

## Hooper City Council Meeting Minutes

May 2nd, 2019

Present: Mayor Korry Green  
Councilman Chris Paulsen  
Councilman Chris Cave  
Councilman Brad Ostler  
Councilman-at-Large Ryan Hill  
Councilman-at-Large Kyle Cooke  
City Engineer, Tracy Allen  
Attorney, Reed Richards

Excused:

### WORK MEETING

The agenda and city business items reviewed. Discussion on VIPS program, Hooper Civic Park “No Parking Sign” placement and Crosswalk trail improvements.

### COUNCIL MEETING

1. Mayor Korry Green opened the meeting at 7:00 p.m.
2. The Pledge of Allegiance was led by Sheri Bingham and reverence by Councilman Ostler.

### APPROVAL OF MINUTES

The minutes for the April 4th, 2019 Council Meeting were reviewed by the Council.

**MOTION:** Councilman Paulsen made a motion to approve the April 4th, 2019 Council Meeting Minutes. Councilman Paulsen seconded the motion. Councilman Cooke, Paulsen, Cave, Ostler and Hill voted “Aye”. Motion carried.

### CITY BUSINESS

1. **Request for Rezone – Farr Built Homes/PAANC, LLC R1 to R3 approx. 5125 S. 4700 W.**  
Lowell Farr has submitted a request for rezone of 7.5 acres for the purpose of future development.

Tracy Allen presented the details of the Rezone request to the Council, request received favorable recommendation by Planning Commission on April 11<sup>th</sup>, 2019. Request does conform with allowed use on the Hooper *Generalized Future Land Use Map*.

Council granted approval to hear Public Comment on the rezone request.

#### **Val Johnson made the following comments:**

- Spoke against rezone request.
- Concern for infrastructure and questioned why rezone is being considered.

#### **David Prevedel made the following comments:**

- Spoke against rezone to smaller lots.
- Concerned about future development and the additional infrastructure that would be needed to accommodate growth.

#### **Mike Hogsett made the following comments:**

- Would like to see General Plan re-opened.
- Spoke against allowing R3 zoning.

#### **Angie Erickson made the following comments:**

- Spoke about concerns on safety and infrastructure if higher density is allowed.

**Melissa Perschon made the following comments:**

- Spoke on safety and development concern if higher density is allowed.

Councilman Hill, Paulsen and City Attorney, Reed Richards clarified with residents that State law outlines and mandates City's create areas that can provide quality housing opportunities for persons of all economic levels. One way the City complies with those regulations is to pass, by ordinance, a *Generalized Future Land Use Map* which provides future developers with guidelines as to what is possible within the City.

**MOTION:** Councilman Cave made a motion to approve the rezone request, R1 to R3 for the 7.5 acre property located at approx. 5125 S. 4700 W. by PAANC, LLC. Councilman Paulsen seconded the motion. Councilman Cooke, Paulsen, Cave, Ostler and Hill voted "Aye". Motion carried.

**2. Approval for Petition to Vacate Public Right Of Way; Michael Taylor – 6061 W. 5900 S.**

A request to vacate the public right of way running North and South through the property boundary of the Foy Subdivision has been made by Michael Taylor at 6061 W. 5900 S.

Tracy Allen discussed details and purpose of the request with Council.

Michael Taylor, property owner, present for discussion.

**PUBLIC HEARING**

Mayor Green opened Public Hearing. No Comment. Public hearing closed.

**MOTION:** Councilman Hill made a motion to approve the request to vacate the public right of way running North to South through the Foy Subdivision at 6061 W. 5900 S. Councilman Cave seconded the motion. Councilman Cooke, Paulsen, Cave, Ostler and Hill voted "Aye". Motion carried.

**3. Approval of Ordinance O-2019-2 – Vacating Public Right of Way.**

The purpose of the ordinance is to officially vacate the 30ft public right of way running North and South through the property at 6061 W. 5900 S.

**PUBLIC HEARING**

Mayor Green opened Public Hearing. No Comment. Public hearing closed.

**MOTION:** Councilman Hill made a motion to approve Ordinance O-2019-02; vacating the public right of way at 6061 W. 5900 S. Councilman Cave seconded the motion.

Roll Call Vote: Councilman Cave, Paulsen, Cooke, Ostler, and Hill voted "Yes". Motion carried.

**4. Final Plat Approval – Foy Subdivision 1<sup>st</sup> Amended Subdivision – 6061 W. 5900 S.; Michael Taylor**

The purpose of this request is to amend the one-lot "Foy Subdivision" created in 1995 for land exchange with H.L. Parker Farms.

Tracy Allen, presented details to the Council.

**MOTION:** Councilman Hill made a motion to approve Foy Subdivision 1<sup>st</sup> Amended Subdivision for Michael Taylor located at 6061 W. 5900 S. Councilman Hill seconded the motion. Councilman Cooke, Paulsen, Cave, Ostler and Hill voted "Aye". Motion carried.

**5. Final Approval- Patriot Acres Subdivision – 5345 S. 4700 W.; (1) one lot**

The purpose of this subdivision is to create one (1) single family residential building lots on .93 acres in the City's R-1 zone.

Tracy Allen, presented details to the Council.

Mandy Medina-Harris, subdivision representative, present or available for questions. Asked if there was a time frame for sewer connection with the new road way improvements.

Tracy Allen, clarified that they are still working on a finalized time frame for the new improvements but property owner will be notified.

Councilman Cave made an announcement that he will abstain from vote.

**MOTION:** Councilman Cooke made a motion to grant final approval of Patriot Acres Subdivision; (1) One lot at 5365 S. 4700 W, requirement for land use fence will be waived. Councilman Hill seconded the motion. Councilman Cooke, Paulsen, Ostler and Hill voted "Aye". Councilman Cave "abstained". Motion carried.

**6. Preliminary Approval- Quail Cove Subdivision – 5250 W. 3750 S.; Nine (9) lots**

The purpose of this subdivision is to create nine (9) single family residential building lots on 5.7 acres in the City's R-2 zone.

Tracy Allen, presented details to the Council. Preliminary Plat is satisfactory. Staff would still like a study on the land drain system at "Final" submission.

Council made the requirement for land use separation fence to be installed on the East and West side of subdivision.

Councilman Cave made an announcement that he will abstain from vote.

**MOTION:** Councilman Paulsen made a motion to grant preliminary approval to Quail Cove Subdivision; nine (9) lots at 3750 S. 5250 W., with the requirement of a land use separation fence be installed on the East and West side of the subdivision. Councilman Cooke seconded the motion. Councilman Cooke, Paulsen, Ostler and Hill voted "Aye". Councilman Cave "abstained". Motion carried.

**7. Final Approval- Quail Estates Subdivision – 5250 W. 3700 S.; Eighteen (18) lots**

The purpose of this subdivision is to create eighteen (18) single family residential building lots on 9.8 acres in the City's R-2 zone.

Tracy Allen, presented details to the Council, listed remaining key issues still needing review from City Staff.

Key Issues

- A final approval letter from Hooper Irrigation Company is still required.

Steve Bingham, Developer, available for questions, clarified with Council that developer does not think that Hooper Irrigation letter is required at this time.

Council discussed ensuring that these submissions are complete and have had all necessary reviews by City Staff before granting "final" approval.

Councilman Cave made an announcement that he will abstain from vote.

**MOTION:** Councilman Hill made a motion to table the discussion on final approval of Quail Estates Subdivision; nine (9) lots, pending an approval letter from Hooper Irrigation. Councilman Ostler seconded the motion. Councilman Cooke voted “Nay”. Council Paulsen, Cave, Ostler and Hill voted “Aye”. Motion carried.

## **CITIZENS COMMENTS**

Mayor Green made announcement for citizen’s comments.

### **Matt Blume made the following comments:**

- Wanted to create a volunteer service project to clean city ditches.

Council suggested that it would be a good idea to have a written proposal submitted for review to Public Works and that City would then help coordinate clean up.

### **Scott Frew made the following comments:**

- Wanted to understand City policy of utility billing for landlords.
- Did not feel like landlord should be responsible for balances left on rental accounts.

Staff, clarified that the utility services have consistently been billed as part of the property and past due accounts were subject to property liens for collections.

Council made recommendation to have City Staff review policy.

Mayor Green made announcement for additional comments. No Comment. Comment closed

**MOTION** to adjourn was made by Councilman Ostler.  
Seconded by Councilman Cave.

The meeting was adjourned at 8:30 p.m.