

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
AUGUST 18, 2005

The City Council of Plain City convened in a regular meeting on Thursday, August 18, 2005, in the Plain City Hall at 7:00 p.m.

Present: Mayor Glen Willie, Councilmembers Chad Costley, Jay Jenkins, Phil Meyer, Steve Diamond and Elaine Calvert
Staff: Diane Hirschi, Ken Bradshaw
Also Present: Deputy Rex Cragun, Bob Lewis, Gordon Sorensen, Cindy Gooch, Dennis Lund, Heidi Bitton, Carl Miller

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

Approval of Minutes: August 4, 2005

Councilmember Calvert noted that the name is Boyd Parke not Parks.

Comments: Public

Gordon Sorensen noted that he had several requests in over ten days asking for financial records on the sewer and sewer-testing lab. He noted that yesterday he was informed that they were denied.

Report from Planning Commission

Bob Lewis reported that the Planning Commission approved the Hawkins Development from RE-20 to RE-15. They were in favor of annexing Darrell Christensen's property. The Klomp two-lot subdivision on North Plain City Road was recommended for approval. He reported that they discussed England Meadows and the PRUD. There was some discussion about Grouse Meadows being denied a rezone from RE-20 to RE-15. There was also discussion about the calculations performed on the PRUD. Councilmember Diamond noted that they have included the land under the power lines and if UP&L owns that land, he doesn't feel like that qualifies in the PRUD.

Councilmember Calvert moved to go into a public hearing to discuss the affordable/moderate housing plan. Councilmember Meyer seconded the motion. Councilmembers Costley, Jenkins, Meyer, Diamond and Calvert voted aye. The motion carried.

Public Hearing: Affordable Housing Plan

Mayor Willie noted that the plan would need to be reviewed by the state before we can adopt it. We can hold the public hearing now and adopt the plan at a later date. Councilmember Calvert explained that the purpose of the moderate housing plan is to give all people with all income possibilities an opportunity to own their own house. She reported that a lot of the information was received from the Census Bureau and Weber County. Councilmember Calvert went through every section of the plan. She noted that there was one mistake on the table on page three. It showed five units valued at \$100,000,000 or more. It should be one. Councilmember Calvert noted that she drove through the city and mentioned that there are three mobile homes, 3 abandoned houses and 25 manufactured homes that are not included in the numbers of this plan. The plan shows that Plain City has sufficient moderate-income houses now and for the next five years. She also reported that it encourages the PRUD. She reported that a planning attorney went over the plan with a thorough review and said the criterion has been met. There were no comments from the public.

Councilmember Diamond 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: Affordable Housing Plan

Councilmember Meyer had some concerns about paragraph #1 on page 6 saying the city would allow the creation of an additional zone to accommodate higher density housing. There was a lengthy discussion with Ken Bradshaw that the moderate housing plan is an aspirational goal, not a commitment. Councilmember Meyer feels that our current ordinances are adequate and doesn't feel comfortable with that paragraph. Councilmember

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Costley asked if we are in compliance with the State on this. It was noted that we should have had a plan about three years ago. Councilmember Diamond suggested that we could say that if the need arises, we could modify our current zone or adopt a new zone. Councilmember Meyer feels that if we need it in the future, we can discuss multiple family housing at that time. Mayor Willie suggested changing paragraph #2 to include the center of town. Ken Bradshaw noted that is the same discussion and the modification of the zones would take care of that. Mayor Willie withdrew his suggestion. **Councilmember Costley moved to ratify and send the Moderate Income Housing Plan to the State for approval. Councilmember Meyer seconded the motion. Councilmembers Costley, Jenkins, Meyer, Diamond and Calvert voted aye. The motion carried.**

Motion for Final Approval: Klomp Subdivision

It was noted that this is Pappy's Farm property. The deferral agreement was discussed. **Councilmember Diamond moved to give final approval to the Klomp Subdivision with an "R" designation for the deferral agreement for lot #1 and any other requirements from the city engineer on the memo dated 08/08/05. Councilmember Calvert seconded the motion. Councilmembers Costley, Jenkins, Meyer, Diamond and Calvert voted aye. The motion carried.**

Accept Petition/Set Public Hearing: Darrell Christensen Annexation

Councilmember Diamond moved to accept resolution 2005-08 accepting the annexation petition and setting a public hearing for October 6, 2005. Councilmember Meyer seconded the motion. Councilmembers Costley, Jenkins, Meyer, Diamond and Calvert voted aye. The motion carried.

Set Public Hearing: Amendment to Annexation Declaration

Cindy Gooch noted that she has an agreement to work with the Wasatch Front Regional Council and the Governor's office to help the city to amend the general plan. She noted that you must have a cost analysis for fire, police and animal control when considering annexations. She noted that the city ought to check if property taxes are going to cover these expenses. She noted in the next few months, the city would be getting direction from these agencies and working on our general plan. Currently, our plan is difficult to understand. During this time, we can put together a plan for the future and discuss changing the annexation declaration. She would like to see the city wait until we get this project underway first. Councilmember Jenkins noted that we would just have a public hearing to put that property in the annexation. It doesn't mean we will be annexing the property. Mayor Willie asked what it would hurt to wait until we have had a chance to work on the general plan. Councilmember Meyer asked who would need to be notified of this public hearing. Ken Bradshaw noted that he would have to check into it. Councilmember Jenkins asked if it would be the affected entities. It was noted that anyone within our current annexation declaration could annex now. Mayor Willie is concerned about ill feelings with surrounding communities. Councilmember Jenkins noted that he has worked on this for almost a year. He feels that there will be tremendous advantages to this by defining our boundaries now and for the future. It would also utilize the property to the west. He noted that the Planning Commission voted in favor of this 4-1. There was a discussion about just because we are changing the declaration doesn't mean everyone will come running in to be annexed. Councilmember Calvert noted that she doesn't have a concern with some of the property to the west and all of the property to the east. She has concerns about including the property going to the south. There was some discussion concerning what would happen if GSL wanted to annex where they are miles from the city boundary. It was noted that islands couldn't be created. There was also a discussion about whether the city has to say yes to an annexation. Ken noted that if the city is providing services and is contiguous. If it were a 1000-acre parcel creating an island or peninsula it would be proper to deny the petition. There was a discussion about having a staged annexation declaration. For example, this is what we want to have in 5 years, this in 15 years, and this in 20 years, etc. Councilmember Diamond noted that there are some concerns to work out, but is alright with getting public opinion. Mayor Willie asked why we would want to do this. Councilmember Jenkins noted that it would protect our pioneer boundaries, Plain City would have the northern corner of the county, the area around GSL could expand and the city would have the say and control, and we are constantly fighting with Farr West over the boundaries. He noted that there are no sewer, roads or animal control issues in this area. He noted that we are usually the first provider for grass fires presently and help Weber County. There was some discussion about whether we should force people into the city. Councilmember Diamond is for a public hearing to talk about it.

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Councilmember Jenkins noted that property taxes would be lowered by 10% by annexing into Plain City. Councilmember Jenkins noted that we would get more public comments if letters were sent to each property owner. Ken Bradshaw will get back to the city on the notification requirements. **Councilmember Jenkins moved to set a public hearing for October 20 to amend the annexation declaration.** Ken Bradshaw noted that a public hearing of this magnitude ought to be all by itself. **Councilmember Jenkins moved to set a public hearing to amend the annexation declaration policy for October 20, 2005 with the intent to adopt the declaration. Councilmember Costley seconded the motion. Councilmembers Costley, Jenkins, Meyer, Diamond and Calvert voted aye. The motion carried.** Councilmember Meyer feels that this will appear aggressive to the neighbors in the west.

Motion for Approval: Adoption of 2003 International Fire Code and all Appendixes

Assistant Fire Chief Don Weston reported that the fire department would like the city to adopt the 2003 International Fire Code and its appendixes. He reported that it would be advantageous to the city and will give more protection to everyone. It would also give individual fire chief's more leeway to make decisions. Ken Bradshaw recommended that this be adopted. **Councilmember Costley moved to Ordinance #2005-07 adopting the 2003 International Fire Code and all appendixes as presented by Assistant Chief Don Weston. Councilmember Meyer seconded the motion. Councilmember Meyer seconded the motion. Councilmembers Costley, Jenkins, Meyer, Diamond and Calvert voted aye. The motion carried.**

Motion for Ordinance: Sewer Use Regulations

It was reported that there have been a few minor changes to this ordinance. It was suggested that this ordinance be reviewed annually. Addendum A shows how the monthly rates can be justified. There was some discussion about being required to hook to the sewer if someone is within 300 feet. **Councilmember Meyer moved to approve Ordinance #2005-08 amending the sewer service regulations. Councilmember Costley seconded the motion. Councilmembers Costley, Jenkins, Meyer, Diamond and Calvert voted aye. The motion carried.**

Motion for Approval: Lawnmower Purchase

Councilmember Diamond noted that he would have liked to have demonstrations from the other companies, but they were not available. He noted that the parks department liked the Jacobsen. He is proposing to buy the Jacobsen HR6010 for \$37,500 by putting \$20,000 down and doing a municipal lease for two years at 3.9% interest. He noted that the payments would be due September 2006 and September 2007. It was also reported that next year there could be an \$8,000 increase in the same mower. Councilmember Diamond is also recommending the city keep the current mower. He noted that the new mower has other option available, such as a snowplow or blower attachment. **Councilmember Diamond moved to approve the purchase of the Jacobsen mower as proposed. Councilmember Meyer seconded the motion. Councilmembers Costley, Meyer, Diamond and Calvert voted aye. Councilmember Jenkins voted nay. The motion carried.**

Discussion/Motion: Storm Water Management and Control

Mayor Willie noted that there would be a public hearing on September 1 for this item.

Other Business

General Plan Proposal

Cindy Gooch, JUB Engineering reported that noted that she has contacted the University of Utah, Wasatch Front Regional Council, Quality Growth Commission and the Governor's Office of Planning and Budget to help with this project. She noted that she would like to start on this right away. She would like the city to set up a committee with one member from the city council, one staff member, couple Planning Commission members, someone from the business arena, a large land owner and perhaps one from a citizen's group. She would like them invited by letter. She is proposing that there will be two meetings with the committee and three meeting with additional community members. A draft will be prepared and presented to the committee and then it will be sent to the city council for a public hearing. This project will probably take 7-8 months if the committee meets

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once a month. Councilmember Jenkins noted that the original cost was going to be \$30,700. Now it is \$34,475.00. This price includes the city's cost of \$8,237.00 plus our engineer's estimate of \$3,000 if we want to include his services. She also noted that there would be a contract signed so the price can't go over. She reported that when they are done with the general plan, we would have an understandable and usable document. They will teach the city how to change it. She would encourage the city council to come up with some names for this committee. Councilmember Jenkins asked what the engineer's role would be in this. She reported that she called Brad and they discussed that maybe he would attend the workshops if the city wanted.. **Councilmember Calvert moved to accept the proposal as discussed. Councilmember Diamond seconded the motion. Councilmembers Costley, Jenkins, Meyer, Diamond and Calvert voted aye. The motion carried.** Cindy said she would like 15-18 people on the committee. It was decided that the council bring names to the next meeting.

Approval of Business Licenses

Maurie Pomeroy, 2544 N 3975 W, is applying for a business license for a hair salon. Karl Jason West, 4236 W 2200 N is applying for a business license for Aspen Studios doing photography & graphic design. Rich Skeen, 4355 W 2200 N, is applying for a business license for a real estate holding corporation. **Councilmember Costley moved to approve the business licenses as presented. Councilmember Jenkins seconded the motion. Councilmember Costley, Jenkins, Meyer, Diamond and Calvert voted aye. The motion carried.**

Approval of Unpaid Invoices

See warrant registers dated 08/01/05 to 08/17/05. It was noted that football equipment had to be purchased. He noted that Doxey's have done well at collecting missing equipment and we have more players this year. It was noted that the \$600 for the WFFL is the cost to be in the football league. It was noted that the car polish was for the fire trucks to be in the parade. Mayor Willie noted that he would have Councilmembers Costley and Meyer help with the interviewing for the new employee. There was a question about the Wasatch Civil bill. A bill was shown to the council. It was noted that most of the bill is for the sewer project. Councilmember Diamond noted that they would oversee the project. Mayor Willie noted that they are engineering phase 2 of the project. There was a discussion about pulling these bills out of the sewer bond. **Councilmember Diamond moved to approve and pay the bills as presented. Councilmember Meyer seconded the motion. Councilmembers Costley, Jenkins, Meyer, Diamond and Calvert voted aye. The motion carried.**

Comments: Council

Councilmember Meyer noted that we have received a grant for sidewalk on 4700 W from Kamelot to 1500 N. He asked to get on the next agenda to discuss this project. He noted that we were approved for 75% of \$11,400 to do this project. There was a discussion about whether the city will ask for participation with the property owners. Councilmember Diamond will look into this.

Councilmember Costley asked about the flag lot information in the packet. Mayor Willie noted that was taken off the agenda because it has to go to the Planning Commission for a conditional use permit. Councilmember Costley also noted that he has apologized about his behavior at the last work meeting.

Councilmember Calvert noted that there has been a lot of concern and discussion from the Planning Commission about the PRUD and Cluster Housing Ordinance. They feel it is vague. They have requested a professional planner to help with these ordinances and the R-3 zone. She reported that she has had some references for planners and has hired one to meet with the Planning Commission on these issues at their next meeting. She reported that he works with West Valley City and also Pleasant View.

Councilmember Diamond mentioned his concern about the storm drain detention pond maintenance in the subdivisions. They are becoming weed patches. He noted that a homeowner would maintain the grass if the city would put in the sprinklers. Councilmember Costley suggested a herd of goats. There was a question about having the parks or public works department look at that. Councilmember Diamond will get with the public works department.

Mayor Willie asked the council to let Diane know if they are planning to attend the ULCT conference. He also would like to set up a committee to help with the resolution of the conflict between the city and Plain City

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Irrigation. He would like one councilmember and one Planning Commission member to work with Drew Moyes and Jay Christensen.

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

City Recorder

Mayor

Date Approved

NOT OFFICIAL DOCUMENT