

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
FEBRUARY 19, 2009

The City Council of Plain City convened in a regular meeting on Thursday, February 19, 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: Brandon Richards, Terrie Stephenson, Robert Seager, Artie Pearce, Kristi Jones, Holden Steed, Paul Krauth, Beth Wondimu, Ed Macauley, Chad Buttars, Don Weston, and Deputy Rex Cragun

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

Approval of Minutes: February 5, 2009

Councilmember Higley moved to approve the minutes from February 5, 2009, as presented. Councilmember Ferrin seconded the motion. Councilmembers Kelley, Ferrin, Koford and Higley voted aye. The motion carried.

Comments: Public

There was none at this time.

Report: Planning Commission

Robert Seager reported that they accepted the conditional use permit from Mike Lobato due to the appeal being upheld by the City Council. They are looking at fixing the appeals ordinance so it will end with the city council. They will work with Brandon on this. Mr. Seager reported that they approved a lot line adjustment for Kami Marriott. He reported that they are also looking at amending that ordinance as well. They voted to have Artie Pearce be the chairman and Buddy Sadler as the vice chairman for this year.

Mayor Jenkins mentioned that he would like to have the work session concerning the development agreement for Four-Mile in two weeks.

Motion: Weber County 4-H Discovery Night – Request to Use Building

Holden Steed reported that Weber County 4-H wants to hold a Discovery Night on March 5 from 5-8 pm at the Senior Center. He is requesting to have the fee waived. He noted that there will be a power point presentation and they will make some 4-H necklaces that night. **Councilmember Higley moved to waive the fee for the Weber County 4-H Discovery Night. Councilmember Koford seconded the motion. Councilmembers Kelley, Ferrin, Koford and Higley voted aye. The motion carried.**

Presentation of Award: Water Quality Board – Sewer Line Extension

Beth Wondimu, Ed Macauley and Paul Krauth from the Water Quality Board presented that city with a plaque award for the sewer extension project along 5100 West that had two sewer lift stations. Beth Wondimu and Ed Macauley thanked the Mayor, council, Diane, Mitch and Brad Jensen for their efforts in Utah's Clean Water Program.

Presentation from Health Department – Kristi Jones – Outdoor Smoking Regulations

Kristi Jones, Weber-Morgan Health Department, presented the council with a copy of the county-wide outdoor smoking regulation which will go into effect June 1. She noted that the purpose is to keep the public, especially children away from unwanted second-hand smoke in public places. She noted that they have imposed a \$25 fine for violation of the regulation. Ms. Jones reported that the health department will provide the signage for the parks, but the city will need to install them. She would like the city to list the public park areas and get back with her on how many signs the city would need. They are offering three or less per park. It was noted that we have the Lions Club Park, Lee Olsen Park, the city office grounds, and the town square park. The cemetery was discussed. Kristi Jones

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
FEBRUARY 19, 2009

will coordinate with Diane and Mitch. Ms. Jones also noted that the health department offers programs for those who want to quit smoking.

Motion: Extension of Final Acceptance – Pheasant Brook Subdivision

Chad Buttars, an owner of Pheasant Brook Subdivision reported that they received conditional final acceptance in February 2008. They still have some items to complete, one being the slurry seal. He is asking that the city give them a 90 day extension so they can do the slurry seal when it is warm. He noted that they have about \$56,000 in the escrow account and they will need about \$30,000 to finish out the project. Councilmember Ferrin noted that he thinks the city should grant a 120 day extension. **Councilmember Ferrin moved to grant a 120 day extension for Pheasant Brook Subdivision. Councilmember Kelley seconded the motion.** City Attorney, Brandon Richards suggested waiting on this motion until be talk about the next item.

Motion: Interpretation of Ordinance – Pheasant Brook Subdivision

Brandon Richards reported that he, Brad, Mitch and the developers met a week or so ago concerning the improvements that need to be completed for this subdivision. He noted that Pheasant Brook received conditional final acceptance on February 21, 2008. By our ordinance, the city has to hold 10% in the escrow account until all the items are completed. The council had a copy of the engineer’s memo with all the items that need to be completed. The problem is that that developers are out of money and are requesting to use some of the 10% contingency in order to complete the project. Mr. Richards reported that the ordinance states that when the warranty period is up and the improvements aren’t finished the city engineer will draft a letter to the developer giving them 60 days to complete the items. If they don’t complete the items, the city will tap into the 10% and finish the items with that money. Brandon Richards noted that in this case it is a little different because the developers are trying to work with the city on these items; they just don’t have all the money upfront. Brandon Richards is suggesting that Brad follow the ordinance and draft a letter to the developer, giving them 60 days. The developer in turn should write a letter back saying they don’t have the cash and would like to utilize the 10% contingency. The city could then tap into the funds and work with the developer on finishing out the project. Chad Buttars reported that they have some of the money, but not all of it. For example, they have to put in three streetlights. When the escrow was set up, streets lights were \$1,500 each. Now they are \$2,500. He also noted that the bid for slurry seal was \$3,000 and now it is \$7,000. The 120 day extension would give time to have all the work done. **Councilmember Ferrin moved to amend his motion to grant a 120 day extension for final acceptance and to have the city engineer draft a letter to the developer giving 60 days and then in turn have the developer respond in writing that they don’t have the funds and would like to utilize the 10% contingency to finish out the project. Councilmember Kelley seconded the motion. Councilmembers Kelley, Ferrin, Koford and Higley voted aye. The motion carried.**

Other Business

Approval of Business Licenses:

New

Hilary’s Home Daycare	Hilary Perez	1484 N 4800 W	daycare
Impressions Custodial Service	Amando Perez Jr	1748 N 4425 W	custodial service

Renewal

C&B Auto Repair	Curt Knight	2166 N 4500 W	automotive repairs
Hairquarters	Karlene DeVries	3047 W 1975 N	beauty/barber shop
Carolyn L. Hargaray LCSW	Carolyn Hargaray	4156 W 2875 N	counseling
Rebel Birds	Scott Rhodes	1623 N 4150 W	raising/selling game birds
The Dance Establishment	Gary & Peggi Nielsen	4425 W 2350 N	dance instruction
Fingers & Toes	Sherry Bradford	2710 N 4200 W	salon
Carl’s Auto Clinic	Carl Miller	1606 N 4700 W	light auto repair
Drew Christensen Enterprises LLC	Drew Christensen	1441 N 4250 W	business office
Hanson Property Management	Brad Hanson	2869 N 5150 W	handyman general
Paint a Wall	Dean Kap	3862 W 1975 N	repainting homes
Mr Scent-Sation, Inc	Glen & Michelle Ashdown	4536 W 1600 N	air freshener service
Russell’s Gem & Jewelry	Russell Watson	1449 N 4250 W	make jewelry
Scoffield Construction	Tyler Scoffield	3748 W 2100 N	construction

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
FEBRUARY 19, 2009

Scofield Rental LLC	Hollie & Tyler Scofield	3748 W 2100 N	rental houses
Blitz Trucking	Tyson Worrall	2528 N 3975 W	trucking office
One Oakridge LLC	Brad Oldroyd	1975 N 4098 W	convenience store
Sadler Inc/Dental Design Studio	Melvin Sadler	2154 N 3500 W	dental laboratory
T&T Pursuits	Joel & Amber Taylor	2165 N 3700 W	violin lessons/cleaning
Pro-Mold	Farrell Christofferson	1675 N 4150 W	machine shop
Creative Enterprises	Lauri Eskelson	5065 W 2150 N	glass art

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

Approval of Warrant Register (see 02-01-09 to 02-19-09)

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

Reports – City Council

Councilmember Ferrin noted that he met with the chairman of the 4th of July committee and things are starting to get moving.

Councilmember Kelley reported that Founders Day is coming along. They are making some changes this year, such as pre-selling dinner tickets and having two times for dinner. A handout was given to the council. It was noted that tickets are \$6 or \$30 per family. It was noted that family means those that are living in the house. Councilmember Kelley mentioned that Colette has been very helpful on the committee. She also noted that there may be a visit from “Greg the Rabbit” at Founders Day. She also mentioned that she will be working on the newsletter Saturday. She invited the council to send some articles to her by Saturday. Councilmember Kelley noted that someone asked if they could put a business advertisement in the newsletter. The council said no.

Councilmember Higley commended the snowplowing crew.

Mayor Jenkins noted the he attended the North Legacy Highway Steering Committee. Another meeting is scheduled for March 4.

At 7:40 p.m. Councilmember Ferrin moved to adjourn. Councilmember Higley seconded the motion. The vote was unanimous.

City Recorder

Mayor

Date approved