

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
MAY 7, 2015

The City Council of Plain City convened in a regular meeting on Thursday, May 7, 2015, in the Plain City Hall beginning at 7:00 p.m.

Present: Mayor Bruce Higley, Councilmembers LaFray Kelley, Joel Maw, Mike McKean and Natalie Hale
Staff: Diane Hirschi
Also present: Erik Craythorne, Jacob Richardson, Mark Osenbach, Korie Nelson, Marcus Nelson, David Pendergast, Kris Carrigan, Tammy McKean, Ryan Olsen, Brandan Taylor, Sheriff Terry Thompson and Christian George

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

Approval of Minutes

Councilmember McKean reported that we inquired about revenues that would be generated in the Syringa Franchise agreement. He also asked if we have a decision from Brandon about the escrow for Applewood Subdivision.

Councilmember Maw moved to approve the minutes from April 16, 2015. Councilmember Hale seconded the motion. Councilmembers Kelley, Maw, McKean and Hale voted aye. The motion carried.

Comments: Public

Ryan Olsen who lives in Stillcreek reported that he met with Blake and Buddy about some concerns at Stillcreek. He understands that there is a homeowners association that controls the subdivision. They would like to install a fence to buffer the development from North Plain City Road. The Olsen's would fund the fence. They have a petition that has been signed by the single family owners showing that they want more privacy. Ryan Olsen also noted that the homeowners association approved the trees but they have died. They are concerned that things are not getting done in accordance to the overall design. Mayor Higley suggested that they work with the homeowners association and take it to the Planning Commission. Ryan Olsen just wanted to get this on record and is asking the city to help protect the residents. He also noted that Hawkins Homes has the majority of the shares in the homeowners association.

Final Approval: Fremont Meadows Phase I – 1785 N 4400 W

Mayor Higley asked Erik Craythorne, the developer, if all the items on the city engineer's memo have been completed. Erik noted that they have. The Mayor asked specifically about item #3 that states that there are property owners of the east side of 4400 that extend to the west side. Erik noted that there are four owners, Vera Jenkins Trust, Robert Lamb, Kelley's and Meyers. He mentioned that he has talked with all four of them and worked out a compensation plan. Erik will put the money in escrow and will be released when the subdivision get final approval. Erik noted that Jim Lamb is out of town and Erik offered to be taken off the agenda until he was back. Jim told Erik that as long as final approval was contingent upon him getting paid, he was alright with it. Erik also reported that he has verbal agreements with both the Kelley's and the Meyer's. He has prepared an agreement for their review. He reported that he has done some research and he can't record the plat without those four signatures. The new improvements will go along the west side of the road. The property line for those on the east side will begin at the pavement. Erik noted that he did a lot of surveying and tried his best to resolve any issues. Councilmember McKean asked about the depth restriction on the plat. He reported that he is working with Brad Jensen, the city engineer on getting the correct wording on the plat. The ground elevation varies greatly and the Geo-tech engineer wants to be more specific on depth restrictions for each lot. Erik reported that Mitch's comments were addressed.

Councilmember McKean moved to approve Fremont Meadows Phase 1 contingent upon the comments of the Planning Commission and the City Engineer. Councilmember Hale seconded the motion. Councilmembers Maw, McKean and Hale voted aye. Councilmember Kelley abstained. The motion passed.

Discussion/Motion: Conditional Final Acceptance – Pheasant Hollow Subdivision

The City Engineer had sent a memo recommending conditional final acceptance of Pheasant Hollow Subdivision. It was noted that the improvements will be watched for one year. The city will hold the 10% of the escrow for that

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year. **Councilmember Kelley moved to give conditional final acceptance of Pheasant Hollow Subdivision. Councilmember Maw seconded the motion. Councilmembers Kelley, Maw, McKean and Hale voted aye. The motion carried.**

Presentation – Design Assistance Team

Jarod Maw reported that the Design Assistance Team has been meeting on a monthly basis. They are working on their goals. They want to define the downtown area. They want to define the activities in the downtown area and identify possible funding and incentives. They want to promote parks and trails. They also want to work on how to address growth and at the same time, maintain our identity. They are shooting for their final phase of the project to be at Founders Day in March 2016 at which time they will address the community. Councilmember McKean asked if they were working towards future businesses. Jarod reported that they are. He noted that they are looking for another committee member who can help them with some historical information. Jarod reported that their next meeting is June 11 at 6 p.m.

Discussion/Motion: Approval of Tentative FY2016 City Budgets

Steve Davis passed out a copy of the March financial statement for the Council to review. The proposed tentative budget was also given to the Council. Steve reported that the first column on the budget is actual for last year. The second column is this year's estimated budget and the third column is the proposed tentative for 2016. Steve went over the revenues. He noted that building permits have dropped and in turn so have the impact fees. Class C Roads is up by about \$25,000 due to the new gas tax. He noted that he had to use the surplus in order to balance the projected expenditures. He noted however, that he normally does that but it usually doesn't get used in the final budget. Steve went through each department. He noted that under public safety, he only increased it a little but doesn't really know how much animal control is changing. He was asked to keep the capital outlay in the fire department because they are wanting to buy new turnouts. They cost about \$2,000 each and Jeremy hopes to be able to purchase 10 of them. Steve lowered the streets and storm drain budget because there aren't any big projects coming up. He did note that he put \$15,000 in the roads capital outlay for a new utility truck. He put \$20,000 in parks capital outlay for and new ATV and cameras and lighting. The budget is balanced at \$2,125,496. Councilmember McKean asked about how much we take from our surplus. Steve noted that most years are tight and we are able to break even without having to use it. Some years we are able to add to the surplus. Steve reported that the sewer budget is in good shape since we had the sewer increase. The landfill reserve is in good shape. Steve noted that the council needs to come up with some projects and get a priority list for capital projects. He also noted that if the council has any questions or concerns to let him know as soon as possible. The final budget will need to be approved June 18. There was a question about animal control and why the cost is changing. It was noted that there is a new building, and a bond. Sheriff Thompson reported that for the last five years, the salary for the animal shelter has come from the Sheriff's office. They are trying to get the consumer of the facility to bear the burden or cost of the department. He did note however that the Lt. over the Animal Shelter also does projects for the Sheriff's office. About 2/3 of the pay and benefits will come from Animal Control and 1/3 from the Sheriff's office. This is all supposed to be in place by July 2016. Sheriff Thompson didn't know the exact cost. **Councilmember Maw moved to approve the tentative budget for fiscal year 2016 as presented. Councilmember Kelley seconded the motion. Councilmembers Kelley, Maw, McKean and Hale voted aye. The motion carried.**

Motion to Set Public Hearings: Adoption of FY2016 City Budgets and Final Adjustments of FY2015 City Budgets – June 18

Councilmember Kelley moved to set a public hearing to adopt the FY2016 city budgets and to make final adjustments to the FY2015 city budgets on June 18, 2015. Councilmembers Kelley, Maw, McKean and Hale voted aye. The motion carried.

Discussion/Motion: Syringa Franchise Agreement

Syringa asked to have this removed from the agenda. They will come back at a later date.

Motion to Set Public Hearing – Disconnection of B&R Development Property – May 21

Christian George introduced himself and said that they have filed a petition to disconnect about an acre into unincorporated Weber County. **Councilmember McKean moved to set a public hearing for May 21, 2015 for**

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the proposed disconnection of B&R Development Property. Councilmember Hale seconded the motion. Councilmembers Kelley, Maw, McKean and Hale voted aye. The motion carried.

Interview/Discussion/Motion: Fill City Council Vacancy

The Mayor read Mark Lowther's resignation letter. The Mayor noted that the city has advertised to fill the vacancy and we have five people who have turned in letters of interest: Korie Nelson, Kris Carrigan, Mark Osenbach, David Pendergast and Brad Searle. The Mayor asked each of the candidates to introduce themselves in two minutes. He noted that Brad Searle had to be out of town tonight. In a few minutes the candidates will be asked some questions. Those questions were presented to Brad and Diane will read those responses. Korie Nelson started off by stating that she has lived here for 10 years and immediately fell in love with the area. They enjoy raising their three children in Plain City. She has been part of the PTA for two years. She would like to be an asset and make an impact by being on the council. She is reliable and has a sense of pride for the community. She was in the Air Guard and was able to lead a team. She appreciates the council's consideration. Kris Carrigan noted that he ran last election and has been a resident for eight years. He owns a small business and his wife will be the PTA president. He wants to get the school down and feels that it is great that the vacant buildings are being uses in the older part of town. He has a background in real estate. He wants to be a part of the growth of the city and would love to see about grants. He would appreciate the vote. Mark Osenbach thanked everyone for being here. He works for child and family services and has been on the Planning Commission for about 2 ½ years. He is a county delegate and loves Plain City and wants to stay here. David Pendergast reported that his wife has been here since the 4th grade and he has been connected to the community since 1991. He noted that both he and his wife work in Davis County, but they never want to leave Plain City. He loves it here and he is invested. He is a principal in West Point Elementary and he work on enforcing policies and following the rules, policies and procedures. He has also been a state and county delegate. The Mayor noted that everyone had a copy of Brad's letter of interest which will serve as his opening statement. The Mayor noted that each of the Council will ask a question and each candidate will have an opportunity to answer the questions and they will take turns answering first. Councilmember Kelley asked "what do you perceive as the two most important issues currently facing the City." Korie Nelson reported that she sees managing growth and development as important. She wants to be able to maintain the small town feel, ensure safety with sidewalks and traffic. Kris Carrigan noted that you can't stop growth and you have to have taxes in place. There is a lot of traffic on small roads. He would like to continue to see the older part of town revitalized. Mark Osenbach feels that open communication with the citizens is important so things don't get misconstrued. We need to educate and let them know what is going on. The second thing is to manage growth and how we take care of our families for the long term. Dave Pendergast feels that represented government needs to happen. Communication is important. Make sure community is planning appropriately and improve the downtown area. Brad Searle feels that we need to be prepared for the growth and have a good understanding of what the citizen's want from the city and how much and how fast we can handle the growth. We need to plan for the right balance for our parks and recreation and also for our seniors. We need to maintain the balance for all residents. Councilmember Maw asked the candidates what experience or personal attributes do you possess that will help make you an effective councilmember. Kris Carrigan reported that he is a small business owner, understands real estate and believes in hard work. Mark Osenbach feels that he has courage, compassion and courtesy. David Pendergast stated that he can listen to people to help decide what is best for Plain City. He noted that understanding is important. Brad Searle reported that he likes to think outside the box. He feels like he will look for solutions to the problems. He has connections with other cities that have gone through some of the same issues. He has also been a small business owner. Korie Nelson reported that through her military training she has integrity and is a team player. She has compassion and is caring. She wants to know what is going on and be a voice for the people. Councilmember McKean asked the candidates the question: why are you interested in serving on the City Council? Mark Osenbach noted that he is wants to be able to contribute to the city. David Pendergast wants to be of service to the city and to give back. Brad Searle noted that he just wants to make Plain City the best place to live and raise a family and maintain traditions. Korie Nelson wants to be a good citizen and make an impact. Kris Carrigan wants to serve the community and he was taught as a youth to work hard. Councilmember Hale asked the question: What is your position concerning business growth in Plain City? David Pendergast noted that there has to be balance and to listen to what the community wants. Brad Searle also feels that balance is crucial. As we grow in residential we have to accommodate commercial to help provide a tax base for the services we provide. Korie Nelson agrees that we need the right businesses. Kris Carrigan noted that you can't stop growth but we have to do it wisely. We need to

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outreach to the community. Mark Osenbach reported that we have to be responsible, have values and provide service. We need to solicit the types of businesses we want. The Mayor thanked everyone for their comments. He instructed the council to vote for two on the paper ballot and Diane will pick them up and count them. He reported that he would vote but it will only be used in the case of a tie. Diane and Brandon Richards tallied the votes. Diane reported that it was narrowed down to three: Kris Carrigan, Mark Osenbach and David Pendergast. The Mayor and Council thanked Korie and Brad. Councilmember Hale asked each of the candidates present if they were planning on running in the next election. All four noted that they were. Councilmember McKean why you over the other two? Mark Osenbach noted that Councilmember Lowther's position was dealing with public safety and he has a good working relationship with the Sheriff. He wants to do what's right and work on transparency. Kris Carrigan noted that his work schedule is flexible and he is available during the day. He is not afraid of hard work and has the time. David Pendergast reported that he wants to give back to the community. He is knows the responsibilities will be over public service and the cemetery. Councilmember Maw asked if there were any department or services that need improvement. Kris Carrigan reported that his gripe was getting the old school down. Mark Osenbach wants to take a earnest look and see how we can make each department run more efficiently. David Pendergast noted that we are going in a good direction and we need to listen to the citizens. Councilmember Kelley asked if anyone has any experience on grant writing. David Pendergast reported that he was instrumental in writing grants for the grade schools. Mark Osenbach reported that in his vocation, he has written grants from \$500 to \$14 million. Kris Carrigan reported that he has worked on housing and affordable housing grants. He is willing to learn and continue education. The Mayor thanked everyone. The council was asked to write down one name on the paper. Diane will gather them. The Mayor will also vote but will only be counted in the event there is a tie. Diane tallied the votes. Kris Carrigan had the highest vote. The Mayor thanked everyone. Kris will be sworn in after the meeting.

Councilmember McKean moved to appoint Kris Carrigan to fill the city council vacancy. Councilmember Hale seconded the motion. Councilmembers Maw, McKean and Hale voted aye. The motion carried.

Motion: Approval of Business Licenses

Hilary Perez, who currently has a day care license, has petitioned the city and the state to increase her license to up to 16 children. The state is asking if there are any local ordinances that would be a problem. Diane noted that the only thing she could find is that under the home occupation ordinance, you can only be bona fide residents of the home. **Councilmember McKean moved to allow Hilary's Day Care to have up to 16 children.**

Councilmember Kelley seconded the motion. Councilmembers Kelley, Maw, McKean and Hale voted aye. The motion carried.

Motion: Approval of Warrant Register

See warrant register dated 04/17/15 to 04/30/15. Councilmember McKean asked about the Chris Weicks' check. Diane noted it is for Chris' kids to clean the park restrooms. Image Trend is for the fire department.

Councilmember Maw moved to approve the warrant register as presented. Councilmember Hale seconded the motion. Councilmembers Kelley, Maw, McKean and Hale voted aye. The motion carried.

Report: Planning Commission

Blake Neil reported that he and Buddy met with Ryan Olsen. Blake noted that the developer controls the home owners association. Brandon will look at the development agreement. Blake noted that the Planning Commission is having a work session next week about Stillcreek. It was noted that a new Stillcreek is coming in with new developers. Blake wanted to make sure the Planning Commission is up to speed with the original plans for Stillcreek. Blake also reported that they are working on other projects such as sewer and road studies. He also mentioned that we have a curfew ordinance in place so we may be able to post signs in the park right away.

Reports: Council

Councilmember Kelley noted that they Pops Concert will be in August and they will advertise it on Facebook. She also mentioned that Taylor Armstrong is working on an Eagle Scout project to put in the sign at Pioneer Park.

Councilmember Maw reported that we hired a new part-time employee for the landfill. His name is Richard Schroeder. He also works for the fire department and has been filling in at the landfill for a while.

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Councilmember McKean reported that Jerry Bradford has been hired part-time for the parks. They are planning to hire a full-time parks/recreation assistant. He noted that he and Colette will narrow it down to five and then pass it to the Mayor. Councilmember McKean reported that we have the trees, the sand and the sod in at Pioneer Park. It was noted that we have reports of high school kids smoking over at the park. He mentioned that they want to get cameras. Councilmember Kelley asked about the benches. Councilmember McKean will ask Colette about them. Councilmember Kelley noted that the tables need to be turned to show the donation plaques. It was noted that Arbor Day celebration was last Saturday.

Councilmember Hale reported that the light on the Lions Club bowery has been on late at night recently. She asked the council to get her any information for the newsletter by the end of May. She noted that the 4th is going well and Phil Clawson is doing great.

The Mayor thanked Mark Lowther for his work on the council. He noted that the school is being demolished.

At 8:50 p.m. Councilmember Maw moved to adjourn and was seconded by Councilmember Kelley. The vote was unanimous.

City Recorder

Mayor

Date approved

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