

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
FEBRUARY 1, 2007

The City Council of Plain City convened in a regular meeting on Thursday, February 1, 2007, in the Plain City Hall at 7:00 p.m.

Present: Mayor Jay Jenkins, Councilmembers Darwin Smith, Bruce Higley, Chad Costley and Brent White
Absent: Councilmember Don Weston
Staff: Diane Hirschi, Martha Bodily
Also present: Deputy Rex Cragun, Lynn Wood, Drew Moyes, LaFray Kelley, Buddy Sadler, Carl Miller, Jennybeth Koford, Tammy Folkman and Al Drummond

Mayor Jenkins called the meeting to order. Councilmember Costley gave the invocation and Councilmember Higley led in the pledge.

Approval of Minutes: January 18, 2007

Councilmember Smith corrected page two, paragraph three. Councilmember Smith recommended the developer look at other ways to accommodate what they wanted to accomplish. He suggested they look at a developer agreement. The developer was actually requesting 1/3 acres and Councilmember Smith did not vote for that, but voted for 1/2 acre lots.

Councilmember Costley moved to approve the minutes from January 18, 2007 as corrected. Councilmember Smith seconded the motion. Councilmembers Smith, Costley, White and Higley voted aye. The motion carried.

Comments: Public

Jennybeth Koford addressed the Council. The state still has not looked at the grant applications. She feels fairly positive that Plain City will receive the grant for sidewalks, but she does not know when they will notify us – or of what amount of money the grant will be. Ms. Koford did apply for \$150,000.

Councilmember Costley suggests that the City wait and find out about the grants before proceeding with the sidewalks. The Council felt that a budget work session was necessary to see what funds might be available, and to prioritize City projects.

Drew Moyes addressed the Council, representing Plain City Irrigation. Mr. Moyes (regarding conversations taken place at the previous work meeting) had researched the previous breaks in the canal. One break was in the summer of 2001; a ten foot section went out and covered 5 acres of ground with about 6" of water. It was stopped fairly quickly by diverting water into other ditches and then making the repairs. Another break was in 1986, by the England property, the bottom of the canal gave out and it seeped out. The seeping was not noticed until it had pretty much watered 20 acres of ground. It was more difficult to repair because there was no safety ditch there. They opened all the irrigation ditches and then had to wait 20 hours for Weber Basin Water to shut the water off. The third break in 1974 was actually in Farr West. A 24 foot section collapsed. It flooded 50 acres, ruined 20 acres of corn and took 40 loads of dirt to fix. The Plain City Irrigation Co. paid for the damaged corn. Mr. Moyes also cited an example of a break in the Riverdale Canal. Eighteen homes were flooded, the Riverdale Canal Company went bankrupt and Weber Basin Water had to supply the water and rebuild the canal. Mr. Moyes reiterated the fact that Plain City Irrigation has tried to get an increase in their liability coverage, and they cannot.

Report: Planning Commission

Al Drummond reported that the Planning Commission had approved the General Plan for the City and was sending it on to the City Council. They also granted approval for River Crossing Subdivision to be passed on to the City Council.

Motion: Audit Report for year ending June 30, 2006 – Wood Richards & Assoc.

Mr. Wood addressed the Council. Mr. Wood told the council he appreciated the good work done by Steve Davis and Diane Hirschi. It was mentioned there have been a few cases of embezzlement in the news, but the best control for this situation is to hire good people and have good reviews in place. Plain City is under good financial management. Mr. Wood then reviewed the audit report with the City Council. He

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mentioned specific areas i.e. storm drains, hydrants, capital improvement, impact fees, property tax revenue etc. Mr. Wood also warned that in the case of the sidewalk grants, the City needs to be careful about spending before the grant comes in. The state could disqualify monies spent previous to receiving the grant and call it an ineligible cost. Mr. Wood mentioned that the city was doing fine with the impact fees. He reminded the Council the state does not like a city to collect impact fees and then sit on more than six years of fees. Plain City is experiencing a lot of growth and at this time, the revenues are exceeding the expenditures. The Mayor asked how the City can verify the amount it should receive on the phone franchise tax. A lot of citizens in Plain City have addresses that say Ogden, Utah or even Farr West, Utah, when actually they are in the city boundaries. He suggested the City talk to someone in the League of Cities.

Steve Davis then presented the mid-year report, as of the end of December 2006. He pointed out some specific funds i.e. park, storm drain, hydrant. Some expenditures are over at this point in time, but will even out during the next few months, as well as some revenue is high and will also even out over time. Mr. Davis thought it was a good idea to hold a work session and go over the budget in detail. He mentioned the business licenses which are billed in January. Also mentioned were the building permits which are running 128% of budget because of the growth in the Plain City area. Other revenue accounts are also up because of growth; park impact and storm drain. The Council may need to look at budget amendments for any funds that may be over the budgeted amounts. Expenses were running 10% below budget, overall. It was mentioned that if anyone were interested, they could receive a copy of the report at the City offices.

Councilmember Costley moved to accept the audit report for the fiscal year ending June 30, 2006. Councilmember White seconded the motion. Councilmembers Costley, Smith, Higley and White voted aye. The motion carried.

Motion for Approval : Emergency Preparedness Booklets – Councilmember Smith

The emergency preparedness group is working on preparing a booklet for the Plain City residents. Tammy Folkman is using a book made by Marriott/Slaterville – she is changing some things to make it more applicable to the people in Plain City. They have redesigned the cover. Discussing ideas such as Fremont would be used as an evacuation area, and the new elementary school could be used as a POD in times of emergencies. There are not any CERT meetings scheduled right now in Plain City. The low bid to print the manual was \$2.45 each. There are currently 1400 homes in Plain City. The Council asked them to find out what kind of expenses would be incurred in subsequent years for reprints and minor changes to the manual. **Councilmember White moved to go forward and place the order with Ogden Litho, using \$2,500 from the CERT budget and the remaining balance from the general fund. Councilmember Costley seconded the motion. Councilmembers Costley, White, Higley and Smith voted aye. The motion carried.**

Motion for Ordinance – Termination of Monthly Fee Hydrant Reserve Fund

Councilmember Costley began this discussion and also asked input from Steve Davis. This is an impact fee that was originally intended to replace five or six hydrants per year because the fire truck coupling is a different size than the hydrant coupling. A question arose because an impact fee is usually charged once, initially because of building or other growth, but this hydrant fund was collecting 50 cents every month – which is more like a maintenance fee. Another question is who is responsible for the hydrants? Is it the City or Bona Vista? The Plain City Fire Dept. is responsible for running maintenance checks on the fire hydrants. Plain City has been paying to install new hydrants, even though it is technically Bona Vista's property. Some discussion then ensued concerning how the money remaining in the hydrant fund should be used. There has been money that has been recaptured out of the general fund and back into the hydrant fund where it belongs. Could/should Plain City use the money to replace fire hydrants in the City? It was suggested that Bona Vista needs to be responsible to do the upkeep and replacing of hydrants. Plain City paid for a few hydrants just last year when Bona Vista was replacing a line. **Councilmember White moved to adopt Ordinance 2007-03 terminating Plain City's 75 cent charge billed through Bona Vista. Councilmember Smith seconded the motion. Councilmember Costley, Higley, White and Smith voted aye. The motion carried.** Councilmember Costley will inform Bona Vista.

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Motion: Set Public Hearing for Adopting General Plan

Each member of the Council now has a copy of the General Plan containing the latest updates. At the public hearing, the City would like to present the final version of the General Plan. Mayor Jenkins commended the Planning Commission and all who have been involved. It has been an unbelievable process that they have gone through. The Council decided to hold a work meeting to go over and finalize the General Plan before presenting it to the public. A work meeting was set for March 1, 2007 at 6:00 p.m. The public hearing was set for March 15, 2007 at 7:00 p.m. The Council asked to have a light agenda for the Council meeting scheduled that night. Planning Commission member Buddy Sadler also requested that the City Council specifically look at the amount of roads and businesses. Is it adequate for Plain City? Mayor Jenkins also mentioned that Legacy Highway is planned, for now, to end at 12th street. If the City has plans otherwise, then Weber County Commission would help push to get Legacy farther north. Councilmember White requested updated maps for the Council to look at. **Councilmember White moved to set the Public Hearing for the Plain City General Plan on March 15, 2007 at 7:00 p.m.** **Councilmember Smith seconded the motion. Councilmembers White, Higley, Smith and Costley voted aye. The motion carried.**

Other Business:

Planning Commission Appointments: Gary Jackson resigned from the Planning Commission. Brandon Stokes has been the alternate. **Councilmember White moved to appoint Brandon Stokes to fill the remainder of Gary Jackson's term on the Plain City Planning Commission. Councilmember Costley seconded the motion. Councilmembers White, Higley, Smith and Costley voted aye. The motion carried.**

Al Drummond has been serving on the Planning Commission. He filled the remainder of Ted Balderee's term. **Councilmember White moved to reappoint Al Drummond to a new term on the Plain City Planning Commission. Councilmember Costley seconded the motion. Councilmembers White, Higley, Smith and Costley voted aye. The motion carried.**

The last time they were looking for new members Jarod Maw applied. The Mayor recommended Jarod Maw as the new alternate. **Councilmember Costley moved to appoint Jarod Maw as the new alternate on the Plain City Planning Commission. Councilmember Higley seconded the motion. Councilmembers Costley, Smith, Higley and White voted aye. The motion carried.**

Approval of Business Licenses

Plain City Confectionary	Patricia Schmidt	2398 N 4350 W	bar/beer
Scofield Rental LLC	Hollie & Tyler Scofield	3748 W 2100 N	rental houses
Scofield Construction Inc	Tyler Scofield	3748 W 2100 N	construction
Nielsen's Configuration Service	Victoria Nielsen	2911 W NPC Rd	engineering data
Ron's Welding & Sheet Metal	Ron Nielsen	2911 W NPC Rd	welding & sheet metal
MBI Recruiting Specialists	Phil Meyer	1806 N Pioneer Rd	tech recruiting office
Shannette Keeler LCSW	Shannette Keeler	4184 W 1975 N	counseling
Deseret Land Design LLC	Paul Keeler	4184 W 1975 N	landscape architecture
Drew Christensen Enterprises LLC	Drew Christensen	1441 N 4250 W	office
Farrell Brothers Construction	Shane Farrell	3351 W 1700 N	contractor
Vision Extreme	James Farrell	3351 W 1700 N	investment properties
Stevens Construction	John Stephens	3300 N 2800 W	construction
Tanner's Tack Room	Delmar Tanner	3481 W 2100 N	leather & canvass room
O'D Systems	Patricia O'Driscoll	4292 W 1400 N	bookkeeping service
Ellis & Urry Inc	Roy East	4251 W 1400 N	real estate, consulting
Maurie's Salon	Maurie Pomeroy	2544 N 3975 W	stylist
Bruce D Construction LLC	Bruce Higley	3825 W 2600 N	construction
A Country Boutique	Bruce & Dixie Higley	3825 W 2600 N	crafts & candles
America First Credit Union	Rick Craig	4350 W 2336 N	banking
Barbara's Hair & Nails	Barbara Hadley	4250 W 2575 N	cosmetology
Carolyn L Hargaray LCSW	Carolyn Hargaray	4156 W 2875 N	counseling
Altitude Audio, Video & Automation	Richard Yorgason	2513 N 3425 W	install home equipment
Dix's Auto	Richard Yorgason	2513 N 3425 W	dealer-action cars

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High Performance Rodeo Gear	Richard Yorgason	2513 N 3425 W	sales of clothing & equip
Legacy Home Inspection LLC	Warren Harris	3502 W 2565 N	home inspections
Brown's Home Inspection	Cecil Brown	2490 N 3550 W	home inspections
BGB – Barbers Gunstock Blanks	Derrick Barber	1695 N 4150 W	gunstock sold over internet

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

Approval of Warrant Register (see warrant register dated (1/19/07 – 1/31/07))

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

Comments – City Council

Councilmember White – The City applied for two RAMP projects. One, for the foundation to be built for the controls of the scoreboard at Lee Olsen Park. The other, (\$10,000) to fund the beginnings of a playground, also at Lee Olsen Park.

Councilmember White also mentioned that the City would probably like to protect itself from having a large empty building, like the elementary school once it is vacated. He recommended the City look at the options for ordinance to keep buildings in good use and not left vacant. The Council can zone the property the way they would like to in order to protect the down town area, if necessary.

Update on the Cemetery property. The paper trail has gone cold. Diane has not been able to find any paperwork on the Cemetery property. The recorded plat names Plain City Corp. as the owners. The Cemetery Board cannot afford to purchase the East property without the reimbursement from Plain City for the other property. The City could begin negotiations with the Easts and then swap properties with the Cemetery District. The property is 7 acres all together. It was planned as 3.6 acres of cemetery, 3.5 acres for City park and 1.5 acres of 3 frontage lots that could possibly be sold off. Plain City needs to get legal counsel before initiating anything. The East family is willing to sell in portions, over time.

Councilmember Smith also mentioned the lot next to the Lions Club – it should be sold, if possible. It was decided that the City should get a property value before they proceed. The issue should be put on the next agenda, and find out what amount the East family is asking for the property.

Councilmember Higley – none.

Councilmember Smith - none.

Councilmember Costley - Just for information, property on 2600 N in Pleasant View is being looked at by Target. There is a bid out for the sewer project, they are looking at a start date, still need some easements on some property. The Class C road fund information has not been updated since 1998. Plain City has not had an accurate road mileage, so has probably missed out on some money. Kelly Hipwell brought it to attention.

Mayor Jenkins – They held the first citizen dinner. Thought it went well, about 20 residents attended; there was a lot of feedback. Mayor would like to continue the dinners and let each of the Councilmembers attend one time to see if they feel it is an effective way to get feedback from the residents. Councilmember Costley also thought it was productive. Mayor Jenkins stated that one couple sent a letter and a refund check for the cost of the dinner; basically saying they didn't think the dinners should be held to help him get re-elected. But that is not the purpose of the dinner. It is just a different type arena to get ideas flowing and hear what some of the residents think about Plain City and the direction it is heading.

Also, with the growth that Plain City is experiencing, the City Engineer is very overworked, so some of the annexation properties have still not been recorded.

Plain City now has a new employee, Dustin Palmer. He is replacing Lee Doxey.

Sometimes the Mayor has developers approach him with the plans they have for their subdivisions. He will look at them but he lets them know that he will not try to influence the City Council members.

Comments – Public

LaFray Kelley suggested the City might need to hire a City Planner because of all the growth. North Ogden has a part-time planner. But North Ogden also has about 50 full time employees. Plain City did

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hire two Planners from West Valley City to help with the revisions to the PRUD ordinance. Ms. Kelley also suggested looking into grants that are available to help keep open space.

The Council would like to hold a budget meeting with Steve sometime before May 2007. Decided on February 15, 2007 at 6:00 p.m.

At 9:36 p.m. Councilmember White moved to adjourn and was seconded by Councilmember Higley. All voted aye. The motion carried.

City Recorder

Mayor

Date Approved

NOT OFFICIAL DOCUMENT