

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
September 20, 2007

The City Council of Plain City convened in a regular meeting of Thursday, September 20, 2007; in the Plain City Hall at 7:00 pm.

Present: Mayor Jay Jenkins, Councilmembers Chad Costley, Darwin Smith, Bruce Higley and Brent White
Excused: Don Weston
Staff: Diane Hirschi, Francine Polson
Also present: Deputy Rex Cragun, Anna Guyman, Thane Ellis, Artie Pearce, Brett Ferrin, Larry Crouch, Terrie Stephenson, Carl Miller, Robert Seager, LaFray Kelley, Jennybeth Koford, Mark Lowther, Colette Doxey, Mike Flood and Dave Hardman.

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

Approval of Minutes: September 6, 2007

Councilmember Costley moved to approve the minutes for the council meeting of September 6, 2007 as presented. Councilmember Smith seconded the motion. Councilmembers Costley, Smith, Higley and White voted Aye. The motion carried.

Comments: Public

There were none at this time.

Report: Planning Commission

Artie Pearce reported the planning commission held a public hearing for Universal Estates and of the 21 lots there were no pros and cons against. The planning commission denied a conditional use permit for a flag lot for James Gullo because the Archway Subdivision has a stub road that can connect to this property. The commission didn't feel it was the best use for the property at this time. Ryan Taylor came to the planning commission about a lot line adjustment. Poplar comes across the canal and comes onto that roadway. Mr. Taylor wanted to take it to the east portion of the ditch bank. The planning commission declared there wouldn't be any problem. Mr. Taylor would need to get with the six property owners for their okay. Artie reported a need for re-final approval for Diamond E Subdivision that lapsed because of the water in the canal they couldn't take care of what needed to be done within the six-month time limit. There was a question raised about the time limit being only six months. The planning commission would look into it. The planning commission approved Stillcreek on their PRUD Phase 1C and 1D with their changes.

Presentation: Weber-Morgan Health Department – Tobacco Ordinance

Community Health Educator Anna Guyman presented the dangers of second hand smoking. Many health issues were mentioned with the connection of second hand smoking and when added with the outdoor pollution's, the levels were more dangerous. Ms. Guyman then shared with the council results from a survey conducted at the Weber County Fair. Specific results are contained within a packet that was given to the council. Ms. Guyman asked the council to consider passing an ordinance to ban the use of tobacco and smoking in our area. Council proposed concerns on how such an ordinance could be enforced. Ms. Guyman stated in other banned areas, signs were posted.

Presentation: Transportation Sales Tax Initiative

Larry Crouch gave handouts to the council and invited them to become members of the Chamber. Dave Hardman informed the council that the State Legislature has passed two pieces of legislation providing the opportunity for Utah Counties to enact a \$10 surcharge on registration of vehicles for corridor preservation passed in prior year's legislative session and a ¼-cent sales tax increase dedicated to transportation and transit development passed in 2006 and updated in 2007. Mr. Hardman stated that the Transportation Commission would like to have global participation and asked for a resolution to move forward and support a sales tax hike. Information will be sent to the city concerning the resolution.

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Motion for Final Approval: Diamond E Subdivision – (approx. 3000 W 2600 N)

The Planning Commission gave final approval and feels they have met everything contained in City Engineer Brad Jensen's letter. Councilmember Higley expressed concern if the planning commission had addressed the sewer issue between lot 27 and wondered if a new sleeve had been installed under the canal. Councilmember Higley drew attention to Mr. Jensen's letter dated February 21, 2007, specifically issue #4 concerning the new sleeve. After speaking with Mr. Jensen and the President of the Irrigation Company, there were still concerns #4 had not been satisfied. Councilmembers Higley and White expressed concern that this subdivision should have come to the council with these conditions finished and with an up-to-date letter from Mr. Jensen. **Councilmember Costley moved to grant Final Approval to the Diamond E Subdivision with the conditions that all 17 items on Mr. Jensen's letter, dated February 21, 2007 be met. Councilmember Smith seconded the motion. Councilmembers Costley and Smith voted Aye. Councilmembers Higley and White voted Nay. Mayor Jenkins voted Aye breaking the tie vote. The motion carried.**

Motion for Final Approval: Stillcreek Village Phase 1C and 1D

Mike Flood referred to the meeting he attended in June and July where the original plan of 64 single lots were presented. The six-month time limit has passed and he is now required to come back for re-approval. Stillcreek has taken one road for single family lots and relocated it so no new phase had to be started. Benefits of moving would offer better alignment with the detention basin. Another benefit would allow one more street access out of the subdivision. A fire flow test was done on site last month. A typical fire flow test should show 1000 gallons at 20 PSI, it only had 960. Mr. Flood will meet with the fire chief next week to see if that is adequate. Councilmember Costley stated Bona Vista completed a line at 2600 N to Smith & Edwards and that would create more flow. Mr. Flood stated that next spring when they wanted to develop the next phase, they would likely have to loop through Remuda and meet the north connection. Mr. Flood guaranteed that each patio home would have separate sewer and water connections. Councilmember Smith addressed the confusion using the street coordinances as opposed to the street names. Mr. Flood informed the council that he would ask his personnel to educate themselves on the coordinances and the street names. **Councilmember Costley moved to give Final Approval for Phase 1C and 1 D of Stillcreek Village contingent upon Mr. Jensen's letter dated August 23, 2007. Councilmember White seconded the motion. Councilmembers Costley, Smith, Higley and White voted Aye. The motion carried.**

Motion for Resolution: Notice of Intent to purchase surplus property

A resolution and notice of intent declaring the desire and intent of Plain City to purchase surplus property from the Weber School District, which includes three acres that the Old Plain City Elementary is on, the parking lot and one acre square across the street. The school district's appraisal came in at 1.5 million dollars. Suggestion was made that the city receive its own appraisal. Councilmember White clarified that the letter was a resolution of intent not a guarantee of purchase. Councilmember Costley suggested a meeting between the school, city and public and make concessions. **Councilmember White moved to accept Resolution 2007-08 and notice of intent to purchase Surplus Property. Councilmember Costley seconded the motion. Councilmembers Costley, Higley, Smith and White voted Aye. The motion carried.** Mayor Jenkins requested that Diane Hirschi inform Brandon that it passed.

Motion for Resolution: Interlocal Agreement with Weber County – 2007 Election Services

Diane Hirschi explained that the state is requiring us to have and issue on our ballot that is not typically on a local level. Weber County will run our local election and we will also be able to use their electronic equipment. **Councilmember Costley moved to accept the Resolution #2007-09 as stated. Councilmember Smith seconded the motion. Councilmembers Costley, Smith, Higley and White voted Aye. The motion carried.**

Motion: Park Improvements

Councilmember White explained RAMP grants that were discussed previously was relative to improvements to the Lee Olsen Park which dealt with running an electrical over to the Rec. building. It needs to come off the power pole at the street. SCI gave a bid of just shy of 10 thousand dollars. The power will be buried in conduit and ran over to the Rec. building which will allow the city to be set up for

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future projects. Part will be RAMP funds we have already and the balance would be our responsibility. In regards to the playground equipment, we have currently received 10 thousand dollars for the Lee Olsen Park. The city would solicit bids based on the amount that council will spend and ask them to tell us what they will provide for that amount. At that point a comparison can be made based on what is best for the city. A recommendation of 15 thousand dollars was made.

Councilmember Smith moved to approve the bid for the conduit and electrical lines run in at just under 10 thousand dollars to SCI Electric Company. Councilmember Higley seconded the motion. Councilmembers Costley, Smith, Higley and White voted Aye. The motion carried.

Councilmember Costley moved to solicit bids for the total of 15 thousand dollars towards the playground equipment that will be shared with the RAMP funding and the city will do the additional money for the Lee Olsen Park near the existing concession stand area. Councilmember Smith seconded the motion. Councilmembers White, Higley, Smith and Costley voted Aye. The motion carried.

Other Business:

Approval of Business Licenses

New

L&M Furniture	Lance & Macquel Price	3493 W 2350 N	selling furniture
Guy's Auto Glass LLC	Guy Hufstetler	4623 W 1600 N	mobile glass office

Renewal

Kelly's Hauling & Tractor	Kelly Dixon	2183 N 4650 W	hauling & tractor/landscaping
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Councilmember White moved to approve the business licenses as listed. Councilmember Costley seconded the motion. Councilmembers Costley, Smith, Higley and White voted Aye. The motion carried.

Approval of Warrant Register (see warrant register dated 09/01/07-09/20/07)

Councilmember Costley wanted clarification if the road improvements on page 3 of the register were the curb and gutter project or the asphalt the city did. Response was that it was all curb and gutter and the asphalt that went along with it was done by someone else. **Councilmember White moved to accept the warrant register dated (09/01/07-09/20/07) as presented. Councilmember Smith seconded the motion. Councilmembers Costley, Smith, Higley and White voted Aye. The motion carried.**

Comments – City Council

Councilmember Costley – suggested that the city council send something to Mayor Harrop of North Ogden in regards to the passing of his wife. Clarified also that the candidates could put up signs 60 days before the election. Mentioned the creating and setting up districts that would allow discussion on the sewer plant and how other cities set theirs up. Bona Vista cancelled the meeting last month. He thanked Deputy Cragun for service in patrolling and the handling of situations with recent speed limit changes.

Councilmember White – learned a lot at Utah League of City meetings. Regarding development, specifically PRUD, recommendation that the conditional use by the planning commission not be the final say, but made by elected city officials.

Mayor Jenkins – the recent Utah League of City meeting was valuable and rich with resources. Appreciated all that were there. Recognized and expressed gratitude toward the six candidates who were present tonight. Echoed sentiments in doing something for Mayor Harrop. Extended awareness that Parks and Trails survey would be going out in the water bill. Concerns of postage due to its three-page length were discussed.

Councilmember Higley – met with the mosquito abatement. They have plane sprayed this year more than in the past but stated the mosquitoes are still bad.

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At 9:10 Councilmember Smith moved to adjourn. Councilmember White seconded the motion. Councilmembers Costley, Smith, Higley and White voted aye. The vote was unanimous.

City Recorder

Mayor

Date approved

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