

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
MARCH 15, 2007

The City Council of Plain City convened in a regular meeting on Thursday, March 15, 2007, in the Plain City Hall at 7:00 p.m.

Present: Mayor Jay Jenkins, Councilmembers Chad Costley, Darwin Smith, Brent White, Bruce Higley and Don Weston
Absent: None
Staff: Diane Hirschi, Martha Bodily
Also present: Officer Rex Cragun, Jennybeth Koford, Carl Miller, Debbie Christensen, Jay Christensen, Cecil Satterthwaite, Wynn Farr, Paul Hodson, Dallas Weston, Mr. Johnson, Kris Johnson, Cindy Gooch, Kris Konli, Brady Konli, Lisa Cox, Jeff Hales, Tyson Hales, Lynne Maero, John Larsson, Troy Lund, Marilyn Lott, Brett Satterthwaite, Jarod Maw, Michael Spears and Donna Spears

Mayor Jenkins called the meeting to order. Councilmember White gave the prayer/moment of silence and Councilmember Higley led in the pledge.

Approval of Minutes: March 1, 2007

Councilmember Costley suggested that on page 3 under council comments that the sentence should read "Councilmember Costley mentioned to Jake Weston that the canal is owned by the Plain City Irrigation and the City can't pipe the canal." It was also suggested that on page 2, the second to last line on the paragraph talking about sidewalks should read "Jenny Beth also mentioned that the school is a great asset to the community." **Councilmember White moved to approve the minutes from March 1, 2007. Councilmember Costley seconded the motion. Councilmembers Smith, Costley, White, Higley and Weston voted aye. The motion carried.**

Comments: Public

None

Public Hearing: Adoption of New General Plan

Councilmember Costley moved to go into a public hearing. Councilmember Smith seconded the motion. Councilmembers Weston, White, Higley, Smith and Costley voted aye. The motion carried.

Carl Miller specified an area near the rail trail and informed the Council that it was the only area left in Plain City to be zoned for 1 acre housing. Mr. Miller discussed the difference between C-1 and C-2 commercial zoning. He suggested that C-2 (larger commercial) should not be in the middle of town, but out on a road like 2600 N coming into Plain City.

Wynn Farr suggested that the Council keep in mind the beauty and aesthetics of Plain City. He didn't think the City should have a big Wal-mart as the first thing you see driving into town. Also didn't think that 4700 W would support a business.

Troy Lund wouldn't like to see commercial. Mr. Lund would like 4700 W to stay residential.

Mayor Jenkins informed those present about the different types of zoning. The City Council would like feedback from the residents. The City will be growing from 5,000 to 10,000 in the next 5-7 year. The City keeps hearing that Plain City needs to build a better tax base from commercial building, but the Mayor reminded that the City does receive a portion of the sales tax revenue based on the City's population.

Dallas Weston would like to see a small grocery store, but larger businesses would add expenses to the City, the fire department would need a ladder truck.

Councilmember Costley mentioned that some residents say they don't mind driving a few miles to shop.

Carl Miller reminded everyone that the flow of traffic has changed. The commercial property needs to be where traffic flow is. If the City would like to get rid of the franchise tax, they will need to have income from somewhere else. The income from building permits will decline.

Jeff Hales stated that commercial business comes into a community and looks at rooftops and access. The further east they build the more business they will get. The further west they build, they will lose the business of residents to the east of them. 4700 W will never pass for commercial; businesses will be aiming for the east side of town.

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Councilmember White moved to close the public hearing, but invited email and phone comments from residents for the next week. Councilmember Costley seconded the motion. Councilmember Weston, White, Higley, Smith and Costley voted aye. The motion carried.

Report: Planning Commission

Jarod Maw reported that the Planning Commission recommended final approval of the Diamond E Ranch Subdivision and Archway Subdivision. The Commission tabled the Conditional Use Permit for the Parkvale Subdivision PRUD. They also tabled the Conditional Use Permit for the Sales Office in the Stillcreek Village PRUD. The Commission granted preliminary approval to the Homestead Subdivision.

Motion for Conditional Use Permit: Kris Johnson – kennel license

Kris Johnson took her dogs to get their shots and was told she had too many dogs and she would need to get a conditional use permit. There are eight dogs, all are indoor, and she is not planning to breed them. The Council heard good comments from the neighbors, there were no complaints. Councilmember Weston visited the house. He stated that the dogs are very small and some of the dogs are near the end of their lives. She will not get more dogs until she is under the number allowed. **Councilmember Weston moved to allow Kris Johnson to have a Conditional Kennel License, contingent upon there being no commercial kennel, and if there are any complaints from neighbors the Council will re-address the issue. Councilmember Smith seconded the motion. Councilmembers Weston, White, Higley, Smith and Costley voted aye. The motion carried.**

Motion for Final Approval: Archway Subdivision (approx. 2900 W 1975 N), Diamond E Subdivision (approx. 3200 W 2600 N)

All items from Brad's memo have been addressed. Archway will try the new type of turn-around with the temporary easement. Mr. Hales discussed the possibility of putting in some sidewalk for the city that would connect with the sidewalk from this subdivision. Mr. Hales estimated \$11 per foot plus the asphalt for road base, plus engineering. If any trees or poles needed to be moved, that would be extra. Diamond E also addressed the issues from Brad's memo. Mr. Hales addressed changes that had been made; phasing less than 30 homes, depth of sewer etc. The Council discussed with Mr. Hales the issue of a possible casing already run under the canal by Pheasant Brook. It may or may not still be there. Councilmember Higley suggested they work with the Plain City Irrigation Co. regarding the canal. Mr. Hales asked the City to let them know about the size of the pump for the sewer – it will affect what they do in their subdivision.

Councilmember Smith moved to grant final approval for Archway Subdivision contingent on items in Brad's memo and the Planning Commission recommendations. Councilmember White seconded the motion. Councilmembers Costley, Smith, Higley, White and Weston voted aye. The motion carried.

Councilmember Costley moved to grant final approval for Diamond E Subdivision contingent on Brad's memo (2/21/07) and giving Brad time to recommend pipe size, and the Planning Commission recommendations. After some discussion Councilmember Higley moved to amend the motion to include - canal issue also needs to be resolved. Councilmember White seconded the amendment. Councilmembers all voted aye. The motion carried. Councilmember Smith seconded the motion to grant final for Diamond E. Councilmembers Costley, White, Weston, Higley and Smith voted aye. The motion carried.

Discussion/Motion: Sewer Project

Brett Satterthwaite addressed the Council concerning a housing development being able to hook into Plain City's sewer. The housing development is on the south end of the Box Elder County line. They are consulting with an expert, from Logan, about an aeration type of treatment. There would be benefits to the development, but the City would have land, made available by Randy Marriott, for more pond space. The

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City would also benefit by having sewer made available to an area that doesn't currently have sewer. Mayor Jenkins mentioned that the City is currently updating the sewer plan, and this may be a good time to partner, but he wanted the Council's opinions before the City looks into this idea any further. All the billing and maintenance issues would need to be worked out. The biggest concern of the Council was to make sure that the City would benefit from the partnership. **Councilmember Smith moved to give a letter of intent that the City is interested in this sewer project, given that the feasibility study shows it is favorable to Plain City – but with no commitment. Councilmember Costley seconded the motion. Councilmembers Costley, Smith, White, Weston and Higley voted aye. The motion carried.**

Discussion: Sidewalk Project

The City is still waiting to hear on the grant from the state. The Council prioritized which sidewalks needed to be done first. First priority from the south end of the school (east side of street) to the intersection of 3600 W and 2200 N. Second, 2200 N between 4100 W and 3600 W (including 1975 N). Third, 3600 W from 1975 N to 2200 N. Fourth, 2200 N from the east boundary of Country Roads to 3600 W. Fifth, 1975 N heading east from 3600 W. Also discussed were possible speed changes on 3600 W. The City will now work on getting some cost estimates for these sections of the sidewalk project.

Other Business:

Approval of Business Licenses

New

Renewal

Gordon Orton Construction Co	Brad Orton	4225 W 1700 N	excavation, hauling
Maxfield Concrete Inc.	Vaughn Maxfield	2164 N 4425 W	concrete, flatwork, office
Sadler Inc/Dental Design Studio	Melvin G. Sadler	2154 N 3500 W	dental laboratory
Taylor Techniques	Andrea Taylor	2436 N 4350 W	salon
Sher's Nails	Sherilyn Elliot	2107 N 3900 W	nails, manicures
Fingers & Toes	Sherry Bradford	2710 N 4200 W	salon
W & W Concrete, Inc	Tracy Wilson	2341 N 4500 W	concrete work
Brush Remodeling & Construction	Gilmer Brush	3455 W NPC Rd	construction/remodeling
Hair Trends	Sheryl Costley	2740 W 1750 N	hair salon
Jana's Salon	Jana Hancock	4750 W 1500 N	hair salon
Hairquarters	Karlene DeVries	3047 W 1975 N	beauty/barber shop
C & B Auto Repair	Curt Knight	2166 N 4500 W	auto repair
Creative Enterprises	Lauri Eskelson	5065 W 2150 N	glass art

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

Approval of Warrant Register (see warrant register dated (3/1/07 – 3/15/07))

Councilmember Smith wanted to add a bill for \$256,080 to Barto Construction, 80% completion of the fire station. Also, a request to reroof the existing fire station - no tear off – for approx \$5000. It would make sense to do it cheaper now while a contractor is already involved. No motion needed because it is under an existing contract. Put on the agenda in 3 weeks. Windows (old part of station) done as an extra.

Councilmember Costley made a motion to approve and pay the bills (3/1/07 – 3/15/07) and including a payment to Barto Construction for \$256,080 as presented. Councilmember White seconded the motion. Councilmembers Costley, White, Weston, Higley and Smith voted aye. The motion carried.

Comments – Public

Someone asked a question about sewer. Mayor responded by stating that the City feels they are close to reaching their capacity and that is why they are looking at more pond space and the new method of aeration.

Michael and Donna Spears asked about the canal and if that issue would come before the Council. The Council responded that it is a safety issues and they are working with the Irrigation Co. Councilmember

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Weston mentioned that a plan was given to him to help solve the problem on 2200 N, but they are still gathering information about it. They are looking at piping and water turns and water shares. Fencing is an option.

Dallas Weston thought there was an easement owned by the City on that section of the canal.

Comments – City Council

Councilmember Costley – question arose about an agricultural building. The county charged \$25 no matter what the size of the building. Plain City would charge differently. Plain City should be favorable to this type of building because Plain City is an agricultural community. Diane suggested they ask Ken because there are some different stipulations for farm storage. It does depend on if it is tractor storage vs. RV storage. Put on the next agenda to discuss.

Councilmember Weston – ready with March 17th celebration.

Councilmember Higley - Arts Council to get started. Councilmember White sent them to Bruce to work on a grant. There is a canal concern where dirt is being taken away from the bank. Mayor couldn't find the problems that Mr. Moyes mentioned in the last meeting. He thinks the Council should verify issues that are brought up. Ask Brad to keep an eye on those issues with subdivisions.

Councilmember Smith - would like to have some time to have good dialogue on the General Plan during the next meeting.

Councilmember White – asked if the Mayor had received a letter confirming the RAMP grants. Some have been turned down in other cities. The Mayor said Brent does a good job on submitting the grants.

Lacrosse is using the parks now. Some other improvements will be made on the parks area.

Mayor Jenkins – waiting still on the appraisals for the cemetery. The Council needs to let Diane know about who is going to the conference in April. General Plan needs work still before they are ready to adopt. Changes will be easier now, than later. City needs to be careful about where collector roads, parks etc. are specified and look at it because it will affect how the City does things in the future. Councilmember Smith mentioned that it would be nice to hear from someone who just went through the large growth that Plain City is going through. Cindy did some of that. Plan another work meeting before the next Council meeting. Start Council meeting at 6:00pm and then do the work meeting.

At 9:50 p.m. Councilmember Weston moved to adjourn and was seconded by Councilmember White. All voted aye. The motion carried.

City Recorder

Mayor

Date Approved