

PLAIN CITY COUNCIL  
MINUTES OF REGULAR MEETING  
AUGUST 4, 2011

The City Council of Plain City convened in a regular meeting on Thursday, August 4, 2011, in the Plain City Hall beginning at 7:00 p.m.

Present: Mayor Jay Jenkins, Councilmembers LaFray Kelley, Brent White, Beth Thompson and Bruce Higley  
Excused: Councilmember Brett Ferrin  
Staff: Diane Hirschi  
Also present: Terrie Stephensen, Corban Gibson, Noah Bunderson, Andrew Jensen, Nathan Corey, Jeff Hales, Dave Bunderson, Merika Christiansen, Tanner Smedley and Lt. Matthew Bell.

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

Approval of Minutes: July 21, 2011

**Councilmember White moved to approve the minutes from July 21, 2011 as presented. Councilmember Kelley seconded the motion. Councilmembers Kelley, White, Thompson and Higley voted aye. The motion carried.**

Comments: Public

There was none at this time.

Presentation: Marina & Brandon Noble – Zumba Classes

The council will wait until they are in attendance.

Final Approval: Empire Acres Subdivision

It was noted that this is a two lot subdivision off 2200 North that was previously annexed. There was a question about pressurized secondary water. Buddy Sadler reported that the city council had passed an ordinance that states if there is not pressurized secondary water available, they can use water shares or other means but when pressurized secondary becomes available, they must hook on. Diane noted that the fire department has signed off on the subdivision. A copy of the new plat was brought in today so Brad Jensen has not had a chance to verify that all the improvements have been made. There was a question about an open ditch. Merika Christiansen, the owner of the house being built reported that she has a letter from the irrigation company saying that the ditch is not used. The neighbor also signed the letter. Merika said that the ditch has been filled in. She reported that they have water shares as well as two wells on the property. Culinary water will be provided by Warren/West Warren Water district. **Councilmember White moved to give preliminary/final approval to Empire Acres contingent on Brad Jensen's review concerning the completion of the items on his memo dated July 7, 2011. Councilmember Thompson seconded the motion. Councilmembers Kelley, White, Thompson and Higley voted aye. The motion carried.**

Motion for Ordinance: Zoning Ordinance: Fowl and Zoning Amendments

Councilmember White felt that we ought to add "show" before "events" in the definition section. **Councilmember Thompson moved to adopt Ordinance 2011-09 amending the zoning ordinance concerning amendments and fowl. Councilmember White seconded the motion. Councilmembers Kelley, White, Thompson and Higley voted aye. The motion carried.**

Motion for Ordinance: Subdivision Ordinance: Amendments & Senior Housing Overlay Zone

Mayor Jenkins asked Jeff Hales about the proposed ordinance. Jeff reported that he saw it for the first time two days ago and has sent it to his attorney and emailed it to the owners. After just a glance, there are some things he would like to change. The Mayor asked that the council to table this until the next meeting. **Councilmember Higley moved to table this item until our next meeting. Councilmember White seconded the motion. Councilmembers Kelley, White, Thompson and Higley voted aye. The motion carried.**

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Jeff Hales also asked if he could address the escrow agreement for Poplar Stake subdivision. Jeff noted that originally the council addressed an escrow agreement between the church, the developer and the city. Brandon had some issues with it. Then Jeff put together a standard escrow agreement and then in the meantime, Brandon and the church attorney got together and came up with an acceptable agreement. They emailed it to Jeff and Jeff assumed that Brandon notified the city but that was not the case. Jeff asked if this could be put on the next agenda.

Discussion/Motion: Secondary Water for Pioneer Park

Councilmember Kelley has been working with Brad Jensen on getting connection costs and annual assessments for secondary water for the Pioneer Park. Brad Jensen did a price comparison between Pineview and Mountain View Irrigation. Originally the connection cost for Mountain View was \$21,438.10 but Kami Marriott refigured it and is now \$18,318.50. Pineview is \$19,519.77. The annual assessment if Mountain View is \$7,800 and \$1,500 for Pineview. It was reported that Kami Marriott readjusted the annual assessment to be \$4,000 to \$5,000 for the full development and \$2,300 for the first phase. **Councilmember White moved to go with Pineview for the secondary water at Pioneer Park. Councilmember Kelley seconded the motion.** The Mayor asked Councilmember Kelley if she would check the numbers from Pineview. She noted that Brad had checked them twice but she would check also. **Councilmembers Kelley, White, Thompson and Higley voted aye. The motion carried.**

Discussion/Motion: Community Development Block Grant Contract

Councilmember Kelley reported that the contract has to be signed before September. It is a standard CDBG contract and Brandon Richards has looked it over. She noted that the grant is for the Town Square Park and it will be to build a new restroom/storage/bowery area by the playground. She reported that the fire department will use the old building as practice the end of September. It is scheduled to be demolished by October 4. **Councilmember Kelley moved to allow the Mayor to sign the CDBG contract as presented. Councilmember Thompson seconded the motion. Councilmembers Kelley, White, Thompson and Higley voted aye. The motion carried.** Terrie Stephenson asked how much the grant is for. It was reported that is \$133,000.

Other Business

Approval of Business Licenses:

New

KH Gibson Family Enterprises LLC Heidi Gibson 3440 W NPC Rd internet sales

**Councilmember Thompson moved to approve the business license as presented. Councilmember Higley seconded the motion. Councilmembers Kelley, White, Thompson and Higley voted aye. The motion carried.**

Approval of Warrant Registers (see register dated 07/22/2011 to 07/31/2011)

The Mayor noted that the lawnmower purchase is on the register. **Councilmember Kelley moved to approve and pay the bills as presented. Councilmember Higley seconded the motion. Councilmembers Kelley, White, Thompson and Higley voted aye. The motion carried.**

Report: Planning Commission

Buddy reported that they are working on a sensitive land ordinance. They are concerned about people building in the flood plain area. Buddy Sadler noted that he had thought the Jeff Hales had been invited to the meetings about the overlay zone. He suggested that if Jeff wants to make a lot of changes that is should probably go back to the Planning Commission.

Reports – City Council

Councilmember Higley reported that they had the Mosquito Abatement meeting in the hanger. He said the district is in good shape. He also reported that he attended a Sheriff Office meeting. He noted that more information will be coming concerning some upcoming changes.

Councilmember White noted that they will be putting water in the wetland management area within the next couple of weeks. He also noted that the contract was ordered for the cemetery. There will be a preconstruction meeting next week.

PLAIN CITY COUNCIL  
MINUTES OF REGULAR MEETING  
AUGUST 4, 2011

Councilmember Kelley reported that she will need articles for the newsletter by August 24. She reported that the sensor lights are in the Lions Club restrooms and they will be working on getting water there. It was noted that there was a mix up on the tables that were ordered with a RAMP grant but should be resolved soon.

**At 7:35 p.m. Councilmember White moved to adjourn and was seconded by Councilmember Higley. The vote was unanimous.**

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City Recorder

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Mayor

\_\_\_\_\_  
Date approved

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