

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
OCTOBER 6, 2011

The City Council of Plain City convened in a regular meeting on Thursday, October 6, 2011, in the Plain City Hall beginning at 7:00 p.m.

Present: Mayor Jay Jenkins, Councilmembers LaFray Kelley, Brett Ferrin, Brent White and Bruce Higley
Staff: Diane Hirschi, Mitch Willson
Also present: Terrie Stephenson, Mark Lowther, Roger Cannon, Shawn Glenn, Paul & Pam Hodson, Janet Judkins, Don Judkins, Brandon Noble, Jenny Garrett, Verna Keyes, John Leonardi and Deputy Rex Cragun.

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

Approval of Minutes: September 1, 2011

Councilmember Higley moved to approve the minutes from September 1, 2011 as presented. Councilmember Ferrin seconded the motion. Councilmembers Kelley, Ferrin, White and Higley voted aye. The motion carried.

Comments: Public

Roger Cannon, 3439 W 2500 N, thanked the council for listening. He is concern is about the vehicle and pedestrian traffic hazard on 3600 West. He noted that he has voiced his concern to the city office, principal, Sheriff's Department, contractor and the LDS church and got minimal results. He would like the city to not allow truck traffic in the morning and afternoon hours that the kids are walking to school. He noted that he talked to a Weber County Sheriff Deputy and they can't enforce that since there is no law or city ordinance. He said that no one wants to see anyone get injured and that we are all concerned about the welfare of our children. He noted that there is a gentlemen's agreement with the contractor and that it not working. He mentioned that he has worked with accident investigations and the accident could almost always be prevented. He would like the city to address this issue.

Motion: Appointment of City Council Vacancy

Mayor Jenkins reported that with the resignation of Beth Thompson, we need to fill the vacancy until January 1 until the new Councilmembers take office in January. After advertising the position, he recommends putting Paul Hodson on to fill the vacancy. He appreciates Paul's willingness to serve. Paul brings experience and knowledge of procedures. The Mayor asked the council's consideration and consent. **Councilmember Higley moved to appoint Paul Hodson to the council until January 1. Councilmember Kelley seconded the motion. Councilmembers Kelley, Ferrin, White and Higley voted aye. The motion carried.**

Diane swore in Paul Hodson and he took his seat with the rest of the Council.

Motion: Rental Fee for Use of Senior Center – Brandon Noble

Brandon Noble noted that they are teaching Zumba classes in Roy. When they started in Roy, they did a free month of classes. After that month, those that who attended would pay a fee for each class. Roy charges Brandon a daily fee. They would like to do a similar thing in Plain City. Councilmember Higley noted his concern about running a business in the senior center. He mentioned that he talked to some other cities and they have shied away from this type of thing. Brandon Noble noted that he carries insurance and he has everyone sign a waiver. He noted that it is a benefit to the citizens. Councilmember Higley noted that this could set a precedence and we would have to entertain all businesses. It was noted that Brandon would like to hold classes three times a week and would like to see what kind of response it has. Councilmember Ferrin suggested that he contact the Lions Club and feels that it might be a better fit in that building. Brandon noted that he just needs a room, a restroom and perhaps a water fountain. Councilmember White would like to think about it and thinks Brandon should look into the Lions Club building. Terry Stephenson asked how much the classes would be after the free month. He noted that it would be around \$4 per class. He noted that in Roy there were about 65 people at the free classes. Now they consistently have 25-30 for each class. He was told that Ross Taylor's is over the Lions Club building.

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Motion: Review Appeal from Discharge Appeal Board

Brandon Richards reported that according to the personnel policy, Janet is allowed a second appeal. He explained that the appeal was heard at the discharge appeal hearing about a year and a half ago. The purpose of this agenda item is for the council to review the discharge appeal decision. He noted it was put off until the Labor Commission made their decision. Brandon Richards instructed the council that they are to decide with the discharge appeal decision was correct. If they feel it was, then the issue would end. If they feel that it was incorrect, they can remedy the situation. He noted that they all have the facts in front of them. Brandon Richards reported that there is not a lot of direction spelled out in the policy. He noted that there is not a timeline, but suggests that it be done quickly. Councilmember Higley asked if we were to deal with the Labor Commission information. Brandon said no but included the information so they would know what went on. Councilmember Kelley raised a concern about the new councilmember and the fact that he just barely got the information. Brandon noted that the council could table this until Councilmember Hodson got up to speed. He noted that he doesn't want to have this end up in a tie. Councilmember Higley agreed that that was a good point and that there is a lot of material here. **Councilmember Ferrin moved to uphold the decision of the appeal board with the exception of giving her the bonus in which she was entitled to in the amount of \$47.75 but recommends we pay \$50.** It was noted that the motion needed to be seconded in order to discuss it. **Councilmember White seconded the motion.** Councilmember White mentioned his concern if there is a tie. The Mayor noted that he would not vote in that case. **Councilmember Hodson abstained from the vote. Councilmembers Ferrin and White voted aye. Councilmembers Kelley and Higley voted nay. The motion did not pass. Councilmember White moved to table this for two weeks so Councilmember Hodson can participate. Councilmember Higley seconded the motion. Councilmembers Kelley, Ferrin, White, Hodson and Higley voted aye. The motion carried.**

Motion for Resolution: Recertification of Justice Court

Diane reported that we have to recertify the court every four years. The packet has been completed and our prosecutor, Andy Blackburn has written his opinion letter. A copy was give to each of the Councilmembers. **Councilmember Ferrin moved to adopt Resolution 2011-08 requesting the recertification of the Plain City Justice Court. Councilmember White seconded the motion. Councilmembers Kelley, Ferrin, White, Hodson and Higley voted aye. The motion carried.**

Motion for Resolution: Interlocal Agreement for RAMP Grant – Pioneer Park

Councilmember Kelley reported that this is the RAMP grant contract for the Pioneer Park. **Councilmember White moved to adopt Resolution 2011-09 allowing the Mayor to sign the Interlocal agreement for the RAMP grant. Councilmember Ferrin seconded the motion. Councilmembers Kelley, Ferrin, White, Hodson and Higley voted aye. The motion carried.**

Other Business

Approval of Business Licenses:

New

Zach Smith Hunting Services Zack Smith 2615 N 4275 W hunting guide

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

Approval of Warrant Registers (see register dated 09/01/2011 to 09/30/2011)

Councilmember Kelley asked about the check for the Lions Club. Diane noted that it was for serving the 4th of July dinner. She noted that Jim Scheer is looking at bidding the dinner out next year. **Councilmember Higley moved to approve and pay the bills as presented. Councilmember White seconded the motion. Councilmembers Kelley, Ferrin, White, Hodson and Higley voted aye. The motion carried.**

Report: Planning Commission

John Leonardi reported that they had a speaker from Envision Utah concerning sensitive land issues. The Planning Commission felt it was a good presentation and gave them some good information.

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Reports – City Council

Councilmember Higley reported that on October 18 the fire department will swear in all of their members in at their business meeting. He noted that the fire department has been out on a few calls. He also mentioned that there were a couple of new pumps at Hill Field that didn't meet their needs and they will sell one to us at a huge discount. Mitch said that it will fit in pump #9. Councilmember Higley noted that we are fortunate to have Mitch.

The question was brought up about stopping the truck traffic ½ hour before and after school. Deputy Cragun reported that they have been stopping all vehicle and pedestrian traffic while the trucks are pulling in and then contain the trucks on the property until school starts. Deputy Cragun also reported that the contractor wants to cut 3600 W and asphalt the road during Oct 20 and 21 since it is UEA. Then they would be one with the road. Brandon Richards reported that the city can pass an ordinance to not allow trucks during the school times but the problem is enforcement and the feasibility. Deputy Cragun noted that they are almost done hauling from Croydon. He noted that the cement trucks will be local and will be able to be scheduled during school hours. Verna Keyes, the crossing guard at 2200 N and 3600 W noted her concern about the long trucks.

Mayor Jenkins noted that Councilmember Hodson should get together with Diane and get brought up to speed. It was reported that he would take over Councilmember Thompson's assignments.

Councilmember White noted that the new part of the cemetery has been hydro seeded and they hope to be able to pave the road. He asked when Meet the Candidates Night will be. After discussion, it was decided that Meet the Candidates night will be Tuesday, October 18 at 7:00 p.m. Councilmember White asked about doing some research on an ordinance and suggested meeting with Mitch and the school. Deputy Cragun noted that there was a meeting with the school principal, the contractor, the LDS church, Mitch and the Sheriff's Office and he thinks we have been on top of the situation. He suggested that the council come over and see how it is working from about 8:05 to 8:30 a.m. Roger Cannon noted that one truck is a threat. He noted that if it was in the contract not to deliver at that time, it should be enforced. Deputy Cragun noted that they can schedule everything except those large trucks. Mr. Cannon noted that it is not just those trucks, it is garbage trucks too. Deputy Cragun noted that a weight limit could be placed on the road but that would limit other things too. Councilmember Ferrin noted that we could make a trucks go a different way.

Councilmember Ferrin noted that Mitch is trying to get the city office roof fixed. He has two bids for painting the building that he will put on a future agenda.

Councilmember Higley noted that the skirting on the Public Works building has been done.

Councilmember Kelley mentioned that they want to get the asphalt in at the new park before bad weather. She noted that they can get sod and save \$6,000 by not hydro seeding. She mentioned that the sod company will put the sod in. The Frisbee golf group wants to come in for a presentation at our next meeting. She reported that the concession stand is getting emptied out so that it can be demolished. She will get the utilities turned off. The fire department still wants to use the building for drills. She handed out a copy of North Ogden's ordinance about incorporating trails into the General Plan.

At 8:05 p.m. Councilmember White moved to adjourn and was seconded by Councilmember Ferrin. The vote was unanimous.

City Recorder

Mayor

Date approved