

PLAIN CITY COUNCIL  
MINUTES OF REGULAR MEETING  
JANUARY 17, 2008

The City Council of Plain City convened in a regular meeting of Thursday, January 17, 2008; in the Plain City Hall at 7:00 pm.

Present: Mayor Jay Jenkins, Councilmember's LaFray Kelley, Brett Ferrin, Bruce Higley, Brent White and Jennybeth Koford  
Staff: Diane Hirschi, Francine Polson  
Also present: Deputy Rex Cragun, Artie Pearce, Carl Miller, Robert Seager, Terrie Stephenson, Nancy Kemp, Bryce and Andrea Taylor, Dallas Taylor, Jarod Maw, Bob Lewis, Tim Maw, Mary Lou Heslop, Nick Heslop, Don Weston, Gordon Nozaki and Jeremy Grimley

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

Approval of Minutes: January 3, 2008

Councilmember Higley pointed out typing errors on the bottom of page two. **Councilmember White moved to approve the minutes from January, 3, 2008 as corrected. Councilmember Higley seconded the motion. Councilmember's Kelley, Ferrin, White, Koford and Higley voted Aye. The motion carried.**

Comments: Public

Nancy Kemp – 4436 W 1500 N stated that she was at the council meeting two weeks ago to voice her concerns about the speed limit increase on 1500 N. She stated that the signs reflecting the new speed of 35 mph were posted that day. She reminded the council of the numerous bus stops for the children on that road and suggested that there be an increase in the enforcement of the new speed. She also pointed out that the Fremont outdoor track runners use that road and will be at risk.

Report: Planning Commission:

Jarod Maw reported on the items discussed at their January 10, 2008 meeting. They had a public hearing for the rezone of the 3100 W 2600 N property for the proposed grocery store and received positive input. They also had a public hearing for the 4300 W 2425 N Taylor Subdivision which is changing from one lot to two and there was no public comment. They also had a good discussion on the 4-mile parkway. Councilmember White asked if the River Crossing preliminary was extended. Mr. Maw stated it was and didn't know why things had moved so slowly.

Motion for re-appointments City Recorder, Treasurer, Planning Commission Member

Mayor Jenkins pointed out that the current treasurer Steve Davis has been Plain City's treasurer for over a year and Diane Hirschi has been the Plain City Recorder for six years. He stated that the city is extremely happy and recommended re-appointment of both. He mentioned that the Planning Commission member usually rotates each year. He pointed out that Artie Pearce has been wonderful and shown great performance and recommended that she also be re-appointed for another term. **Councilmember White moved to make the re-appointments as noted. Councilmember Kelley seconded the motion. Councilmember's Kelley, Ferrin, White, Koford and Higley voted Aye. The motion carried.**

Report: Financial Statement – Steve Davis

Steve Davis presented the financial report as of December 31, 2007. Mr. Davis pointed out that the city is in good financial situation. Mr. Davis then gave specific breakdowns found in his prepared financial statement packet. Mr. Davis pointed out that currently there are not many building permits and impact fees coming in. There was a discussion about what to do with the hydrant fees that were collected. Brandon Richards will look into this.

Final Approval: Taylor Subdivision – approx. 4300 W 2425 N – 2 lots

Mayor Jenkins stated that 4300 W 2425 N is one single lot and the Taylor's want to split it into two. Councilmember White asked if the items listed on City Engineer, Brad Jensen's memo had been addressed. Mr. Maw stated they had and everything was in order and finished. The deferral agreement has been signed. **Councilmember White moved to grant final approval to the Taylor Subdivision at 4300 W 2425 N. Councilmember Ferrin seconded the motion. Councilmember's Kelley, Ferrin, White, Koford and Higley voted Aye. The motion carried.**

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Set Public Hearing: Rezone of LH Perry Investments LLC (RE-15 to C-2) approx. 3100W 2600 N. – February 7  
Mayor Jenkins stated the rezone has been recommended from the Planning Commission and everything was in order for further progression. **Councilmember Kelley moved to set the public hearing for the Rezone of the property at 3100 W 2600 N. on February 7, 2008. Councilmember Higley seconded the motion. Councilmember's Kelley, Ferrin, White, Koford and Higley voted Aye. The motion carried.** Councilmember White requested a full size zoning map be made available for the public hearing.

Motion for ordinance: Meeting Schedule for City Council

Mayor Jenkins explained the city council meetings are scheduled out for the year on the 1<sup>st</sup> and 3<sup>rd</sup> Thursday of each month. Councilmember White asked if any of the projected dates fell on a holiday, of which Diane Hirschi stated the only date of concern was July 3, 2008. **Councilmember Ferrin moved to approve ordinance #2008-02 setting the meeting schedule for the City Council for the year 2008. Councilmember White seconded the motion. Councilmember's Kelley, Ferrin, White, Koford and Higley voted Aye. The motion carried.**

Motion for ordinance: Conditional Use Appeal Process

Attorney, Brandon Richards addressed the council and referred to the conditional use permit handout and noted the strikeouts within the section 10-10-6: Appeal. He pointed out that new wording is needed to update the appeal process of the code. He also noted that the conditional use section of the ordinance needs to be addressed due to some contradictions. **Councilmember Ferrin moved to approve ordinance 2008-03 to amend the city commission process. Councilmember Koford seconded the motion. Councilmember Kelley, Ferrin, White, Koford and Higley voted Aye. The motion carried.**

Motion for ordinance: Amend Ordinance 2007-14 – Appeal Authority & Appellate Procedure

Brandon Richards pointed out that ordinance 2007-14 was previously passed, but there were some items that needed to be fixed concerning who can hear appeals. He suggested that the Council look over these changes and have another discussion at the next meeting. There was some discussion about having the Justice Court Judge hear the appeal as opposed to a 3 or 5 member body. Brandon Richards noted that the board of adjustment met only once last year. Councilmember Kelley suggested a five member body to spread the responsibility and she felt that better decisions could be made. Brandon Richards will do some more research about having the judge hear these appeals. **Councilmember White moved to table the discussion until the next meeting. Councilmember Kelley seconded the motion. Councilmember's Kelley, Ferrin, White, Koford and Higley voted Aye. The motion carried.**

Other Business

Approval of Business Licenses:

New

There were none at this time.

Renewal

Ron's Welding & Sheet Metal	Ron Nielsen	2911 W NPC Rd	welding & sheet metal
Nielsen's Configuration Services	Victoria Nielsen	2911 W NPC Rd	engineering date consult.
Altitude Audio, Video & Auto	Richard Yorgason	2845 W 2025 N	install audio & video equip.
Keyway Strategies LLC	Sara Hurd	4487 W 2575 N	service/coaching businesses
RDSS Properties Inc	Rich Skeen	4355 W 2200 N	real estate holding
Yard Care by Leonard	Leonard Trujillo	1511 N 4700 W	yard care
Vision Extreme	James Farrell	3351 W 1700 N	investment properties
Brown's Home Inspection Service	Cecil Brown	2490 N 3550 W	home inspections
Grasshopper Enterprises	Leonard Tyner	1558 N 4400 W	internet sales

**Councilmember Higley moved to approve the business licenses as listed. Councilmember Koford seconded the motion. Councilmember's Kelley, Ferrin, White, Koford and Higley voted Aye. The motion carried.**

Approval of Warrant Register (see 01/01/2008-01/17/2008)

Councilmember White pointed out the listing of Bob's Concrete and stated that the labor was donated. Mayor Jenkins pointed out the payment of \$150,000 was issued to the East family for the purchase of property which was approved at the last City Council meeting. He also pointed out the \$8,000 payment made to Val Kotter & Sons Inc.

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was a lot to spend but it aided in finding a 1" gas line that went through the existing sewer pipe. He also drew attention to the election costs of \$3,000 as having been paid. **Councilmember Ferrin moved to approve the warrant register dated 01/01/2008-01/17/2008 as presented. Councilmember Higley seconded the motion. Councilmember's Kelley, Ferrin, White, Koford and Higley voted Aye. The motion carried.**

Comments – City Council

Councilmember Higley extended gratitude for a job well done to the employees for plowing snow. He reported on having attended his first Mosquito Abatement meeting of the year and stated that he had been nominated to be the secretary. He mentioned he had met with Public Works director, Mitch Wilson and it is needful that the city purchase safety equipment for the sewer department, specifically air quality equipment, as well as a tripod harness. In the event a worker becomes incapacitated, another worker could hoist the injured worker up, using the tripod harness, without himself being in danger. These safety items would put the city in compliance with OSHA. Councilmember White pointed out that if there was safety equipment needed right away, Councilmember Higley should approve it and not have to come back for approval. Councilmember Higley pointed out it would be costly. Councilmember Higley requested to set a work night meeting for Thursday, February 7, 2008, where there would be an insurance presentation for the new city councilmember's. He lastly noted that he was looking into our excavation ordinance and fees. He will gather and submit more information.

Councilmember Koford went to the Planning Commission meeting and advised that the planning commission tighten up on what they send to the city council and to be sure to have all items listed on City Engineer, Brad Jensen's list mostly, if not entirely, completed. Lastly she stated she had received an email on an Emergency Preparedness State Seminar and declared her desire to attend.

Councilmember White followed up with the comments made by Mrs. Kemp in regards to enforcing the new speed limit on 1400 N. with Deputy Rex Cragun who had arrived after Mrs. Kemp's comments earlier in the meeting.

Councilmember Ferrin reported that volunteers were starting to come forward in regards to the 4<sup>th</sup> of July events. There was a request to purchase easy-up 10X10 awnings. He also stated there is a citizen who wants to donate to double the money amount that the city had applied to the fireworks display in the past, which has been \$5,000. It was pointed out by Don Weston that the fireworks needed to be purchased in January in order to receive them at a lower cost. Mayor Jenkins asked Mr. Weston to get a representative from the fire station for the 4<sup>th</sup> of July committee. Councilmember Ferrin also mentioned a Grand Marshall had been selected and a name would be announced later. He also gave an update on the Davis East West Transportation meeting and stated that the estimated population that had been given, based on our general plan, had our city's proposed population at 8,000, where as their estimated proposal was 39,000. It was decided that their proposal was more accurate. Councilmember Ferrin said there will be an open house held on February 21<sup>st</sup> at the Ogden Union Station showing maps and designs with the east and west routes.

Councilmember Kelley thanked Brent Weston for his efforts in snow removal around the city building. She reported that they are working on the maps that the planning commission requested. Plain City Arts Council is planning an arts show in August and lastly reported that in regards to Founders Day, the building has been secured for this year and next year's dates of the 3<sup>rd</sup> Saturday in March. Councilmember Kelley also volunteered to do a quarterly newsletter to be sent out in the Bona Vista billing.

Mayor Jenkins suggested that instead of a newsletter each department could post information to the Web site and that at the next work meeting that issue as well as goals for each department could be discussed.

Executive Session: Purchase of real property

At 8:15 p.m. Mayor Jenkins declared it was time to enter into an Executive Session to discuss the purchase of property. **Councilmember Higley moved to retire from this meeting and enter into an executive session. Councilmember White seconded the motion. Councilmember's Kelley, Ferrin, White, Koford and Higley voted Aye. The motion carried.**

**At 10:00 p.m. Councilmember White moved to adjourn. Councilmember Higley seconded the motion. The vote was unanimous.**

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City Recorder

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Mayor

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Date approved

**NOT OFFICIAL DOCUMENT**