

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
FEBRUARY 5, 2009

The City Council of Plain City convened in a regular meeting on Thursday, February 5, 2009, in the Plain City Hall beginning at 7:00 p.m.

Present: Mayor Jay Jenkins, Councilmembers LaFray Kelley, Brett Ferrin, Beth Koford and Bruce Higley
Excused: Councilmember Brent White
Staff: Diane Hirschi
Also present: Terrie Stephenson, Robert Seager, Artie Pearce, Paul Hodson, Kiri Scholtec, Kent Yearsley, Brad Simons, Lance Wood, Boyd & Florene Parke, Jennifer Boyd, Dean Keyes, Ryan Taylor, Bob Spencer, Gordon Nozaki and Deputy Rex Cragun

Mayor Jenkins called the meeting to order. Councilmember Higley led in the pledge of allegiance. Councilmember Kelley gave the invocation/moment of silence.

Approval of Minutes: January 15, 2009

Councilmember Kelley noted that in her comments, she thanked Mitch for his help with the furnace and the power outage. Councilmember Ferrin noted a typo. **Councilmember Higley moved to approve the minutes from January 15, 2009, as corrected. Councilmember Ferrin seconded the motion. Councilmembers Kelley, Ferrin, Koford and Higley voted aye. The motion carried.**

Comments: Public

There was none at this time.

Public Hearing: Monthly sewer rates/Central Weber's increased rate

Councilmember Ferrin moved to go into a public hearing for the purpose of reviewing the monthly sewer rates due to Central Weber's increased rate. Councilmember Kelley seconded the motion. Councilmembers Kelley, Ferrin, Koford and Higley voted aye. The motion carried. Lance Wood from Central Weber Sewer explained that the permit they hold to treat sewer is dictated by the state who sets the parameters. They have been operating a 50 year old process and are working towards a different method of treatment. They are in the process of building a parallel plant that they will combine with to meet all the EPA requirements. The majority of upgrades is due to growth. Central Weber has three ways to collect revenues for the upgrades: 1) impact fees; 2) taxes, and 3) user fees. They have already increased the impact fees and now they have had to increase the user fees. They also anticipate small increases in the user fees over the next three years. Mr. Wood noted that they have increased the fee from \$7.50 to \$12.00. He noted that the total cost of the project is \$140 million. The project is to be completed by early March of 2011. Mayor Jenkins noted that Central Weber treats everything in Weber County except for portions of Plain City, Roy and Uintah. He noted that we are not in the District, but Central Weber is nice enough to let a portion of our city go into their trunk line. Mayor Jenkins noted that he is proposing to restructure the rate to make it fairer across the board. He noted that Councilmember White is over the treatment at the sewer lagoons and Councilmember Higley is over the collection side of the sewer. He is suggesting that everyone in the city be charged the collection fee and the treatment fee will be based on where the treatment takes place. Kent Yearsley noted that this would stop them from being double charged. After doing some research, it was proposed that collections should be \$11. Central Weber's fee went from \$7.50 to \$12. He is proposing that the treatment fee for Plain City's lagoon system be \$3. Lance Wood noted that Central Weber doesn't own the collection system to the trunk line. The city owns the mains and laterals that run to Central Weber's trunk line. Artie Pearce asked if the total fee for the majority of Plain City is \$13. It was noted that it is \$13 and will stay \$13. Councilmember Ferrin asked for a clarification on the breakdown. It was noted that it is \$11 for collections and \$2 (not \$3) for treatment for all of Plain City except the section that goes to Central Weber. Their breakdown would be \$11 for collections and \$12 for treatment. There was a discussion that maybe the fee should be raised \$1 if the treatment fee needs to be \$3. Florene Parke asked what area goes to Central Weber. Mayor Jenkins noted that all of Cobble Glen Subdivision, a section of Poplar Estates and a section of Mountain West Meadows will run to Central Weber. There were no more public comments. **Councilmember Kelley moved to go out of the public hearing and into the regular meeting. Councilmember Koford seconded the motion. Councilmembers Kelley, Ferrin, Koford and Higley voted aye. The motion carried.**

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Discussion/Motion for Ordinance: Monthly sewer rates/Central Weber's increased rate

Councilmember Ferrin moved to adopt resolution 2009-01 for the sewer rate to be \$13 and the increased rate of \$23 for those that go into the Central Weber trunk line. If it found that there needs to be an increase for treatment, then Don should come back with numbers to justify the increase. Councilmember Koford seconded the motion. Councilmembers Kelley, Ferrin, Koford and Higley voted aye. The motion carried.

Report: Planning Commission

Bob Spencer and Artie Pearce reported that the city attorney was at the Planning Commission meeting to discuss the appeal of Mike Lobato. They will make their decision at their next meeting. There was some discussion about the appeal process. The Planning Commission is working on some ordinance changes at their next meeting. Councilmember Kelley noted that each appeal case has to be looked at on an individual basis. Councilmember Ferrin noted that in the future, the city council ought to be clearer on their motions in the case of an appeal.

Discussion: Four-Mile Parkway – Brad Simons

Brad Simons reported that he has been working on Glenn and Diane Taylor's property for Four-Mile Subdivision since 2006. He reported that Glenn wanted it a lasting monument to Plain City. Mr. Simons noted that it has been built around Glenn's vision and his love for Plain City. Mr. Simons noted that he has had two community meetings with the residents and have changed the design several time to accommodate the residents. He noted that it would be easier to just do a straight ½ acre subdivision. He reported that he received preliminary approval last April. Now the Planning Commission is looking at the development agreement and it was suggested to him to come before the council before the Planning Commission makes a decision on the development agreement. He explained the subdivision in detail noting that there are a variety of lot sizes. The property entails the Taylor's and the Kilt's property. He reported that there are three parks and a trail system which the city will maintain. There is also a club house park, but the home owner's association will take care of that. The homeowner's association will also maintain the entry area. Mr. Simons reported that the subdivision will have a land drain system to accommodate basements because the land is so flat. He noted that the system works well if it is done correctly. They will also rough in for sump pumps as a backup. There was a question if this will lower the water table. It was noted that the sewer and storm sewer will. Councilmember Ferrin noted one neighbor who is worried about losing the water in his well. Mr. Simons didn't know if this would affect the well. Mayor Jenkins mentioned the subdivision to the east. Water is sometimes backed up in the wetland area and goes to the property in Poplar. Mr. Simons noted that the back of those lots are wetlands and the people shouldn't be changing them. There was a discussion about a homeowner's association or a special improvement district for the land drain system. Mr. Simons noted that he would rather see a special improvement district because that it paid for on the property taxes. Councilmember Ferrin asked what Mr. Simons experience was on land drain systems. He noted a project in Lehi. He also noted that Davis County has them everywhere. He noted that the pumps will be above ground with a backup generator. He noted that they are a lot like our lift stations. Councilmember Ferrin noted that he has two concerns with this development. The first being the open parks area. He doesn't want to spend city money to parks that he doesn't feel comfortable coming to. He is thinking the homeowners association should take care of the parks since it is in their back yards. He doesn't see the rest of the city using them. His second concern is the land drain system since the ordinance does not allow it. He asked Mr. Simons if he had another option if there were no land drain system. Mr. Simons said that they would go to ½ lots. Councilmember Kelley asked what the difference was on a house with a basement vs. a house with two stories. Mr. Simons explained that Utah residents like basements. Councilmember Higley asked about accesses. Mr. Simons reported that he has an access to 1900 N and one into the subdivision to the west. He also pointed out that he has a right-of-way access on 1900 N to the east of the main access. Mr. Simons noted the drop in the economy. Councilmember Koford mentioned that she doesn't like that the access to 1900 N doesn't line up across the street. It was noted that it can't line up. It was also pointed out that there is a lift station there. Mr. Simons also pointed out that the Kilts property is for sale. There is a recorded document stating that whoever buys that property has to follow the subdivision plan. It was also noted that preliminary approval was for all of the property. Councilmember Koford mentioned that she doesn't like that the city maintains the parks. Florene Parke mentioned that she doesn't think it is right that 229 people are all coming out in one place on 1900 North. She reported that she counted 311 vehicles on 1900 N. She feels that the road is too busy now, without the subdivision. She feels that the subdivision needs to have more than one access out. She reported that everyone has

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three cars. That is a lot of cars trying to get out of one access. Mr. Simons reported that 1900 N is a minor collector road with a 120' right-of-way. It will be four lanes one day. Councilmember Kelley discussed accesses vs. outlets. Artie Pearce noted that most of the people in that subdivision will be going east and there won't be that many going west. Artie also pointed out that our ordinance requires that accesses have to have so many feet between them. Mr. Simons commented that the Planning Commission has already granted preliminary approval. The city council does not have to approve preliminary. He noted that the development agreement will go to the Planning Commission and then the City Council will need to approve it. It was also pointed out that the city council will have to give final approval on the subdivision. Boyd Parke mentioned that it is alright to approve the subdivision but warned that it will be here forever so it needs to be done right. He also added that it is a huge subdivision and should have two outlets. Councilmember Koford noted that she would like the intersection to matchup. She asked if the three lots of Ryan Taylors are part of the subdivision. It was noted that they are not. Mr. Simons said the road can't be lined up. He reminded the council again that the Planning Commission has given preliminary approval and the council can't change that. Councilmember Ferrin thanked Mr. Simons for coming. Mr. Simon reported that his purpose in coming was to bring the council up to speed and invite them to give the Planning Commission some guidance on the development agreement. Mr. Simons pointed out that the parks could be part of the special improvement district. He also noted that a lot of these issues would have been cleared up if the city had a full-time planner. It was noted that he has worked with the two planners we contract with from West Valley City. There was a discussion about the section of Taylor's property that is in Marriott-Slaterville. Councilmember Ferrin noted that this is a large development and the council wants to make sure it is right.

Other Business

Approval of Business Licenses:

New

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|-----------------|----------------|---------------|-------------------------|
| Look Inside LLC | Connie Francke | 2964 N 3475 W | metaphysical consultant |
|-----------------|----------------|---------------|-------------------------|

Renewal

| | | | |
|--------------------------------|-----------------|-------------------|-------------------------------|
| Stevens Construction | John Stevens | 3300 N 2800 W | construction |
| Paul Costley Garage | Elsie Costley | 4217 W 2650 N | auto repair |
| MBI Recruiting Specialists Inc | Phil Meyer | 1806 N Pioneer Rd | technical recruiting office |
| Maxfield Concrete Inc | Vaughn Maxfield | 2164 N 4425 W | concrete flatwork office |
| Maurie's Salon | Maurie Pomeroy | 2544 N 3975 W | stylist |
| JDR Inspection Co. | Dee & Sue Rose | 3535 W NPC Rd | construction loan inspections |
| Wilson Towing | Dennis Wilson | 4712 W 2200 N | towing |
| Touch of Healing | Jeanie Maw | 4282 W 1400 N | massage therapy/ body work |
| M.K. Salon | Michelle Koford | 3409 W 2350 N | hair salon |
| Words 2 Live By | Laura Spencer | 1862 N 3900 W | vinyl lettering |

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

Approval of Warrant Register (see 01-16-09 to 01-31-09)

Councilmember Higley asked about the bill from Animal Control for the boarding. It was noted that it covers the animals that are picked up in Plain City. **Councilmember Ferrin moved to approve and pay the bills as presented. Councilmember Kelley seconded the motion. Councilmembers Kelley, Ferrin, Higley and Koford voted aye. The motion carried.**

Reports – City Council

Councilmember Koford noted that they interviewed for companies for the park design. She noted that they awarded the contract to Deseret Land, which is Paul Keeler, a Plain City resident. It was reported that the city didn't apply for a RAMP grant this year.

Councilmember Ferrin noted that Doug & Diana Hunt will be chairing the 4th of July this year. The committee will meet and get going right away. He noted that they are looking at some changes with the dinner this year. He reported that the new Planning Commission member is excited and will bring some good ideas.

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Councilmember Kelley noted that the arts council is working on the Harvest Fest. She is looking at applying for a \$2000 RAMP grant. She also noted that Founders Day is coming along.

Artie Pearce asked the council for some guidance on Four-Mile's development agreement. It was suggested to have a work session with the Planning Commission towards the end of the month.

At 9:04 p.m. Councilmember Higley moved to adjourn. Councilmember Koford seconded the motion. The vote was unanimous.

City Recorder

Mayor

Date approved