

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
MARCH 17, 2016

The City Council of Plain City convened in a regular meeting on Thursday, March 17, 2016, in the Plain City Hall beginning at 7:00 p.m.

Present: Mayor Bruce Higley, Councilmembers Mike McKean, Buddy Sadler, Brett Ferrin, Natalie Hale and Brad Searle
Staff: Diane Hirschi, Brandon Richards, Bren Edwards, Jeremy Crowton
Also present: Brent Weston, Tyson Hales, Jay Wells, Blake Neil, Ben Hickenlooper, Steve Jensen, Tracie Jensen, Monica Hanks, Justin Hanks, Brian Goldsberry, McKinley Meyer, Ashley Bodily, Shanna Goldsberry, Jarod Maw and Matt Dixon

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

Approval of Minutes

Councilmember Ferrin moved to approve the regular and work meeting minutes from March 3, 2016 as presented. Councilmember McKean seconded the motion. Councilmembers McKean, Sadler, Ferrin, Hale and Searle voted aye. The motion carried.

Comments: Public

Steve Jensen had three points: 1) He noted his disappointment with the city in that the tail is wagging the dog and is not following the General Plan. 2) In moving forward, he is concerned about the aesthetics of Kent's and fitting into the community. He noted several cities that have not allowed certain businesses because it does not match what the citizens want. He also noted that we need to limit signs and define our ordinance better before we have a pattern of back lit signs. 3) The city should consider a forum so residents can ask questions and get answers so the public can see the rationale for the way of thinking.

Tracie Jensen asked the council if they have considered the land that is already C-2 up the road that is now for sale. It would be a better option since it is not next to the school and on a narrow road. She noted that the General Plan wanted the commercial there. She asked to not rezone this piece and leave it RE-20.

Monica Hanks thanked the Mayor for the getting the grant for the crosswalk on 2600 North. She mentioned that her concerns are in regards to the development agreement. She feels that a 40' sign is too tall for our community and in a residential area. She noted that the building is only 35'. Monica asked that we not allow animated signs like they have in Roy. If they do, it would be good to turn it off at night. She would like a sturdier fence. If it has to be chain link then at least have it powder coated. She feels that the berm of 18" is too low. She likes the high berms that were used in Logan for the Walmart. She is asking to lower the speed limit to 25 mph on 3600 W and not allow truck traffic in front of the school.

Presentation/Motion: Eagle Scout Project – Ben Hickenlooper

Ben Hickenlooper would like to paint house numbers on the curb for his Eagle Scout project. He noted that the area he is proposing has about 50 houses. He will try and get donations from stores for the supplies and will get help from his troop. He noted that he will talk to the people to get their approval before he does the work. The council felt that it was a good project. **Councilmember Hale moved to approve the Eagle Scout project presented by Ben Hickenlooper. Councilmember McKean seconded the motion. Councilmembers McKean, Sadler, Ferrin, Hale and Searle voted aye. The motion carried.**

Discussion/Motion: Development Agreement – PCR-KTA, LLC (Kent's Market) – 2600 N 3600 W

The Mayor reported that the development agreement has been discussed in several meetings with the Kent's folks and sent to the attorneys. The council should have the final draft in front of them. Councilmember Sadler has some concerns. He feels that section 2.5 needs to be clarified. Councilmember McKean noted that it has been addressed. Councilmember Sadler was given the latest copy of the agreement that was emailed to him earlier in the week. Councilmember Sadler would like to add that they will not have bulk propane sales and that we should limit car

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
MARCH 17, 2016

wash hours after 9:30 or 10. Brandon noted that we had a previous meeting last week to work out all the details and the council had time to see if there were more issues. At this point, any changes would have to be worked out with Kent's. Councilmember Sadler noted that Maverik's carwash has limited hours. Councilmember Ferrin mentioned a discussion about vinyl fences. The Mayor noted that Jay Wells is the neighbor to the west and indicated that he would like a vinyl fence for more privacy. There was a question if vinyl would just go to the length of his property or the whole length of the Kent's property. Jeff Johansen noted that he would take it all the way on that side. He thinks that would look better. Jeff's only concern is if the vinyl will be sturdy enough but he is OK with it if that's what the neighbor wants. He noted that he would like the south side to be chain link. Councilmember Sadler asked to reconsider the sign height of 40'. Blake Neil noted that originally the sign was 35'. Now it is 40' however the sign ordinance allows for 50'. Councilmember Sadler noted section C on page 12 concerning the trees, he would like to add contiguous evergreen trees to the 18" berm. The berm was discussed briefly. It was noted that 18" is the minimum height. The Mayor noted his concern about making the changes since we had some meetings and he doesn't want to look like we are going back on our word as a mutual agreement. Landscaping was discussed. Councilmember Sadler is concerned that headlights will shine into the houses along 3600 W. It was noted that there will be curb, gutter and sidewalk with berms and bushes. It was mentioned that the parking stalls are at least 100 feet from the road. Councilmember Sadler thinks the Planning Commission should approve the types of trees. He mentioned that they are showing 9% of the site in landscaping. He thinks the 9% should not include the detention basin because he is required to have the detention basin anyway. It was noted that the 9% doesn't include the curb and sidewalk. Jeff Johansen assured the council that the detention basin will be landscaped. Councilmember Sadler also raised a concern about the xeriscape of pad C. He thinks we should spell out that there will be fabric and pressurized irrigation. Brandon Richards noted that this is covered in the agreement that it will be continuously maintained. They are putting larger rocks in the pads for now and they would damage the fabric. It was discussed that there are four items that may be changed. 1) Vinyl fence on the west side and chain link on the south side. 2) Contiguous evergreens on the 18" berm. 3) Prohibit bulk propane sales and 4) not allow tractor/farm implement sales and repair. Blake Neil noted that if the sign was an issue, it could be handled under the nuisance ordinance and shut them off after hours. **Councilmember McKean moved to approve the development with the following changes: 1. Vinyl fence on the west side of the property and chain link on the south side. 2. No farm implement sales and repair. 3. Prohibit bulk propane sales. 4. Contiguous evergreens on the 18" berms. Councilmember Searle seconded the motion. Councilmembers McKean, Ferrin, Hale and Searle voted aye. Councilmember Sadler voted nay. The motion carried.**

Discussion/Motion: Final Approval of River Crossing Subdivision Phase 1 – 4925 W 1400 N – 20 lots

Councilmember Sadler noted that there was a memo from our engineer asking for a new preliminary if they are changing it. He also called for a traffic study. Neither of these items have been done to his knowledge. Blake Neil reported that it was on the Planning Commission agenda for Phase 1. He noted that they felt he didn't need it for phase 1. He mentioned the traffic study and there was a recommendation to take out the left hand turn lane. They made a change on the remainder parcel for the mailboxes. Councilmember Sadler explained that originally Mr. Buie had a development agreement for 82 lots for mixed used sized lots with an overall density of 1.78 lots. Blake Neil noted that the density will be made up in phase 2. He noted that the Planning Commission approved phase 1 without the remainder parcel. There are some contracts in place for some right-of-ways that will be discussed in phase 2. They felt that the requirements were met in Brad's memo. Councilmember Sadler feels that it needs to go back to the Planning Commission with these new documents in hand. Councilmember Ferrin noted that the emergency access and the density will be addressed in phase 2. Councilmember Sadler noted his concern on where the emergency access is located. He is concerned because the rezone was contingent upon certain conditions and are not being addressed. Councilmember McKean asked when a traffic study would be required. It was noted that it depends on the impact to the road. It was noted that phase 1 is alright but the emergency access will have to be addressed before approval of phase 2. **Councilmember McKean moved to approve River Crossing Subdivision Phase 1 at 4925 W 1400 N with the contingency of a traffic study as was originally requested and the engineer's current comments from 02-16-16. Councilmember Ferrin seconded the motion.** Councilmember Sadler asked if John Leonardi could make some comments. John noted that this subdivision had changed owners and there have been some changes since 2006. There has not been a traffic study. There is a concern that a flag lot is created. John would like to see if come back to the Planning Commission. He noted that Jeff has taken away a lot of the pathways. It was noted that we need to be consistent in our developments.

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
MARCH 17, 2016

Councilmember McKean withdrew his motion. Councilmember Ferrin withdrew his second. Councilmember Sadler moved to send River Crossing back to the Planning Commission to address the engineering comments from the civil engineer dated 03-19-15 and show they plan to maintain the density of 1.8 units per acre in the whole development as agreed to when the rezoning/annexation was done through the city. Councilmember McKean seconded the motion. Councilmembers McKean, Sadler, Ferrin, Hale and Searle voted aye. The motion carried. Tyson Hales asked for clarification. Councilmember Sadler said they need a traffic study and everything on Brad's memo that hasn't been done. The emergency access needs to be addressed also. Diane noted that when subdivisions are extended over a period of years, it is hard to keep track of all the discussions and agreements especially when developers change.

Discussion/Motion: Resolution for Municipal Wastewater Planning Program

Bren Edwards reported that he has been working on the sewer self-assessment planning program and feels that we are on the right track. The paperwork is filled out and we just have to adopt the resolution and then he can send it to the State. **Councilmember Ferrin moved to adopt resolution 2016-03 as the Municipal Wastewater Planning Program Resolution. Councilmember Searle seconded the motion. Councilmembers McKean, Sadler, Ferrin, Hale and Searle voted aye. The motion carried.**

Discussion/Motion: Purchase of Roadside Mower

Bren reported that he has three bids for a roadside mower. The lowest bid is from Advantage Equipment and it is a Woods 5' mower for \$9,649. This shipping is \$500 but if they can get their truck full, they won't charge us the shipping. He would like to get it ordered early so that they can get it on the truck. The Mayor noted that the old one is not safe and the only other option is to borrow from another city. Bren said that this mower could be used in several departments and suggested paying for it out of those accounts too. He would like to take \$7,500 from the street capital outlay budget, \$1,000 out of the storm drain equipment supply line item, \$1,000 from the landfill maintenance line item and \$649 from sewer treatment maintenance. Bren noted that he can't rent a mower like this. He mentioned that it is used city wide along the roads three or four times a year. The city is not responsible for state roads. It was also noted that it will have a 10 year life span. **Councilmember Ferrin moved to award the bid to Advantage Equipment for \$9,649 plus freight for the Woods roadside mower. Councilmember Sadler seconded the motion. Councilmembers McKean, Sadler, Ferrin, Hale and Searle voted aye. The motion carried.**

Discussion/Motion: Lease Contract with John Deere for Tractor

Bren reported that he has got a cooperative contract for a John Deere 5115M tractor. He noted that we currently have a tractor that is undersized and that is a safety issue because it has an open cab. He noted that a new tractor would cost around \$60,000. With the lease, it would cost \$2,625 per year with a 250 hour window. We wouldn't have any maintenance cost and we would get a new tractor every year. It could be used for roads and in the parks for the arena. If we use over 250 hours, it will cost an additional \$10.50 per hour. Bren noted that \$1,000 will come from the street equipment supplies budget, \$1,000 from storm drain equipment supplies budget and \$625 from sewer treatment. **Councilmember McKean moved to approve the John Deere Contract as presented. Councilmember Hale seconded the motion. Councilmembers McKean, Sadler, Ferrin, Hale and Searle voted aye. The motion carried.**

Discussion/Motion: Maintenance Agreement for Lift Stations – Tech Flow

Bren explained that he only has one quote because there is only one company. This is a maintenance agreement that this company would bring out their technicians two times a year to change the oil and O-rings. It will take about two hours per lift station for a total annual cost of \$2,400. It will come out of the sewer enterprise fund. **Councilmember Hale moved to approve the Tech-Flow maintenance agreement for the lift stations for a year. Councilmember Ferrin seconded the motion. Councilmembers McKean, Sadler, Ferrin, Hale and Searle voted aye. The motion carried.**

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
MARCH 17, 2016

Discussion/Motion: Purchase of Ford F-150 Truck

Bren noted that he is asking for a lot of things. He has the state pricing for a new 2016 Ford F-150 XLT. He noted that he would run it for two years and then roll it. It was noted that the XLT is a nicer truck, but the resale value is better. It was also noted that it will have to be taken care of. He noted that the state doesn't have a lease program for trucks. Bren mentioned that we are hiring a third person and need another truck. Jeremy Crowton noted that the state bid is a lot cheaper to buy. He noted that is how he got the new truck at the fire department. State contract was \$28,000 for a \$45,000 truck. The Mayor noted that the mosquito board used to buy from state contract and roll them after a couple years. Bren noted that he will use \$10,000 out of street equipment, \$11,610 from sewer collections and \$10,000 for sewer treatment. Councilmember McKean thanked Bren for presenting which departments he is getting the funds. It was noted that we will get a white truck and we will have to get the logo and toolbox for the truck. **Councilmember McKean moved to approve the 2016 F-150 with the Utah State contract for \$31,610. Councilmember Ferrin seconded the motion. Councilmembers McKean, Sadler, Ferrin, Hale and Searle voted aye. The motion carried.**

Motion: Approval of Business Licenses

New

Rustin Rooster Properties LLC Zac Walton/Danya Twigg 3723 W 1975 N real estate

Renewals

Teresa's Daycare	Teresa Maisey	1623 N 4400 W	daycare
L&M Furniture	Lance & Macquel Price	3493 W 2350 N	selling furniture
Balderee Home Inspections	Ted Balderee	1622 N 4150 W	inspection services
Hales-Sheds	Jim Hales	3030 W 1900 N	build portable sheds
Ultimate Equestrian	Danna Russell	3077 N 3900 W	equine training
Fashion Riot	Macquel Price	3493 W 2350 N	sales
John Shank Flooring	John Shank	4735 W 2150 N	home office
Lone Bull Construction	Nickolas Hammerle	4350 W 1500 N	concrete, flatwork
A&J Home Builders	Jason Nicholls	3477 W 2350 W	general contractor

Councilmember Hale moved to approve the business licenses as presented. Councilmember Searle seconded the motion. Councilmembers McKean, Sadler, Ferrin, Hale and Searle voted aye. The motion carried.

Motion: Approval of Warrant Register

See warrant register dated 03/01/2016 to 03/16/2016. There is a bill for the lawnmower. It was noted that Brent has some bids for a new lawnmower. It was noted that the Big O Tires bill is to fix some front end issues on the pickup truck with the plow. The Mayor noted his concern about the bill to Cristie Creamer. He is wondering why it is made to her rather than Wahlquist. **Councilmember Ferrin moved to approve the warrant register as presented with the exception of the Wahlquist bill. Councilmember McKean seconded the motion. Councilmembers McKean, Sadler, Ferrin, Hale and Searle voted aye.** Councilmember Sadler noted that he is being reimbursed for Founders Day. **The motion carried.**

The Mayor noted that Steve Davis provided a copy of the February financial statement to the council.

Report: Planning Commission

John Leonardi noted that the Planning Commission set public hearings for B Simpson Subdivision and Lassen Subdivision on April 14. He noted that they approved River Crossing and they discussed remainder parcels. They will be setting a public hearing for the commercial landscaping ordinance and for amending some of the other ordinances that are being worked on.

Report: Council

Councilmember Hale reported that 157 years ago today, Plain City was founded.

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
MARCH 17, 2016

Councilmember Sadler noted that Founders Day is Saturday. He is asking the council to help take down tables afterwards. He noted that there will be displays in the overflow. They will be selling tickets at 12 and want to be ready to eat at 1. There was some discussion about a screen and projector in the council room.

Councilmember Ferrin noted that the mosquito abatement district is on top of it.

Mayor Higley reported that Bren is doing a great job and we are heading in the right direction. We will be interviewing for another public works employee next week.

Diane inquired to see if the council was alright with Lacrosse using the senior center once a week to watch their films for about an hour. Brad Searle also noted that all 50 of the Lacrosse players are required to do 4 hours of service. He noted that if there is a project to be done, they will do it. The council was alright to let them use the building unless someone else reserves it.

At 8:58 p.m. Councilmember McKean moved to adjourn and was seconded by Councilmember Hale. The vote was unanimous.

City Recorder

Mayor

Date approved