

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
JUNE 16, 2005

The City Council of Plain City convened in a regular meeting on Thursday, June 16, 2005, in the Plain City Hall at 7:10 p.m.

Present: Mayor Glen Willie, Councilmembers Jay Jenkins, Phil Meyer, Steve Diamond, and Elaine Calvert, Chad Costley (left at 7:45 p.m.)
Staff: Kathy Hancock, Ken Bradshaw (left at 9:15 p.m.)
Also Present: Deputy Rex Cragun, Carl Miller, and Ted Balderree

Mayor Willie called the meeting to order. Councilmember Meyer gave the invocation and Councilmember Jenkins led in the pledge of allegiance.

Approval of Minutes: June 2, 2005

The minutes stand approved as corrected.

Comments: Public

Carl Miller apologized for the way he acted after the last meeting. He asked the City Council to read page 27 of the General Plan concerning C-2 commercial districts.

Report from Planning Commission

Ted Balderree had nothing to report.

Councilmember Costley moved to go into a public hearing to discuss approval of 2005-06 budget and final adjustments of the 2004-05 budget. Councilmember Jenkins seconded the motion. Councilmembers Calvert, Diamond, Mever, Jenkins, and Costley voted aye. The motion carried.

Public Hearing: Final Approval of 2005-06 City Budget and Final Adjustment of 2004-05 City Budget

There were no comments.

Councilmember Diamond moved to go out of the public hearing and into the regular meeting. Councilmember Calvert seconded the motion. Councilmembers Calvert, Diamond, Meyer, Jenkins, and Costley voted aye. The motion carried.

Final Adjustment 2004-2005 budget

Mayor Willie mentioned that one of the major changes to the 2004-05 budget was for landfill fees and it was adjusted. Jenkins mentioned that the more people that use the dump the more they have to haul away. The extension of the sewer was discussed. The engineering service bills have come in already. The sewer has been adjusted. The sewer bonds were going to be paid off but can't be until November. There is \$190,000 put in the sewer account to do this. Diamond mentioned that the parks have been saving money and would like to purchase a lawn mover before the end of the fiscal year. Scott Campbell suggested moving \$10,000 out of the sales tax fund and putting it in the parks fund for a lawn mover. Any left over sales tax money goes into the Capital Improvement Fund. There has never been a master plan for capital improvements. Capital improvement money is to be used for parks, sheds or public works etc. Diamond mentioned the present mower leaves the grass on the park and money is being spent to maintain the present mower. Diamond asked about adjusting the budget now for the mower. Campbell suggested waiting to purchase a new mower with the budget for 2005-06 year and putting the money in the parks for that reason. Jenkins mentioned fire hydrants. They are looking at putting four by the cemetery. Scott Campbell mentioned they have \$16,000 in reserves for fire hydrants. **Councilmember Meyer moved to grant approval of the final budget adjustment for 2004-2005 city budget Ordinance 2005-04. Councilmember Jenkins seconded the motion. Councilmembers Costley, Jenkins, Mever, Diamond, and Calvert voted aye. The motion carried.**

Final Approval 2005-2006 Budget

Mayor Willie mentioned that the landfill has been increased quite a bit because they want to do more projects and stay open more hours with the increase of people using it. Jenkins mentioned they would like to educate residents on bringing more green wastes to the dump instead of putting it in the garbage cans. It will save the city money since the garbage service charges the city by the pound. The budget provides for a full time Public Works

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position, more to parks, storm water, roads and sewer to cover expenses if need be. The wage total is \$52,000 not just for a Public Works position but also for the cost of living increase for employees. The cost of annual animal control may be more expensive. Jenkins suggested raising the amount for fire hydrants from \$8,000 to the actual amount of \$10,000 since the amount shouldn't go down because it is collected every month on the water bill. The fire department decides where and when hydrants are installed. Jenkins mentioned they are trying to coordinate installing hydrants with Bona Vista refurbishing lines. It was suggested adding \$10,000 from sales tax to cover the cost of a lawn mover and adding \$2,000 to the hydrant fees. The sewer connection fee will go from \$1,500 to \$2,500. The impact study supports this. With this increase, the connection fees should go from \$65,000 to \$162,000. Building Permits have been down this year from what was expected. The sewer bonds won't go into the budget until 2006-07. **Councilmember Diamond moved to approve the Final 2005-2006 budget for ordinance 2005-05, on condition with the \$10,000 and \$2,000 changes. Councilmember Jenkins seconded the motion. Councilmembers Costley, Jenkins, Meyer, Diamond, and Calvert voted aye. The motion carried.**

Acceptance of Administrative Cost on Bond Issues

The estimated costs are overstated instead of short. The charge to the Division of Water Quality is for Karen Tatum's time on getting everything together. Wasatch Civil Engineering fees seem high but they could be less depending on how often they need to inspect. Wasatch Civil Engineering will only charge the city for the actual cost. It was asked if it was bid out. Since we already have an engineering contract with Wasatch Civil and they drew the plans that is who the Mayor chose to go with. Ten percent is added to the cost of construction. Phase 2 is also estimated out. The city has been approved for \$3 million even. **Councilmember Calvert moved to accept the costs of the sewer projects. Councilmember Costley seconded the motion.** Jenkins wanted it noted that the Mayor wouldn't even consider putting the engineering bid out on a major project. **Councilmembers Costley, Jenkins, Meyer, Diamond, and Calvert voted aye. The motion carried.**

Councilmember Costley needed to be excused and reported on the upcoming 4th of July celebration. There have been quite a few people that are helping. A 4 - 5 page booklet will be going out with the information. There will be a 4-wheeler derby this year. The theme for the parade will be Mardi Gras. The Councilmembers will ride 4-wheelers and pass out beads and flags. The Mayor has 2000 flags. Councilmember Costley also suggested the Council bring candy to throw. Dean Hurd is the Chairman for the 4th.

Amendment to Annexation Policy Declaration Plan

Councilmember Jenkins would like to expand the present annexation policy boundaries. The first step would be an amendment to the annexation policy plan. Councilmember Jenkins explained the changes he is proposing. The east and north boundaries are to stay the same. The east boundary is to the Farr West boundary and the north is to the Weber/Box Elder County line. The south boundary is proposed to the railroad tracks at approximately 1300 South. The west proposed boundary is the Weber County's existing west boundary. The proposed verbiage changes would be Item 1, change the current map to the proposed map. Item 2, under subset 3 change "the most efficient provider of services" to "an efficient provider of services". Item 2, subset 5 to be eliminated. Item 3, eliminate "The city does not favor the annexation of unincorporated territory solely for the purpose of acquiring municipal revenue or for retarding the capacity of another municipality to annex." Item 4, eliminate "Also included in the present incorporated areas is the Plain City Cemetery District, which would be expanded to include newly annexed areas. Item 5, would be a new paragraph defining the expansion area. Instead of saying to the 4-mile creek dam, it is proposed to say the Slaterville-Marriott border. Item 6, paragraph two, eliminate "when asked to do so" and replace with "through a mutual aid agreement" eliminate the word "several". Item 7, eliminate the word "annually". Item 8, change "little difference" to "an approximate 10% average advantage". The proposed boundary would include Warren, West Warren, Rhees, and West Weber. The property would not automatically be annexed into the city. It would have to be continuous with the city and a petition filed. A petition would also have to be filed. Diamond suggested looking at including part of Box Elder County. Cities can cross county borders. Ken Bradshaw read from the State Code concerning annexations. According to what Ken Bradshaw read out of the State Code the present ordinance is missing some information. A public hearing would have to be held and all of the servicing districts within ½ mile need to be notified before 14 days of the changes. The Planning Commission would have to hold a public hearing and also the City Council. If the property is not in the annexation policy it can't be annexed into Plain City. In reality a lot of the proposed west property has the lake and swamp areas. Since they travel through the city now, if annexed the city would have

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control of what happens. There was a concern of making enemies to the west. A study may have to be done to determine how many roads and what the fees will be if the proposed area is annexed. **Councilmember Jenkins moved to send the current Annexation Declaration Policy to the Planning Commission with a favorable comment and ask them to review it. Seconded by Councilmember Diamond. Motion carried.**

Motion: Board of Adjustments Members

Councilmember Calvert mentioned that she is considering a smaller board with only 3 members. On July 14th there will be a hearing. She is thinking of keeping it at 5 members or going to 3, but she wanted the City Council's opinion. If there were three members the vote would have to be 2 in favor to pass. There are no benefits to a smaller board, but they need to be trained and dedicated. Sydney Fannesbeck will come and train them. There could also be a planner from another city who would be paid a fee to be a hearing officer. Two of the member's terms are up, but Councilmember Calvert doesn't want to replace them if the board is going to three members. It was suggested that for the hearing on the 14th, stay with the 5 members and get them trained and then the City council can decide what they want to do. Ken Bradshaw will try to get some information for the council. **Councilmember Calvert moved to table any discussion on Board of Adjustment Members until they get a report back from the attorney. Seconded by Councilmember Meyer. Motion carried.**

Motion: Proposed Ratification on Approval for Fremont Estates Phase 1

Councilman Diamond disclosed that he has a direct conflict of interest and stepped down. Mayor Willie explained that when Fremont Estates was approved they had 90 days to get the plat recorded. There was a miscommunication and since 90 days was changed to 180 days they were given 180 days. The problem is they were approved before the 180 days was changed and only got 90 days. The Council needs to clean this up and re-approve the subdivision, as the intent would have been. The only other option is to have them go back through the whole process again, but that doesn't make sense. This is cleaning the record, not taking all of the responsibility, but removing the liability. **Councilmember Meyer moved to approve the ratification on approval for Fremont Estates Phase 1 and prior council actions. Seconded by Councilmember Calvert.** There was a comment that the recorded plat is not accurate. Ken Bradshaw suggested they ought to be talked to and the motion could be contingent upon getting those items done. **Councilmember Meyer amended his motion to include contingent about getting a satisfactory response for further discussion of mylar. Councilmember Calvert amended the second. Motion carried.**

Motion: Cellular Cell Tower Site

Cingular would like to put up another building. We are renting ground for the building and they pay T-mobile for use of the tower. The building will be in the existing compound. They bring in a prefabricated box that is manufactured off site. The city will get \$1,000 per month a 3% yearly increase. The approval contract will be based upon the attorney's approval. **Councilmember Jenkins moved to accept contract contingent upon the review and approval of the attorney and site plan approval for the Cingular Cell Tower Site Plan that was presented. Seconded by Councilmember Diamond.** It was noted that this is just a co-location not a new tower. **Councilmember Jenkins amended his motion for a co-existing. Councilmember Diamond amended his second. Motion carried.**

Other Business

Approval of Business Licenses

There was none at this time.

Approval of Unpaid Invoices

See warrant register dated 06-1-05 to 06/14/05. It was noted that the tree was replaced around city hall and park. The dumpster for the landfill is on there. Hines Products is for the fire dept. This is the last owed to Curtis Larsen. The estimate was low, the curtains cost more and the sound panels on the wall took longer to put up. **Councilmember Jenkins moved to approve and pay the bills as presented. Councilmember Calvert seconded the motion. Councilmembers Jenkins, Meyer, Diamond and Calvert voted aye. The motion carried.**

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Comments: Council

Councilmember Calvert mentioned that Nicole Cottle will have the Affordable Housing Plan by the first of the week. Councilmember Diamond and Councilmember Meyer didn't have anything to report.

Councilmember Jenkins mentioned that landfill has a dumpster they are thinking of bringing into the middle of the town for green waste or cardboard. The dumpster at the landfill gets full of cardboard, plastic and other not allowed items. There are so many people coming in they can't inspect each load. The landfill is allowed a percentage of not allowed items. They would like to encourage taking green waste to the landfill. There is a valve for the sewer that they use at the dump; it keeps getting shut off the dump needs it left on. Three to four places have been contacted about recycling. The city doesn't make any money but will be charged for pickup.

Mayor Willie reported that I-15 from 31st street to 12th street will be widened until the money runs out. It should be done by 2007. Ogden City and the County are looking at a countywide consolidation. It would be a good program if all of the concerns are worked out. The present cost for animal control is \$11,000 and would go to \$15,200 plus animal pick up fees. There was a concern of paying for unincorporated Plain City pick up fees. It was suggested contacting Farr West to see if they are interested in having an animal control with us. If we had our own facility we would have to take care of and dispose of animals and pay a salary. Davis County has a similar program and is happy with it. The commuter rail is on track to be done in 2008 from Pleasant View to Salt Lake. Councilmember Jenkins asked about the sewer going to down 2200 North and piping the storm drain at the same time. The engineer brought that up and they are looking at the cost.

At 9:40 p.m. Councilmember Diamond moved to adjourn. Councilmember Calvert seconded the motion. The vote was unanimous.

City Recorder

Mayor

Date Approved