

PLAIN CITY COUNCIL  
MINUTES OF REGULAR MEETING  
October 4, 2007

The City Council of Plain City convened in a regular meeting of Thursday, October 4, 2007; in the Plain City Hall at 7:00 pm.

Present: Mayor Jay Jenkins, Councilmembers Chad Costley, Darwin Smith, Bruce Higley and Don Weston  
Excused: Brent White  
Staff: Diane Hirschi  
Also present: Deputy Rex Cragun, Sherille Skeen, Lori Galen, Mark Lowther, Carl Miller, Robert Seager, LaFray Kelley, Beth Koford, Colette Doxey, Terrie Stephenson, Buddy Saddler and Tom Phelps.

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

Approval of Minutes: September 20, 2007

**Councilmember Costley moved to approve the minutes for the council meeting of September 20, 2007 as presented. Councilmember Higley seconded the motion. Councilmembers Costley, Smith, Higley and Weston voted Aye. The motion carried.**

Comments: Public

Carl Miller - presented a question on the sign ordinance and noted that some campaign signs were being posted on public rights-of-way.

Sherille Skeen - shared concerns and questions regarding the survey that was sent in the mail. She felt that the developer should build the parks. She is concerned where the money would come from if the city builds all these trails and parks. She inquired as to what the city is doing to fix the sewer. Concerns were also expressed on what the city is doing about the cemetery and what happens when West Weber Cemetery fills up. Councilmember Smith and Costley stated negotiations are a high priority and the city has been working on these issues for the last couple of months.

Buddy Saddler – had concerns on transportation sales tax and how they seem to be constantly taxing. Mayor Jenkins pointed out that the Legacy Parkway wanted to go along the crest of the hill. Councilmember Costley made us aware of an open house, October 25<sup>th</sup> at Fremont High School from 5-7 pm where different options will be presented. The public would be allowed to comment. He encouraged everyone in the community to attend.

Report: planning Commission

Buddy Saddler – explained at their last planning commission meeting the street light ordinance was finalized. He went on to state that more details would be explained later in the agenda. They are also working on a revision of the PRUD ordinance. Other ordinances will be looked into. Suggestion was made to bring to the public hearing, all ordinances needing to be changed in order to view all at once.

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Motion to enter into Public Hearing: Big Cottonwood Phase 1 Vacation of Easement & Right-of-way  
**Councilmember Costley moved to enter into a public hearing for the purpose of vacating a portion of the easement and right-of-way in Big Cottonwood Phase 1. Councilmember Smith seconded the motion. Councilmembers Costley, Smith, Higley and Weston voted Aye. The motion carried.**

Originally Phase 1 had a curve in the road, now with Phase 3, they would like to straighten out the road. Doing so, the city would need to vacate a portion of Phase 1 between lots #3 and #4. **Councilmember Costley moved to go out of the public hearing and back into the regular meeting. Councilmember Higley seconded the motion. Councilmembers Costley, Smith, Higley and Weston vote Aye. The motion carried.** Councilmember Smith pointed out the request for vacating the easement and right-of-way was a formality. The road needed to be fixed and it would be an improvement. **Councilmember Smith moved to vacate a portion of the easement and right-of way in Big Cottonwood Phase 1 and straighten out the road between lots 3 and 4. Councilmember Higley seconded the motion. Councilmembers Costley, Smith, Higley and Weston voted Aye. The motion carried.**

Clarification of Conditional Acceptance of Big Cottonwood Phases 1 & 2 were tabled. Mayor Jenkins noted that the developer has asked that this be tabled because he couldn't be here. Councilmember Costley presented comments in regards to the turning lane on 4700 West heading south out of the subdivision. There is a pole in the road and the asphalt ends. A flood hole now exists. To insure these concerns are completed, Brad Jensen, City Engineer and Mitch Wilson, Public Works Director are being informed.

Motion for Resolution for Transportation Sales Tax Initiative

Northern Utah Transportation Alliance has asked the city to pass a resolution supporting a .25 cent increase in tax, which will be voted on this November. Mayor Jenkins stated the Weber Area Council of Government, which Plain City is a part of, has been working with the State in designating a corridor for northern Legacy. This increase would not just be for legacy but all transportation projects. Councilmember Costley pointed out even though it is 20-30 years away; preserving the corridor now insures its placement and would help the city plan for future development. Discussion took place toward this being a good idea but raising taxes with no timeline was of great concern. Further discussion took place stating that in the past the state requested a UTA tax with promises, yet since then Plain City has lost what little benefits they had. There were concerns if this tax increase would have the same negative results. **No motion was made.**

Motion for the Amendment of Streetlight Ordinance

Mr. Saddler presented the proposed streetlight ordinance as contained in the handout. He pointed out that they are proposing to require street lights every 400 feet. Styles are to be LSI Intrepid series, 75 watt metal halide lamp with electronic ballast, flat lens, with tool less entry, and have a 14 foot graphite finish pole that is post top mounted. All lighting shall meet the dark sky requirements. In the past, the city contracted with the power company but they don't sell this type of light. These lights are easy to maintain, and Rocky Mountain could maintain them if we desire. This particular light may cost the developer more money. There were questions on whether other communities had adopted this light. If it did not work out to contract with Rocky Mountain, it could be contracted out to an electrical contractor. There was a discussion on the appropriate brightness of lighting throughout the city, such as neighborhoods, intersections, main roads and cull-de- sac's. The engineer would help decide which lights to use. Tom

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Phelps, a local lighting representative working for DMA Total Lighting Concepts, referred to the layout distributed to the council describing the best lighting out-put of each light. There was discussion on specific changes that needed to be made to the ordinance with the wording on page 1 paragraph 3. It was discussed that the City Engineer may require additional or fewer streetlights at his discretion and specific optic types would cover any future concerns of height, size, distance or wattage. Further concerns on the importance of specifics were expressed. **Councilmember Smith moved to adopt the streetlight ordinance with the exception on paragraph 3 page 1 to say 75 watt metal halide or higher and 14 foot graphite finish pole or higher at the discretion of the city engineer. Councilmember Weston seconded the motion.** There was a discussion the difference between a 75 watt and 100 watt light. It was noted that Kamelot has a 75 watt light to look at. **Councilmembers Costley, Smith, Higley and Weston voted Aye. The motion carried.**

Motion for Resolution: Recertification of Plain City Justice Court

Mayor Jenkins referred to the letter from City Prosecutor Andy Blackburn. He stated that the current guidelines are being met by our Justice court after review of the recertification application under the current law. It is his opinion that it is reasonable, feasible, and in the best interest of Plain City to continue to maintain and operate the Plain City Justice Court. **Councilmember Costley moved to adopt resolution 2007-10 recertifying the Plain City Justice Court. Councilmember Smith seconded the motion. Councilmembers Costley, Smith, Higley and Weston voted Aye. The motion carried.**

Motion for Re-Appointment: Justice Court Judge

Mayor Jenkins expressed that through his observations Judge Beesley has done an unbelievably good job, and pointed out what an asset it is to have him as a Plain City resident. Mayor Jenkins also pointed out his service in three other Justice courts. **Councilmember Costley moved to re-appoint Judge Beesley. Councilmember Higley seconded the motion. Councilmembers Costley, Smith, Higley and Weston voted Aye. The motion carried.**

Other Business:

Appointment of Alternate Planning Commission Member

Robert Seager's name was presented to be the alternate planning commission member. **Councilmember Higley moved to approve the appointment of Robert Seager to be an alternate member of the Planning Commission. Councilmember Smith seconded the motion. Councilmembers Costley, Smith, Higley and Weston voted Aye. The motion carried.** Diane will introduce Mr. Seager to Kathy, the secretary to the Planning Commission, where upon she would present Mr. Seager with the necessary books.

Approval of Business Licenses

There were none at this time.

Approval of Warrant Register (see warrant register dated 09/21/07 – 09/30/07)

**Councilmember Smith moved to approve the warrant register dated 09/21/07 -09/30/07. Councilmember Weston seconded the motion. Councilmembers Costley, Smith, Higley and Weston voted Aye. The motion carried.**

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Comments – City Council

Councilmember Smith – an eagle scout approached him and wanted to refinish some of the entryway signs to the city. Refinishing, sanding, painting, and applying new varnish would be included. The only concern was to check and make sure they were still in the right places. Instruction was given to coordinate with Plain City Public Works director, Mitch Wilson.

Councilmember Higley – inquired about a discussion from the last council meeting on final approvals. He feels that when they come to the council they should have issues completed. Planning Commission has passed developments with conditions because of a directive of the City Council. Mr. Saddler made suggestions that these issues could be addressed at the Planning Commission level. Further discussion suggested to adopt a practice to expect the information stated in City Engineer, Brad Jensen's letters be complete before coming to City Council for final. Concluding there would be a smaller chance of issues being missed. Currently Diane is sending the minutes to the city engineer before he signs the plat. Diane is concerned about who determines whether items should be placed on the agenda. Mayor Jenkins noted that it would be the City Council's responsibility to not approve the subdivision if all important items are not met.

Councilmember Weston – desired to have the council's blessing to explore and look into the pros and cons financially of green waste recycling. Green waste consists of grass clippings, spent garden plants, flower bed plants, basically anything that grows and could be used as compost material. Mr. Weston would be interested in feedback from the city residents if they are willing to enter into a green waste program. Mayor Jenkins expressed desire to see a total recycling. There was a discussion on how tipping fee's increase with the transfer station when green waste is added to the garbage cans. If they were dumped into the landfill, tipping fees would be cut drastically. There were questions raised if residents would need a green waste can, and would there be truck service to accomplish pick up once a week. All of these issues would be checked into. It was decided it would be worth looking into as well as other kinds of recycling.

Councilmember Costley – mentioned he talked to Ballard Sphar at the Utah League of cities meeting about creating special districts in the city area where you could carve out an area to set up for the infrastructure. It was suggested to have them come and give a presentation. A couple years ago, there was money appropriated for the sidewalk that was to go from Bruce Hall's home, and was to go down the south side of 2200 to the water tower. Carlos had bids out for it, and we had the money set aside to complete it. When final approval was given, he went to receive bids and there were no bidders. Bona Vista approved money to participate in what would go along the edge of their facility. Councilmember Costley asked Bona Vista if they would be willing to contribute to help pay for that portion of the asphalt. They will send a check for their agreed participation for a sidewalk, approximately \$1900.

Comments – Public

Jennybeth Koford reported she received a letter from UDOT. She sent a copy to Diane. The letter stated that Plain City is a finalist for \$150,000 of federal money. The details have not been worked out on the guidelines. No projects can start before you get the money or there will be no reimbursement. Speculation is that the funds may take six months to a year to arrive.

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Sherille Skeen noted that she didn't get any answers to her question. She also reported that some street lights are covered by trees. It was noted that the power company is in the process of trimming trees. City Council expressed a willingness to talk to her any time. They also pointed out that the minutes are available and to get with Diane for this information.

Robert Seager understands Mrs. Skeen's frustration. He has been coming to the meetings for over a year and realizes the process takes a long time.

Carl Miller has questions about the placement of election signs. Sign ordinance needs to be enforced.

**At 9:10 pm Councilmember Higley moved to adjourn. Councilmember Smith seconded the motion. Councilmembers Costley, Smith, Higley and Weston voted Aye. The motion carried.**

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City Recorder

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Mayor

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Date approved

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