

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
FEBRUARY 16, 2006

The City Council of Plain City convened in a regular meeting on Thursday, February 16, 2006, in the Plain City Hall at 7:00 p.m.

Present: Mayor Jay Jenkins, Councilmembers Chad Costley, Darwin Smith, Bruce Higley, Brent White and Elaine Calvert
Staff: Diane Hirschi, Ken Bradshaw (left at approximately 7:20 p.m.)
Also Present: Derrick & Valerie Barber, Ron & Kara Malan, Don Weston, Claramae Grieve, Colette Doxey, Michael Farr, Tom Favero, Bob Spencer, Buddy Sadler, Kelly Weston, Carl Miller, Artie Pearce, Al Drummond, Kent Buie, Amber & Dustin Grieve, Gordon Sorensen

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

Approval of Minutes: February 2, 2006

There were some changes noted. The second sentence of the paragraph of public comments should read, "He called Carlos when there was water in his basement." It also needed to be noted that it happened on a Monday rather than Tuesday. It was mentioned that in the pitching machine discussion, it should say that Lee Doxey noted that the bid...." Under the Business License Renewal process, the third sentence should reflect that he suggested the fee be \$5 if the regular fee was \$20. Under the first paragraph in council comments it was noted that Councilmember Costley would give the information to Councilmember Higley. It was also noted that under Councilmember Smith's comments, he noted that if any of the 32 members of the fire department work in an emergency response job, they would likely be called out to that job. **Councilmember White moved to approve the minutes as corrected. Councilmember Smith seconded the motion. Councilmembers Costley, Smith, Higley, White and Calvert voted aye. The motion carried.**

Comments: Public

Tom Favero is representing the Pioneer Irrigation Company. He reported that there is a leak in the pipe that goes through Kamelot. It has been a problem for the last couple of years. The irrigation company feels that it is not their responsibility. He noted that it is a highline service ditch. He said that the development removed a lot of the sand when building the subdivision, which lowered the dirt around the ditch and weakened it. Tom Favero wanted to give the city notice of this situation. It was reported that it could affect about ten different homes. There is an easement along the ditch. The Mayor asked Tom to get with Councilmember Higley to work out the details.

Rob Malan is wondering where the city is at with the sewer backup. He wants to know the time frame of when they can receive some help. He noted that there are going to be liens against some of the homes because the bills aren't paid for the cleanup costs. He also noted that the pumps should be checked even on the holidays.

Sheri Price asked why this hasn't been taken care of yet. She is a victim and is wondering why the city isn't fighting Utah Power. She reported that she has had to pay \$7,000 to fix water problems on her property within the last year.

Report from Planning Commission

Bob Spencer reported that the Planning Commission met last Thursday. They denied the rezone of Cicadis Corporation. Mountain West Meadows was approved. Hawkins Development will come in for a discussion on February 23. A public hearing for a conditional use permit and the subdivision is scheduled for March 9. He also noted that there would be a public hearing for the Grieves/Phillips property on March 9. Bob Spencer reported that Artie Pearce will chair the Planning Commission and Buddy Sadler will be assistant chair. Gary Jackson will still be a member of the Planning Commission.

Motion for Ordinance: Cicadas Corp. Rezone – RE-20 to RE-15

Mayor Jenkins noted that this is a two-step process. The front property along 1500 North is currently in the city and they are asking to rezone this portion from an RE-20 zone to a RE-15 zone. The back piece is not in the city and they have petitioned to annex this into the city as an RE-15 zone. Kent Buie, Cicadas Corporation, brought in

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
FEBRUARY 16, 2006

three different plans to show the city council. He noted that the whole project is approximately 46 acres. There was a lengthy discussion of plan A, B and C. It was reported that the Planning Commission hasn't seen these plans yet. Councilmember Costley inquired about the property in the rezone petition. It was noted that the parcel is only a small piece of the whole project. Kent Buie reported that he would be willing to enter into a development agreement with the city and is open to looking at open space issues. There was some discussion about the different plans. It was noted that there is some concern about the Planning Commission turning it down and that they haven't seen these new plans yet. Councilmember White noted that the city is in the process of amending the general plan. He noted that the RE-15 zone in this area is not currently in the General Plan. He feels the General Plan needs to be amended first. Councilmember Calvert asked how many lots are in this area to be rezoned. It was noted that there are about five. She is concerned about only having one way out of the subdivision. Kent Buie noted that there is a 15' strip that will be graveled that could be used as an emergency access. Mayor Jenkins noted that the first development would always have an issue with access roads. Other developments will come and hook on to the first segment. He mentioned he likes the idea of mixed-use lots in developments. He likes some lots smaller and some larger than others. Ken Bradshaw noted that the rezone is on the table, not plan A or B. Mayor Jenkins would entertain a motion. **Councilmember Calvert moved to rezone the Cicadas Corp. property (approximately 1.5 acres that abuts 1500 N.) from an RE-20 zone to an RE-15 zone. Councilmember Costley seconded the motion.** There was a discussion about having horses on ½ acre parcels. Councilmember Costley feels that 1/3 lots make a nice subdivision. Councilmember Smith agrees but is concerned about the General Plan. He is also concerned about the fact that the Planning Commission denied the rezone and he values their opinion. Councilmember Costley noted that he doesn't devalue their opinion. Councilmember White generally likes the plan, but thinks it ought to be tabled until the General Plan is aligned. **Councilmembers Costley and Calvert voted aye. Councilmembers Higley, Smith and White voted nay. The motion was denied.** Tom Favero commented that he would not sell his farm until he can be guaranteed it will be a subdivision similar to Ted Holtry's in Farr West. He feels that plan A is the way to go.

Motion for Final Approval: Mountain West Meadows Subdivision

Mayor Jenkins noted that the developer has asked that this be tabled for two weeks. Councilmember White asked that a couple of issues be addressed. There seems to be some serious issues between Farr West and Plain City concerning this development. It was noted that there are drainage issues. Councilmember Costley noted that they have been addressed with the engineer and the 36" pipe will be fine. It was noted that there is a pipe going through Merlin Ward's arena. This will have to be diverted. Artie Pearce noted that the Planning Commission asked that our engineer, Farr West's engineer and Jeff Hales engineer get together with the storm water calculations. There was a discussion about Plain City's border and that all the water is coming from Farr West. We don't want to set a precedence by having Farr West buy off on our projects. It was reported that the city pays an engineer. We need to go off his recommendations along with the Planning Commissions. Artie reported that Brad Jensen hadn't had a chance to check the calculations before the Planning Commission meeting. It was noted that the city wants to try to be accommodating, but we are not required to ask Farr West. Our engineer needs to review the numbers, if there is disagreement, then he needs to get with the developer's engineer. Mayor Jenkins asked if there was any reason we should table this. Councilmember White asked if this development met the fire code. It was noted that there is an egress on 1975 N and a second access through Farr West Farms.

Councilmember White moved to table this until our next meeting. Councilmember Calvert seconded the motion. Councilmembers Costley, Smith, Higley, White and Calvert voted aye. The motion carried.

Motion for Resolution: Opposition of Senate Bill 170 – Land Use Amendments

Mayor Jenkins noted that this resolution came through the recorder's association concerning a land use bill that may be coming. He reported that this bill is not final and is being reworked. It was noted that it would likely be toned down. It was discussed that this resolution doesn't need to be done right now. It was taking a lot of the cities rights away by the way it was written. **Councilmember White moved to table this item until we know the actual bill language. Councilmember Smith seconded the motion. Councilmembers Costley, Smith, Higley, White and Calvert voted aye. The motion carried.**

Discussion: Annexation Project

Mayor Jenkins asked to table this until a later date. He noted that he would like to look into annexing to our pioneer boundaries. Currently our city boundary has a lot of legs resembling a spider. He would like to present

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
FEBRUARY 16, 2006

some options. He would like to have the council either work on it, change it or drop it. It was noted that the little islands in the city haven't been annexed as of yet due to some description problems.

Discussion/Motion: Alarm System for Sewer Lift Stations

Councilmember Costley noted that they have 7-10 stations that don't have wireless alarms. He noted that Denco gave a bid for \$495.69 and Ken Beus gave a bid for \$457. He noted that Denco is our current provider. Councilmember Costley would like to table this because there are more bids coming in. Councilmember Smith mentioned that a synopsis ought to be included in the council packet. **Councilmember Costley moved to table this item. Councilmember Smith seconded the motion. Councilmembers Costley, Smith, Higley, White and Calvert voted aye. The motion carried.**

Discussion/Motion: WFFL Football Program Letter

Councilmember White noted that he doesn't have all the information yet. **Councilmember White moved to table this. Councilmember Calvert seconded the motion. Councilmembers Costley, Smith, Higley, White and Calvert voted aye. The motion carried.**

Introduction: Steve Davis – City Treasurer

Mayor Jenkins introduced Steve Davis. Steve Davis noted that he has a CPA practice in South Ogden and has worked in the government financial area for many years.

Presentation: January Financial Statement

Steve Davis went over the January financial statement of the general fund in great detail. He noted that he still has some work to do on the sewer fund. He is proposing to come to a council meeting once a month, probably the 2nd meeting in the month, to present the financial statement. He noted that there is \$850,000 in the capital projects fund. Steve Davis noted that he would be willing to answer any questions the council may have. It was reported that this would aid in the budgeting process.

Other Business

Approval of Business Licenses

New

BGB – Barbers Gunstock Blanks	Derrick & Valorie Barber	1695 N 4150 W	manufacture wood gun stocks
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Renewal

Tanners Tack Room	Delmar Tanner	3481 W 2100 N	leather and canvass goods
Jana's Salon	Jana Hancock	4750 W 1500 N	hair salon
Cozy Quilts	Shauna Lewis	2081 N 4500 W	quilting
Kapp Dental Lab	Mary Kapp	4475 W 2275 N	manufacture crowns/bridges
Tiffany Development L.C.	Tracey Simkowiak	1768 N 4850 W	bookkeeping & accounting
Slickrock Leather Works	Kerry Farnsworth	2175 N 3500 W	assemble horse packing equip
WC Fabrication & Repair	Wid Carver	4375 W 2575 N	fab small sheet metal/parts
Lewis Construction Inc	Robert Lewis	2081 N 4500 W	general contractor
T&T Pursuits	Joel & Amber Taylor	2165 N 3700 W	violin lessons & cleaning
Bob Miller & Camie Miller	Bob Miller & Camie Miller	2764 W 1625 N	apartment painting
Dance Expressions	Shantel Anderson	3729 W 1975 N	teaching dance
Utah Land Use Institute	Craig Call	2424 N 4500 W	land use seminars

Derrick Barber showed the gunstocks he will be working with. **Councilmember Smith moved to approve the business licenses as presented. Councilmember Costley seconded the motion. Councilmembers Costley, Smith, Higley, White and Calvert voted aye. The motion carried.**

Approval of Unpaid Invoices

See warrant register dated 02/01/06 to 02/16/06. It was noted that the warrants totaled \$587,971.41. He reported that included a \$552,137.58 check to Randy Marriott Construction for the sewer project. **Councilmember Costley moved to approve and pay the bills as presented. Councilmember White seconded the motion. Councilmembers Costley, Smith, Higley, White and Calvert voted aye. The motion carried.**

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
FEBRUARY 16, 2006

Comments: Council

Councilmember Higley asked the Mayor what he had in mind for the Arts Council. Mayor Jenkins noted that it was more of a request for a vision. There are many talents and things going on in the city and he would like to figure out a way to share them with the community. Councilmember Calvert noted that she got some information on these types of activities from a trip to Georgia that she would pass on to Councilmember Higley.

Councilmember Smith reminded the council of the challenge to attend the CERT program. He noted that a class would begin on March 8. He is working on a request for proposal for the fire station and asked that it be placed on the next agenda.

Councilmember Costley noted that the snowplow drivers were on the road for 13 hours. He noted that they opted to sand and salt in the subdivisions until the snowplow blade was replaced. He noted that it would be nice to have another truck. He appreciates the work they do.

Councilmember Calvert noted that she would like to work on getting the building re-keyed. She reported that Founders Day is coming along. She noted that there was an article about Denton & Alda Lee Hall concerning the marriage award.

Councilmember White would like to have a work meeting for the parks master plan before the next meeting at 6:00 p.m. He noted that spring is coming and Brent Weston would like to hire two people for about ten hours a week for the summer. It was suggested that they be at least 18 years old. Councilmember Smith noted that they have to be 16 to handle the equipment. It was noted that Darwin Smith and Chad Cottles positions need to be replaced. It was noted that Lee Doxey has been working during the winter months by shoveling the walks and putting up the Christmas lights. Councilmember White noted that he would figure out the budget and advertise for the positions. Councilmember White noted that there is a problem with the outside lights and an electrician will be called tomorrow to get them fixed. It was noted that Councilmember Calvert is over the building. Brent Weston will get with Councilmember Calvert on this issue. Councilmember White noted that the batting cage placement would be part of the park master plan. Impact fees were discussed. It was suggested that maybe the impact fee studies ought to be reviewed and updated.

Mayor Jenkins reported that he is meeting with Utah Power tomorrow concerning the sewer backup. As soon as he knows something, he will let the residents know. Sheri Price noted her concern that there was no communication between her and the city. Mayor Jenkins noted that it takes time to investigate. Ron Malan asked what will happen if Utah Power won't cover this. The Mayor said he didn't know. Ron Malan would like a time line. Mayor Jenkins noted that there are 4000 citizens that pay taxes. He noted that he owes it to them to find out what really was the problem. He is suspecting that some homes might not have had check valves or maybe there are illegal connections from sump pumps going into the sewer. He assured the residents that as soon as he knows something he will let them know. There was a discussion about when the pump stations were checked. It was reported that they were checked on schedule.

At 8:50 p.m. Councilmember Calvert moved to adjourn. Councilmember Costley seconded the motion. The vote was unanimous.

City Recorder

Mayor

Date Approved