

PLAIN CITY COUNCIL  
MINUTES OF REGULAR MEETING  
JUNE 4, 2015

The City Council of Plain City convened in a regular meeting on Thursday, June 4, 2015, in the Plain City Hall beginning at 7:00 p.m.

Present: Mayor Bruce Higley, Councilmembers Joel Maw, Mike McKean and Kris Carrigan  
Excused: Councilmember LaFray Kelley and Natalie Hale  
Staff: Diane Hirschi, Brandon Richards, Jeremy Crowton  
Also present: Chad Zito, Allan Karras, Robyn Bitton, and Christian George

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

Approval of Minutes

**Councilmember Maw moved to approve the minutes from May 21, 2015 as presented. Councilmember Carrigan seconded the motion. Councilmembers Maw, McKean and Carrigan voted aye. The motion carried.**

Comments: Public

Robyn Bitton reported her concern about Big Cottonwood Subdivision. The developer was supposed to take care of the irrigation water and pipe the drain ditch. Some of the houses have filled the drain in with pipes of different sizes. She reported that the city needs to follow the ordinances. Water is not moving and is a breeding ground for mosquitoes and is a swamp. She reported that Plain City told them what size of pipe it should be. She noted that Plain City owns the property and should fix it. The Mayor noted that he will look into it and see what needs to be done. Robyn noted there are peacocks roaming the streets. She was told to call Weber County Animal Control. She also noted that there is a horse issue that should fall under the grandfather clause. The Mayor reported that he was aware of the problem and will take care of it.

Discussion/Motion: Disconnection of B&R Development Property

Christian George reported that he presented the council with a packet at the last meeting. He noted that they just want to find the best way to provide services to this property. The Mayor reported that the city has received a letter from Central Weber Sewer Improvement District dated May 21, 2015. Diane gave Christian a copy of the letter. The Mayor noted that Farr West is responsible for the sewer line and Lance reported that there are not many connections left on that line. The Mayor also reported that he has talked with Mayor Dickamore and that he has no desire to annex this property into Farr West in order to hook into the sewer line. Mayor Higley also noted that he is not in favor of the disconnection. Christian felt that they have tried to work this out in good faith between the entities. They don't care which entity they are in they just want to be able to have sewer services and they desire to keep the whole development in one entity. Christian reported that he would like a chance to review the information that was just given to him. Councilmember McKean noted that he is concerned about the 4<sup>th</sup> bullet point of the letter concerning the property owners paying property taxes into the District. Councilmember Maw reported that we need to review both sides and be fair. Christian again noted that the intent was be cohesive and show due diligence. They have been working on this project since 2010. They came to Plain City first because the top 300' of the property is in Plain City in the hopes that Plain City could provide services. Councilmember McKean inquired about the annexation process. Brandon Richards explained that that the city can petition for an annexation or a land owner can petition. The City cannot force someone to annex in. Christian reported that the 2 ½ acres are in limbo if it is not disconnected. Councilmember McKean noted that he thinks this development will be in Farr West anyway so we should let the acres go. Brandon Richards suggested that the City get more information from Farr West. Councilmember Carrigan feels that if Farr West wants to take it then we should let it go. Brandon reported that it is up to the Council if we want to lose some of our property and could set a precedence. He suggested to the council to be specific in their reasoning. Brandon is also concerned about conflicting stories from Farr West and the developer. It was suggested to leave the petition open and see what Farr West does. There was a discussion about code stating that the council has to make a decision within 45 days of the hearing. The council doesn't want the developer to have to refile. Brandon feels that the code says that so the council has to act. However, if the developer is OK with leaving it open until they see what Farr West is going to do, then it would be alright. If the

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developer at any time wants to come in and have the council make a decision, he can. **Councilmember Carrigan moved to keep the discussion open and table this issue until Farr West decides what to do with the other portion. Councilmember McKean seconded the motion. Councilmembers Maw, McKean and Carrigan voted aye.**

Discussion/Motion: Final Approval of Lucia Subdivision – 1026 N 5200 W – 6 lots

Allan Karras reported that he has met all of the requirements. He noted that they were approved a couple years ago but there was a secondary water issue that has since been resolved. He reported that the subdivision ordinance requires street lights so they will put two in their development. It was noted that 5200 W is a county road. Buddy Sadler reported that Weber County was very glad to give us the road but if the city took it over we would want 300 feet to the west of the road. Weber County didn't want that. Allan reported that the County required a deferral agreement and they have taken care of that. Allan noted that he doesn't know the cost to the street lights yet, but he will pay to install them. There was a discussion about who will pay the monthly power fee? City or County? It is a County right-of-way. There was a discussion about how the County may be alright with installing the lights but not if they have to pay the monthly fee. Allan also noted that the Planning Commission is requiring a 6' chain link fence around the pond and to the border of the canal. The Mayor thinks we need to include the streetlights if it is alright with the County. **Councilmember McKean moved to approve Lucia Subdivision with the address for lot 6 as 964 N that is assigned by the engineer. Councilmember Carrigan seconded the motion. Councilmembers Maw, McKean and Carrigan voted aye. The motion carried.**

Discussion/Motion: Usage of Remaining Fire Hydrant Impact Fee

The Mayor reported that in the past, we charged a hydrant fee and there is \$2200 in the account that has to be used for a hydrant. He noted that they are putting in a waterline along 2200 N. It has been brought to his attention that there are some houses that are a long ways away from a fire hydrant. He is proposing to pay \$2200 towards the hydrant and the developer will kick in the rest. He noted that it will be servicing some residents that live in unincorporated Weber County. **Councilmember McKean moved to approve the remaining funds in the fire hydrant fund on 2200 N locate it 500 feet east off the last hydrant. Councilmember Maw seconded the motion. Councilmembers Maw, McKean and Carrigan voted aye. The motion carried.**

Motion: Approval of Business Licenses

There were none.

Motion: Approval of Warrant Register

See warrant register dated 5/21/15 to 05/31/15. It was noted that we are refunding the coach's child's fee. The Weick's check for cleaning the bathrooms was discussed. Councilmember McKean inquired about the recreation and park fees. **Councilmember Maw moved to approve the warrant register as presented. Councilmember Carrigan seconded the motion. Councilmembers Maw, McKean and Carrigan voted aye. The motion carried.**

Report: Planning Commission

Buddy Sadler reported that they had a public hearing for the Burton property that is two lots. There is a question now whether they can be doing a lot line instead. The Planning Commission approved the Lucia Subdivision. They are working on the side yard ordinance amendment. Councilmember McKean asked to have the sign ordinance for the parks on their agenda. The curfew ordinance and posting signs on the park are needed. There was a question about whether the city can post signs on the Town Square Park since we don't own it. Buddy inquired about a traffic study for North Plain City Road. He is concerned how many more homes that road can handle. The Mayor noted that the Council will be joining the Planning Commission for a work meeting to discuss deferral agreements and other subdivision ordinance related issues. The meeting will be at 6 p.m. next Thursday. It was also noted that we have one open seat on the Planning Commission.

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Report: Council

Councilmember Carrigan reported that he met with the fire chief the other night. He attended staff meeting and there was some questions about what is required from the staff on the 4<sup>th</sup>. Councilmember McKean reported that he will get with Colette and the parks department for water and garbage.

Councilmember McKean noted that they had a second interview for full-time parks and recreation assistant.

Councilmember Maw talked with Dusty and the lab reports at the treatment ponds are good.

The Mayor noted that there was a sewer line problem last Saturday. Dusty got it fixed and the Mayor was happy to report that he and Cody use safety equipment. The Mayor reminded the council of the work meeting with the Planning Commission next week at 6 p.m.

**At 8:22 p.m. Councilmember Maw moved to adjourn and was seconded by Councilmember McKean. The vote was unanimous.**

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

\_\_\_\_\_  
Mayor

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

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The City Council of Plain City convened in a regular meeting on Thursday, June 18, 2015, in the Plain City Hall beginning at 7:00 p.m.

Present: Mayor Bruce Higley, Councilmembers LaFray Kelley, Joel Maw, Mike McKean, Kris Carrigan and Natalie Hale  
Staff: Diane Hirschi  
Also present: Blake Neil and Steve Davis

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

Approval of Minutes

It was noted that there was a typo on Councilmember Maw's name. Councilmember McKean wanted to follow-up on the hydrant and the complaint on Big Cottonwood Subdivision. The Mayor noted that the hydrant is going to be installed and he is working on the Big Cottonwood issue. **Councilmember McKean moved to approve the minutes from June 4, 2015 as presented. Councilmember Carrigan seconded the motion. Councilmembers Kelley, Maw, McKean, Carrigan and Hale voted aye. The motion carried.**

Comments: Public

There was none.

Public Hearing: Adjustment of FY 2014-15 City Budgets and Adoption of FY 2015-16 City Budgets

**Councilmember Kelley moved to go into two public hearings for the adjustment of the 2014-15 City Budgets and the adoption of the 2015-16 City Budgets. Councilmember Maw seconded the motion. Councilmembers Kelley, Maw, McKean, Carrigan and Hale voted aye. The motion carried.** The Mayor asked for any comments. There were none. **Councilmember Hale moved to go out of the public hearing and into the regular meeting. Councilmember McKean seconded the motion. Councilmembers Kelley, Maw, McKean, Carrigan and Hale voted aye. The motion carried.**

Discussion/Motion: Adjustment of FY 2014-15 City Budgets

Steve Davis reported that we didn't get all the revenues that we budgeted and he had to take it down by \$4,000 to balance the budget. **Councilmember Kelley moved to make the final adjustments to the 2014-15 City Budgets and Redevelopment budget as presented. Councilmember Carrigan seconded the motion. Councilmembers Kelley, Maw, McKean, Carrigan and Hale voted aye. The motion carried.**

Discussion/Motion: Adoption of FY 2015-16 City Budgets

Steve Davis noted that he made a couple changes to the tentative budget that the council approved in May. He was instructed to add a full-time employee that will be split between parks and recreation. He noted that he and Mayor had to make cuts to make it possible. He noted that he also increased the employee benefits and insurance. It was noted that the budget is an estimate and he is estimating that growth is going to pick up. Steve mentioned that we can adjust line items during the year but if the department budgets change, we have to have a public hearing before the expenditure. Steve asked to be made aware of any purchases exceeding \$5,000. He noted that property taxes will bring in about \$130,000. He noted that if we want to increase the certified tax rate, we would have to have Truth in Taxation hearings. Steve mentioned that we will receive about \$37,000 in the new gas tax that will kick in this January. He noted that there may be a change on the sales tax distribution that could be on the ballot. It was reported that a 1½ % cost of living was put in the budget. Steve noted that he added the 1½ % on each salary account. Steve reported that when he is putting the budget together, he is conservative on the revenues and liberal on the expenses. He is projecting to use \$103,000 of the unappropriated surplus to balance the budget. He also noted that he and the Mayor talked about the capital projects fund and decided to eliminate the items in there that we haven't used for a while and add \$300,000 for a new city shop. Councilmember McKean had Steve clarify that we are not dipping from the capital projects fund, we are just not adding to the capital projects fund. Steve also clarified that the capital projects fund has \$520,000 in it now and we are planning to use \$300,000. There is no source of

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revenue to replenish it. As our Treasurer, he wants to make sure the council understands that. Councilmember McKean feels that we need to challenge our department heads to come under their budgets by 2%. He also suggested investing the money rather than keeping it in the PTIF. Steve reported that we could put it in a CD. Councilmember McKean will look into it. In the capital project fund, Steve noted that the council needs to have a plan on what that money will be used for. Councilmember McKean wondered if we should do that in a work meeting. It was suggested to talk about it at the next council meeting. **Councilmember McKean moved to adopt the 2015-16 City Budgets and Redevelopment Budget as explained. Councilmember Hale seconded the motion. Councilmember Kelley, Maw, McKean, Carrigan and Hale voted aye. The motion carried.**

Discussion/Motion: Approval of Certified Tax Rate for FY2016

Steve Davis reported that the County gave the numbers for the certified tax rate as .000490. He noted that he projects it will bring in \$129,892. It was mentioned that this is not an increase. **Councilmember Maw moved to approve the certified tax rate at .000490 as presented. Councilmember McKean seconded the motion. Councilmembers Kelley, Maw, McKean, Carrigan and Hale voted aye. The motion carried.**

Motion: Cancel July 2, 2015 Meeting

**Councilmember Carrigan moved to cancel the July 2, 2015 meeting. Councilmember Kelley seconded the motion. Councilmembers Kelley, Maw, McKean, Carrigan and Hale voted aye. The motion carried.**

Motion: Approval of Business Licenses

There were none.

Motion: Approval of Warrant Register

See warrant register dated 06/01/15 to 06/17/15. It was noted that there are more coach refunds. Councilmember McKean asked if Adam Doxey was one of Colette's kids. Diane noted that he is not. Councilmember Hale asked what the flat letters were. Councilmember Kelley reported that they were for the sign at Pioneer Park. Councilmember McKean noted his concern about the ease of fraudulent purchasing at Lowe's and Home Depot and thinks we need to work on our purchasing policy. **Councilmember Maw moved to approve the warrant register presented. Councilmember Hale seconded the motion. Councilmembers Kelley, Maw, McKean, Carrigan and Hale voted aye. The motion carried.**

Report: Planning Commission

Blake Neil reported that the Planning Commission will be having a public hearing on July 9 for a rezone for the Stimpson property out north by Stillcreek. They are petitioning to rezone from A-1 to RE-20. Blake asked the council for the time frame in getting a new Planning Commission member since Ed Hall resigned. This will be taken care of at the next meeting. Blake noted that he has been looking into some training material and mentioned that the Utah League of Cities is saying that public hearings are not necessary for subdivision approval, only public meetings. He also noted that the city is required to look at their subdivision ordinance every five years so they will start that process. Councilmember McKean asked Blake if Ryan Taylor contacted him. Blake noted that he has spoken with him.

Report: Council

Councilmember Kelley reported that there will be a Pops Concert in August. The Pioneer Park sign is completed thanks to an Eagle Scout project. She noted that the Youth Council will be on the float with the City Council for the 4<sup>th</sup> of July. They will be on a 40' Peterbuilt flatbed. She noted that the youth council will be doing recruitment flyers.

Councilmember Carrigan noted that he didn't have anything to report since he wasn't able to attend this week's meeting. Diane noted that the meeting he is talking about is the staff meeting that is held every Tuesday at 1:30 p.m.

Councilmember Hale noted that the fire department will be available on the 4<sup>th</sup> for first aid. Lt. Lane Findlay reported that they will have Deputy Mike Chatelain available to help for the day. He also noted that Rex Cragun is retiring the end of June. Councilmember Hale mentioned that she will get some signage up at Fremont on the 3<sup>rd</sup> so

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the Fireworks people can get in. The committee will be setting up the park on Friday. The dinner will start at 6 p.m. and she asked the council and their spouses to help serve the dinner. She asked them to be there at 5:30. She noted that the flatbed will need to be decorated for the parade and that everyone needs to be at Fremont at 8 am. She indicated that she has a lot of candy for the council to throw. Councilmember McKean noted that they ran out last year so he wanted her to make sure she has a lot. It was noted that there is not a rodeo this year and they may do it again next year but not on the 3<sup>rd</sup>. She noted that there will be a pinewood derby on the 3<sup>rd</sup>. She has asked the parks department to handle the garbage. It was noted that the backhoe will be around to empty the black cans into because the black cans are hard to empty into the dumpster. Councilmember Hale reported that she will saran wrap the water jugs so no one puts their hands in. She reported that Phil Clawson is the chair and he works for Wadman Construction. Wadman Construction is sponsoring the softball tournament. She noted that Steve and Pat Smith are the Grand Marshall's this year. Councilmember Hale also reported that if anyone needs something in the newsletter for August or September, they need to get it to her soon.

**At 8:09 p.m. Councilmember McKean moved to adjourn and was seconded by Councilmember Kelley. The vote was unanimous.**

\_\_\_\_\_  
Mayor

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

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