

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
NOVEMBER 6, 2014

The City Council of Plain City convened in a regular meeting on Thursday, November 6, 2014, in the Plain City Hall beginning at 7:00 p.m.

Present: Mayor Bruce Higley, Councilmembers LaFray Kelley, Joel Maw, Mike McKean, Mark Lowther and Natalie Hale

Staff: Diane Hirschi, Mark Miller, Brandon Richards

Also present: Shyanne Ritter, Autumn Couch, Becca Sheridan, Christian Carver, James Lamb, Robert Lamb, Jason Hunsaker, McKenna Jensen, Monica Hanks, Carter Parrish, TJ Hanks, Brenden Hanks, Calvin Ballstaedt, Hunter Maxfield, Tyson Hancock, Colton Ogden, Rachel Philpot, Verna Keyes, Austin Keyes, Heidi Philpot, Robert Philpot, Richard Chapple, Jason Athay, Ryan Athay, Madie Koford, Nate Meyerhoffer, Colten Loveland, Caleb Gerhardt, Michael, Mason Wade, Jake Nicholls, Jaden Nicholls, Tracy Nicholls, Gabriel Johnston, Clint Costley, Cord Costley, Blake Neil, Augie Witkowski, Austin Towns, Krystell Taylor, Trent Thayne, Jacquell Taylor, Amanda Leavitt, Sydney Heilson, Kelsi Taggart, Ryan Green, Jacobey Peterson, Connor McKean

Call to Order: Mayor Higley
Pledge of Allegiance: Councilmember Maw
Invocation/Moment of Silence: Councilmember Kelley

Approval of Minutes

Councilmember Maw moved to approve the minutes from October 2, 2014 as presented. Councilmember Kelley seconded the motion. Councilmembers Kelley, Maw, McKean, Lowther and Hale voted aye. The motion carried.

Comments: Public

Jim Lamb, representing the Vera Jenkins Trust, cited several excerpts (attached) from the subdivision ordinance which is code 15-5-3. One citation states that “the street arrangements shall not cause unnecessary hardship to owners of adjoining property.” Another citation is that “half streets proposed along a subdivision boundary shall not be permitted.” One citation states that “where an existing half street is adjacent to a new subdivision, the other half of the street shall be improved and dedicated by the developer.” He goes on to cite that “such frontage streets shall be improved and dedicated by the applicant at his own expense to the full width.” Mr. Lamb can’t understand why the city wouldn’t want to have outside money put in curb, gutter and sidewalk on both sides of the road.

Robert Lamb, who lives on Pioneer Road, reported that he has been working on his property and waited to see what was going to happen with the proposed subdivision across the street. He feels that it would be a travesty to not require the developer to make the road improvements just by enforcement of the current ordinance.

Monika Hanks asked if there is a Kent’s Market coming in on 3600 West. The Mayor noted that nothing has come to the Planning Commission yet. He noted that if it were to come, there would be some public hearings.

Discussion/Motion: Subdivision Ordinance Concerning Street Dedications and Reservations

The Mayor noted that some questions have surfaced concerning some discrepancies in our ordinance. He wants the Council to be educated. Brandon Richards, city attorney, explained that some questions have been raised and the city just needs to have a clear standard. The question has occurred because this development is adjacent to an existing road. At one point the ordinance states that the road standards are recommended by the public works standard and the engineer. Another place discussed that the developer should develop both sides of the road at his own expense. In the past, the recommendation has always been to improve their side but not the other side. Brandon is suggesting that he be given some time to look into it a little more. The city needs a clear standard. He hasn’t seen other cities develop both sides of the road. Brandon will come back to clarify or recommend some changes. This will apply to all subdivisions. The Mayor noted the purpose tonight was to inform the council and get educated. He appreciates the citizen input. The Mayor excused Brandon. The Mayor turned time over to Mark Miller, owner of Wasatch Civil Engineering. Mark said he is glad to be here and suggested the ordinance be cleared

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up because it can be read in different ways. He noted that there are two instances in the ordinance that say to improve both sides and one that says to follow the public works standard and one calls it a safe width according to the fire, sheriff and engineer. He mentioned that he has never seen this applied in Plain City and needs to look at the legality and make sure it is in line with state code. He feels we need to clarify the ordinance. Mark feels that consistency is important. He noted that generally in Plain City the roads are 22' and when a development comes in will be widening their side 18' from the center line of the road. This is a safe interpretation and he is not aware of any instance where it is being required. Mark explained that the engineer has a responsibility for the health and safety of the public. He also noted that in this proposed development it is fair to ask the developer for a traffic study that will address three things: 1. The intersection of 1900 W & the stop sign. 2. The reverse curve – the speed limit, the trees and softening the curve. 3. Widen 10 feet to provide a safe traffic pattern. Mark reported that the developer will hire a traffic engineer and then Wasatch Civil will check it. He feels that we need more legal research and to check for constitutionality. The Mayor thanked Mark and Brandon and feels that there are some good recommendations. The Mayor invited anyone to call the engineer if they had any further questions.

Discussion/Motion: Youth Council Charter

Councilmember Kelley reported that the Youth Council is in attendance and introduced the Youth Council Mayor as Augie Witkowski. The City Council received a copy of the proposed charter that outlined their responsibilities. It was suggested that the Youth Council introduce themselves. Several members got up and introduced themselves. The purpose of the Youth Council is to get the youth involved, learn leadership skills and understand services that the cities provide. The Mayor noted that this can spark the youth's interest. He noted that it is only in an advisory role. **Councilmember Kelley moved to approve the Youth Council Charter as presented. Councilmember McKean seconded the motion. Councilmembers Kelley, Maw, McKean, Lowther and Hale voted aye. The motion carried.** Anarie Petroff is the Youth Council volunteer advisor.

Discussion/Motion: Youth Council Activity

Mayor Witkowski explained that their first activity is going to be a food drive and end it with an activity for the kids to come and have their picture taken with Santa. This will take place on Dec. 13 and will be from 4-6 pm at the Senior Center. Flyers will be given to the elementary schools and at the Maverik and the bank. The Youth Council will also be in charge of decorating the Christmas trees at the city hall. **Councilmember McKean moved to approve the Youth Council food drive and activity as presented. Councilmember Hale seconded the motion. Councilmembers Kelley, Maw, McKean, Lowther and Hale voted aye. The motion carried.**

Motion: Approval of Business Licenses

There was none at this time.

Motion: Approval of Warrant Register

See warrant registers dated 10/1/2014 to 10/15/14 and 10/16/14 to 10/31/14. The SavOn bill was for football, ImageTrend is for the fire department and the International Institute is membership dues that Diane has to be part of. **Councilmember Lowther moved to approve the warrant registers as presented. Councilmember Maw seconded the motion. Councilmembers Kelley, Maw, McKean, Lowther and Hale voted aye. The motion carried.**

Report: Planning Commission

John Leonard reported that they had two subdivisions, Hidden Hollow and Fremont Meadows. Both were tabled. John noted that there was a scout at the meeting who inquired about the old school. The Mayor noted that it will be done in the near future.

Reports: Council

Councilmember Kelley noted that the Pioneer Park RAMP grant completion report is due in December. Mitch has ordered the sand and Brent is working on the signage. She noted that there is an Eagle Scout project in line to put up the Pioneer Park sign that is similar to the other park signs. It will include the RAMP logo. She noted that she is looking into a grant for turning the tennis courts at the Town Square Park into Pickle Ball courts. She had the county attorney look at the agreement between the city and the church and he felt that it won't be eligible for

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RAMP. She talked with the stake about the project and they are interested in helping. It was pointed out that the theme for next year has to do with service and they would like to get the Young Women and Young Men to help with a year-long service project. In order to get the project going, Councilmember Kelley is asking for permission to have the city engineer put together an estimate. The Mayor noted that the Church owns the property and it would be a good project. He asked that this be put on the next agenda.

Councilmember Maw noted that Don is working on the berms at the landfill. He noted that he and Don still wants to get with the Mayor on some sewer issues.

Councilmember McKean noted that football is over and a Plain City team won the mini-bowl. Basketball is in full swing. He noted that there is gravel being put in the park strip of 1975 N at all of the houses, but not the empty fields. The Mayor noted that the contractor is probably not quite finished yet. Councilmember McKean asked Lt. Findlay if he could have the deputy's patrol a little more on 2200 N.

Councilmember Lowther reported that 1500 N has been paved and is open. He noted that the fire department put their new first responder unit in service on Tuesday. It is outside and he invited everyone to go look at it.

Councilmember Hale reported that the neighbors around the Town Square are asking the city is clean up the leaves. She is excited to have the Youth Council help at the 4th of July. She will be getting a newsletter ready for January.

The Mayor thanked everyone for their work.

At 7:50 p.m. Councilmember Kelley moved to adjourn and was seconded by Councilmember Maw. The vote was unanimous.

City Recorder

Mayor

Date approved