

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
JULY 21, 2005

The City Council of Plain City convened in a regular meeting on Thursday, July 21, 2005, in the Plain City Hall at 7:00 p.m.

Present: Mayor Glen Willie, Councilmembers Chad Costley, Jay Jenkins, Phil Meyer (left at 9:00 p.m.), Steve Diamond, and Elaine Calvert
Staff: Diane Hirschi
Also Present: Deputy Rex Cragun, Shawn Iverson, Brent and Rebecca Weston, Darwin Smith, Damon Bocchino, Rich Mickelsen, SueAnn Munk, Jeff Munk, Katie Munk, Gordon Sorensen

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

Approval of Minutes: June 16, 2005

There were several typographical errors noted. The minutes stand approved as corrected.

Comments: Public

Damon Bocchino reported that he is the developer for Plain City Meadows Phase 4 and would like to have some of his escrow released. Mayor Willie told him he needed to set up an inspection with the city engineer.

Report from Planning Commission

There was no one to report.

Councilmember Costley moved to go into the three public hearings as advertised. Councilmember Diamond seconded the motion. Councilmembers Costley, Jenkins, Meyer, Diamond and Calvert voted aye. The motion carried.

Public Hearing: Proposed R-3 Zone and Amendment to General Plan

The purpose of this public hearing is to gather input for adopting an R-3 zone. This zone is for multiple housing. Shawn Iverson mentioned that he moved to Plain City for the open area. He noted that he hasn't read the proposed ordinance but is concerned about having 2 or 3 4-plexes per acre. He feels there is a place for them, but not here. He is against the proposed ordinance. He mentioned that many more people would have been here tonight if it wasn't for the holiday weekend. Rich Mickelsen agrees with Shawn. He noted that there are not commuter lines and the bus only comes out once a day. He is not in favor of it. Mayor Willie reported that Boyd Parker sent in a letter in protest of the proposed zone.

Public Hearing: Proposed Street Light Ordinance

Mayor Willie reported that the purpose of this public hearing is to gather public input for the proposed street light. He noted that this would standardize all the streetlights in the city. They will be neighborhood friendly and decorative. It was noted that new construction will be required to follow this and gradually the city will change over the rest. There will not be a tax increase. He also noted that the state might help to upgrade the lights along the state road. It was reported that this would be cheaper to run because we will not have the maintenance contract. Our people will be able to maintain the lights or we may contract it out. Mountain States Lighting will train our people how to maintain them.

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

Motion for Approval: Proposed R-3 Zone

Councilmember Jenkins noted one draft of the proposed ordinance stated that the permitted uses would allow group dwellings for 8 or less units and the conditional uses were 8 or more. Now it just has 8 or less dwelling units as a permitted use. He also noted that he would like to strike #7 of the site development concerning required parking spaces. Councilmember Meyer feels that we have the affordable housing plan coming up and that we should approve that first. Councilmember Calvert agreed and noted that the affordable housing plan shows that we have enough. She reported that she is against the eight-units dwellings and thought this ordinance would

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allow patio homes, not eight-plexes. She feels that we need help with the general plan and that we are putting the cart before the horse. Councilmember Calvert noted that a development is coming in with 188 houses under a PRUD. They are showing frontage at 70-80 feet. What kind of houses would be able to fit on that? They are showing a park area under the power lines. She feels that we need to slow down a little bit. It was discussed that the frontage needs to be 100 feet. Councilmember Jenkins noted that the PRUD ordinance only allows for a 10% reduction. Councilmember Diamond noted that he has a concern on the R-3 zone for 60 feet of frontage. Mayor Willie noted that this ordinance is a major change to the whole scope of the city. He noted that we need to look at this and there may be a place for this zone. He noted that it needs to be limited and we need to be very careful as to where it goes. There is the concern that maybe it would open the door wide open. He noted that the proposed ordinance allows single-family dwellings on 6,000 square feet. He noted that the houses would have to be very small. Councilmember Diamond noted that his personal opinion to that Plain City is a rural area and that this is one of the most important ordinances for Plain City to consider. The city has never allowed multiple family housing and feels that we are asking for trouble. He feels that if this passes, it will change Plain City forever. Councilmember Jenkins noted that the council and the planning commission talked with the development and said that we were in favor of it. The developer even did the legwork on gathering the information for the R-3 zone. He doesn't feel that it is fair to back off now. He noted that they and their attorneys have met with the Mayor. He feels that we need to amend the general plan and tag this property as it is annexed. Councilmember Costley asked if we can incorporate the R-3 zone in some areas without being discriminatory. He noted that we can't tell what will happen in the future, but we have been approached now. This would establish our pioneer boundaries and establish and attract businesses. He feels that there are pluses to this ordinance. Councilmember Diamond feels that the general plan needs to be amended before this zone is passed. Councilmember Meyer noted that he sat in a meeting with Jeff Hales. He didn't have anything on paper. He would like to see what they are looking at. Councilmember Costley noted that we don't want to throw a blanket over the whole town. Mayor Willie reported that he could see this zone as a benefit on the east boundary and the downtown area. It was noted that the east boundary area may even attract businesses. Councilmember Jenkins is concerned that if we don't let this R-3 zone in, they will go to Farr West. Councilmember Diamond noted that Farr West doesn't have multiple family dwellings on their books either. Councilmember Diamond noted that he is more in favor with PRUD's and cluster housing, not 8-plexes. Councilmember Jenkins noted that if this zone is available in the city, anyone could ask for that zone, but there would have to be an amendment to the general plan and there would be a public hearing. There was some discussion about standards and criteria for where this zone would be allowed. Councilmember Jenkins noted that senior housing would fall under the R-3 zone. A place like Peachtree in Roy would fit into this zone. Councilmember Diamond asked what benefits there are with the R-3 zone. Councilmember Jenkins noted that our kids would have a place to live. Rental property would be available for our kids as they get married. It would provide a place for widows/widowers with patio homes. Councilmember Diamond feels that all of these items can be addressed in the R-11 and R-15 zones. He noted that he has never been in favor for multi-family dwellings in Plain City. There was a lengthy discussion on setting conditions. Councilmember Calvert noted that the Planning Commission just received some samples of standards from the Utah League of Cities. It was suggested that the R-3 zone be tabled until some other things are in place. Councilmember Costley noted that if standards are set, we are still discriminating. Councilmember Meyer noted that there is a lot of difference between a 1/3 acre lot and the R-3 zone. He would like to see more public input. Councilmember Diamond would like to see a newsletter out to the public and get this out in the open. He doesn't think it is fair to the citizens. There was discussion that the city council could designate a piece of County property that if it were annexed in, it would come in under an R-3 zone. Councilmember Jenkins feels that that area is a perfect spot. Councilmember Calvert feels that this ordinance needs to be toned down and not allow 8-plexes. She feels it ought to be modified to retirement homes. She noted that she is concerned about the development that is using the PRUD and feels that we really need to look closely at this R-3 zone. Councilmember Costley noted that there is no one within 500 feet of the property that we are looking at. **Councilmember Jenkins moved to approved the R-3 zone with the deletion of item #7 in the site development standards concerning required parking spaces. Councilmember Costley seconded the motion. Councilmember Jenkins and Costley voted aye. Councilmember Meyer, Diamond and Calvert voted nay. The motion was denied.**

Motion for Approval: Amendment to General Plan

There was no need for discussion since the R-3 ordinance was not approved.

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Motion for Approval: Proposed Street Light Ordinance

Councilmember Meyer moved to adopt the street light ordinance (Ordinance 2005-06) as presented. Councilmember Diamond seconded the motion. Councilmembers Costley, Jenkins, Meyer, Diamond and Calvert voted aye. The motion carried.

Final Approval: Fremont Estates Phase 2

Councilmember Diamond recused himself from the discussion as he may have a conflict of interest with this project. It was reported that all the changes our engineer recommended have been addressed and added to the plans. **Councilmember Meyer moved to give final approval to Fremont Estates Phase 2. Councilmember Costley seconded the motion. Councilmembers Costley, Jenkins, Meyer and Calvert voted aye. The motion carried.**

Motion for Resolution: Technical Forensic Services

It was reported that the cost for this service is included in the contract with Weber County Sheriff. There was some discussion about the advisory board. It was noted that the Sheriff would sit on that board and represent the contracted city. It was also noted that the city is able to opt out of this contract if they ever wanted to.

Councilmember Jenkins moved to adopt resolution 2005-07 approving the Interlocal agreement between the city and Weber County Technical Forensic Services. Councilmember Meyer seconded the motion. Councilmembers Costley, Jenkins, Meyer, Diamond and Calvert voted aye. The motion carried.

Motion: Animal Control Contract Extension

There was some discussion about the current contract concerning costs. It was noted that there is a contract amount and we are also charged for boarding of animals. There were some concerns and inconsistencies with the current contract. **Councilmember Jenkins moved to table this item. Councilmember Calvert seconded the motion. Councilmembers Costley, Jenkins, Meyer, Diamond and Calvert voted aye. The motion carried.**

Set Public Hearing: Affordable Housing Plan

Councilmember Costley moved to set August 18, 2005 as a public hearing for the affordable housing plan. Councilmember Calvert seconded the motion. Councilmembers Costley, Jenkins, Meyer, Diamond and Calvert voted aye. The motion carried.

Motion: Conditional Final Inspection – Northlands Subdivision

Councilmember Diamond recused himself from the discussion as he may have a conflict of interest.

Councilmember Costley moved to grant conditional final inspection for Northlands Subdivision per Brad Jensen's letter. Councilmember Meyer seconded the motion. Councilmembers Costley, Jenkins, Meyer and Calvert voted aye. The motion carried.

Discussion: Storm Water Management and Control

Mayor Willie included a storm water management plan in the packet for review. The plan was drafted by Brad Jensen. The highlighted portions are areas that Brad needs the city's input. The Mayor asked the council to look over the document and it will be placed on another agenda.

Other Business

General Plan Proposal

Mayor Willie met with Cindy Gooch from JUB Engineering and the Governor's office concerning updating the City's General Plan and making it user friendly. Her first estimate on the cost of this project is \$30,725. The Governor's office has committed \$12,000 for the project and Wasatch Front Regional Council has committed \$8,000. Cindy Gooch feels that the city's portion will be about \$8,000. Councilmember Diamond feels that this is a good thing. It was noted that it would be a nine-month process. Councilmember Calvert mentioned that initially Cindy Gooch had a whole list of people to help, what happened to them? She is also concerned because the last time we updated the general plan it was supposed to be user friendly. There was some discussion that the city didn't want to spend more than \$8,000. **Councilmember Jenkins moved to get a better definition of the cost before we move ahead on the general plan. Councilmember Calvert seconded the motion.** The Mayor will contact Cindy Gooch to get a more accurate cost estimate. **Councilmembers Jenkins and Calvert voted aye. Councilmember Costley, Meyer and Diamond voted nay. The motion died. Councilmember Diamond**

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moved to table this until the next meeting. Councilmember Meyer seconded the motion. Councilmembers Costley, Jenkins, Meyer, Diamond and Calvert voted aye. The motion carried. Councilmember Meyer left the meeting.

Approval of Business Licenses

Five new business licenses were presented for approval: Custom Curbing at 1362 N 4800 W, Bruce D Construction at 3825 W 2600 N, Hunt em down Lube em up at 4245 W 2775 N, Maxfield Concrete Inc at 2164 N 4425 W and BR Scoffield Trucking Inc at 4561 W 2200 N. **Councilmember Costley moved to approve the business licenses as presented. Councilmember Jenkins seconded the motion. Councilmembers Costley, Jenkins, Diamond and Calvert voted aye. The motion carried.**

Approval of Unpaid Invoices

See warrant registers dated 06/17/05 to 06/30/05 and 07/01/05 to 07/20/05. There was a question whether the T-shirts for the fire department come out of the clothing allowance. Diane didn't know that. It was noted that the Sheriff is paid by the quarter. **Councilmember Calvert moved to pay the warrant registers as presented. Councilmember Diamond seconded the motion. Councilmembers Costley, Jenkins, Diamond and Calvert voted aye. The motion carried.**

Comments: Council

Councilmember Costley reported that the 4th of July Celebration went great this year. He noted that the dinner went over well, but they didn't plan for the children's plates. He credited that celebration to Dean Hurd and his committee. He noted that they even made a little money. He noted that the committee will get together next week to review everything. He reported that Dean is not going to chair it again next year. He mentioned that the derby was a huge thing and they learned some things to make it safer. Everyone agreed that it was well done this year. Councilmember Jenkins reported that everything is going well. It was discussed that the city is advertising for a public works employee. Councilmember Diamond turned his time over to Brent Weston to discuss lawn mower proposals. Brent reported that he got three bids. One from Toro, John Deere and Jacobsen. These bids are for a self-propelled rotary wing mower with an 11-foot swath. Toro's bid was for \$37,700. John Deere's bid was for \$40,706 and Jacobsen's bid was for \$37,700. Each has a three-year warranty. It was noted that three years ago the price was \$34,000. It was noted that the parks department have saved \$20,000, so \$17,000 would have to be financed. It was noted that Rocky Mountain came out and demonstrated the Jacobsen and they would finance the \$17,000 over 5 years. Councilmember Diamond noted that the Jacobsen was impressive. The Toro won't be able to be demonstrated for another month. Brent noted that he check on parts with the Jacobsen and Rocky Mountain has excellent service. Darwin Smith noted that all the other agencies use Jacobsen. **Councilmember Diamond moved to recommend the purchase of the Jacobsen mower from Rocky Mountain Equipment and working out the financing. Councilmember Calvert seconded the motion. Councilmembers Costley, Diamond and Calvert voted aye. Councilmember Jenkins voted nay. Councilmember Costley would like to see a demonstration from Toro.** The motion was withdrawn so it could be put on the next agenda. Mayor Willie reported that the Sheriff's office has invited the city council and their spouses to a dinner on August 10 during the fair. It will be at the Riverdale Pavilion in the fairgrounds from 5-7. They need a count by August 1. It was brought to the mayor's attention that in the past, Plain City residents could use the senior center for a funeral dinner without charge. He wanted to make sure the council was all right with that. There were no objections. He also noted that Bona Vista has agreed to pay \$8 per feet on the sidewalk. He noted that the Utah League of Cities is coming up and he will need a count on who will be attending. He also wanted that thank Councilmember Costley for an outstanding job on the 4th.

At 9:30 p.m. Councilmember Costley moved to adjourn. Councilmember Diamond seconded the motion. The vote was unanimous.

City Recorder

Mayor

Date Approved