

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
JANUARY 4, 2007

The City Council of Plain City convened in a regular meeting on Thursday, January 4, 2007 in the Plain City Hall at 7:00pm.

Present: Mayor Pro Temp Chad Costley, Councilmembers Darwin Smith, Bruce Higley, Brent White and Don Weston
Absent: Mayor Jay Jenkins
Staff: Diane Hirschi, Martha Bodily
Also present: Deputy Rex Cragun, Jeff Hadley, Vernon East, Troy LaFleur, Floyd & Kathy LaFleur, Robert Christenson, H.R. Hale, Jim & Kathy East, Artie Pearce, Todd Wheeler, Carl Miller and LaFray Kelley

Mayor Pro Temp Costley called the meeting to order. Councilmember Smith gave the invocation and Councilmember Higley led in the pledge. Mayor Jenkins was excused.

Approval of Minutes: December 7, 2006

Page three concerning properties that are annexed into Plain City boundaries and then hook up to Plain City sewer – would not be able to incorporate into another city. **Councilmember White moved to approve the minutes, with corrections, from December 7, 2006. Councilmember Weston seconded the motion. Councilmembers Smith, Costley, White, Weston and Higley voted aye. The motion carried.**

Comments: Public

None

Report: Planning Commission

Artie Pearce reported. The Planning Commission set three or four public hearings. They discussed the Mustang Ranch flag lots. Approval was given. The Planning Commission asked Mr. LaFleur to put up privacy fencing on the east and the south sides of the property. Mayor Pro Temp Costley asked if an ordinance specified the need for a privacy fence. Ms. Pearce stated there was not an ordinance to specify it, but the Commission felt privacy should be maintained for the neighbors surrounding these flag lots. Ms. Pearce continued, a deferral agreement was set up for curb and gutter. Also, Ms. Pearce invited the Councilmembers to come to the next Planning Commission meeting on Jan. 10, 2007 where the City's General Plan will be discussed.

Discussion / Motion – Sewer Rehabilitation

Mitch Willson was not able to attend. Mayor Pro Temp Costley explained to the Council that Mitch had checked about 5000 ft. of sewer line and found quite a few leaks. Mitch would like to know how to proceed. The line probably needs to be sealed (approx. \$100 per joint). Councilmember Weston stated it was a good time of year to do the work if it is needed. Mitch had consulted Brad and both agreed it needed to be done. Council discussed it and decided to wait for further clarification on the location and possible solutions. Mayor Pro Temp Costley asked Mitch to make a list and itemize potential needs and projects for the coming year.

Motion for Approval – Conditional Use Permit for Two Flag Lots – Troy LaFleur

Troy LaFleur addressed the Council. He stated that the Planning Commission was good to work with. He has two lots. He plans to live on Lot 1 and sell Lot 2. He confirmed that he plans to have horses on his property and reminded the Council that the property is zoned for horses. Mr. LaFleur stated that he was upfront with the neighbors and the Planning Commission about his plan to have horses, but he feels that the Commission is asking more than it should by requiring privacy fences. Mr. LaFleur explained that he wasn't trying to get out of an ordinance, but only asking for the same treatment as other property owners who have horses. Mr. LaFleur mentioned that there is no agreement with the City concerning a road through his property, so for now, he is moving forward with the two flag lots. A detention/retention pond was not needed and should be crossed out in Kathy's memo from the Planning Commission. The Councilmembers then discussed the entrance to the properties and the need for a turn-a-round or a hammerhead. After some discussion the Council decided that two entrances would be preferable, one for each property and each with its own turn-a-round / hammerhead. The Councilmembers also discussed the issue of the requirement of a privacy fence. Mayor Pro Temp Costley is concerned that the City has created some land-locked properties, and the Council should take a look at them individually to see if they can be made useable. **Councilmember White moved to approve the conditional use permit for the LaFleur flag lots, amending the recommendation from the Planning Commission and placing 2 drives off of**

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1975 N. to each lot, maintaining requirements as noted and requiring a 5 ft. fence – no privacy, and including items required in memo. Councilmember Smith seconded the motion. Councilmembers Costley, Smith, Higley, White and Weston voted aye. The motion carried.

Motion for Final Approval – Mustang Run Subdivision

Planning Commission recommended final approval be granted. Diane made a copy of the letter from Brad.

Councilmember White moved to grant final approval to Mustang Run based on the same stipulations as above in the conditional use permit, and compliance with Brad's memo (12-6-06) except for item #4. Councilmember Smith seconded the motion. Councilmembers Costley, Smith, Higley, White and Weston voted aye. The motion carried.

Motion for Ordinance – Pioneer Boundary Annexation

Attorney Richards addressed the Council. This ordinance relates to the ordinance from last month's meeting. It was anticipated that an exhibit describing the properties to be annexed would accompany the previous ordinance. There was not enough time to get a total description of all the properties before the properties were recorded. Another ordinance is now needed that will include another exhibit that will describe the remaining properties to be annexed. All of these properties have petitioned to be annexed into the Plain City boundaries. **Councilmember Smith moved to accept Ordinance 2007-01 providing for the annexation of certain properties of land. Councilmember White seconded the motion. Councilmembers Costley, Smith, Higley, White and Weston voted aye. The motion carried.**

Motion for Ordinance – City Council Meeting Schedule, 2007

The Plain City Council plans to continue meeting on the first and third Thursday of each month. **Councilmember Weston moved to accept Ordinance 2007-02. Councilmember Higley seconded the motion. Councilmembers Costley, Smith, Higley, White and Weston voted aye. The motion carried.**

Discussion – Plain City Cemetery – H.R. Hale

H.R. Hale addressed the City Council. Approximately 11 years ago, the Cemetery District purchased some land with the city. There was always a need for water for that land, and it never happened. The Cemetery District now has the opportunity to purchase some land from the East family. The land borders the current cemetery. There is a great need for more burial plots. Many residents would like to be buried in Plain City, but the cemetery plots are all sold. There needs to be an expansion and the Cemetery District has the opportunity to do that. The Cemetery District would like to get the money back from the City. Mayor Pro Temp Costley asked that the Cemetery District also look into the possibility of reclaiming unused burial plots. Many families may not even know they own plots (through family estates) in Plain City. Councilmember White mentioned that it is obviously in the best interest of the cemetery and the residents to have the cemetery in one location. Councilmember White and Diane Hirschi will research and look at the records to find out the amounts paid by the Cemetery District. The East family was thanked for giving the Cemetery District the option of buying the land. The East family stated that they had been approached by developers and felt they should give the cemetery the option first.

Other Business

Business Licenses

Pristine Klean Bonnie Campbell 1697 N 2850 W cleaning

Councilmember White moved to approve the business license. Councilmember Higley seconded the motion. Councilmembers Costley, Smith, Higley, White and Weston voted aye. The motion carried.

Approval of Warrant Registers (12/1/06 – 12/26/06, 12/27/06 – 12/31/06)

Mentioned a yearly lease payment on a pump truck. Councilmember Weston mentioned the EconoWaste hauling fees and asked about the tipping fees. **Councilmember Smith moved to pay warrant registers (12/1/06 – 12/26/06, 12/27/06 – 12/31/06). Councilmember White seconded the motion. Councilmembers Costley, Smith, Higley, White and Weston voted aye. The motion carried.**

Comments – City Council

Councilmember Weston – none.

Councilmember Higley – Mosquito Board, next meeting on January 8, 2007.

Councilmember Smith – talked to Barto construction about the Fire Dept. addition. Time line set for March of 2007 for an open house.

Councilmember Costley – none.

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Comments – Public

Recognize students from Fremont High School who are attending the meeting as a requirement for their class on government.

Marella Christenson is concerned about the possibility of a road going behind her house to the church. She mentioned the following information: many accidents happen near the high school already, the road would mostly service the 3rd and 4th ward members, their house would be surrounded by three roads and two intersections, would cause chaos for them trying to pull out of their driveway, the new road would not remove the safety issues on the north side of the church – people would still drive and walk there, cost of the road that would only serve limited numbers of people, would cause a loss in the value of her home, would increase safety issues there.

Diane Hirschi mentioned a WACOG meeting for all of the Council members on January 8, 2007 at the Eccles Building. Some information concerning Plain City Meadows was put into the Council members' packets to get them informed before the next Council meeting. There was found mention of an agreement to be drawn up by Bradshaw and Miller. There was no record of the agreement being made. Attorney Richards will contact Mr. Bradshaw to see if he recalls an agreement being made.

A work meeting with the Plain City Irrigation Co. is planned an hour before the next City Council Meeting.

At 8:35 p.m. Councilmember White motioned to adjourn the meeting. Councilmember Weston seconded the motion. Councilmembers Costley, Smith, Higley, White and Weston voted aye. The motion carried.

City Recorder

Mayor

Date Approved