

PLAIN CITY COUNCIL  
MINUTES OF REGULAR MEETING  
SEPTEMBER 6, 2007

The City Council of Plain City convened in a regular meeting of Thursday, September 6, 2007; in the Plain City Hall at 7:00 pm.

Present: Mayor Jay Jenkins, Councilmembers Chad Costley, Darwin Smith, Bruce Higley, Brent White, Don Weston  
Staff: Diane Hirschi, Francine Polson  
Also present: Deputy Rex Cragun, Jay Gresham, Carl Miller, Robyn Lowther, Colette Doxey, Jarod Maw, Frank Phillips, James Jensen, Dennis Eden, Mitch Wilson, Terri Stephenson, Dustin Palmer, Danny Kilgore, Cortney Smith, Rich Mickelson, Mark Lowther, E.J. Weston, Issa Humud, Brad Jensen, Robert Seager, Marie Nye and Dan Kilgore

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

Approval of Minutes: August 16, 2007

**Councilmember Costley moved to approve the minutes for the Council meeting August 16, 2007, as presented. Councilmember Higley seconded the motion. Councilmember's Costley, Smith, Higley, White and Weston voted aye. The motion carried.**

Comments: Public

Marie Nye from AARP Driver Safety Program is offering a class to the senior citizen's on October 18 and 19 at the Senior Center. She expressed to the council her favorable impression of the City. She is concerned that her class last February was cancelled due to no one registering. She felt it was due to a lack of awareness. She requested a letter be included in the October water bill and in the newsletter as well as the Standard Examiner. She gave the council a brochure.

Frank Phillips asked for the privilege to be able to ride ATV's on roads for the purpose of cleaning driveways in the winter, yard jobs, etc. Mr. Phillips suggested council consider an ordinance similar to Mantua and charge a \$10.00 fee per year for a permit. Mr. Phillips gave the council a copy of Mantua's ordinance. Deputy Cragun stated permits with ATV's for farming and agriculture only was in place at this time.

James Jensen asked the Council to think of the Norman Rockwell painting of a citizen standing before the council and being able to say what he wanted to say and know he was being listened to and respected. Mr. Jensen reminded all of living in country atmosphere and to please keep that in mind when making decisions.

Report: Planning Commission

Jarod Maw reported that the Planning Commission recommended the vacation of the easement and right of way for Big Cottonwood Estates Phase 1. The commission is setting up a citizen committee to work on trail and park plans for joggers and hikers. They are working on changing the verbiage on the density requirements in the PRUD ordinance. Mayor Jenkins referred to an earlier conversation with the planning commission and city attorney about updating our city code. Further discussion on the street light ordinance was tabled.

Motion to enter into Public Hearing: Rezone Allan Karras Property approx. 900 N 5200 W, A-1 to RE-15.

**Councilmember Smith moved to enter into a public hearing. Councilmember White seconded the motion. Councilmembers Costley, Higley, White, Smith and Weston voted Aye. The motion carried.** Mayor Jenkins explained that this is a public hearing to gather public input on the rezone of Allan Karras property 900 N 5200 W. This property was previously annexed in as one-acre lots. Mr. Karras is petitioning for a RE-15 zone (1/3 acre). Dennis Eden expressed his interest to see it go through. Mr. Eden felt it would increase the value of his property and the sale of his ground. Mr. Eden also did not think it would distract or hurt the value of the neighborhood, but there would be an increase of traffic.

**Councilmember Costley motioned to go out of the public hearing and reconvene into the regular meeting. Councilmember White seconded the motion. Councilmembers Smith, Higley, Weston, Costley and White voted aye. The motion carried.**

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Mayor Jenkins mentioned the River Crossing development is 1/3 acre and 1/2 acre lots. It was noted that we must follow the general plan. Councilmember White suggested if it is not in line with the general plan, a public hearing would be needed. **Councilmember Costley moved to rezone Allan Karras' property at 900 N 5200 W from A-1 to RE-15.** It was noted that it is in line with the General Plan. **Councilmember White seconded the motion. Councilmembers Smith, Higley, White, Costley and Weston voted Aye. The motion carried.**

Motion for Conditional Final Acceptance: Big Cottonwood Estates Phases 1 & 2

Danny Kilgore apologized to Mr. Gresham. Mr. Kilgore expressed desire to fix any problems that were created by the subdivision. Jay Gresham had presented the council with several issues at the last meeting. The council wanted some time to look into them. Brad Jensen met on sight concerning these issues and drafted a memo dated August 31, 2007. It was determined that most of the issues are in Phase 3. Mayor Jenkins asked the Kilgore's if they would work with Mr. Gresham. Danny Kilgore noted he would but is concerned about being held up. Mitch Wilson reported he didn't have any problems with giving them conditional final. A brief discussion was held on the emergency access for the subdivision.

**Councilmember Higley moved to give Big Cottonwood Phase 1 and 2 conditional final acceptance beginning when items are completed and issues with Mr. Gresham are resolved. Councilmember White seconded the motion. Councilmembers Costley, Smith, Weston, Higley and White voted aye. The motion carried.**

Motion to set Public Hearing: Big Cottonwood Estates Phase 1 Easement and Right of Way

**Councilmember White moved to set a public hearing for October 4, 2007 for the vacation of a portion of the easement and right of way on Big Cottonwood Estates Phase 1. Councilmember Weston seconded the motion. Councilmembers Costley, Smith, Higley, White and Weston voted Aye. The motion carried.**

Presentation: Sewer Lagoons

Dr. Issa Humud gave a presentation for potential improvements to the sewer treatment facility. Mr. Humud presented options to increase the system capacity. Options were: 1- Construction of a mechanical plant 2- Construct additional facultative cells (ponds) 3- Construct aeration pond. There was discussion concerning advantages and disadvantages. It was the recommendation of Mr. Humud, based on evaluation and costs, that the construction of an aeration pond be used. Brad Jensen, City Engineer, presented further discussion to the council on the need to take quick action to improve the system. Further information was given to the council in a packet. Rich Mickelson mentioned that discussion on the matter shows the state that the city is interested in getting within compliance within a timely manner.

Discussion/Motion allowing fire victims to live in trailer while rebuilding house

Dennis Wilcox is requesting to be able to live in a trailer while he is rebuilding his house that was destroyed by fire. The council discussed concerns about future requests of individuals building homes wanting to do the same. Also, discussion was held concerning any possible septic tank issues. It was concluded to allow Mr. Wilcox to live in trailer while building his home with a time limit of six months beginning at the time the permit to rebuild is issued. Further discussion was that this is a special circumstance. **Councilmember Weston moved to approve fire victim Mr. Wilcox to live in trailer while rebuilding his house for six months with conditions of time beginning from the time of issue of permits and a sewer/septic tank inspection from the health dept. Councilmember White seconded the motion. Councilmembers Costley, Higley, Smith, White and Weston voted Aye. The motion carried.**

Other Business:

Approval of Business Licenses

There was none at this time.

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Approval of Warrant Register (see warrant register dated 8/17/07 – 8/31/07)

Bills include the last \$5,000.00 installment to Brad Barto for completion of the fire station addition. It was noted that this is the last payment for the lawn mower to Textron Financial. It was reported that there is a bill for the amount of 63,663.57 for asphalt for walking paths. **Councilmember Smith moved to pay the warrant register date 08/17/07 to 08/31/07. Councilmember Costley seconded the motion. Councilmembers Higley, White, Weston, Costley and Smith voted aye. The motion carried.**

Comments – City Council

Councilmember Costley – Lights have been ordered for the crossing on 1975 N. Need time to get them in and power them up. Spoke to the crossing guard, there are still some issues that need to be worked out. Doing the best we can. Have used some of the funds already for patch work, curb and gutter and fill in. Mayor Jenkins has requested the lights from the old school.

Councilmember Smith – asked how everyone felt about the new sound system and projector. Finding a permanent place for the projector is still being looked into.

Councilmember Higley – asked Brad Jensen to look at piping at 2200 N irrigation canal. Research has been done and we still have access. Mr. Jensen's results are in a memo dated September 5, 2007.

Councilmember White – reported on the audit for the RAMP grants. The auditor informed him the city should apply for major grants. Deputy Cragun was asked to look into the ATV ordinance.

Mayor Jenkins – stated the new street lights that have been ordered are now being installed.

Comments – Public

Terri Stephenson - asked if council knew what the cause of the fire was. Councilmember Weston stated it was turned over to the state fire marshal.

Robert Seager – expressed support of saving the old school. It is a neat building and could the city consider using it for, as before mentioned, a Museum, or Senior Citizen center, Rec. Center, Carnivals and/or plays where the set could be permanent.

**At 9:25 pm Mayor Jenkins moved to adjourn. Councilmember Weston seconded the motion. Councilmembers Costey, Smith, Higley, White and Weston voted Aye. The vote was unanimous.**

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City Recorder

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Mayor

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Date approved