundary of the aquifer(s) which supplies water to the ground-water source, or the ground-water divide, whichever is closer.

(d) Zone four is the area within a 15-year ground-water time of travel to the wellhead, the boundary of the aquifer(s) which supplies water to the ground-water source, or the ground-water divide, whichever is closer.

Section 4. Permitted uses. The following uses shall be permitted within drinking water source protection zones:

(a) Any use permitted within existing agricultural, single family residential, multi-family residential, and commercial districts so long as uses conform to the rules and regulations of the regulatory agencies.

(b) Any other open land use where any building located on the property is incidental and accessory to the primary open land use.

Section 5. Prohibited uses. The following uses or conditions shall be and are hereby prohibited within drinking water sources protection zones, whether or not such use or condition may otherwise be ordinarily included as a part of a use permitted under Section 4 of the ordinance.

(a) **Zone one** - The location of potential contamination sources as defined herein, unless they are controlled with design standards.

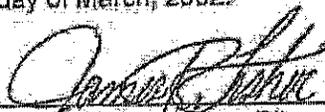
(b) **Zone two** - The location of pollution sources as defined herein, unless their contaminated discharges are controlled with design standards.

(c) **Zones three and four** - The location of potential contamination sources unless they are controlled through land management strategies.

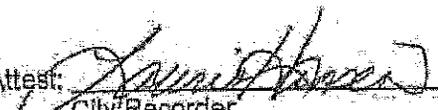
Section 6. Administration. The policies and procedures for administration of any source protection zone established under this ordinance, including without limitation those applicable to nonconforming uses, exceptions, enforcement, and penalties, shall be the same as provided in the existing zoning ordinance for the City of Pleasant View, as the same is presently enacted or may from time to time be amended.

This Ordinance shall be effective as of March 26, 2002. All ordinances and parts or ordinances in conflict herewith shall not be and the same are hereby repealed.

ENACTED AND ADOPTED this 26th day of March, 2002.



Mayor, Pleasant View City

Attest: 

City Recorder



City Council

STAFF REPORT

AGENDA ITEM

6

TO: Honorable Mayor and City Council

FROM: Valerie Claussen, MPA, AICP
Assistant City Administrator
vclaussen@pleasantviewcity.com or (801) 827-0468

MEETING DATE: March 24, 2015

SUBJECT: Discussion and Possible Action on amendments to the City's Fee Schedule regarding recreation field reservations.

RECOMMENDATION

Move to approve the amended fee schedule.

BACKGROUND

An updated Field Reservation Policy was adopted at the March 10, 2015 City Council meeting. Associated with these revisions, were the fees associated with reserving the fields during on and off-season time periods. The proposed fee schedule changes are listed below:

Fees for **regular** season field reservations (April 20th- October 31st):

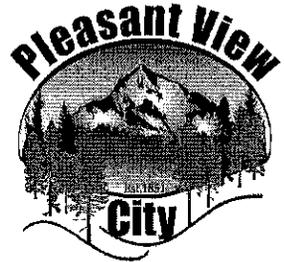
- \$10 per hour, per field
- \$50 per day, per field
- \$15 per hour, per prepared field*
- \$25 per hour for field lights*

Fees for **off-season** field reservations (Feb 20th-April 19th/ November 1st-Feb 19th):

- \$7 per hour, per field
- \$35 per day, per field

**The rates for the field lights and field preparation rates remain the same the entire year.*

#6



Memo

To: Mayor Mileski & City Council Members

From: Melinda Greenwood, City Administrator *MG*

Meeting Date: March 24, 2015

Re: Discussion and Possible Action on Adopting a Policy for Fee Assessment Waivers and Rebates

I. RECOMMENDED ACTION

Move to approve the policy on fee assessment waivers and rebates as presented by staff.

II. DESCRIPTION / BACKGROUND

This item was brought up last summer by Councilmember Burns, after hearing from a resident who had been assessed fees and was experiencing a hardship. This citizen had requested that a returned check fee be reimbursed. At the August 12, 2015 City Council Meeting, there was discussion on proposed options for waving fees. The Council ultimately gave direction to staff to come up with a policy recommendation to bring back for approval. Minutes from that discussion item state:

7. Discussion of possible policy for waiving fees in extreme circumstances. (Presenter: Melinda Greenwood)

Melinda Greenwood: you have two examples on waiving fees. One gives the administrator authority and other gives the city council authority. CM Burns: gave the background history on a return check fee request to be waived and why this item was placed on the agenda. Mayor Mileski: I like Clinton City's that gives the authority to the administrator. Melinda Greenwood: there should be criteria setup. CM Boehme: this hasn't been needed a lot. It is better if two people concur. CM Gibson: I don't think there needs to be criteria setup. Melinda Greenwood: I will come back with criteria to the council.

Staff has finalized a policy (attached) and presents that to the Council for further discussion and possible adoption.

Noted in section IV, there are options in the proposed policy which the Council may choose to alter.

Staff recommends adopting this policy, which would become a part of the resolution adopting the entire fee schedule.

Developer and impact fees are specifically excluded from this policy primarily due to the fact that developer fee reimbursements and waiver request are already codified and must be approved by the Council. This process assists in protecting the integrity of the development process and ensuring that taxpayers don't bear the brunt of those costs.

III. IMPACT

A. Fiscal – Minimal costs in fee loss and staff time.

IV. ALTERNATIVES

A. The Council can elect to make changes to the propose policy as they see fit. Items which are certainly negotiable are:

- i. The time limit for fees to be waived (set in paragraph 4) is proposed to be 3 months. As an accounting function, especially at the end of a year, this may be more on an issue.
- ii. The threshold of authority for approval (set in paragraph 5) is currently proposed to be \$100. The Council can increase or decrease that amount.
- iii. Paragraph 7 discusses timing of appeals being made within 30 days of receiving an invoice or account statement. The Council could choose to increase this timeframe.

V. SCHEDULE / TIME CONSTRAINTS

A. None

VI. LIST OF ATTACHMENTS

A. Draft of proposed fee waiver policy

Resolution for fee schedule

Appeal Process for Fees Assessment Waivers and Rebates.

1. Any person or entity that believes that this fee schedule was interpreted or applied erroneously may appeal to the City Administrator.
2. The City Administrator may hear complaints and make corrections of any assessments, established in this fee policy and resolution which are alleged to be incorrect, illegal, unequal, or unjust.
3. The City Administrator may temporarily, if he/she sees fit, adjust, assess, or rebate all or any part of a fee established in this Resolution for fees schedule. Any adjustment of fees will be a one-time only exception. However, this fee waiver/rebate process specifically excludes development and impact fees.
4. The City Administrator can only adjust fees which are less than 3 months old.
5. The City Administrator or designee shall have the authority to waive utility charges up to \$100.
6. If a fee has been assessed to the City as a direct result of the applicant's negligence, inattention, etc., the fee will not be eligible for an appeal. (Example: If a utility payment check is returned to the City for insufficient funds, and the City's bank imposes a fee on the City for processing that returned check, and in turn the City passes that fee along to the user account, that fee isn't eligible for refund.)
7. The appeal shall be filed with the City within thirty (30) business days of the user or customer receiving their billing statement.
8. Appeals shall be submitted **in writing** to the City Administrator, and include at a minimum:
 - a. Date of the request, name, address, and contact information for the requestor.
 - b. An explanation of the circumstances the requestor believes justifies the request.
 - c. The amounts, dates and payment methods for the protested fees.
 - d. The exact relief sought by the applicant (refund, reimbursement, waiver, etc.).
9. The City Administrator will respond to the appellant within 30 days of receiving an appeal and inform the Treasurer, Mayor and City Council of action resulting from the appeal.

RESOLUTION 2015-___

A RESOLUTION AMENDING THE CONSOLIDATED FEE SCHEDULE FOR RECREATION FIELD RESERVATIONS AND ADMINISTRATIVE APPEAL PROCESS FOR FEE ASSESSMENT WAIVERS AND REBATES.

WHEREAS, Pleasant View City has the authority and responsibility to establish appropriate fees relating to services, permits and licenses, fines and development in the city; and

WHEREAS, Pleasant View City desires to amend the current recreation field reservations fees of:

Ball Diamond Reservations	
Field Lights.....	\$25.00 per hour
Field Usage Fee	\$10.00 per hour/\$50 per day
To Prepare the Field Fee.....	\$15.00 per hour

WHEREAS, Pleasant View City desires to create a new policy for the Administrative Appeal Process for Fee Assessment Waivers and Rebates; and

NOW THEREFORE, Be it resolved by the City Council of Pleasant View, Utah:

SECTION ONE: Pleasant View City's Consolidated Fee Schedule is hereby amended by:

Ball Diamond Reservations - Regular Season (April 20 th – Oct 31 st)	
Field Lights	\$25.00 per hour, per field
Field Usage Fee	\$10.00 per hour, per field/\$50 per day, per field
To Prepare the Field Fee.....	\$15.00 per hour, per prepared field

Ball Diamond Reservations - Off Season (Feb 20 th – April 19 th and Nov 1 st – Feb 19 th)	
Field Lights	\$25.00 per hour, per field
Field Usage Fee	\$7.00 per hour, per field/\$35 per day, per field
To Prepare the Field Fee.....	\$15.00 per hour, per field

SECTION TWO: Pleasant View City's Consolidated Fee Schedule is hereby amended by adopting the Administrative Appeal Process for Fees Assessment Waivers and Rebates Policy per the attached 'Exhibit A'.

SECTION THREE:

This Resolution shall take effect immediately.

DATED this ____ day of March, 2015.

RESOLUTION 2015-___ (page 2 continued)

PLEASANT VIEW CITY, UTAH

Mayor

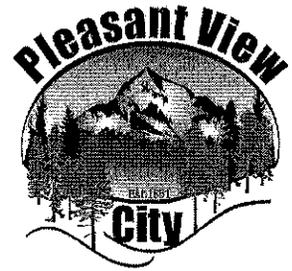
Attest:

City Recorder

Vote:

_____	CM Boehme
_____	CM Burns
_____	CM Gibson
_____	CM Humphreys
_____	CM Marker

Memo



To: Mayor Mileski & City Council Members
From: Melinda Greenwood, City Administrator *MG*
Date: March 20, 2015
Re: Informational Memorandum on 500 West Project Costs and Final Closeout

The City has received and processed the final pay request for the repairs done on 500 West road repair project. As a refresher, the road was badly damaged last August by a stormwater event. The road was closed for several weeks, the truck route traffic had to be diverted, and the City had to implement emergency purchase provisions to get the road repaired as quickly as we could. The following information is provided so the Council can understand the full costs of the project, including engineering.

At this time, the engineering costs on the project total \$14,954.75. I expect one more invoice which will account for time spent on processing the final pay request and managing punch list items; this invoice should be under \$500.00. All told, engineering costs will be about 9.5% of the total project costs, which is well under the typical average of 12-15%.

The total construction and supply costs come in at \$167,026.23, with just over \$4,000 of that being spent on barricade rental, purchases and concrete block purchases.

A snapshot of expenses is pictured in the table.

Engineering	\$14,954.75
Construction	\$163,002.20
Supplies	\$ 4,024.03
Total Costs	\$181,980.98
Engineering	9.17%

The City also spent an additional \$9,450.00 for the diversion structure to get stormwater from 500 West over to the newly enlarged AG Detention Basin. These costs are not included in the calculations as they were previously budgeted for and paid through stormwater fees.