

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
MARCH 6, 2008

The City Council of Plain City convened in a regular meeting on Thursday, March 6, 2008 in the Plain City Hall at 7:00 p.m.

Present: Councilmember's LaFray Kelley, Brett Ferrin, Bruce Higley, Brent White and Jennybeth Koford
Excused: Mayor Jay Jenkins
Staff: Diane Hirschi
Also present: Mark Lowther, Mark & Alexis Megahan, Frank & Tami Phillips, David Phillips, Robert Seager, Terrie Stephenson, Artie Pearce, Carl Miller, Foster Chandler, Galen Lord, Stacy Gillette

Councilmember White called the meeting to order. Councilmember Ferrin gave the invocation/moment of Silence and Councilmember Koford led the pledge of allegiance.

Approval of Minutes: February 21, 2008

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

Comments: Public

There were none at this time.

Report: Planning Commission:

Artie Pearce reported that the Planning Commission had a work meeting specifically for Brad Simons of 4-Mile Parkway. She reported that the city attorney, the city engineer, and the city planner were in attendance, but Brad Simons didn't show up. She reported that many things were discussed and Kathy has sent a letter to Brad Simons with the issues that were discussed. She reported that all of the items must be addressed before he can be on the agenda for preliminary approval. Artie mentioned all of the items, but noted that the biggest concerns were that the Planning Commission wouldn't allow land drains and that the development agreement needs to be solidified. It was noted that there will be about 339 homes in 14 phases.

Public Hearing: Annexation of Mark Megahan Property – RE-20 – 3292 W 1975 N

Councilmember Higley moved to go into a public hearing. Councilmember Ferrin seconded the motion. Councilmembers Kelley, Ferrin, White, Koford and Higley voted aye. The motion carried. Frank Phillips reported that the Liberty Bible Church will purchase part of Mark Megahan's property for the purpose of constructing a church building. He noted that .32 acres had to be annexed. He noted that the Mark has two pieces of property and he will do a lot line adjustment after the annexation is complete. He noted that there will be a 60' right-of-way off of 1975 N to go back to the church. **Councilmember Kelley moved to go out of the public hearing and into the regular meeting. Councilmember Koford seconded the motion. Councilmembers Kelley, Ferrin, White, Koford and Higley voted aye. The motion carried.**

Motion for Ordinance: Annexation of Mark Megahan Property

Councilmember Ferrin moved to adopt ordinance #2008-07 annexing Mark Megahan's property. Councilmember Higley seconded the motion. Councilmember Higley seconded the motion. Councilmember Kelley, Ferrin, White, Koford and Higley voted aye. The motion carried.

Discussion/Motion: Plain City Meadows Phase 4 Pioneering Agreement

Brandon Richards noted that the council received a packet of the information concerning this pioneering agreement. He noted that the minutes from 2000 shows that the council verbally approved an agreement, but the document was never written up. Mr. Richards noted that the developer has attempted to put the document together but there are still some housekeeping issues that need to be corrected. His main concern is that the exhibits are not clearly identified. He feels that the property and the improvements both need to be specified very clearly. He also noted that it needs to clearly state who to pay the fees that are collected to. Councilmember Kelley clarified that the city collects the money and then disperses it to the developer. She felt that maybe we ought to charge an administration fee. Brandon Richards suggested that the city adopt an ordinance for pioneering agreements in the future.

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Councilmember Ferrin moved to approve the Plain City Meadows Phase 4 Pioneering Agreement with the corrections noted and approved by our legal counsel. Councilmember Kelley seconded the motion. Councilmembers Kelley, Ferrin, White, Koford and Higley voted aye. The motion carried. Foster Chandler arrived. He and Brandon Richards went out in the hall to discuss the issues that were presented and needed to be clarified.

Motion for Conditional Final Acceptance: Stillcreek Village PRUD, Phase 1A and 1B

It was noted that there is a memo from Brad Jensen dated 02/26/08 recommending conditional final acceptance of Stillcreek Village phases 1A and 1B. There were seven items on the memo of things that need to be complete prior to final acceptance. Councilmember Higley noted his concern about item #7 which is drainage issues. Mitch Willson noted that plans have recently been sent to Brad Jensen but didn't think that Brad has reviewed them as of yet. Councilmember Higley feels that this must be done before conditional final acceptance. There was a discussion on the asphalt overlay. There was also discussion about the power pole that needs to be moved. Councilmember White suggested that the developer come back after all of these items are complete. **Councilmember Higley moved to not give conditional final acceptance of Stillcreek Village Phase 1A and 1B until all items on the memo dated 02/26/08 are complete. Councilmember Kelley seconded the motion. Councilmembers Kelley, Ferrin, White, Koford and Higley voted aye.**

Motion for Ordinance: Disposition of City Owned Property

Brandon Richards reported that he has prepared an ordinance for dispose of city owned property. He noted that basically the property will need to be appraised. There is an option in the ordinance to forego the use of the real estate agent if needed. **Councilmember Koford moved to adopt ordinance #2008-06 establishing the process for disposition of city owned property as presented. Councilmember Higley seconded the motion. Councilmembers Kelley, Ferrin, White, Koford and Higley voted aye. The motion carried.**

Motion: Sewer Repair Proposal

Mitch Willson reported that it was discovered that there is a problem with Pioneer Village sewer that need to be repaired. Mitch noted that Val Kotter is the only company that can repair it without digging it all up. The bid is for \$22,900.00. **Councilmember Ferrin moved to approve Val Kotter's bid of \$22,900.00 to repair the sewer in Pioneer Village. Councilmember Higley seconded the motion. Councilmembers Kelley, Ferrin, White, Koford and Higley voted aye. The motion carried.**

Motion: Retaining Wall for Lift Station Proposal

Mitch Willson reported that they are building the #10 lift station. There needs to be a retaining wall around the property. Mitch had three bids: S&S Excavating Inc for \$8,820.00; Bowen Construction for \$11,172.05; Coxey Construction for \$5,340.00 (labor only). Mitch reported that Brad Jensen has reviewed these bids. **Councilmember Higley moved to award the bid to S&S Excavating for \$8,820.00 for the retaining wall. Councilmember Ferrin seconded the motion. Councilmembers Kelley, Ferrin, White, Koford and Higley voted aye. The motion carried.**

Other Business

Approval of Business Licenses:

New

Hanson Property Management	Brad Hanson	2869 N 5150 W	handyman general
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Renewal

Head to Toe Salon	Christi Branz	4772 W 2050 N	hair, nails, tanning
M.K Salon	Michelle Koford	3409 W 2350 N	hair salon
Walker Homes	Alan Walker	4496 W 1650 N	construction
Creative Culture Insignia	LouAnne Daz	2063 N 5100 W	insignia design
WC Fabrication & Repair	Wid Carver	4375 W 2575 N	fabrication/sheet metal
Sher's Nails	Sherilyn Elliott	2107 N 3900 W	nails, manicures
Will-O-Way Construction	Glen Willie	1638 N 4650 W	general contractor
Jack's Garage	John Etherington	2417 N 4425 W	general repair garage

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Sadler, Inc/Dental Design Studio Melvin Sadler 2154 N 3500 W dental laboratory

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

Approval of Warrant Register (see 02/22/2008-02/29/2008)

Councilmember Kelley moved to approve the warrant register dated 02/01/2008-02/21/2008 as presented. Councilmember Koford seconded the motion. Councilmember's Kelley, Ferrin, White, Koford and Higley voted aye. The motion carried.

Comments – City Council

Councilmember Higley reported that there were two bills on salt because the big truck has the sander in it and can't go get the salt. So we had to have it delivered. Councilmember Higley also noted that he has a mosquito meeting on Monday.

Councilmember Koford noted that she has been approached from a resident to have a music festival in the senior center. This will be a group of students to perform their solos. In lieu of the fee, Councilmember Koford is asking that the instructor pay to have the piano tuned. It was agreed by the council to waive the rental fee in return for paying to have the piano tuned. It was noted that the deposit will still have to be paid. Councilmember Koford noted that Don Weston informed her that the parks truck is ready. Derrick has the bids, but he is out sick. It was noted that the council would like to see the bids. It was suggested that Councilmember Koford get with Brent Weston. Councilmember Koford also noted that she would like to have a work meeting about personnel needs. Councilmember White suggested waiting until after the ULCT convention and before the preliminary budget is due. It was suggested that perhaps April 17 would work. Councilmember Koford asked the council if they were interested in getting business cards. It was decided that Councilmember Koford and Kelley would work on this. Councilmember Koford reported that she met with UDOT. They will meet again on the 17th at 2 to drive around and look at the area. She reported that they will fund both grants together. She also noted that the engineering isn't included in the grant money.

Councilmember Ferrin noted that he attended the Rural Water convention. He feels that Mitch Willson should be able to attend. He feels there is a lot of valuable information there. Councilmember Ferrin will get with Colette on the recreation.

Councilmember Kelley reported that Founders Day is going well. She noted that the Arts Council will apply for an EZ RAMP grant. It will be due the end of April. She also reported that she has got some bids for the roof repairs. Mitch noted that the city office roof also needs to be repaired. Councilmember Kelley inquired about the Community Clean-Up Day. It was reported that typically it was held the first Saturday in May. She will look into this and get a list of projects.

Councilmember White noted that the letter to Kraig Johnson went out last Tuesday. He reported the Don Weston is working at the sewer lagoon and getting that shaped up.

Councilmember Koford asked about fixing the side of 2200 N where the bus sunk. Mitch reported that Marriott's will bring some crushed rock to fill it in until asphalt is made again.

At 8:35 Councilmember Ferrin moved to adjourn. Councilmember Higley seconded the motion. The vote was unanimous.

City Recorder

Mayor

Date approved