

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
APRIL 3, 2008

The City Council of Plain City convened in a regular meeting on Thursday, April 3, 2008, in the Plain City Hall beginning at 7:00 p.m.

Present: Mayor Jay Jenkins, Councilmember's LaFray Kelley, Brett Ferrin, Brent White, Bruce Higley and Beth Koford
Staff: Diane Hirschi
Also present: Thane Ellis, Terrie Stephenson, Brad & Pam Slater, Mark & Alexis Megahan, Carl Miller, Artie Pearce, Robert Seager, Curt Knight, Dennis Rogers, Frank Phillips, Stacy Gillette, Brandon Stokes, Jarod Maw, Bob Spencer

Mayor Jenkins called the meeting to order. Councilmember White led in the Pledge of Allegiance and Mayor Jenkins gave the invocation/moment of silence.

Approval of Minutes: March 20, 2008

Councilmember White moved to approve the minutes from March 20, 2008, as presented. Councilmember Ferrin seconded the motion. Councilmembers Kelley, Ferrin, White, Koford and Higley voted aye. The motion carried.

Comments: Public

Norm Sant, a resident for about a year and a half and former Mayor with about 16 years experience in city government, mentioned that he would like to see the city give an incentive for Eagle Scouts. He suggested a savings bond for either \$50 or \$100. He noted that the parks and recreation departments could come up with several ideas of service projects for these scouts.

Report: Planning Commission:

Buddy Sadler reported that the Planning Commission passed a conditional use permit for a flag lot for the Liberty Bible Church. He also noted that they approved the site plan for the Liberty Bible Church. There were a couple of conditions set that Brad Jensen will need to address. Buddy reported that they are working on amending the two-lot subdivision ordinance and hopefully will have a proposal ready for the next meeting. He noted that at their next meeting they will address preliminary approval for Four-Mile Parkway, Winder Subdivision and Christensen Subdivision and have a couple of lot line adjustments.

Public Hearing: Disconnection – Paul Knight Property – approximately 3450 N 3900 W

Councilmember White moved to go into a public hearing. Councilmember Kelley seconded the motion. Councilmembers Kelley, Ferrin, White, Koford and Higley voted aye. The motion carried. Mayor Jenkins reported that while doing the pioneer boundary annexation, he was asked by Paul Knight to not include his property. The process was too far into it to stop it at that point. Now the paperwork has been generated to take care of the disconnection. There were no public comments. **Councilmember White moved to go out of the public hearing and into the regular meeting. Councilmember Higley seconded the motion. Councilmembers Kelley, Ferrin, White, Koford and Higley voted aye. The motion carried.**

Motion for Ordinance: Disconnection – Paul Knight Property

Mayor Jenkins noted that the city attorney has prepared a disconnection ordinance for the Paul Knight property. **Councilmember White moved to adopt Ordinance 2008-08 disconnecting Paul Knight's property from the city. Councilmember Kelley seconded the motion. Councilmembers Kelley, Ferrin, White, Koford and Higley voted aye. The motion carried.**

Motion to Set Public Hearing: Appeal – Flag Lot for Liberty Bible Church – April 17

Mayor Jenkins noted that the Planning Commission approved a conditional use permit for a flag lot for the Liberty Bible Church just off 1975 N. He reported that Beth Koford has filed an appeal on that action. Councilmember Koford reported that the action seemed to violate the ordinance. The ordinance states that the primary use of a flag lot is a single-family dwelling. She did note, however, that the zoning ordinance allows churches as a permitted use in any zone. She reported that the city attorney has advised her to file the appeal. Frank Phillips gave Diane a copy of a federal religious land use act of 1993 to distribute to the council. **Councilmember White moved to set a public hearing for April 17 for the purpose of the appeal for the conditional use permit of the Liberty Bible**

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
APRIL 3, 2008

Church. Councilmember Kelley seconded the motion. Councilmembers Kelley, Ferrin, White, Koford and Higley voted aye. The motion carried.

Motion: Bed and Box Bid for Truck

Councilmember Koford noted that these bids are for the new fire truck and then the old truck will be given to the parks department. There were three bids. The lowest bid for the truck bed was Poulsen Trailer Sales for \$1695.00 and the lowest bid for the boxes is from Grainger for \$1103.40. **Councilmember Ferrin moved to approve the bids from Poulsen and Grainger. Councilmember White seconded the motion. Councilmembers Kelley, Ferrin, White, Koford and Higley voted aye. The motion carried.**

Other Business

Approval of Business Licenses:

Renewals

Sizzle Sack Inc	Nathan Corey	2982 N 3525 W	self heating paper bag
J Brad Barto Construction	Brad Barto	2965 W 2600 N	general contractor office
Bob & Camie Miller	Bob & Camie Miller	2764 W 1625 N	apartment painting
Old School Yard Maintenance	Ben Carnahan	3805 W 2200 N	lawn care
ABC Preschool	Cristine Wheeler	2138 N 3900 W	preschool
Wilson Towing	Dennis Wilson	4712 W 2200 N	towing
Gottahavit Wholesale	David & Lori Burgett	2123 N 4650 W	delivery of prepacked meats
Mr. Scent-Sation	Glen & Michelle Ashdown	4536 W 1600 N	air freshener service

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

Approval of Warrant Register (see 03/21/2008-03/31/2008)

Councilmember White moved to approve and pay the bills as presented. Councilmember Higley seconded the motion. Councilmembers Kelley, Ferrin, White, Koford and Higley voted aye. The motion carried.

Comments – City Council

Councilmember White reported that the sewer is doing well with the help of Issa and Don. He is working with Diane on the IT needs for the new budget.

Councilmember Ferrin noted that the 4th of July is coming along. He asked the council for some direction on the dinner on the 3rd. He is looking for vendors to cater the dinner. They have talked to Sandy's Fine Food, but they will need a hard number for the amount of dinners. There was a discussion about the pros and cons of pre-selling tickets. They discussed charging \$6 for adults and \$3 for kids or just \$5 across the board. Councilmember Ferrin will keep looking at this. He asked about the status on the town square park and if the 4th of July committee should count on using it for the celebration. The Mayor hasn't heard anything new and said to plan on using the park for the 4th of July celebration.

Councilmember Kelley noted that the Community Clean-up day is scheduled for May 3. She has a list of projects from the parks and public works departments. There was a discussion about placing dumpsters around the city. Some ideas will be looked into for this. Councilmember Kelley reported that all the bills haven't come in for the Founders Day yet, but thought that the cost was around \$3500 and about \$2600 was brought in. She reported that there were about 1100 volunteer hours put into Founder's Day. She reported that the Arts Council, with the help of Paula Harper is looking into updating the Plain City History Book. Councilmember Kelley noted that with the change in the appeal ordinance, an appeal board needs to be set up. She noted that Dave McKenzie, Janet Ellis and Marilyn Lott would be interested in serving on this board. She also mentioned that she would like to bring some training into our city. This could be available for the appeals board, the Planning Commission and the City Council. It was suggested that URMMA offered to give some training on this. Councilmember Kelley mentioned that she came in and looked at the engineering bills for the last five months. She noted that in one month, the bill was about \$2,000 for an annexation that hasn't been applied for. She said there has been about \$9,000 spent in the last five months on this same annexation. She feels that the city should discontinue paying for annexations and asked that this policy change be put on the agenda.

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
APRIL 3, 2008

Councilmember Koford reported that she met with Rocky Mountain Power a couple weeks ago to get the power to the press box at the Lee Olsen Park. She noted that there is a setback since they want to go the closest distance. This is trying to be worked out without tearing up the football field. Councilmember Koford also noted that she would like to wait until after the 4th of July before they decide on a public address system. This way, they will be able to see what best fits our needs. Councilmember White suggested contacting Darwin Smith as he may have some information on this already. Councilmember Kelley noted that she has some contacts that they used for the play.

Discussion: City Goals and Planning

Mayor Jenkins reported that there was a work session a couple months ago about the direction the new city council wants to go. He would like the council to discuss any agendas, desires and projects they would like to see happen. He would also like to involve the Planning Commission members. Councilmember Kelley mentioned that she has talked to Artie about this and feels that the city needs to have on staff, a part-time planner. Councilmember Ferrin noted that his first issue is personnel concerns and feels that we are in need of some professional assistance on either a city manager or a city administrator and he also agrees that we need a planner. He feels we are under-staffed and need to look at the long term needs. His next concern is establishing an ordinance for the roads, such as impact fees and cutting and sealing the patches on the roads. He would like the city to require a seal after the road has been patched. His third concern is better communication with the Planning Commission and getting adequate notes. He feels that sometimes the council doesn't have all the information that was hashed out by the Planning Commission. He would like to see all items on engineering memo's completed before they are passed on to the City Council. He feels this would shift the burden from the City Council to the developer. Councilmember White feels that we are on track with the sewer and the treatment. He would like to see a master planning of the parks and trails. He would like to see work immediately on a plan for the Pioneer Park. Councilmember White also feels that the city needs some administrative and staffing needs in the day to day direction of the city. Councilmember Koford agrees on the need for a planner in the office. She thinks that we could have a planner for 2-3 days a week and a full-time manager for the day to day operation. She noted that she also would like to have a master plan for parks. This would aid in applying for grants. She doesn't want to see ball diamonds all over the city but would rather ball diamonds to be in a centralized location. She would like to see more playgrounds and picnic areas. As far as trails, she would like to see them worked from the inside of the city to the outside. She suggested that the council watch for 4-Mile Parkway to come to the Planning Commission and invited them to come to those meetings. She noted that the development will be on the council's shoulders and that they need to get involved with the planning. She would like to see a work session on this subdivision that both the Council and the Planning Commission could discuss their feelings and thoughts. She reported that Brandon Richards reported that some cities have set up an automatic work session for the Planning Commission and City Council on the 5th week. She mentioned her concern about the conditional use process and feels that the City Council should have the final say on them since they are the elected body. Councilmember Higley noted that his number one concern is a maintenance shop. Another concern is getting the rest of our 3-4 lift stations with a backup generator. It was suggested to get one done every year. He noted that we were down one day and we only have one portable, but there was not a ball on the truck to move it. He feels that we must get adequate equipment. He noted his concern about North Plain City Road. He feels it is inadequate for the subdivisions that are going in on the road. He too, is concerned about personnel issues and also would like to see them getting some safety training. Mayor Jenkins noted that the rest of the pioneer boundary annexation is on the horizon. He noted that he feels bad that there is an area on North Plain City Road that doesn't have sewer and that they have been promised for years. He noted that with Universal Subdivision coming in, that maybe the sewer is on it's way. He reported that he has been working on the North Legacy Parkway. For a while they talked about having it along the power line corridor, but he feels that he has had some success in moving it to the 5100 West Corridor all the way up to Smith & Edwards. He would like to see a curbside recycling program. Deputy Cragun reported that Pleasant View just started on a month ago with Econo Waste. He noted that they pick up a can with paper and plastic every other week. He said is cost them about \$2.35 a month for that service. Mayor Jenkins noted that another area he would like to see is the Rail Trail. He noted that this would be a good project for the community clean-up day. He reported that he is working with the school district on the town square. He reported that he is impressed with the Planning Commission and would like to maintain a good relationship and maintain the integrity of being a separate body. Artie Pearce reported that the Planning Commission is wonderful. Her main concern is keeping up with the ordinances and keeping them in line with the General Plan. She feels that

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
APRIL 3, 2008

with all the subdivisions coming in, it pushes the work on the ordinances last. She noted that she agrees we need a planner. She feels that we are being targeted by developers and is concerned about the PRUD's. She noted that we have some commercial areas in the general plan. She thinks that the council needs to solicit commercial development. She too, would like to see the council come to the Planning Commission meetings. Buddy Sadler noted his concern about the roads. He feels that there are not enough north/south roads in the city. He mentioned that there has been talk of a traffic study on North Plain City Road. Beth noted that Brad said it was about half done. Buddy also asked how the council wants to handle the 5100 West Corridor. He asked if we are going to preserve the corridor or just put a line on the map. He suggested putting a sign on 5100 West for the landfill and finally, he would like to see the adoption and enforcement of an ordinance that people have to put in a yard within a year or a year and a half of moving into a new house. Councilmember White asked about our nuisance officer. Mayor Jenkins noted that it is Ken Martin with the aid of Deputy Cragun. There was discussion about the city code being online and being very searchable. Councilmember White asked about the 5100 West corridor. It needs to be addressed on how to handle it. It was noted that the state is not ready to buy the property and that the Legacy Highway is at least 30 years away. Bob Spencer noted that the council is the voted body and would welcome and encourage them to come to their meetings. Robert Seager noted his appreciation and help of the Planning Commission and the City Council. He would encourage more communication. Brandon Stokes mentioned that Ken Martin will be a good help but also feels the need of a planner. Jarod Maw noted that as he sometimes sits on the other side of the fence as a developer; he feels our city should have the developer come back if there are a lot of items undone. He feels that we could tighten up a bit. There was a discussion on the paper flow for a subdivision and requiring a new memo from the engineer. It was noted that it will cost more to have Brad do a more current memo. Councilmember Higley noted that North Ogden has a technical review meeting before a subdivision is officially brought in. Buddy suggested that maybe it would be better to tighten things up at preliminary approval. Concerning the 5100 West corridor, Buddy suggested that we leave it in an A-1 zone until we know what the state is planning to do. Artie noted that we would need to change the general plan if that is the case. There was a discussion about density bonuses and the PRUD. It was noted that our general plan states that the city encourages PRUD's. Do we? Councilmember Ferrin noted that he doesn't like the narrow roads that the city will inherit when the Home Owner's Association goes bad. It was noted that our PRUD ordinance requires the streets to be up to city standard. Councilmember Kelley is concerned about the workload of the Planning Commission. Brandon Stokes noted that they are working on a new application for the PRUD. Jarod Maw noted that we are learning as we go. Mayor Jenkins noted that people seem to like the outdoor amenities. Councilmember Koford noted that she would like better communication with the Planning Commission on the conditional use and the development agreement. Artie mentioned that the Planning Commission grants the conditional use permit which allows the development to use the PRUD. Then the Planning Commission and the City Council will approve the development agreement. It was noted that there needs to be a good balance of different types of subdivisions within the city.

At 9:25 p.m. Councilmember White moved to adjourn. Councilmember Kelley seconded the motion. The vote was unanimous.

City Recorder

Mayor

Date approved