

PLAIN CITY COUNCIL  
MINUTES OF REGULAR MEETING  
NOVEMBER 1, 2012

The City Council of Plain City convened in a regular meeting on Thursday, November 1, 2012, in the Plain City Hall beginning at 7:00 p.m.

Present: Mayor Jay Jenkins, Councilmembers LaFray Kelley, Joel Maw, Brent White, Mark Lowther and Bruce Higley  
Staff: Diane Hirschi  
Also present: McKenna Bell, Rylee Thompson, Kylie Johnson, Eithan Smiley, Kiefer Mogensen, John Leonardi, Cody Rebmann, Alex Herzog, Verna Keyes, Braxton Keyes, Makenzie Maro, Shelby Ropelato, Aaron Remy, Tyler Carlin, Jason Roe, Dallin Krebs, Jason Warner, Todd Harris, Hannah Auld, Saria Pelqez, Gordon Nozaki, Colton Doxey and Tanis Madson

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

Approval of Minutes: October 18, 2012

**Councilmember Higley moved to approve the minutes as presented. Councilmember Maw seconded the motion. Councilmembers Kelley, Maw, White, Lowther and Higley voted aye. The motion carried.**

Public Comments:

There was none at this time.

Discussion/Motion: Todd Harris – Universal Estates #2 – Waive Filing Fees

Todd Harris noted that he is a real estate broker and has been working with Ken and Anelda Owens for 12 years trying to subdivide their property out on North Plain City Road. He noted that it is an extreme area where there is not storm drain or sewer. He noted that originally they could use septic tanks, but now they will be required to have sewer. He mentioned that they will have to run sewer about 3600 feet in order to get it to the development. He pointed out that there have been numerous issues come up with the Planning Commission over the years. They had to do a lot line adjustment which made the development run over their time period on their approval. He noted that the Planning Commission denied the extension and said that he needs to re-apply. He noted that he had been in contact with our city attorney and that our attorney didn't recommend that it be denied. Todd Harris also mentioned that the Planning Commission told him that they can't waive the subdivision filing fees and that the city council could only do that. He noted that there was a misunderstanding about getting on the agenda to talk to the council to see about getting the fees waived. He also noted that there was an 19.6 ft. property discrepancy of no man's land that needed to be taken care of. Todd Harris reported that this issue has been taken care of and recorded. He noted that everything has been completed and he is ready to get going again. He mentioned that a lot of time and effort has been put into this development as it has been in process for 12 years. Councilmember White asked why he wasn't given an extension. Councilmember Maw noted that two years ago he was granted preliminary approval. Todd Harris explained that some of the above mentioned items came up and he has had to work through them. He also explained that at one point he had been given final approval but then realized that it was approved with a retention basin instead of a detention basin. He noted that our ordinance doesn't allow a retention basin. Todd also noted that he has emails from our attorney saying that he shouldn't have to re-submit. There were some questions that couldn't be answered without knowing more from the Planning Commission and Todd noted that he didn't have the actual dates in front of him. **Councilmember Higley moved to table this item until Todd Harris brings in the information from our attorney and specifics from the Planning Commission. Councilmember White seconded the motion. Councilmembers Kelley, Maw, White, Lowther and Higley voted aye. The motion carried.** Diane mentioned to Todd Harris that he needs to have that information to her a week before the meeting so it can be put in the council's packet. Todd Harris said he would get it to her so it could be discussed at the next meeting.

Other Business

Approval of Business Licenses:

There was none at this time.

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Approval of Warrant Registers (see register dated 10/18/12 to 10/31/12)

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

Report: Planning Commission

John Leonardi reported that they extended preliminary approval of River Crossing Subdivision. They are working on a spreadsheet to keep track of the process of the ordinances they are working on. They will be working on the tree ordinance at the next meeting and they approved the change in front setbacks from 40' to 30' in the RE-15 and 20 zones.

Reports – City Council

Councilmember Maw reported that he met with Wid Carver. He, Councilmember Lowther and Mitch Willson are working on a solution.

Councilmember Kelley noted that she is working on the completion reports for three RAMP grants. She is also working on bids for phase 3 on Pioneer Park.

Councilmember Higley mentioned that they had their annual Mosquito Abatement meeting in Moab last week. He noted that it was very educational.

Councilmember White reported that the cemetery board will sell lots on the new part on an as needed basis. Hopefully in the spring they will be able to open up the new area to families.

Mayor Jenkins mentioned the passing of Mayor Jimmie Papageorge from Farr West. He noted that he was a wonderful man and did a lot for both Farr West and Plain City. He will be missed.

**At 7:40 p.m. Councilmember Lowther moved to adjourn and was seconded by Councilmember Higley. The vote was unanimous.**

Work session – Personnel Policy

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City Recorder

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Mayor

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Date approved