

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
SEPTEMBER 5, 2013

The City Council of Plain City convened in a regular meeting on Thursday, September 5, 2013, 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: Kris Carrigan, Joran Howard, Brent Weston, Allan Karras, Zack Perkins, Isaiah Barnes, Mike McKean, Dennis Rogers, Dallas Taylor

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

Approval of Minutes: August 15, 2013

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

Public Comments:

There were no comments.

Presentation: Lions Club

Brent Weston, the president of the Lions Club, presented a donation for \$2,000 for tables at the Pioneer Park. The Mayor thanked them and asked for a round of applause.

Discussion and Motion: Final Approval of Lucia Subdivision – 5200 W

Allan Karras reported that this is a development that is on 5200 West and was annexed into the city but the road was not annexed. He noted that when Diane was trying to do that packet, she called and asked him about the improvement drawings. He sent her over the correspondence from the County. The County would like the city to annex to the center of the road, but the Planning Commission didn't feel like that was going to happen. The question of curb, gutter and sidewalk has come up and the County is willing to allow a deferral agreement. He is here now because he needs direction. Allan mentioned that the County gave him the paperwork for a deferral agreement and feel that it wouldn't make sense to put curb, gutter and sidewalk out there by itself. The County is requiring him to pipe the ditch in front of the lots. The Planning Commission is requiring a field fence around the property and also a chain link fence around the pond. In working with the County, he will bond with them for the piping of the drain and the excavation cuts and then bond with the City for the fence. It was noted that he is going to have to cut the road six different times. Ed Hall, said that the Planning Commission felt that it was best to have a deferral agreement since there is not any curb and gutter out that way. The frontages on the six lots are from 125' to 136'. Allan noted that there are probably three boxes to be installed for the storm water. There was a discussion about having a deferral agreement and if it is disclosed to the homeowners. Allan Karras reported that he always make sure the owners know. Councilmember White asked if we just annexed to the property line. Ed Hall said the County wanted us to take the road too. Ed noted that the Planning Commission recommended approval with a deferral agreement. Councilmember Kelley noted the April 19 memo from the city engineer about the pond. Allan reported that they will fence the pond and the canal. The Mayor asked what it could cost the homeowner to put curb, gutter and sidewalk in front of their lot. Allan estimates up to \$4,000. He noted that their may be a utility pole that will have to be moved. Allan noted that would be at the homeowner's expense. The Mayor wanted to make sure that deferral agreements are disclosed. Allan noted that he could also make that a note in his restrictive covenants. Mike McKean noted that it will be very costly to move a utility pole. Councilmember White asked Diane if the April 19 memo was the last letter we have. It was confirmed. **Councilmember White moved to give final approval to Lucia Subdivision pending previous requirements from the Planning Commission and Brad Jensen as well as a deferral agreement for curb, gutter and sidewalk with the County as noted. Councilmember Maw seconded the motion. Councilmembers Kelley, Maw, White, Lowther and Higley voted aye. The motion carried.**

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Set Public Hearing: Subdivision Ordinance Amendment concerning Minor Subdivisions

Ed Hall reported that the Planning Commission is recommending a change to the minor subdivision ordinance requiring the conditions for preliminary and final approval be made before a building permit can be issued.

Councilmember Lowther moved to set a public hearing for October 3 for the amendment of the subdivision ordinance concerning minor subdivisions. Councilmember Higley seconded the motion. Councilmembers Kelley, Maw, White, Lowther and Higley voted aye. The motion carried.

Other Business

Approval of Business Licenses

New

Chartier Floral & Gifts LLC Stacey Chartier 3496 W Bridlewood Ct flower shop office

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

Approval of Warrant Register (see register dated 08/15/13 to 08/31/13)

Councilmember Lowther asked if the Craythorne bill was a final bill. It is not. **Councilmember White moved to approve and pay the bills as presented. Councilmember Lowther seconded the motion. Councilmembers Kelley, Maw, White, and Higley voted aye. The motion carried.**

Report: Planning Commission

Ed Hall noted that they are still working on the issue about the irrigation canal.

Report: City Council

Councilmember Higley reported that there is a Mosquito Abatement meeting on Monday at 6 p.m. at 12th street. The public is invited. He noted that the fire department is doing well and has their trainings on Tuesdays.

Councilmember Lowther reported that Brent Weston would like to get some sand in the arena. He asked Brent to come up. Brent said he received two bids for sand and the grading of the arena. One bid is from Randy Marriott for \$130 for sand and \$260 to grade it. Orton's are asking \$175 for the sand and \$100/hr with a minimum of two hours for grading. He figures they need about 30-40 loads. He figured it would cost about \$4,000. Councilmember Kelley wondered if we could apply for a RAMP grant. The Mayor said we could find money in the budget. Councilmember White said we should put that on the agenda for the next meeting.

Councilmember White noted that they are working on the service hookups on the 1500 North project. They should be paving any day now.

Councilmember Kelley reported that the Harvest Arts Festival is Sept 21. She is working on the completion reports for the RAMP grants. She will inquire about retroactively applying for a grant for the sand.

Mayor Jenkins reported that the insurance company has contacted him for the 1500 North sewer project. The line comes in too low as a result from the engineering mistake. He noted that the engineer, the contractor or our inspector didn't catch it. They are asking if the city plans on suing for damages. Councilmember Lowther is concerned that this may create a low spot and result into a flow problem. Councilmember White noted that there are a lot of lines that are flatter in the city. Councilmember White would like to look at the new design. The Council agreed that they are not interested in suing; they just want to make sure it is fixed. Councilmember Higley would also like to look at the plans. The Mayor also reported that he is currently working with Farr West about making a regional detention basin between Farr West Farms and Mountain West Meadows. It is always better to have bigger basins than more basins. The Mayor also reported that the Enterprise Statewide Business Journal recognized ARW Engineers as the second best engineering firm in the United States. Councilmember White is president of the ARW. The Mayor wanted to recognize him and let everyone know how much we have benefited from him.

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Motion for Executive Session: Discussion of the character, professional competence, or physical or mental health of an individual

At 7:51 p.m. Councilmember White moved to leave the regular meeting and go into an executive session. Councilmember Higley seconded the motion. Councilmembers Kelley, Maw, White, Lowther and Higley voted aye. The motion carried.

At 8:40 p.m. Councilmember White moved to adjourn out of the executive session and go back into the regular meeting. Councilmember Maw seconded the motion. Councilmembers Kelley, Maw, White, Lowther and Higley voted aye. The motion carried.

At 8:45 p.m. Councilmember Lowther moved to adjourn and was seconded by Councilmember White. The vote was unanimous.

City Recorder

Mayor

Date approved

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