

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
OCTOBER 6, 2005

The City Council of Plain City convened in a regular meeting on Thursday, October 6, 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
Also Present: Deputy Rex Cragun, Carl Miller, Gary Jackson, Darrell Christensen, Heidi Bitton, Darwin Smith, Brent White, Hal VanMeeteren, Don Weston, Bruce Higley, Todd Johnson, Rick Scadden, Chad Buttars and Kathy White

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

Approval of Minutes: September 1, 2005

There was one typographical error. The minutes stand approved as corrected.

Comments: Public

There were no comments at this time.

Report from Planning Commission

Gary Jackson reported that the Planning Commission discussed changing the front setback from 40' to 30'. They were not in favor of changing this because it creates steep driveways. He expressed his gratitude for the professional planners. They are helping greatly with the PRUD.

Councilmember Costley moved to go into a public hearing for the purpose of annexing Darrell Christensen's property. Councilmember Jenkins seconded the motion. Councilmembers Costley, Jenkins, Meyer, Diamond and Calvert voted aye. The motion carried.

Public Hearing: Annexation of Darrell Christensen Property – 2600 North

Carl Miller commented that it is about time he annexed into the city. There were no more public comments.

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

Motion for Ordinance: Annexation of Darrell Christensen Property – 2600 North

Councilmember Meyer moved to approve ordinance 2005-11 annexing Darrell Christensen's property. Councilmember Jenkins seconded the motion. Councilmembers Costley, Jenkins, Meyer, Diamond and Calvert voted aye. The motion carried.

Final Approval: Pheasant Brook Subdivision – 2600 North

It was reported that final approval was given earlier, but they have changed the plat. There was a lengthy discussion about ownership and maintenance of detention basins. Councilmember Diamond feels that the detention basin should be given to either lot 11 or 12 and have an agreement between the city and the new owner of what can be done with it. Gary Jackson noted that the Planning Commission recommended that the city retain ownership, but the developer was willing to develop the detention basin with sod, sprinklers and provide the water. The owner's of whichever lot it goes with will maintain the basin and can use it. Councilmember Costley feels that if the detention basin is put inside the lot, it will be taken care of. It was discussed that there will have to be an agreement between the city and the owner of the lot. Mayor Willie noted that his son lives in Harrisville and has a detention basin as part of his lot. He has restrictions for the basin. Councilmember Diamond feels that detention basins are not necessary in the small subdivisions and that we ought to be looking at regional basins. Councilmember Costley noted that an R restriction ought to be placed on the plat showing the property is deeded to the lot and have the city attorney draft an agreement for the restrictions. Councilmember Jenkins noted that before the escrow is released, the detention basin would need to be developed. The Chad Buttars, Rick Scadden and Todd Johnson agreed to this agreement and say that the detention basin will go with lot 12. No structures will

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be allowed in the detention basin. It was noted that the detention basin would not be fenced. Councilmember Diamond noted that if the detention basin were to be turned and put on 2600 North, an access would need to be included. It was reported that the items on Brad Jensen's memorandum have been completed according to the Planning Commission notes. Gary Jackson noted that this is low property and the houses will have to be built up. **Councilmember Costley moved to give final approval of Pheasant Brook Subdivision with the stipulations that all requirements are met according to the city engineer and to rework the lot to contain the detention basin as property of the lot with an agreement from the city attorney concerning access, regulations and development. Councilmember Meyer seconded the motion. Councilmembers Costley, Jenkins, Meyer, Diamond and Calvert voted aye. The motion carried.**

Discussion/Motion: Noise Ordinance – David Brough

David Brough was not in attendance. The Planning Commission noted that his complaint was barking dogs and noisy motorcycles. It was noted that the animal ordinance addresses barking dogs. Deputy Cragun noted that animal control could be called out and also dispatch could be called if there is a problem. The council noted that maybe we ought to look into a noise ordinance.

Motion: Storm Water Management and Control

Councilmember Costley moved to table this item until it can be re-written. Councilmember Calvert seconded the motion. Councilmembers Costley, Jenkins, Meyer, Diamond and Calvert voted aye. The motion carried.

Motion: Senior Center Fee Schedule

Councilmember Costley mentioned that he met with Janet and together they came up with some suggestions. He is proposing that we could charge \$20 for funerals with no deposit, for seniors he is proposing \$30 plus the refundable deposit. Employees would stay at \$25 with no cleaning deposit. Community minded activities on a weekly basis would be \$40 and monthly \$50 both with a one-time cleaning deposit. He also suggested that all calls for reservations be forwarded to Janet Judkins. The Weber County Democrats have asked to use the building for a convention. Councilmember Costley noted that he thinks we shouldn't charge for that. **Councilmember Costley moved to adopt the new fees for the senior center as presented and not charging the Democratic Convention. Councilmember Diamond seconded the motion. Councilmembers Costley, Jenkins, Meyer, Diamond and Calvert voted aye. The motion carried.**

Discussion/Motion: Fire Department

Councilmember Jenkins noted that with the growth in the city and with the money they have saved the city over the years, the fire department would like to add on to the fire station. Chief Hal VanMeeteren reported that over 23 years, they have saved the city approximately \$1.1 million. They have received a preliminary estimate of \$152,000 to \$200,000 to build the addition. The fire department is proposing a \$200 impact fee on new homes to pay for this addition. However, the need is immediate and are asking for the council to take the money out of capital projects now and then replenish it with the impact fee. Mayor Willie asked how they would expand. It was reported that they would go to the back and the east. It was reported that they could meet the setbacks. It was asked if this bid included curb, gutter and sidewalk. It was noted that it did not. It was reported that Weber Fire District put on a \$371 impact fee, but have lowered it to \$217. It was noted that the city would have to do an impact fee study and have a public hearing. It was noted that the addition is an immediate need.

Councilmember Diamond moved to proceed and follow the steps and have the city engineer prepare an impact study concerning the need for an addition to the fire station. Councilmember Meyer seconded the motion. Councilmember Jenkins asked about the feasibility study. It was noted that the city would have to justify charging a fee. It was reported that Wasatch Civil is our project engineer. It was also noted that maybe they could get some information from Weber County's impact fee. **Councilmember Costley, Jenkins, Meyer, Diamond and Calvert voted aye. The motion carried.**

Amend Public Hearing Date: Annexation Policy Plan

Mayor Willie noted that the annexation policy plan was to be proposed on the 20th. He noted that the Planning Commission needs to have a public hearing before the city council can. He feels that something this big ought to be tabled until after the new council is in place. He also noted that if the council wanted to do it before, the Planning Commission could have a public hearing on October 27 and the city council could have on November 3.

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Councilmember Jenkins moved to table this until a further date. Councilmember Costley seconded the motion. Councilmember Costley, Jenkins, Meyer, Diamond and Calvert voted aye. The motion carried.

Other Business

Set Date to Canvass the Primary Election

Councilmember Costley moved to canvass the primary election on October 7, 2005 at noon.

Councilmember Jenkins seconded the motion. Councilmember Costley, Jenkins, Meyer, Diamond and Calvert voted aye. The motion carried.

Approval of Business Licenses

Douglas Hunt, 4245 W 2775 N, is applying for a license for Hunt em Down Smoke em Out which is a chimney cleaning and tree trimming business. Brandy Lee, 2435 N 4275 W is applying for a license for The Healing Isle, which is selling candles, lotion and jewelry. Sandy Myers, 4840 W 1500 N, is applying for a license for Blue Mountain Promotions, which is wholesaling and retailing promotional items. Luke Butterfield, 1677 N 2850 W, is applying for a business license for Butterfield Tree Service. **Councilmember Calvert moved to approve the business licenses as presented. Councilmember Costley seconded the motion. Councilmembers Costley, Jenkins, Meyer, Diamond and Calvert voted aye. The motion carried.**

Approval of Unpaid Invoices

See warrant registers dated 09/01-05 to 09/21/05 and 09/22/05 to 09/30/05. It was noted that Lynn Winward Electric is for the five-year lease on the park lights. **Councilmember Meyer moved to approve and pay the bills as presented. Councilmember Diamond seconded the motion. Councilmembers Costley, Jenkins, Meyer, Diamond and Calvert voted aye. The motion carried.**

Comments: Council

Councilmember Meyer noted that they would be overlaying 2200 North on Saturday. He noted that Carlos is planning on raising the water rings. He reported that he talked to the county about paving the east portion of 2200 North. They are suggesting that a meeting be set up with representatives from the county, city and homeowners to iron this out.

Councilmember Costley noted that Janet Judkins is doing a great job and has good ideas. He noted that Janet has some repair work that needs to be done. He asked whom he should contact to do some repairs. It was noted that Jim Scheer is a handyman and maybe would do it.

Councilmember Calvert noted that the Planning Commission is happy with the planners and that they are doing a good job on the (PRUD) Planned Residential Unit Development ordinance.

Councilmember Diamond noted that he would like to see a triathlon incorporated into the 4th of July events. He noted that football is going well and is under budget. He noted that there are five teams in the playoffs.

Mayor Willie reported that Diane has been accepted in the Master Municipal Clerk Academy. He reported that Bona Vista would be moving into their new building at the end of the month.

Councilmember Meyer noted that Deputy Cragun did a great job at the Meet the Candidates Night. Councilmember Calvert congratulated those candidates that made it through the primary.

At 8:15 p.m. Councilmember Diamond moved to adjourn. Councilmember Meyer seconded the motion. The vote was unanimous.

City Recorder

Mayor

Date Approved