

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
FEBRUARY 21, 2008

The City Council of Plain City convened in a regular meeting of Thursday, February 21, 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: Fred Jaeger, Hua Xu, Terrie Stephenson, Don Weston, Gordon Nozaki, Ray Barker, Brad Jensen, Jarod Maw, Bob Lewis, Robert Seager, Todd Strong, David Skeen, Ned Hacker, Luke Balster and Darwin Smith

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

Approval of Minutes: February 7, 2008

Councilmember Ferrin moved to approve the minutes from February 7, 2008 as presented. Councilmember White seconded the motion. Councilmember's Kelley, Ferrin, White, Koford and Higley voted aye. The motion carried.

Comments: Public

Ray Barker expressed concern that he had not yet received payment on the curb and gutter work done for Grouse Meadows. Mr. Barker addressed the council and asked if he would have access to the bond or if he could resolve it with the city. Mayor Jenkins stated that he would have Attorney Brandon Richards check into it.

Report: Planning Commission:

Robert Seager reported that at their February 14, 2008 meeting there was a public hearing for the Skeen Subdivision – 2280 N 3600 W – 1 lot and 3 parcels. It was noted that there were no comments. They granted preliminary and recommended final approval to the Skeen Subdivision. Mayor Jenkins asked if the issues that came up had been worked through satisfactorily. Mr. Seager stated they had but he would like to see further discussion. The commission recommended amendments to the zoning ordinance concerning the rezone process and commercial zone. They wanted language adding that the commission shall hold a public hearing for rezone petitions as per state code, and added a section saying that site plans were required for C-2 and C-3 and not just C-1. They set a public hearing for Dennis and Libby Brown's rezone for March 13, 2008. The Planning Commission also approved a lot line adjustment for Owen Brinkerhoff, changing two large parcels (one with a house) into one smaller parcel with a house and the rest a remainder parcel. Mr. Seager pointed out that all the property was within the city. Lastly, the commission approved their minutes and briefly discussed commercial property on Center Street.

Presentation on Sewer Lagoon Upgrades: Kraig Johnson, University of Utah – Patented Aeration System

Don Weston stated the city has been looking into a lot of ideas on how to alleviate the issues regarding the sewer lagoon. He stated that Kraig Johnson, PhD with Wastewater Compliance Systems, Inc had approached the city with ideas, showing new technology. Mr. Weston stated he thought it looked promising. Mr. Johnson presented his proposal to aid in the lagoon improvements using what they call "poogloos" as an effective way to circulate oxygen from the bottom of the lagoon to the top. Using a dome plastic housing bacteria can then grow within this housing, there by dissolving organic matter. Mr. Johnson then showed a diagram of the dome, its construction and how it works. In tests that had been done he showed that in four days there was significant improvement. He also explained there is a need for cement blocking and asked for the city's involvement with the construction of them. He then pointed out the cost and suggested WCS would like to partner the cost with the city. He is applying for grant money as well.

Discussion/Motion: Sewer Treatment Facility Aeration Improvements

Mr. Johnson pointed out that March 10th was the deadline for the grant application and hoped to begin beta testing at the start of the summer. They would do the beta test for a full 12 months. In order to achieve state funding for WCS, Mr. Johnson stated that he would need a letter of intent from the city in order to proceed. There was further discussion that after looking at other options and the needs of the lagoon, the council felt this was a good option. Issa Humud, also present, gave his support to this option. **Councilmember White moved to provide the letter of intent to Wastewater Compliance Systems indicating our interest in working with them to achieve state**

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funding to do beta testing towards our permanent sewer solution. Councilmember Kelley seconded the motion. Councilmember's Kelley, Ferrin, White, Koford and Higley vote aye. The motion carried.

Presentation: Ned Hacker- Long Range Transportation Plan – Wasatch Front Regional Council

Mr. Hacker presented a packet to the council. Mr. Hacker stated that WFRC was visiting all city councils in the region to explain their long and short range plans. He then pointed out specific plans within the packet which were the Mountain View Corridor Freeway, East and West arterials, North Legacy Highway, Preservation of rights-of-way, Completion of Commuter Rail to Provo and the Expansion of the TRAX system. Mayor Jenkins stated he would like to see the 2600 North project moved up. Mr. Hacker stated it could be looked at again in four years.

Conditional Final Acceptance: Pheasant Brook Subdivision

Mayor Jenkins read Engineer Brad Jensen's memo which stated the improvements have been satisfied.

Councilmember Higley moved to accept conditional final acceptance for Pheasant Brook Subdivision. Councilmember Koford seconded the motion. Councilmember's Kelley, Ferrin, White, Koford and Higley voted aye. The motion carried.

Conditional Final Acceptance: Grouse Meadows

Todd Strong stated he was requesting conditional final acceptance of Grouse Meadows Subdivision. Mayor Jenkins asked if the issue with the lift station had been addressed. Public Works Director, Mitch Wilson stated that it had been resolved. There was a discussion regarding issues of non-payment to Ray Barker as well as money owed to the city. It was pointed out that the issue of payment was a civil matter between Mr. Barker and Mr. Strong. Todd Strong stated that he would pay Mr. Barker right away. He also noted that he would take care of the city bill. There was further discussion on issues of concern in regards to street lights, storm drains and curb replacement on lots 2 & 3. Mr. Strong stated that it was his understanding those issues had been addressed with Brad Jensen and Mitch Wilson. Councilmember Higley feels that everything needs to be done in order to grant conditional final acceptance. Mr. Wilson pointed out that it was just brought to his attention that there is a well on the property. Mr. Strong stated that the survey's that had been done never indicated that there was a well on the property. The Mayor asked Mitch to look into this issue further. **Councilmember Ferrin moved to grant conditional final acceptance for the Grouse Meadows Subdivision contingent upon payment of fees that are due the city. Councilmember Kelley seconded the motion. Councilmember's Kelley, Ferrin, White, Koford and Higley voted aye. The motion carried.**

Final Approval: Skeen Subdivision – approximately 2280 N 3600 W

David Skeen presented the council a map showing lot 1, parcel A, B & C and indicated the intention of lot 1 was for the purpose of an L.D.S. Church. It was discussed that at this time Mr. Skeen did not want to develop parcels A, B & C nor the roads in front of them. Councilmember Koford expressed concerns of public safety issues on 2200 N and 3600 W and desired to see the roads dedicated to the city with a deferral agreement to improve when needed. It was Mr. Skeen's concern that dedicating it at this time would be a financial loss for him. Mayor Jenkins pointed out that in the future, when Mr. Skeen sells to a developer, the city can request improvements at that time to city standards. Councilmember Koford pointed out that at either time it would be the city's and pointed out it would be nice to lay asphalt and widen the road now. Councilmember White expressed his concern of the public safety issue as well, but pointed out that the intent isn't to develop this but to have lot 1 for a specific purpose and the rest to remain agriculture, which Mayor Jenkins pointed out that was how it was originally worked out. There was further discussion in regards to the public safety issues. Mayor Jenkins asked Mr. Skeen if he would object to working with the city in the future. Mr. Skeen stated he had no problem with that. There was further discussion in regards to the financial loss Mr. Skeen would take if he dedicated the property, in that it would be ground he could not sell later. The possibility of using some grant money to make an asphalt path was discussed. Councilmember Koford asked if he would at a later time discount the ground. Mr. Skeen pointed out that he would be silly not to give them the land to improve it. **Councilmember Higley moved to grant final approval of the Skeen Subdivision. Councilmember Ferrin seconded the motion. Councilmember White moved to amend the motion to include the note to be added to the plat as recommended by Brad Jensen in his memo dated 01-24-08 stating no building permits are to be issued for parcel A, B & C without prior approval of the city. Councilmember Higley amended the motion to include Brad's letter. Councilmember's Ferrin, White and Higley voted aye. Councilmember Kelley voted nay. Councilmember Koford abstained. The motion carried.**

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Set Public Hearing: Amendment of Zoning Ordinance concerning Commercial Zones and Rezone Procedures

There was discussion as to whether there were other amendments pending, and if so the council would like to do all of them at the same time due to the required advertisement needed with each one. Setting the public hearing was tabled.

Other Business

Approval of Business Licenses:

New

There were none at this time.

Renewal

Blue Mountain Promotions	Sandy Myers	4840 W 1500 N	wholesale/retail promotions
Grass & Earth Landscape Maint.	John Page	3453 W 2565 N	landscape landscape
Scofield Rental LLC	Hollie & Tyler Scofield	3748 W 2100 N	rental houses
Scofield Construction, Inc	Tyler Scofield	3748 W 2100 N	construction
DMLP Resources, LLC	Dan Scarbrough	5057 W 1500 N	construction
J. Bees Photo Reconstruction	Jim Beesley	2149 N 4425 W	photo reconstruction
Paul Costley Garage	Elsie Costley	4217 W 2650 N	auto repair
The Dance Establishment	Gary & Peggy Nielsen	4425 W 2350 N	dance instruction
MBI Recruiting Specialists Inc	Phil Meyer	1806 North Pioneer Rd	technical recruiting office
Yard Masters Inc	Bryce Wade	1573 N 4325 W	yard care
New Beginnings Realty Group	Diana Moss	2028 W NPC Rd	real estate sales
White Sands Enterprise LLC	Colleen Barnes	452 W 1650 N	marketing from computer
Ellis & Urry, Inc	Roy East	4251 W 1400 N	real estate, digital photo
Cedarwood Studios Inc	Stan & Shauna Smith	2803 W NPC Rd	photography
Colette Doxey	Colette Doxey	1805 N 4425 W	concession stand
Creative Enterprises	Laurie Eskelson	5065 W 2150 N	glass art
Legacy Limousine	Debbie Wallace	1429 N 4300 W	home office
One Oakridge LLC	Brad Oldroyd	1975 N 4098 W	convenience store
Barbara's Hair & Nails	Barbara Hadley	4250 W 2575 N	cosmetology
L&M furniture	Macquel Price	3493 W 2350 N	selling furniture
Hairquarters	Karlene Devries	3047 W 1975 N	beauty/barber shop
Stevens Construction	John Stevens	3300 N 2800 W	construction
Teresa's Daycare	Teresa Maisey	1623 N 4400 W	daycare/family group(2:16)

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

Approval of Warrant Register (see 02/01/2008-02/21/2008)

Councilmember White asked why there were two separate bills paid for salt. Diane stated one payment was for the purchase of the salt and the other payment was for the delivery of the salt. Mayor Jenkins asked Councilmember Higley to check into having the city deliver the salt. Mayor Jenkins also pointed out that due to the extensive snow fall this year, the public works and salt budget will be over. **Councilmember Kelley moved to approve the warrant register dated 02/01/2008-02/21/2008 as presented. Councilmember Ferrin seconded the motion. Councilmember's Kelley, Ferrin, White, Koford and Higley voted aye. The motion carried.**

Comments – City Council

Councilmember Kelley reported that Brandon Richards is working on the ordinance for the sale of city owned property. She pointed out that the state does not specifically tell us what the method of sale is. She then read the letter that Attorney Richards had drafted. The council agreed it sounded good. It will be placed on the next agenda.

Councilmember Ferrin reported that he had been approached by a Lacrosse coach, Dee Morse who asked if they could hold a meeting using the senior center and waive the fee. Mayor Jenkins stated that waiving fees can be handled on a case by case basis. Councilmember Ferrin indicated they would just use the east room. The council didn't have a problem with it. Councilmember Ferrin then reported on a few of the 4th of July activities stating that there was concern as to the catering of the food. The possibility of using Maddox was discussed, pointing out that they had been used in the past; however there was concern with it being \$6.00 per plate. Councilmember Ferrin felt

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that it would be too expensive for large families and tickets would have to be pre-sold in order to have an accurate count. He also addressed the issue of putting music to the fireworks. There was discussion that music was a nice touch but it wasn't an absolute necessity. Mayor Jenkins mentioned he was approached by the Weber County Fair committee and they asked permission to use Plain City's idea for an ATV rodeo. It was pointed out that Jake Weston was the inventor of the event. Councilmember Higley stated Hooper had approached him with that request as well. It was decided they could be told to go ahead and use the event.

Councilmember White stated his issues had already been discussed.

Councilmember Koford reported that Don Weston had informed her that the truck the fire department is giving to the parks department was done. Councilmember White stated it was his understanding that the bed and the tool boxes were going to be payment for the truck. Councilmember Koford wondered about the bids for them. Mayor Jenkins stated the desire to check on the bids before a decision was made. Councilmember Koford also reported that a meeting with UDOT was scheduled for Wed. Feb. 27th at 10:00 a.m. to talk about how to fund grants and any changes that have been made. She also stated that she had received a letter informing the city they were getting the second grant check. Lastly she reported that Lacrosse players were using four wheelers to clear the snow off of the park field. She was concerned the ATV's would cause damage to the field and asked them to leave.

Councilmember Higley reported that North Plain City Road was in bad shape due to the pot holes and he would ask Mitch Wilson to put in road base to help with the problem. He then reported on the maintenance building and asked the council for their okay on receiving bids to upgrade the building. There was discussion as to whether there were plans to move the building down by the sewer. Darwin Smith pointed out that there was no way to access sewer where it is at now. Councilmember Higley pointed out that with fixing the building it would benefit in housing everything as well as help with the upkeep of the equipment. Mayor Jenkins stated that there should be further discussion as to the best action to take which could include moving the building.

Mayor Jenkins reported that he had received a call from Rich Mickelson informing him that the roof was leaking in the lab at the old city hall. Mayor Jenkins asked Councilmember Kelley to follow up on that to see what needed to be done to fix it. He mentioned local roofers that she could get bids from. Mayor Jenkins then reported on a meeting with the State in regards to the North Legacy Parkway on the alignment. He stated the city's desire was to have it below the city as opposed to under or next to the power lines. He also asked them to look at the bridge that is falling apart at 4700. He wanted them to check into seeing if the city could get state bridge funds to fix it. Councilmember Ferrin pointed out that the person over that would be Mike Keserofsky. Councilmember Ferrin asked if the city had any response from the school district. Mayor Jenkins stated he had sent them the letter and has not heard back.

At 9:20 Councilmember Ferrin moved to adjourn. Councilmember White seconded the motion. The vote was unanimous.

City Recorder

Mayor

Date approved