

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
JANUARY 5, 2006

The City Council of Plain City convened in a regular meeting on Thursday, January 5, 2006, in the Plain City Hall at 7:00 p.m.

Present: Councilmembers Chad Costley, Elaine Calvert, Bruce Higley, Brent White and Darwin Smith
Excused: Mayor Jay Jenkins
Staff: Diane Hirschi, Ken Bradshaw, Carlos Heslop, Don Weston
Also Present: Deputy Rex Cragun, Carl Miller, Brent Weston, Danny Kilgore, Gary Jackson, Joan Facer, Kelly Weston, Jay Gresham, Rich Mickelsen, Lee & Colette Doxey, Gordon Sorensen

Councilmember Costley called the meeting to order and excused Mayor Jay Jenkins. Councilmember Higley gave the invocation and Councilmember White led in the pledge of allegiance.

Darwin Smith was sworn in.

Approval of Minutes: December 1, 2005

Councilmember Calvert noted that she felt that in the PRUD Public Hearing the sentence ought to be changed to read, "He noted that the first ordinance was a good start, but left too much discretion **to the developer**, and there were no guarantees to the end product." Councilmember Calvert noted one typographical error. The minutes stand approved as corrected.

Comments: Public

There were no public comments.

Report from Planning Commission

Gary Jackson reported that the Planning Commission met the second Thursday in December. He reported that they recommended final approval of Big Cottonwood Estates Phase 2 contingent upon the fire code standing. He also reported that they discussed a building lot for the Grieves and it was tabled until the next meeting. Councilmember Costley asked the Planning Commission about the egress requirement. Gary wondered if the crash gate issue was in the code or a personal opinion.

Councilmember Calvert moved to go into the two public hearings as advertised. Councilmember White seconded the motion. Councilmembers Costley, Calvert, Smith, Higley and White voted aye. The motion carried.

Public Hearing: Public Works Standard Amendment – Street Light Ordinance

Buddy Sadler reported that he is speaking as a Planning Commission member and as a citizen. He noted that the Planning Commission has spent a lot of time on this issue. They have talked in-depth with the manufacturer. The first ordinance that was passed allowed the streetlights to be 150 feet. Due to the standard lot size in the city, it was agreed by the Planning Commission that it would be better to be every 200 feet. The manufacturer felt that this could be done without compromising the lighting. It was explained that it would be 200 feet on one side and then 200 feet on the other side, so really the lights are 400 feet apart on each side. Buddy and Gary mentioned that the price of the electricity for the lights would be around \$0.67 per month.

Public Hearing: Amend Subdivision Ordinance concerning fees and issuance of building permits

Councilmember Costley explained that this amendment to the subdivision ordinance would change the paragraph concerning engineering fees and inspection fees. Councilmember Costley noted that at the time of filing, the developer would pay \$50 per lot for engineering fees. The city will deduct the engineering fees as they are used through our city engineer bills. The developer will be responsible for any engineering fees that go over the \$50 per lot. Final approval will only be granted if the engineering fees are current.

Councilmember White moved to go out of the public hearings and into the regular meeting. Councilmember Calvert seconded the motion. Councilmembers Costley, Calvert, Smith, Higley and White voted aye. The motion carried.

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Motion for Ordinance: Amendment to Street Light Ordinance

Councilmember Costley feels that this is a lot of lighting for a subdivision. Councilmember Calvert noted that lots are a minimum of 100 feet and lights would be put on property lines. Councilmember Costley noted that the lights are a decorative light. Gary Jackson reported that it is up to the subdivider to pay for the light in his/her development. Mountain States Lighting would like to put the poles in when the subdivision improvements start. Councilmember White wanted to make sure that the ordinance states that the lights will go on property lines. If that is the case, 200 feet makes sense. Councilmember Higley asked if the ordinance requires them at every intersection. It was noted that it does. Councilmember Smith feels that the Planning Commission has done a good job on this. **Councilmember Smith moved to adopt ordinance 2006-01 amending the street light ordinance. Councilmember Calvert seconded the motion. Councilmembers Smith, Higley, Costley, White and Calvert voted aye. The motion carried.**

Motion for Ordinance: Amendment to Subdivision Ordinance

Councilmember White moved to adopt ordinance 2006-02 amending the subdivision ordinance. Councilmember Smith seconded the motion. Councilmember Smith clarified that this is what we are currently doing. **Councilmembers Smith, Higley, Costley, White and Calvert voted aye. The motion carried.**

Motion for Final Approval: Big Cottonwood Estates Phase 2

Councilmember Costley mentioned that he had a discussion with the Mayor and Don Weston, the assistant fire chief about the International Fire Code. The minutes from the Planning Commission were included in the packet for review. He has talked to the city attorney for his opinion. There is a concern about having an in and out of the subdivision in the case of an emergency. Councilmember Costley asked Assistant Fire Chief Don Weston to come up to the stand. He also asked Danny Kilgore, the developer, to come up. The motion for final approval of Phase 1 hinged on a emergency access if other phases are put in. It was noted that preliminary approval was given for the whole subdivision. After the approval of Phase 1, the International Fire Code was adopted and now the question is whether phase 2 can or needs to conform to the code. Buddy Sadler noted that the Planning Commission was planning to require a paved emergency access road, but the city council approved an emergency access with road base if there are more phases. It was noted that there is a safety issue with this development. It was noted that the engineer is requiring an all-weather road, not road base. It was also noted that the Planning Commission is requiring a single lane with a crash gate. It was noted the preliminary approval was given May 12, 2005. Ken Bradshaw, city attorney, noted that approval could be given if it meets the subdivision requirements and the fire code at the time. Councilmember White noted that the fire department would make the call on the fire code, not the engineer. Councilmember Costley is concerned that we don't want to continue to make wrongs. It was noted that the fire chief has some discretion with the code but noted that he is concerned with having a crash gate and having a less than 10% grade on the bluff. Ken Bradshaw noted that he sees 4-5 entrances but suggested that they are temporary turn-arounds. He noted that you don't want to just dead-end it. Danny Kilgore noted that he has a letter from his engineer that the emergency access road is 5% grade. Ken Bradshaw suggested having the developer prove how he will meet the fire code and how they will develop the emergency access. It was noted that the purpose of the crash gate is to keep people from using the road. Councilmember Costley asked if there were any other issues that needed to be discussed. Diane reported that there is the issue of ownership on the detention basin. **Councilmember Higley moved to give final approval to Big Cottonwood Estates, Phase 2 on the condition that it meets the subdivision standards, the International Fire Code, the city engineer's memorandums dated 12-2-05 and 1-05-06 and subject to reasonable approval from the fire department concerning the stability of the access road. Councilmember White seconded the motion. Councilmembers Smith, Higley, Costley, White and Calvert voted aye. The motion carried.**

Motion for Ordinance: Meeting Schedule

Councilmember White moved to adopt ordinance 2006-03 as the meeting schedule for 2006. Councilmember Costley seconded the motion. Councilmembers Smith, Higley, Costley, White and Calvert voted aye. The motion carried.

Motion: Storm Drain Bid 2200 N

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Councilmember Costley noted that as the sewer project is going along 2200 North, the contractor would like to partner with the city and tile the ditch. The contractor would donate the gravel, labor and everything else if the city would supply the pipe. Councilmember Costley noted that it would be 2350 feet of tile. He noted that the previous Mayor and Council talked about this and the price would be \$49,852.00. Councilmember Costley checked and there is \$69,000 in the storm drain fund. He feels that it is a good idea and a good savings. Councilmember Smith asked if there are any other projects waiting to be done that this would take away from. Councilmember Costley noted that there is a rusted out pipe on 2200 N and 5100 that needs to be fixed. Councilmember White asked if we can approve this without a bid. Councilmember Costley noted that with the contractor doing it now, it will save and we won't have to tear up the road later. It was discussed that this could be a change order to the sewer project. Otherwise it would have to be bid out or find a state contract.

Councilmember Smith moved to approve the storm drain project contingent upon it being a change order to the present contract or a state bid. Councilmember Calvert seconded the motion. Councilmember White asked that this information be directed to Brad Jensen and the contractor. Councilmembers Smith, Higley, Costley, White and Calvert voted aye. The motion carried.

Discussion/Motion: New Truck Purchase

Carlos presented some bids for used trucks. One was a 2001 International that has 27,000 miles. It is \$26,000 and would cost another \$18,000 to get a dump bed, and plow on it. Another bid is a 1999 that has 51,000 miles and has been rebuilt for \$19,900. It would also cost another \$18,000 to get the dump bed, and plow. He reported that he has a price for a new International. The truck is \$54,000 and would cost \$18,000 for the dump bed, and plow. He noted that it could be paid in a five-year program. Councilmember Costley noted that he thinks it is time that the city purchase another truck. If Carlos has to haul anything in the winter, he has to take out the sander. Carlos noted that he called certain dealers for this information. It was discussed that the bid needs to be specified on a public bid or piggy-backed on state bid. Councilmember Smith agreed that we need another bid and feels that maybe the warranty would be worth buying new. It was suggested that Carlos call and find a truck on state bid. **Councilmember White moved to have Carlos check the state bids or get a competitive bid based on meeting the criteria for the city's needs. Councilmember Higley seconded the motion. Councilmembers Smith, Higley, Costley, White and Calvert voted aye. The motion carried.** There was a discussion about what the purchasing policy requires. Diane will get a copy to the council.

Other Business

Approval of Business Licenses

New:

Light your Journey in Rays of Love	Jean Baumann	4231 W 1500 N	Rapid Eye Technology
Furniture Direct 2 U	Sally Dalton	3197 W No Plain City Rd	interior design

Renewals:

Farrell Brothers Construction	Shane Farrell	3351 W 1700 N	general contractor
Michele's Hair	Michele Scadden	3486 W 2500 N	cosmetology
Altitude Audio, Video & Audomation	Richard Yorgason	2513 N 3425 W	install audio & video
Rockin' Double H Sales	Elizabeth Hougaard	4437 W 1500 N	selling at horse shows
Plain City Confectionary	Patricia Schmidt	2398 N 4350 W	beer/bar
Gary L Thompson Inc	Gary Thompson	4560 W 1975 N	advertising
A Country Boutique	Bruce & Dixie Higley	3825 W 2600 N	crafts & candles
Bruce D Construction LLC	Bruce Higley	3825 W 2600 N	construction
Carl's Auto Clinic	Carl Miller	1606 N 4700 W	auto repair
Scofield Construction Inc	Tyler Scofield	3748 W 2100 N	construction
LB Web & Graphic Design	Lori Butterfield	4562 W 2200 N	web/graphic design

Councilmember Higley noted that he has a conflict because two of the licenses are his. **Councilmember Smith moved to approve the business licenses as presented. Councilmember White seconded the motion. Councilmembers Smith, Costley, White and Calvert voted aye. Councilmember Higley abstained. The motion carried.**

Approval of Unpaid Invoices

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See warrant registers dated 12/01/05 to 12/21/05 and 12/22/05 to 12/31/05. **Councilmember Smith moved to approve and pay the bills as presented. Councilmember Calvert seconded the motion. Councilmembers Costley, Calvert, Smith, Higley and White voted aye. The motion carried.**

Comments: Council

Councilmember Smith reported that the landfill fence was taken out when the sewer line went in. He will get a hold of Mitch to get the fence put back up.

Councilmember White noted that he met with the Doxey's before the meeting and they gave him the information on the pitching machine. He also noted that the Home Depot employees have to do so much public service and could help with putting up the fencing, materials & installation. They need an official request from the city. He also noted that Lee would like approval of the purchase of the pitching machine and permission to get donations. He noted that there are some concerns about West Haven starting their own football program and sending a letter to the WFFL. Brent would like to discuss this on the next agenda.

Councilmember Calvert received some information concerning a state celebration honoring healthy marriages. The city can nominate one couple that meets certain criteria. She asked if anyone had some suggestions they needed to let her know tonight. She also mentioned that there needs to be some changes to our ordinance to get in line with Senate Bill 60. She has a copy of the legislation if anyone is interested. She reported that the committee to update the General Plan will meet on January 18 at 6:00 p.m. She reported that the city is working with JUB engineering, Wasatch Front Regional Council, the University of Utah and the Governor's Office of Planning on this project.

Councilmember Costley reported that the WACOG dinner is January 9 and anyone interested in going needs to let Diane know by tomorrow. He also reported that a copy of the storm water management and control has been given to the council. This will be on the next agenda. He reported that the convenience store is going to open in the next couple weeks. The food side won't open until February. He mentioned that one of the sewer pump stations backed up Monday and flooded about six homes in Poplar due to a power outage. He is suggesting getting a bid to put an alarm system on every pump station that doesn't have one. It was noted that the other stations have an alarm system through Denco. Councilmember Costley mentioned that in the past there have been some issues with the irrigation company and is suggesting that a member of the council be appointed as a non-voting member to the board. Councilmember Costley asked if Councilmember Higley would talk to Jay Christensen about it. Councilmember Higley agreed. Councilmember Costley reported that Carlos would like to get a video recorder. He noted that this would have come in handy with the sewer backup.

At 9:17 p.m. Councilmember Calvert moved to adjourn. Councilmember Costley seconded the motion. The vote was unanimous.

City Recorder

Mayor

Date Approved