

PLAIN CITY COUNCIL  
MINUTES OF REGULAR MEETING  
SEPTEMBER 21, 2006

The City Council of Plain City convened in a regular meeting on Thursday, September 21, 2006 in the Plain City Hall at 7:00 p.m.

Present: Mayor Jay Jenkins, Councilmembers Darwin Smith, Brent White and Bruce Higley  
Excused: Councilmembers Don Weston and Chad Costley  
Staff: Diane Hirschi and Martha Bodily  
Also Present: Deputy Rex Cragun, Buron Krenek, Frank H. Hadley, Gary Jackson, Artie Pearce, Buddy Sadler, Brent Jenkins, Carl Miller, Dan Turner, Jennybeth Koford, Gordon Nozaki, Elaine Winegar, Marilyn Lott and Dan Binkerd

Mayor Jenkins called the meeting to order. Councilmember Smith gave the invocation and Councilmember Higley led in the Pledge of Allegiance to the flag.

Comments: Public

Frank Hadley asked about a previous issue with a drain ditch and Fremont subdivision, that had not yet been corrected. The Mayor apologized; the city thought it had been corrected. The Mayor confirmed that Mitch had been informed and they would get in touch with the city engineer to make sure the problem gets resolved.

Report: Planning Commission

Gary Jackson reported that the planning commission had set public hearings for October 12th for the Van Hulten, Heslop and Hodson subdivision and for the Diamond E subdivision. The commission discussed flag lots and talked to Troy LaFleur about his property, recently purchased off 1975 N. between the high school and the stake center. The city and the LDS church are discussing the possibility of a road going through there. Susan Crosthwaite had asked for a lot line adjust, but withdrew the request after finding out the lot would not be legal. Mr. Jackson continued with the planning commission's recommended approval (with stated contingencies in planning commission memo 9/21/06) of England subdivision contingent upon not building more than 30 homes until a second access is provided and that second access is approved by the fire department. Also, contingent upon Brad Jensen's letter dated August 31, 2006 and any new items that might come up, letter from Weber Pathways, until the road goes through or there is a temporary turnaround lots 68, 81 and 82 need to be restricted and lots 40, 77, 78, 79 & 80 need to be restricted to face the main street not the stub street (3575 W and 3400 N). Also, no fences around the surrounding agricultural property and a chain link fence or non-climbable fence along the canal, which needs to be approved by the public works. Recommended final approval of the Cottle subdivision contingent upon correcting lot 3 to have 100 foot frontage, piping of the irrigation ditch, an easement letter for the temporary turnaround, lots 28 & 29 need to be restricted to face 3500 W until the street goes through, a field fence around the surrounding agricultural property, a 6' chain link fence around the irrigation ditch, and if the detention pond is required a 6' chain link fence around it with a 15' gate and a paved access to it. Councilmember White asked for copies of PRUD information and memo's from the city planners to be included in the council packets in the future.

Approval of Minutes: September 7, 2006

A name change was noted. **Councilmember Smith moved to approve the minutes from September 7, 2006 as corrected. Councilmember White seconded the motion. Councilmembers Smith, Higley and White voted aye. The motion carried.**

Motion to Waive Senior Center Fee – Jennifer Mickelsen – RAD KIDS classes

The Mayor and city council discussed Jennifer Mickelson's request to waive the fee to use the Senior Center. She sponsors a group called RAD Kids. The city viewed this as a benefit for the city, and noted that some cities sponsor groups like this. The fee had been waived in the past for this group. It was discussed if this would set a precedent that other groups would follow, and it was decided no.

**Councilmember White moved to waive the Senior Center Fee for the RAD Kids group. Councilmember Higley seconded the motion. Councilmembers Smith, Higley and White voted aye. The motion carried.**

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Motion for Final Approval: Cottle Subdivision

Dan Turner from Turner Design Engineering represented Cottle subdivision. Mr. Turner had met with Brad Jensen and believed that all the issues had been resolved. Artie Pierce from the planning commission was asked if everything was satisfactory and she confirmed that it was. Mr. Turner was asked if the discussion with Brad was after the drawings that the council was looking at. Mr. Turner stated yes, and that Brad had seen the changes and everything had been cleared up. Councilmember Smith was concerned about who was responsible to ensure that restrictions and contingencies were finalized according to the city's determination. The council agreed that Brad Jensen or the building inspector must be notified in order to enforce the restrictions and contingencies placed. It was mentioned that there may have been a contingency in the Fox subdivision that had not been enforced. Gordon Nozaki informed the city council about bids for irrigation water and different options concerning the irrigation ditches that would be affected by the Cottle subdivision. The Mayor explained that the city would work with the planning commission and Brad Jensen. **Councilmember White moved for final approval of Cottle subdivision (3500 W 1975 N) with the contingencies as explained in the planning commission memo (dated 9/21/06) and the letter from Brad Jensen (dated 8/31/06). Councilmember Smith seconded the motion. Councilmembers Smith, Higley and White voted aye. The motion carried.**

Motion for Final Approval: England Subdivision

England Meadows requested to be on the agenda at a later date.

Motion: Hearing – John Parker – Mosquito Abatement Board

Because of notification issues, it was not discussed at that time.

Motion for Agreement/Resolution: Dissolution of Weber Area Consolidated Dispatch Center

Because of the adoption of a new 911 system, it was necessary to dissolve the old 911 system.

**Councilmember White moved to pass Resolution 2006-14 which dissolved Plain City's agreement with the Weber Area Consolidated Dispatch Center. Councilmember Higley seconded the motion. Councilmembers Smith, Higley and White voted aye. The motion carried.**

Discussion/Motion: Ordinance Amending Business License Ordinance concerning Door-to-Door Solicitors

An idea put forth by the Utah League of Cities was discussed. The ordinance would define more specifically what solicitors can and cannot do within the city limits. **Councilmember Smith moved to approve Ordinance 2006-18, amending the Business License Ordinance concerning Door-to-Door Solicitors. Councilmember White seconded the motion. Councilmembers Smith, Higley and White voted aye. The motion carried.**

Report: Weber County Sheriff's Department – Lt. Terry Thompson

Lt. Thompson was at another town meeting, and arrived after the report was summarized. The Mayor informed the council that a 2005/2006 crime analysis report had been compiled by the Weber County Sheriff's Office. It detailed the hours spent by the Sheriff's dept. in behalf of Plain City. It contained an analysis which compared Plain City statistics with other communities. This report will be available through the Plain City Office. The Mayor commended Officer Rex Cragun on the great job that he does in the city.

Other Business: Appointment of Planning Commission Alternate

The Mayor had interviewed some candidates, but they did not appoint an alternate at that time.

Other Business: Approval of Business Licenses

New

JDR Inspection Company          Jared Rose          3535 W N. PC Rd.          construction and loan inspect.  
High Perform. Rodeo Gear LLC    Richard Yorgason    2513 N 3425 W    on-line sales of clothing & equip.

**Councilmember White moved to approve the business licenses as presented. Councilmember Higley seconded. Councilmembers Smith, Higley and White voted aye. The motion carried.**

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Other Business: Approval of Warrant Register

See warrant register dated 9/1/2006 – 9/19/2006. It was noted that during the football season there are a lot of charges for referees etc. Some binders and other supplies were also purchased from Office Max with the charge card, for football purposes. It was stated that there is an Office Max card that is used occasionally by different city departments including the Fire Department. There was a large payment for the sewer.

**Councilmember Smith moved to approve and pay bills as presented. Councilmember White seconded the motion. Councilmembers Smith, Higley and White voted aye. The motion carried.**

Comments: City Council

Councilmember White informed the council and Mayor about his work summarizing the purchase policy. He made up a possible purchase order form and log. He tried to interpret and summarize the policy (with references) so that purchases could be easily classified by each department in the city. The Mayor and council thanked Councilmember White for his efforts, and praised him for a job well done. Councilmember White also thanked the sheriff's dept. for the crime analysis report. Lastly, he wanted to ensure that Plain City ordinances would soon be available on-line. Diane affirmed that Sterling Codifiers was working on it, and it should be available. Plain City citizens would be able to access information from the Plain City web page instead of having to go to the office and get copies.

Councilmember Smith took a minute and introduced Dan Binkerd to the council. He is the Chairman of the newly formed group that will create an emergency plan for Plain City. Mr. Binkerd informed the council that the group would be meeting on the 2<sup>nd</sup> Tuesday of every month. They planned to meet, next, on October 10, 2006. The group would like to put out a guide that is easy to use in an emergency. They also planned to work with any agency that is already in place to help people. The goal of the group would be for Plain City to be able to function, in an emergency, without outside help – if it were necessary to do so. Councilmember Smith also mentioned that the fire station addition was going well, and he was pleased that Brad was able to get the site work done while the weather was good.

Mayor Jenkins reported that occasionally a subdivision has an odd sized lot. In the past, some that were not able to meet the setbacks on all 4 sides of the property, but were within feet of meeting the requirements, were given the “go ahead” by a verbal agreement between the building inspector and the Mayor. The current Mayor did not feel comfortable with that process (and actually encountered a similar scenario recently) so, he wanted to ask the council for their opinion. He mentioned that this situation had not happened very frequently. Buddy Sadler stated that some lots are planned for an average size home, and then if the owner and builder plan a larger than average home – that is when there is a problem with the setbacks and other measurements that are required. It was mentioned that discovering it in the original design of the subdivision, could lead to requiring the developers to redraw the subdivision. Diane advised that the owners or builders could go to the Board of Adjustments if they wanted an exception to the rule. It was affirmed that, yes, that is why the city has ordinances in place. In the future, let the owners go through the proper channels if they need an exception. The Mayor also reported that, financially, the city is right where it should be for this time of the fiscal year. Councilmember Higley inquired if there were a fund set aside for the 4<sup>th</sup> of July. It was affirmed that there was a separate fund for the 4<sup>th</sup> of July. Councilmember White cited that he talked to Brent Weston about getting the parks building completed. He inquired about how to access the capital improvement funds. The Mayor informed him that since it had already been approved by the council, they just needed to get the project going.

Comments: Public

Elaine Winegar talked to the council about getting the Winegar properties annexed into the city boundaries. She expressed frustration with the city that it had taken so long. She had requested that the Weber Fire District send a letter to allow the Winegar property to be left out of the district's protest to the annexation. She stated again, that she would like their properties to be annexed in, as soon as possible. The Mayor requested for Wendell Winegar to give the city a copy of any paperwork that would indicate what they interpret the city may have agreed to.

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**At 7:51 p.m. Councilmember White moved to adjourn and was seconded by Councilmember Smith. All voted aye. The motion carried.**

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City Recorder

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Mayor

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Date Approved

NOT OFFICIAL DOCUMENT