

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
JANUARY 20, 2005

The City Council of Plain City convened in a regular meeting on Thursday, January 20, 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, Carl Miller, Frank Zuech, Larry Ruple, Karen Housley, Allan Housley, Ellen Williams, Ralph Williams Curtis Larsen, Jared Peterson, Austin Bone, Chad Wyatt, Sam Larson, Ian Stanger, Brad Diamond, Tate Lewis, Rick Poll, Sandy Poll, Kevin Wisner, Kraig Wisner, Dena Blackner, Brenda Fulmer, Lane Fishburn, Martha Bodily, Shawn Strong, Kenneth Owen, Cherie Hurst, Robert Dodgen, Robyn Bitton, Barbara Schnieter and Bill Schnieter

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

Approval of Minutes: January 6, 2005
The minutes stand approved as written.

Comments: Public

Ellen Williams asked what the proposed subdivision is going to look like. The Mayor explained that the city has not seen any plans for the subdivision yet. He noted that there is a step-by-step process and right now the only thing being addressed is the annexation. He recommended that they stay informed with what is going on in the Planning Commission.

Report from Planning Commission

Artie Pearce reported that the Planning Commission met January 13. They recommended that the City Council leave the city ordinance as it is for curbs. She also noted that they recommended that the frontage on corner lots be increased by 16 feet. She noted that they also discussed the affordable housing plan and it will be discussed at their next work session.

Public Hearing: Proposed Annexation of Orel England/Glen England & Beth Ludlow Property

Councilmember Meyer moved to go into a public hearing for the proposed annexation of the Orel England and Glen England and Beth Ludlow property. Councilmember Diamond seconded the motion. Councilmembers Costley, Jenkins, Meyer, Diamond and Calvert voted aye. The motion carried.

Mayor Willie explained the annexation process. He reported that when someone brings in a petition to annex, the city is obligated to look at it and address whether services can be provided. He mentioned that the state strongly discourages creating an island or peninsula of unincorporated county because it becomes a problem of service. He noted that this petition was turned into the county and they sent it back saying that it is creating an island with the back parts of property that front along North Plain City Road. He noted that most of these parcels are split by having the front piece of property in Plain City and the back part in unincorporated Weber County. The petitioner was asked to include these parcels in the petition. Notification to the property owners was sent out which is the same letter that is used to notify the entities. The Mayor explained that the way the code reads, that only affected entities can protest an annexation with the boundary commission. Private property owners can oppose, but can't officially protest. He then opened the meeting for the public and asked that they state their name and asked that they keep their comments to 1-2 minutes. He noted that this is not a debate. Barbara Schnieder reported that she and several other residents signed a protest against the annexation. She wanted to know what Plain City has to offer them. She inquired about sewer and mentioned that they had been told that sewer is too expensive to run to them. Mayor Willie asked why she was opposed to the annexation. She reported that now they are agricultural and mentioned that the road is not wide enough now; more traffic would make it worse. She feels that they are giving up their rights. Mayor Willie explained that the zoning classification would not change. Animal rights go with how much property you have, not the zone. Councilmember Jenkins did a study on these properties concerning taxes. He reported that taxes on the same piece of property in the county are approximately 8% higher than in the city. He gave some examples on actual properties that would be affected tonight. He also noted that the back pieces of property are currently charged a Weber Fire District tax. He feels that this annexation opens a lot of options for the homeowners. Councilmember Diamond noted that another benefit is by annexing now; it is

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not costing the homeowners anything, later it would cost them out of their pocket. Councilmember Meyer noted that the city is open to sewer line extensions. He mentioned that he met with the engineer concerning possible sewer extensions in that area. Sewer will come. Barbara Schnieter asked about widening the road. Mayor Willie noted that we are in the process of widening it. We have widened two feet on each side beginning at the west and going to the Farr West border. Councilmember Diamond pointed out that if the city annexes this property, it benefits everyone. Barbara Schnieter asked about the slough ditch on the north side of the property. It was noted that there have been no plans filed on any development yet, but the subdivision ordinance would address that issue. Robyn Bitton asked about the size of lots. It was noted that the city has not seen any plans for the subdivision yet. Mayor Willie noted that the Planning Commission meets on the 2nd and 4th Thursday of each month and suggested that the people watch the agenda. **Councilmember Calvert moved to go out of the public hearing and into the regular meeting. Councilmember Diamond seconded the motion. Councilmembers Costley, Jenkins, Meyer, Diamond and Calvert voted aye. The motion carried.**

Motion for Ordinance: Proposed Annexation of Orel England/Glen England & Beth Ludlow Property

It was reported that Lane Fishburn didn't list what zone they are applying for on the annexation petition. Lane mentioned that they had talked to the Planning Commission about an RE-15 zone. The back parcels of land that front on North Plain City Road would match the front zone of RE-20. There was some discussion about the current zone on North Plain City Road. Some of the residents felt that they were in a one-acre zone. It was explained to them that they may have acre lots, but the zone is and always has been RE-20. If the back parcels of their property are annexed, they would come in under an RE-20 zone. The RE-15 zone and the RE-20 zone were discussed. Ken Bradshaw reported that the city council has the authority to designate the zone when property is annexed. He also noted that it is all right to zone the England pieces RE-15 and the other parcels RE-20.

Councilmember Diamond moved to accept the annexation petition of Orel England and Glen England and Beth Ludlow with the zoning of RE-15 and the remaining parcels be annexed and zoned at RE-20 based on the findings of tax savings and to not create an island. Councilmember Costley seconded the motion. Councilmembers Costley, Jenkins, Meyer, Diamond and Calvert voted aye. The motion carried. Mayor Willie thanked the citizens for their involvement. Barbara Schnieter asked about the school situation with all of these subdivisions. Mayor Willie noted that the school district is looking for property for a new junior high and elementary school.

Motion for Approval: Pioneering Agreement for Sewer – Pheasant Brook Subdivision

Councilmember Diamond reported that Pheasant Brook Subdivision was approved with 15 lots. There is going to be a subdivision across 2600 North. Since Pheasant Brook is bringing up the sewer trunk line, they are asking for a pioneering agreement in order to recoup ½ of their cost for this other subdivision to hook into it. Ken Bradshaw noted that the developer who wants the benefit has the obligation to draft the agreement, meet the development standards, go through the city engineer and then the city attorney before anything can be approved through the city council. Ken Bradshaw also mentioned that this would need to be in line with the city's capital facility plan.

Councilmember Diamond moved to authorize the drafting of a pioneering agreement from Pheasant Brook Subdivision to recoup some costs subject to engineering and legal review. Councilmember Costley seconded the motion. Councilmember Costley, Jenkins, Meyer, Diamond and Calvert voted aye. The motion carried.

Motion for Approval: Purchase of New Truck

Councilmember Meyer noted that they are looking at purchasing a 1995 International 1.5 ton truck for \$16,500. He reported that a new truck would be \$60,000 without the bed. He noted that it would be a back up if the big one breaks down. It would be used within the parks, sewer and road departments. It could also be used as a snow plow if a plow was purchased. It was noted that when the sander is in the big truck, they could use the new truck to haul things. The purchasing policy was discussed. The city would need bids. **Councilmember Meyer moved to table this item. Councilmember Diamond seconded the motion. Councilmember Costley, Jenkins, Meyer, Diamond and Calvert voted aye. The motion carried.**

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Other Business

Old Plain City Market Sign

Mayor Willie noted that he asked Intermountain Sign to see how much it would cost to replace the panels and use the sign as a marquee. It was discussed that the sign is really high and would need to be lowered. The Mayor will look into this.

Approval of Business Licenses

The following renewals were presented: Altitude Audio, Video & Automation; Pro-Mold; Kapp Dental Lab; Precision Tool Sharpening; CK Construction & Services Corp.; Paul Costley Garage; Lynnea's Hair. Councilmember Costley asked about a business that continues to pay even though it is not used, so they won't lose the conditional use. He feels that this may be a hardship. Ken Bradshaw reported that if they don't continue to renew, they will lose the conditional use. **Councilmember Calvert moved to approve the business license renewals as presented. Councilmember Meyer seconded the motion. Councilmembers Costley, Jenkins, Meyer, Diamond and Calvert voted aye. The motion carried.**

Approval of Unpaid Invoices

See warrant register dated 01-01-05 to 01-19-05. There was some questions about the Affordable Plumbing bill. Mayor Willie noted that it is for the testing lab and also included a new water heater. It was reported that the bills for the testing lab are totaling \$10,370 to date. Mayor Willie would like to have a work meeting on February 17 at 6:00 to tour the lab. There was another question about the Wasatch Civil Engineering bill. The Mayor noted that it is mainly for work on sewer impact fees and the 2200 North project. **Councilmember Diamond moved to approve and pay the bills as presented. Councilmember Calvert seconded the motion. Councilmembers Costley, Jenkins, Meyer, Diamond and Calvert voted aye. The motion carried.**

Comments: Council

Councilmember Diamond noted that basketball is going well.

Councilmember Calvert noted that she found out what needs to be included in the affordable housing plan and discussed this with the Planning Commission. She has a copy of Weber County's plan and West Valley's plan. Mayor Willie will get Syracuse's plan. She has got all the census information and feels that the Planning Commission is willing and able to write the plan. She reported that she visited with Craig Barker and he would be willing to advise the Planning Commission and critique from time to time for \$1000. She reported that the proposal from Day & Associates is \$5,000. Ken Bradshaw suggested putting out a Request for Proposal for consultants. He noted that the League of Cities would have this information.

Councilmember Costley asked about the plans for the sewer system. He would like to see the original plans. He feels that the city council needs to look at the whole city to see where money would be best spent. Councilmember Costley reported that he had an estimator look at the line down 2200 North and he estimates the project around \$950,000. He is concerned that we need to look to the future. There was a lengthy discussion about where sewer is most needed and opinions to where to begin. Discussions were held about lift stations and which ones need to be addressed first. They discussed applying for grants that could also pay for engineering. It was suggested to have a work session to discuss sewer and what areas need it the most. Councilmember Costley also noted that some of the residents of Poplar and Cobble Glen are having water problems. He mentioned that he has researched the process when building a home and signing the conditional covenants and restrictions (CC&R) with the title company. He noted that Farr West has incorporated a form as additional protection to the city if the home is built below the level that is recorded on the plat. He discussed the restricted lots and suggested that the office check lot numbers to see if they are restricted. He noted that there are five lots that are having problems and their contractors have signed the CC&R's. He noted that the residents are concerned about Randy Marriott scraping off the topsoil.

Councilmember Jenkins noted that the ambulance training is going well. He reported that Founder's Day will be held on Saturday, March 12.

There was more discussion about sewer expansions. Mayor Willie noted that the engineer is drawing up the extension on 2200 North to 5100 West. There were discussions about whether the sewer would gravity flow to

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the sewer lagoon. Mayor Willie noted that the engineer is saying that this will cost around \$400,000. Mayor Willie noted that he is working on getting everything ready for annexing the section of property along 4200 West. Sewer was again discussed. He thought that the consensus of the council previously was to get the 2200 North extension drawn up. There was concern about whether this was the most needed. Mayor Willie noted that Buddy Sadler's term on the Planning Commission is up. It was also reported that the Envision Utah workshop is Wednesday at Ogden High.

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

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