

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
SEPTEMBER 17, 2009

The City Council of Plain City convened in a regular meeting on Thursday, September 17, 2009, in the Plain City Hall beginning at 7:00 p.m.

Present: Mayor Jay Jenkins, Councilmembers LaFray Kelley, Brett Ferrin, Brent White, Beth Koford and Bruce Higley
Staff: Diane Hirschi
Also present: Fawn Carlin, Rick Winn, Terrie Stephenson, Craig Johnson, Randy & Genevieve Bates, David Winters, Flora Hayes, Kelly Dixon, Lori Rasmussen, James Jensen, Jesse Campbell, Nicki Campbell, Luana Middleton, Mark Lowther, Patricia Rasmussen, Jeff Hales, Todd Davis, Jarod Maw, Judy & R.L. Johnson, Monte Matue, Gary Nielsen, Kelly Parke

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

Approval of Minutes: September 3, 2009

Councilmember White moved to approve the minutes from September 3, 2009, as presented. Councilmember Koford seconded the motion. Councilmembers Kelley, Ferrin, White, Koford and Higley voted aye. The motion carried.

Comments: Public

Mayor Jenkins suspects that people are here for the animal ordinance. He mentioned that it is not on the agenda to discuss or to vote on, but welcomed anyone that wanted to say anything while they were here. He also noted that there was a miscommunication that there was a public hearing for the animal ordinance tonight. He noted that was an error on the newspapers part. He also reported that the city council asked the Planning Commission to look into the animal ordinance. They are looking at altering the size of the lot from a total half acre to a half acre strictly for the animal. We are receiving complaints in the subdivisions because a half acre is so tight. James Jensen feels that if the Planning Commission is working on it, they ought to announce it so they can attend. He noted that this change would affect a lot of people. Jesse Campbell's concern is they can't sell their ½ acre lot as horse property anymore. He suggested changing the zoning for the future subdivisions. Craig Johnson noted that he moved out here 18 years ago to get his boys away from gangs. Children are an investment and he doesn't want to see kids lose the privilege of having horses. He noted that drugs decrease by 84% for those that have horses. He mentioned that people moved out here to be what they want to be. Randy Bates likes the atmosphere out here and thinks that they will lose value on their homes if horses aren't allowed. He feels that if you change the lots to ¾ acre you will still have complaints. He would also like to know when the meetings will be. Rick Winn echoed everyone's comments. He feels the council needs to listen to the people. He noted that this will affect property values. He suggests that you look at changes for future lots. Mark Lowther feels that the animals are necessary because they teach responsibility. He reported that he knows that his kids are home Friday nights getting ready for horse shows on Saturday. Fawn Carlin reported that people moved out to the small cities to have the animals. Things are just more lax out here. Jeff Hales noted that he has a resolution to the problem. He thinks the city ought to begin right now and check the recording on the deed and that date would determine whether they could have animals. Judy Johnson feels that animals help the kids and the city needs to stay rural. Monte Matue said that he read in the newspaper that we want to be in compliance with Farr West. He thinks we need to lead, not follow. He thinks the city will start with the animals and then they will start on something else. He thinks we should leave it alone. Patty Rasmussen reported that she lives on a half acre but would like to have horses someday. A horse would be good for her child with anxiety issues. John Leonardi feels that there is too much government and how do you feel about taking everything away. He feels that the council ought to look at their rights. Gary Nielsen used to be on the city council when they made a modification to the ordinance concerning setbacks. He feels that the city would be better off amending the nuisance ordinance and enforcing that way. That wouldn't affect people's quality of life. Judy Johnson said that she called the office and they told her that tonight's meeting had been canceled. The Mayor mentioned that it was probably a misunderstanding. The office told people that the animal ordinance wasn't on the agenda to discuss or vote on. He noted that what we are doing right now is just public comments. The Mayor thanked everyone for

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coming. He also pointed out that several planning commission members are here too and that helps. He appreciates all of the input in the planning stages.

Presentation: Ogden Weber Chamber of Commerce

Larry Crouch presented the vision statement for the Chamber of Commerce and mentioned the benefits for Plain City to join. He mentioned that membership runs around \$675. Karen Leonardi is the Chair for the Chamber of Commerce asked the city to become involved. She noted that they would be an advocate for Plain City. Gary Nielsen reported that he has been a member for over a year.

Motion for Re-final Approval: Diamond E Subdivision

Jeff Hales is asking for another six-month extension for Diamond E Subdivision. He reported that nothing has changed. He realizes there are about six things on the memo from the engineer that has to be completed before recording the subdivision. **Councilmember White moved to grant re-final approval for Diamond E Subdivision. Councilmember Koford seconded the motion. Councilmembers Kelley, Ferrin, White, Koford and Higley voted aye. The motion carried.**

Motion: Set Canvass Meeting of 2009 Primary Election

Councilmember White moved to set the canvass meeting on Tuesday, September 22 at 5:30 p.m. Councilmember Higley seconded the motion. Councilmembers Kelley, Ferrin, White, Koford and Higley voted aye. The motion carried.

Other Business

Approval of Business Licenses:

New

Beesley's Birds	Jon Beesley	2348 N 4350 W	home office
Southwick Transcription	JaNae Southwick	2854 N 3650 W	medical transcription

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

Approval of Warrant Register (see 09/01/09 to 09/17/09)

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

Report: Planning Commission

Robert Seager reported that they discussed the re-final for Diamond E Subdivision and didn't have any concerns. They also addressed the Verizon cell tower. They tabled the discussion of the animal ordinance and they are working on an ordinance concerning temporarily living in house trailers.

Reports – City Council

Councilmember Higley reported that the Mosquito District voted to approve their new tax increase. He noted that it will amount to about \$0.25 per home. He noted that it has been a long time since they raised the taxes. He also noted that he has three bids for the parking lot behind the senior center.

Councilmember Kelley reported that the Harvest Arts Festival was last Saturday. They will be doing an evaluation of the day at their next meeting. She feels that it was successful and the vendors said they would come back. Councilmember Ferrin noted that he had positive feedback about the festival.

Councilmember Koford mentioned that she had a sidewalk meeting today. All of the sidewalk should be in shortly and next week they will do the grading and hopefully get the asphalt in. She reported that the gates are in at the Lee Olsen Park and Mitch is getting signs for the gates.

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Councilmember White reported that he and Don met with the Division of Water Quality. He noted that they don't see things quite the same way and we are using technology that they are not used to. He, Don and Brad Jensen are going to get together to formulate a strategy. Councilmember White suggested that we put the Chamber of Commerce as a line item for discussion at the next meeting. He also suggested that we get the cemetery on the agenda too. Diane was asked to get with Brandon to include water shares in the contract.

Mayor Jenkins reported that the City Council and some from the Planning Commission attended the League of Cities and Towns convention. He felt that there were good classes this year. Councilmember White asked if anyone got a survey on the convention. He suggested to them to have an open forum time set for cities of the same size. The council liked that idea and will make the same suggestion if they get the survey. Mayor Jenkins noted that there are a lot of little projects going on within the city.

At 8:12 p.m. Councilmember Higley moved to adjourn. Councilmember Ferrin seconded the motion. The vote was unanimous.

City Recorder

Mayor

Date approved