

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
May 17, 2007

The City Council of Plain City convened in a regular meeting on Thursday, May 17, 2007 in the Plain City Hall at 7:00pm.

Present: Mayor Jay Jenkins, Councilmembers Darwin Smith, Chad Costley, Don Weston and Brent White
Excused: Bruce Higley
Staff: Diane Hirschi, Martha Bodily
Also present: Deputy Rex Cragun, Dan Binker, Al Drummond, Rochelle Taylor, Florene Parke, Rebecca Montgomery, Corey Fisher, Tom Miller, C.L. Bradford, Artie Pearce, Sherilyn and Scott Elliott, Kelly Park, Todd Wheeler, Cristie Wheeler, Erik Hickenlooper, LaFray Kelley, Carl Miller, Jennybeth Koford, Jennifer Mikkelsen, Shelley Branz, Robert Seager, and Cherlyn Jackson

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

Approval of Minutes: May 3, 2007

No changes were made. **Councilmember White moved to approve the minutes from May 3, 2007. Councilmember Weston seconded the motion. Councilmembers Smith, Costley, White and Weston voted aye. The motion carried.**

Comments: Public

Corey Fisher addressed the Council. Mr. Fisher attended the recent Planning Commission meeting. He was worried about issues with the 4-mile Subdivision. He does not like 6,000 sq. ft. lots and doesn't like the fact that the subdivision could have a public pathway with the possibility of "private property" signs. Mr. Fisher said that there were people in his neighborhood who were not notified, and he wondered if there would be another public meeting to allow more comments. He strongly urged the Council to have another public meeting.

Charra Bradford addressed the Council. Ms. Bradford talked to a person on the Weber Co. Library board. A big influence on location for a library is whether or not the property is donated. She asked if the City was interested in purchasing the old school site when it is deemed surplus in July. The Mayor said that the City would like to purchase the property, but not sure on how the City would use the property. Ms. Bradford spoke to a few businesses that would be willing to help fund the demolition. It would be nice to keep the property as an area that really benefits the City, as it has in the past. The Council has an opportunity to make a long lasting impact on the community.

Rebecca Montgomery addressed the Council. Ms. Montgomery asked about the progress on the sidewalks. She suggested that the Council cannot keep waiting for the UDOT grant. She read a letter from Sue Newey, also in support of initiating work on the sidewalk project. Mayor Jenkins mentioned that the City is waiting on the grant money, but that engineering work has been done. Ms. Montgomery stated that the City needs to safeguard our community. The Mayor said that some landowners have refused to be annexed into the City boundaries. Those properties are in the Weber County area, and so the County may have to be responsible for the sidewalks and crossing guards in some areas. Ms. Montgomery stated that she would like to see bigger steps made. Councilmembers suggested that work is being done, but waiting on the grant money and other issues are making it difficult. Piping was offered to the Irrigation Co., but was refused. Other issues of whether to do sidewalk alone, sidewalk plus curb and gutter vs. asphalt pathway also need to be decided.

Florene Parke addressed the Council. Ms. Parke worked in transportation for the Weber School District. The WSD had to bus all of the students to Majestic Elementary. She suggested that contact the State Board of Education to see if they can help.

Ms. Parke was worried about the public meeting held about the 4-mile Subdivision. She thought changes had been made to the plan, after the meeting, but the public hasn't had a chance to see those changes. Artie Pearce mentioned that the subdivision was only applying for a conditional use permit. The Planning Commission doesn't have to see a plat until applying for preliminary approval. A conditional use permit only allows them to use the PRUD ordinance.

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
May 17, 2007

Eric Hickenlooper addressed the Council. Mr. Hickenlooper mentioned that one provision of a City should be to establish fundamental safety. He has spent a lot of time in West Weber, but feels we are privileged, here, to have an official City. He told of a sad incident in that community with a little boy walking on a road with no sidewalk. Mr. Hickenlooper felt that the City needs to pull some strings to make the sidewalks happen, even if the grant money does not come through. "Where there is a will there is a way." He also thanked the Council for what they do.

Mr. Hickenlooper also discussed the 4-mile Parkway. He opened up the brochure and thought it was something out of Battle Star Galactica. He is worried about smaller units, in large quantity, leading to reduced property values. He votes a huge "no", and thinks it will pay dividends in the future.

Dan Binkerd addressed the Council. Mr. Binkerd said that if an event is predictable it is preventable. With traffic near the new school, and students walking, something is bound to happen. Mr. Binkerd suggested the City take care of it before it faces a possible liability.

Mr. Binkerd also discussed the 4-mile Parkway. Notification of a public hearing was sent to residents within 500 ft, but he suggests that in the future, notification be sent to all of the houses that will be specifically affected by new development. For instance, those who live on roads that feed to the development. There could be construction trucks driving in and out of that subdivision over the next 10 years.

Shelley Branz addressed the Council. Ms. Branz just moved out of Harrisville to move away from problems that she feels are related to higher density housing. She loves Plain City and the "pristine" lifestyle. She asked the Council to help keep it that way.

Kelly Park addressed the Council. Mr. Park does not like the 4-mile Parkway idea.

Mr. Park also discussed the sidewalk issue. He talked to Monte Hadley who said his hands are tied. Mr. Park wondered if they could get a letter to the School District suggesting all kids be bussed until the sidewalks are put in. The Council wondered if the School District has felt any of the "heat" the Council is feeling over the sidewalk issue.

Jennifer Mikkelsen addressed the Council. Ms. Mikkelsen is the PTA Safety Officer. A letter is being sent out by the elementary school that has her phone number on it. She is wondering what to tell concerned parents once they start calling her about the sidewalk issue. She asked the Council if there were a specific fund for sidewalks. No, but the general fund over roads and pavement covers sidewalks. Each year an amount is specified for sidewalks, in the past some hasn't happened because it was over budget. There is a lot of infrastructure along with putting in curb and gutter. Some contractors gave a quote to the City, but had to step back and say they couldn't do it for that price anymore. Ms. Mikkelsen said the PTA would be getting volunteers to help kids get to school safely, the first few weeks of school.

Sherilyn Elliott addressed the Council. Ms. Elliott suggested there are a lot of people who are willing to help do fundraisers or whatever to help get the sidewalks in. What can residents do to help? The Mayor mentioned that JennyBeth had stepped up and helped to get a lot done. He suggested that people contact her and offer to help her. It was discussed what would be a good method for informing residents of the progress of the sidewalk project. Possibly the website, or call or email the Council for info.

LaFray Kelley addressed the Council. Ms. Kelley mentioned there is so much support for the sidewalks, but the citizens don't have much clout to help get things done. Councilmember White suggested that a group of citizens do have an impact, don't underestimate the power of the citizens. If the Council went to the County or the School Board, they would appear to be "passing the buck". The elementary school was placed in a location to minimize bussing.

Scott Elliott addressed the Council. Mr. Elliott thanked the Council for listening to the concerns of the residents. He suggested there are other possible roads or pathways for kids to take to get to the new elementary school. Could the City purchase small amounts of property for sidewalks? Has the Council sat with the District to plan an emergency route for the new school location? Mr. Elliott mentioned that the citizens want to support the Council and he hoped the Council would help lead the citizens.

Deputy Rex Cragun addressed the Council. Deputy Cragun mentioned that the school would work on getting the safety plan in place. He feels that the Council has worked on the sidewalk issue for approximately 9 months, but some issues remain. Deputy Cragun suggested that residents go to the County Commissioners to help get it done. He also mentioned that grant money could be forfeited if the project is started before the money is received.

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
May 17, 2007

Report: Planning Commission

Al Drummond reported that the Planning Commission held a public hearing, with a large group, concerning the 4-mile Parkway. The Planning Commission tabled any action until the 14th of June. They recommended final approval for the Homestead Subdivision and they granted a conditional use permit to the Keelers for an indoor arena. Finally, the Planning Commission set a date for a public hearing for the Stonehouse Subdivision.

Motion: Stillcreek Design Center

The Mayor explained that since the conditional use permit passed the Planning Commission, the City Council actually wasn't supposed to make a motion on this issue, unless a public hearing had been held. The Mayor did talk to Stillcreek and ask them to consider the Council's input. **Councilmember White reluctantly moved to retract the motion concerning the Stillcreek maintenance building. Councilmember Costley seconded the motion. Councilmembers Costley, Smith, Weston and White voted aye. The motion carried.**

Motion for Final Approval: Homestead Subdivision – approx. 3100 N Plain City Rd – 21 lots

The Council discussed a letter from Brad and a letter from Mitch with some stipulations. Mitch asked for vinyl fencing, but it isn't in the ordinances, so the Council didn't feel comfortable including that request. **Councilmember White moved to grant final approval to Homestead Subdivision contingent on the 13 items outlined by Brad and the items from the public works department (excluding item #4). Councilmember Smith seconded the motion. Councilmembers Costley, White, Weston and Smith voted aye. The motion carried.**

Motion – Recreation Equipment

The Recreation Dept. is replacing items on a rotations basis; the director needs the Council's approval for an expenditure of this amount. **Councilmember White moved to approve the expenditure of \$2002.20 by the Sports Director. Councilmember Smith seconded the motion. Councilmember Costley, Weston, White and Smith voted aye. The motion carried.**

Motion for Resolution: Interlocal Agreement for RAMP funding

An interlocal agreement is necessary to receive the grant funds allocated for Plain City. The Council already did the interlocal agreement for the other RAMP grant. Councilmember White wondered if this was the grant that was based on population. The grant has already been reviewed by the Attorney. **Councilmember White moved to approve Resolution 2007-04, an interlocal agreement with RAMP. Councilmember Costley seconded the motion. Councilmembers White, Weston, Smith and Costley voted aye. The motion carried.**

Motion for Resolution: Interlocal Agreement for Animal Control

Councilmember Weston was able to research and look at some monetary amounts. The City spends \$6500 to contract, \$3697 for boarding and other fees, and then \$2,435 licensing fees. Total \$12,500 for animal control. The County seems to want a county wide agreement, but it is like they are writing an ordinance for the City. The City is paying them for a service, and the City should be the ones to specify the parameters. Also, how do they specify the City area vs. the areas that are still unincorporated boundaries? He would like to know how the Weber County Animal Control figures that out. Lastly, in unincorporated areas, how are their boarding fees paid? Is it paid by the County? That is why the County had to go out of the fire business, because of double taxation. Councilmember Weston wasn't sure if this is exactly how it happens, but he would like to know if Plain City is getting double taxed. Residents shouldn't have to pay county taxes and City taxes for the same thing. Councilmember Weston will continue to look in to this issue. **Councilmember Weston moved to table the resolution, for the present, and discuss the agreement with the City Attorney. Councilmember White seconded the motion. Councilmembers White, Weston, Smith and Costley voted aye. The motion carried.**

Other Business:

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
May 17, 2007

Approval of Business Licenses

New

Gottahavit Wholesale David & Lori Burgett 2123 N 4650 W delivery of packaged meats

Renewal

Councilmember Costley moved to approve the business license as noted. Councilmember Smith seconded the motion. Councilmembers White, Costley and Smith voted aye. Councilmember Weston abstained because he is related to the owners. The motion carried.

Approval of Warrant Register (see warrant register dated (5/1/07 – 5/17/07))

Councilmember Weston made a motion to approve and pay the bills (5/1/07 – 5/17/07) as presented, except withhold amount of \$5,000 (unless already retained) until fire department complete walk through. Councilmember Costley seconded the motion. Councilmembers Weston, Costley, White and Smith voted aye. The motion carried.

Comments – City Council

Councilmember Weston - none.

Councilmember White – is working on getting the RAMP projects started, and having updates reported on the website. Suggested an idea to keep the sidewalk progress updated on the website also.

Councilmember Smith - would like to be more informed of sidewalk progress. Suggests the City should get a task force together to get the sidewalk project done.

Talked to Marshall Industries and they looked at the sound system in the City Council room.

Councilmember Smith will get other bids. It was mentioned that money had been spent on this before; the Council would like to make sure it is taken care of this time. There also needs to be a good recording device and a possible projector. It will have to go through a formal bidding process if the amount is over \$5000.

Councilmember Costley - Thanked people for coming to the Council meeting. Mentioned that the sidewalk issue has been ongoing for a while. The City has other needs too. Maybe the City will need to bond. He mentioned that he is concerned about losing grant money by beginning the project without it. The citizens' comments are not falling on deaf ears. Councilmember Costley also talked about the 4-mile Subdivision, and that some facts are left out. He explained a PRUD and that the City negotiates, but only to get more open space.

Mayor Jenkins – also talked about living in Plain City, and would like his kids to be able to live out here too. He heard a rumor that there were 80 subdivisions going in, actually there are 22 right now. He feels that they are trying to do the best they can and control it and make it best for the citizens. It is also important for people to pay their share for impacting the community.

Mayor Jenkins talked about the sewer system and the state study. With the suggestions from the study, the City Engineer felt like it would accommodate 20-22,000 residents potentially. The State suggested a new 5 acre pond, reworking the lift stations, and installing aeration. They felt that would accommodate 29,000 residents. The City has been approached by a group that would cover the costs to upgrade the sewer, and recover their costs through future impact fees. A local developer on the north side of town would also help with the piping costs. The Mayor wanted to know if the Council would like to continue pursuing this joint venture. The City would need to set up a separate sewer district and a pioneering agreement etc.

Councilmember White would like to see the report in writing and would like to get input from the City Attorney about possible liability issues. Other Councilmembers felt the same about continuing to pursue the option, no commitment to do it. Councilmember Costley mentioned that North Ogden City has partnered with others. He felt that fees could help take care of maintenance. He also feels that the City needs a meter to get an accurate read.

Mayor Jenkins also discussed an issue with the newest change to the PRUD ordinance. He feels that some parking (especially if it is provided for recreational sites i.e. parks) should be able to have a possible allowance or exception as green space. Other examples might be a parking lot at a trailhead.

Councilmember White suggested having the Attorney work on the wordage. If it needs to be changed it could be included with another public hearing.

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
May 17, 2007

Comments – Public

Robert Seager addressed the Council. Would like to see the City purchase the old school site, but would also like them to consider trying to preserve the school and keep the building intact. Also wondered if the City could specify some land as “unbuildable”, because of swampy conditions and thought that it might help slow some of the growth.

Carl Miller addressed the Council. Mr. Miller did some figures and projected a potential of 50,000 people in the near future – not including any new developments in Plain City. He suggested the Council take a close look at what they might be getting into with the possible sewer project.

Jennybeth Koford addressed the Council. Ms. Koford will check into the idea of losing the grant if the sidewalk project begins before the grant is received. Asked about the grant for the state road, and if she should go ahead with it. The Council affirmed that they would like her to continue to apply for it, and if the money is not enough to use, they could always return it. She would like to be part of a Task Force to get the sidewalk project completed.

Kelly Park addressed the Council. Mr. Park wondered if the PRUD should be applicable out here in Plain City, when sometimes the “open space” is actually unbuildable because it is swampy or under power lines anyhow.

LaFray Kelley addressed the Council. Ms. Kelley is happy the City would like to purchase the old school property. Mentioned the new library has a 250 seat auditorium and thought it would be nice if Plain City got a library then maybe they could actually own that portion of the building somehow. She read some minutes from a history book about the original ownership of the school property and if it was donated to the school board. She is hoping the City will be willing to work with the library board.

It was mentioned that the terms have expired for the members of the Board of Adjustments. It is a 5-year term. The Council should submit names for the board.

At 9:35 p.m. Councilmember White moved to adjourn and was seconded by Councilmember Weston. All voted aye. The motion carried.

City Recorder

Mayor

Date Approved