

PLAIN CITY COUNCIL  
MINUTES OF REGULAR MEETING  
JANUARY 2, 2014

The City Council of Plain City convened in a regular meeting on Thursday, January 2, 2014, in the Plain City Hall beginning at 6:00 p.m.

Present: Mayor Jay Jenkins, Councilmembers LaFray Kelley, Joel Maw, Mark Lowther and Bruce Higley  
Excused: Councilmember Brent White  
Staff: Diane Hirschi  
Also present: John Leonardi, Harry Malan, Don Judkins, Natalie Hale, Tammy McKean, Mike McKean, and Jerry Garrett

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

**Discussion/Motion: Old Plain City School Agreement**

The Mayor read the following proposed resolution:

*A RESOLUTION APPROVING AN AGREEMENT BETWEEN RANDY MARRIOTT AND PLAIN CITY REGARDING THE OLD PLAIN CITY ELEMENTARY SCHOOL PROPERTY  
(PARCEL NUMBERS 24-035-0001, 24-035-0002 AND 24-035-0004)*

*WHEREAS, several years ago the Weber County School District closed the Plain City Elementary School which was located immediately North of the Town Square Park; and*

*WHEREAS, the school district made a determination to dispose of the property to the highest bidder; and*

*WHEREAS, Plain City was not fiscally able to purchase the property from the school district; and*

*WHEREAS, Randy Marriott agreed to purchase the property as long as the City would provide certain concessions which would make the property developable; and*

*WHEREAS, the City wanted to ensure that the property was used in an appropriate and compatible manner because of its location in the center of the City and next to the city park; and*

*WHEREAS, the City Council and Mayor have determined that the concessions and agreements outlined in this agreement are appropriate in order to ensure the proper disposition and use of the school property; and*

*WHEREAS, the City now determines to by resolution establish the parameters of the agreement which were verbally agreed upon prior to the time the property was purchased by Marriott; and*

*WHEREAS, Marriott would now like to begin development of the property.*

*NOW, THEREFORE, be it resolved by the City Council of Plain City, Utah, that an agreement be drafted between Randy Marriott and the City and that it contain, among other language, the following provisions:*

- 1. The City has created a zone (Ordinance 2012-03, Senior Housing Overlay Zone) that allows higher density dwellings than is currently allowed in the City and will allow the rezone of the parcels into this newly created zone.*
- 2. The City will follow all appropriate procedures for the new higher density zone, including allowing public comment and obtaining the opinion of the city planning commission.*

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3. *The City will waive all sewer impact fees and sewer connections fees for residential construction within the parcels outlined herein. The actual cost of connecting to the sewer will be the responsibility of Marriott and normal monthly sewage use fees will be charged once the connections has been made.*
4. *The City will accept any debris disposed from the site as a result of the demolition to be placed in the city landfill at no cost to Marriott.*
5. *The City will require that the demolition of the old school property be completed before December 31, 2014.*
6. *The City will transfer parcel #24-038-0009 (located directly south of the Lions Club Park) currently owned by the City, to Marriott as partial consideration for Marriott demolishing the existing old school building.*
7. *This agreement will not be transferable to any other property owner.*
8. *The City will follow all applicable state and local laws in order to transfer the property to Marriott.*
9. *The City directs its legal council to draft an appropriate contract incorporating the above provisions along with others that may be necessary to effectively outline the agreement between Marriott and the City and that agreement be brought forth at City Council for approval.*

The Mayor asked the Council for their thoughts. Councilmember Higley noted that he has been wrestling with this. He noted that the positive items for this resolution is there is a timeline and that working with Marriott, the city has a say in what goes there. He feels that senior housing is very much needed. One concern is that the building has set for a long time and if attorneys get involved it will be an ugly mess. The other concern is if the property was sold to someone else, we don't have as much control what goes there. He noted that he is anxious to get it done. He pointed out that most cities have an RDA and can work through that, but that is not the case with Plain City.

Councilmember Lowther wants it gone yesterday. He is concerned about the property transfer mentioned in the proposed resolution. He is not saying he is opposed, but feels that we have to go through the proper process and public hearings to transfer property. Mayor Jenkins noted that the developer will still have to apply for the zone and satisfy all those requirements. Councilmember Maw asked when the public hearings will be held.

Councilmember Kelley added that she would like to assess a value on the items, such as density, free sewer, the cost of the lot and the cost of demolition. She noted that she looked through four years of Planning Commission and City Council minutes and couldn't find any discussion of these items mentioned in the resolution. The Mayor noted that they were in work meetings. She would like to see some cost breakdowns. Councilmember Maw wants to do what is right and agrees that we need figures. How much is the demolition going to cost? Mayor Jenkins noted that there was an estimate from Pappas that it would cost \$250,000 to demolish and haul away. Councilmember Kelley would like to see that.

Mayor Jenkins feels that if we won't agree to work with them, they will sell the property. The Mayor noted that what started this was someone was about to buy the property so he went to Marriott to help the city out.

Councilmember Kelley thinks that we should get some of the information together and look at it again in two weeks. She noted that it is good that we are discussing it and feels that Marriott can't expect the council to just sign it without having a chance to look over it. She noted that it goes against the oath everyone took.

The Mayor noted that the council has three choices. They can pass it, table it or disallow it. Councilmember Higley noted that it would be great to have figures and feels that we need to look out for those who live around this area. Councilmember Kelley suggested calling a special meeting next week. Councilmember Lowther is alright to pass this but is concerned about having the hearings. Councilmember Higley feels that there is not enough information to pass it right now. **Councilmember Higley moved to table this item for a further cost breakdown for the value and the demolition and talk to our legal council. Councilmember Kelley seconded the motion. Councilmembers Kelley, Maw, Lowther and Higley voted aye. The motion carried.**

The Mayor noted that the points in the resolution we agreed to. It was asked if Marriott's have seen the proposed resolution. It was noted that they have not.

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**At 6:33 p.m. Councilmember Higley moved to adjourn and was seconded by Councilmember Maw. The vote was unanimous.**

\_\_\_\_\_  
City Recorder

\_\_\_\_\_  
Mayor

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

**NOT OFFICIAL DOCUMENT**