

PLAIN CITY COUNCIL  
MINUTES OF REGULAR MEETING  
AUGUST 4, 2016

The City Council of Plain City convened in a regular meeting on Thursday, August 4, 2016, in the Plain City Hall beginning at 7:00 p.m.

Present: Mayor Bruce Higley, Councilmembers Mike McKean, Buddy Sadler, Brett Ferrin and Brad Searle  
Excused: Councilmembers Natalie Hale  
Staff: Diane Hirschi, Bren Edwards, Jake Meibos, Jake Jardine, Cody White, Tyson Garr  
Also present: LaFray Kelley, John Leonardi, Rick Davis, Ross Taylor, Kathy Taylor, Bill Van Hulten, Dan & Tammy Perkins, Sherrie Hodson, Joel Maw, Robert Seager, Leasa Wayment, Cheri Sparks, Paula Harper, Heidi Rands and Colette Doxey

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

The Mayor introduced Tyson Garr as our new Recreation and Special Events Coordinator. The city is happy to have him on board. He will begin full time on August 15.

Approval of Minutes

**Councilmember Ferrin moved to approve the minutes from the regular meeting on July 21, 2016 as presented. Councilmember McKean seconded the motion. Councilmembers McKean, Sadler, Ferrin and Searle voted aye. The motion carried.**

Comments: Public

Kathy Taylor mentioned her concern about how dusty it is at the arena. She noted that there is a sprinkler problem and suggested that we look into getting something in to help with the dust problem. She is also inquiring about the \$5 fee for storm water. It was noted it is a utility fee to help in the state mandate for taking care of storm water. The Mayor noted that he would spend some time afterwards with her to explain.

Discussion/Motion: Pickle Ball Update

Paula Harper gave the council a two-page financial summary for the Lions Club Pickle Ball and restroom project. She noted that it shows the estimated project specifications, fundraising and in-kind totals as of today. She noted that it is going to be a four-court tournament grade complex. The bid came in higher than expected at \$127,000. We only received one bid but it was noted that there are only two companies that do this and the other company couldn't meet our time table. There was a discussion about the possibility of extending the RAMP grant. LaFray noted it has to be done by the end of the year and the grant included both the pickle ball court and the restrooms. Paula pointed out that for the pickle ball courts, they only need \$20,293 of donations left. This includes both cash and in kind services. She noted that they haven't aggressively done a fund raiser. She is asking the city to let them put something in the water bill asking for donations. They wanted to publicly thank Knight Transportation for generously donating \$40,000. She went down a list of work/materials that have been offered as a donation. Councilmember Searle asked if there are any unknowns. Leasa Wayment noted that there is a Rocky Mountain pole that will have to be moved. Bren noted that he will look into that. Leasa reported that they still have months to raise money, but the work needs to start next week. She noted that they may be short and may need more, so she is asking for the city's help. It is down to crunch time. What the city will gain is four new pickle ball courts and a new restroom. It was noted that Pioneer Park took multiple years. Councilmember Ferrin thanked the committee for their work. **Councilmember McKean moved to approved the Pickle Ball Complex and let it begin and to use the water bill to advertise for fund raising. Councilmember Ferrin seconded the motion. Councilmembers McKean, Sadler, Ferrin and Searle voted aye. The motion carried.**

Discussion/Motion: Cemetery Board Use of Senior Center – 2<sup>nd</sup> Thursday in August, September and October

Ross Taylor reported that the cemetery board is selling lots and is asking to use the senior center and waive the fee for the next three board meetings. Normally they have their board meetings in our conference room but they are hoping that there will be more people coming now. The meetings are held the 2<sup>nd</sup> Thursday. It was noted that there

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are about 1000 lots to be sold. **Councilmember McKean moved to let the cemetery board use the senior center and waive the fees for the next three months. Councilmember Sadler seconded the motion. Councilmembers McKean, Sadler, Ferrin and Searle voted aye. The motion carried.**

Discussion/Motion: Ordinance: Rezone William Van Hulten Property – RE-15 to Senior Housing Overlay – 4112 W 2800 N

Rick Davis is applying for the senior housing overlay zone. He feels there is a need in Plain City for people who want to still live out here but don't want yards to take care of. He has done several of these types of development. He showed pictures of a development he did in Brigham City. There is a vinyl fence around the whole development plus each individual lot. The lots are on the average around 7100 and 40% of those homes have 3-car garages. He noted that one member of the family has to be 50 years or older. It will be an HOA (home owner's association) that will cover the landscape in the front yards, landscape in the open space and snow removal. The HOA fee will be between \$42-60 a month. The price of the homes is around \$225,000 to 250,000. Councilmember Searle asked how the neighbors feel about it. Councilmember Sadler reported that there was a lot of opposition about smaller lots at the public hearing. Councilmember Searle is concerned about high density. He likes the proposal but is concerned that we might not be following our general plan. Joel Maw reported that he and Bill Van Hulten went and looked at the Brigham City project and was impressed and felt there was a need in Plain City for a small development like this. He knows that we just approved one where the old school was but feel we need more of these type of projects. He did some research and this development will not drop the neighbor's property value and it is the best use of the property. He has received some positive feedback. As for a development agreement, they are working on it. Councilmember Searle asked what the neighbors were concerned about. Councilmember Sadler said that he and John Leonardi noted that the biggest concern was higher density and lowering property values. Councilmember McKean liked that the development had vinyl fence around the whole development. Rick Davis noted that he is very good at these types of developments. He knows what the people who live there want. He noted that there is not an increase in traffic and the average is six units per acre. Councilmember Searle likes the proposal. Councilmember McKean agrees that we need more of this. Rick Davis noted that there is a large development in North Ogden of about 250 homes. He prefers that smaller developments of 15-20 homes. John Leonardi read the section in our ordinance about low to moderate income housing. He is also concerned that we don't have a draft development agreement. John said that Brandon told Blake that it could come in as part of the final site plan. Brandon Richards noted that he wanted to revisit that ordinance. Councilmember Searle noted that we talked about this at the last meeting and the Planning Commission was going to look into the ordinance. It was noted that the Planning Commission has set a public hearing to look at this. Councilmember Sadler is wondering if this is conducive to the neighborhood and if this is the place to have this type of development. As far as the general plan is concerned, Brandon feels that it is up to the city council. Councilmember Ferrin is all for property rights, but is not sure this is the right place. He feels like the purpose of the senior housing overlay is in a zone where people can walk to get groceries. Joel Maw reported that it is not that different from town square. There is a church close by and there will be some open space. Councilmember Searle noted that he also likes the fencing but he is split on his decision and wonders if it is in the right area. Joel Maw noted that people in the subdivision didn't want to ruin the rural setting. Again Rick Davis pointed out that the lots are around 7,000 square feet and will all be landscaped. Councilmember Sadler noted that this is half the lot size of the RE-15 zone. Rick Davis reported that Joel Maw and Bill Van Hulten have driven around to all their developments and liked what they saw. He also noted that the Planning Commission did pass the rezone. **Councilmember Ferrin moved to deny the request for a rezone for William Van Hulten Property. Councilmember Sadler seconded the motion.** Councilmember Ferrin feels that it is not the right place and we need to address our general plan. Councilmember Sadler feels that this is not the vision of our overlay zone. It is very limited and should have commercial property within walking distance. **Councilmembers Sadler and Ferrin voted aye. Councilmembers McKean and Searle voted nay.** Mayor Higley reported that this property is surrounded by RE-15 and that resident input is important. **Mayor Higley voted aye. The motion carried.**

Discussion/Motion: Award Public Works Facility Bid

Bren gave the council the cost breakdown of the public works facility. It originally came in at \$811,858.99. After itemizing the bid and taking some things out, they have got the cost down to \$595,461.49. He noted that in the 2015-16 budget, \$300,000 was allocated to the public works building in the capital projects fund. In the 2016-17

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budget, an additional \$225,000 was put in for that project. He is also noted that we can pull \$50,000 from the storm drain impact fees and \$25,000 from sewer impact fees to meet the cost. By doing this it will not deplete the capital projects fund. Councilmember Ferrin asked if anyone thinks we don't need a new shop. Councilmember Searle noted that we do need one soon but it has to be done in a timely effective manner and maybe put off until next year if it has to be. Councilmember Ferrin noted that we just saw it with the pickle ball courts, within a several months the price goes up. Councilmember McKean noted that he is in favor of a building but not this one. He thinks we can work towards it but not as it sits. Councilmember Sadler noted that we do need a new building. He wants to sit down and discuss it further and perhaps have a public hearing on it and get feedback. Councilmember McKean noted his concern of the capital projects fund and that there is only one project on the list. He feels we need to look into that fund and prioritize other needs. Councilmember Searle noted that if things were prioritized, the shop would probably be number one on the list. He is concerned about the type of building and the cost. He noted that Syracuse and Huntsville just put up new buildings and he would like to have us go look at them. Councilmember McKean wants to look at other project needs and get them on the list. Bren noted that we can get grants for park improvements like we did for Pioneer Park. There are no grants for public works facilities. Bren mentioned that he is concerned about longevity of the building and wants to make sure it can hold up. Councilmember Ferrin mentioned that his brother is on the council in Farr West and they have been piece milling their facility and feels that if it needs to be done, have the foresight for the future or next 10-15 years and build it right. Right now the budget is good but it could crash at any time. Bren noted that the city still has to provide services. Councilmember Searle noted that we need to look at the list and prioritize. Bren noted that 20 years ago the council looked at the future to build the city hall. Ten years ago they looked at the future and added on to the fire station. The economy is good right now and we have the money. Councilmember McKean asked what they use the shop for. It was noted that the vehicles need to be stored in there, and all the maintenance equipment, signs and tools. Bren noted that the current shop doesn't have a bathroom, no lights, no cement floor and when it rains, the roof leaks. He also noted that there is no heat in the shop and it takes hours to thaw the salt in the sander during the winter. Councilmember Searle asked about how we approved the architect to draw up the plans. Councilmember Ferrin noted that it started with a pencil sketch and in order to bid out the job, the plans had to be drawn up. It was noted that at the time the council thought the new shop would only cost \$300,000 to \$400,000. When the architect knew that it was going to be between \$700,000 and \$800,000, it should have come back to the council. It was noted that it cost us \$30,000 for the architect. The Mayor mentioned that there seems to be some confusion with a pole barn and a commercial building. A commercial building needs to be designed by an architect and have commercial grade footings and electrical. Bren noted that there are three proposed buildings. The main is 7200 square feet. One is 1800 square feet and the other is 600 square feet. The main building is the only one heated. Bren noted that Syracuse already has a shop and are building a place to park some equipment. He hates us to take a step back. They have cut out the office and there is money approved in the budget. They got the cost down to \$595,000 by going without the asphalt right now. Ten years ago the city spent the same amount of money for the fire station. He noted that the growth is coming. There are about 250 available lots right now and they will be demanding more service with a crew of four. The shop is something that is needed every day. More and more requirements are coming from the state concerning storm water and sewer. Councilmember Searle reported that this is going to be the biggest project in the city for a while. We have only had one meeting and we've only had the numbers for a week. The Mayor noted that it has all been talked about. We can't expect our guys to work out of a truck. The building has everything to do with maintenance. He mentioned that twenty years ago Mayor Moyes didn't have the luxury of a professional staff and it was planned to build a shop back then. **Councilmember Searle moved to table this item for further discussion. Councilmember McKean seconded the motion.** Councilmember Ferrin is concerned that we are just prolonging this. Councilmember Searle thinks we need to look at other ways. Councilmember Ferrin urged that council to go look at the plans and talk to Gary Hunt asked the following questions: Do we want to wait until spring? Are we going to award it or not? Where do we go from here? Councilmember Sadler noted that we have been using the old shop this long. Let's figure out what we want as a group. Bren asked the council to give him a cost that they are comfortable with. It is frustrating because we put our life in our job. We are in a different place than we were 10 years ago and we want to make things better for the city. We are getting closer to winter. What do you want us to do? Councilmember Searle noted that he appreciates what they do. We want what is best for you but in a wise manner. Bren noted that if we change the style of the building now, it's not going to happen until spring. Councilmember Ferrin asked if a work session would be wise. Councilmember McKean liked the idea of a work meeting. He feels that these new guys have done an incredible job for the betterment of the city. This is not a

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personal attack on them. He thinks the council needs to feel that this is more comfortable. **Councilmember Searle moved to table this item and schedule a work session with the Mayor and all the city council to investigate and bring in the architect and contractor. Councilmember McKean seconded the motion.** It was asked when this could be set up. Councilmember Searle thinks we need to take time and do it right. **Councilmembers McKean, Sadler and Searle voted aye. Councilmember Ferrin voted nay. The motion carried.**

Discussion/Motion: Surplus Old City Shop

**Councilmember Ferrin moved to table this item. Councilmember Searle seconded the motion. Councilmembers McKean, Sadler, Ferrin and Searle voted aye. The motion carried.**

Discussion/Motion: 2600 N Street Sidewalk Project Memorandum of Understanding with Bona Vista

It was noted that Bona Vista needs to do some work as we are doing this project. They will use our same contractor and they will pay their costs. This is basically like an Interlocal agreement. **Councilmember Ferrin moved to accept the 2600 N Street Sidewalk Project Memorandum of Understanding with Bona Vista as presented. Councilmember McKean seconded the motion. Councilmembers McKean, Sadler, Ferrin and Searle voted aye. The motion carried.**

Motion: Approval of Business Licenses

There were none at this time.

Motion: Approval of Warrant Registers

See warrant registers dated 07/21/2016 to 07/31/2016 and 08/01/2016 to 08/02/16. It was noted that Hoffman is for Pro-Pipe. There was a discussion about cleaning sewer pumps. Bren noted that he and his guys do all the work to pull and set the pumps. Money has to be spent to decontaminate. The bill for Vic's Keys is for a new lock at Pioneer Park. There was a brief discussion about cameras at each park. **Councilmember McKean moved to approve the warrant registers as presented. Councilmember Searle seconded the motion. Councilmembers McKean, Sadler, Ferrin and Searle voted aye. The motion carried.**

Report: Planning Commission

It was suggested that this report be moved to the beginning of the meeting. The Mayor will look into it. Cheri Sparks reported that the Planning Commission discussed setbacks on a corner lot. A couple can't meet the setback when they turned in a building permit. Cheri noted that they were told to either get a new house plan or go to the Board of Adjustment. She noted that they have a public hearing scheduled for August 25 on the senior housing amendments. They talked about defining pastures in the zoning ordinance. Cheri noted that they looked at the site plan for the city shop. Her personal feeling is that these guys are the backbone of our city. We need to keep them and spending a little more on the shop will be a benefit to the city.

Report: Council

Councilmember McKean read a letter from the State saying that our landfill is being run very well.

Councilmember Sadler thinks it is time to revisit our impact fees. It was noted that the engineer has to do a study on each impact fee. It was suggested that we put that out to bid. Bren noted that it would probably be cheaper for have our own engineer do the study as he has the background of the city. It was suggested that this could be included in the work meeting. Councilmember Sadler asked if we have the escrow for Taylor Parks Phase 1. The Mayor said no but is confident we will get it soon. It was also noted that we allow Phase 2 to happen until Phase 1 is taken care of.

Councilmember Ferrin mentioned that the Mosquito Abatement is going through the same issues on the shops. He noted that their airplane is in need of major repairs and they are looking into a new one. He mentioned that we are in good hands. There was a report of one mosquito in Plain City that is carrying the West Nile virus. Councilmember Ferrin noted that one mosquito with all the ones we have out here, there is nothing to worry about.

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Councilmember Searle noted that football has started and we have hired a new guy. Kudos to Dixie Higley and Michelle Koford for getting registration and football camp organized. We are looking at getting more pads and we need to make sure we get our equipment back at the end of the season.

Mayor Higley apologized for being aggressive about the shop. Thanks to Councilmember Searle and everyone that is helping with football. He is happy with the volunteers for the pickle ball court. Thanks to the fire department and noted that they went and helped Pleasant View and help save a house or two. He noted that we had some activity out here and thanked the Sheriff's Office, UHP, Pleasant View and Harrisville for their help. He noted that after 5-6 years of recycling, the county is running in the red and are looking at eliminating it.

**At 9:52 p.m. Councilmember Ferrin moved to adjourn and was seconded by Councilmember Searle. The vote was unanimous.**

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City Recorder

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Mayor

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Date approved

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AUGUST 18, 2016

The City Council of Plain City convened in a regular meeting on Thursday, August 18, 2016, in the Plain City Hall beginning at 7:05 p.m.

Present: Mayor Bruce Higley, Councilmembers Buddy Sadler, Brett Ferrin, Natalie Hale and Brad Searle  
Excused: Councilmember Mike McKean and Diane Hirschi  
Staff: Francine Polson, Bren Edwards  
Also Present: Erik and Benjamin Hickenlooper, Garrett Seely, Targhee Child and Matt Jensen

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

Approval of Minutes

**Councilmember Ferrin moved to approve the minutes from the regular meeting on August 4, 2016 as presented. Councilmember Searle seconded the motion. Councilmembers Sadler, Ferrin, Hale and Searle voted aye. The motion carried.**

Comments: Public

Ben Hickenlooper stated that he had finished his eagle project, which consisted of painting residents house numbers on the curbs, and he was now asking for approval from the council and requesting a signature of completion. The Mayor signed the necessary paperwork for Mr. Hickenlooper and the council thanked him for his service to the city.

Discussion/Motion: Stoneybrook Subdivision – 3820 W 2600 N – 8 lots

Garrett Sealy representing the Kelley property briefly addressed the council. Councilmember Sadler wanted an updated note from the city engineer showing the outstanding requirements that still needed to be addressed and new drawings showing the ponds and flows. He stated that the most recent note he had was dated July 22, 2016. There was a lengthy discussion on what items still needed to be completed. It was noted that anything outstanding was sights and smells of normal farming activity which needs to be placed on the plat to which Mr. Sealy said he had missed but it would be added. Bona Vista asked that the fire hydrant be pushed to the west side vs the east side because it's where the water line is. Councilmember Sadler asked if the set back on the curb on 2600 would line up. Mr. Edwards and Mayor Higley stated that it was a UDOT issue and that other subdivision set backs were what they were because that was what UDOT wanted at that time. There was further discussion that Parcel A is a detention pond and will be dedicated as well as the park strip with crushed rock with required fencing and piping. There was a review as to what the Planning Commission had put in their minutes. **Councilmember Ferrin made a motion to grant final approval for Stoneybrook Subdivision contingent upon completion of all the items from the city engineer dated July 22, 2016.** Mayor Higley made a clarification on the letter from Pineview that says Farr West and it needs to say Plain City. Councilmember Sadler asked that it be amended to add to the motion the Planning Commission with the same comments. **Councilmember Ferrin continued with the same conditions as the Planning Commission recommended as well as any notes from the city engineer are completed.** **Councilmember Sadler seconded the motion. Councilmembers Sadler, Ferrin, Hale and Searle voted aye. The motion carried.**

Discussion/Motion: Resolution – Accept Annexation Petition – Curt Knight – Rafter K Ranch LLC

Bren Edwards gave the council a brief explanation that the council needed to be aware that at this time we only have to accept the petition by resolution and that it doesn't mean we are annexing it yet. It just means that we have the green light to go through the noticing process and then a public hearing could be set. Then the council could vote whether or not to annex the property at that time. There was brief discussion on a few of the pro's and con's with the reminder that annexing at this time was not needed just the accepting of the petition. **Councilmember Ferrin moved to pass and accept the Annexation Petition Resolution #2016-10 and set a public hearing for Sept 15, 2016.** Councilmember Hale noted that September 15<sup>th</sup> was the Utah League of Cities and the next available date would be October 6, 2016. **Councilmember Ferrin amended the motion to set the public hearing for October 6,**

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**2016. Councilmember Searle seconded the motion. Councilmembers Sadler, Ferrin, Hale and Searle voted aye. The motion carried.**

Discussion: Impact Fee Studies

Bren Edwards stated that it had been a long time since the impact fees were addressed. The storm sewer impact fee study was done in 1997. The parks, transportation and public safety studies were done in 2008. The sewer was done in 2013. Bren feels that all need to be done except the sewer. There was discussion among the councilmembers in regards to the cost and where the funds were going to come out of. Funds for the study could be paid out of impact fees. It was noted the Brad Jensen, the city engineer would be the best person to do the study because he already knows the system and the history. It was stated that these changes are needed due to the growth of the city. Bren talked with Brad Jensen about it the other day and all Brad would need to know right now is a deadline. A December 1 deadline was discussed. It was noted that this is just a discussion so the Mayor needs to know if the council is on board and he will contact Brad Jensen. The council agreed.

Motion: Approval of Business Licenses

Five Star Wholesale, LLC                      Adriana N Teles                      N794 N 2750 W                      home office – sunflower oil

**Councilmember Searle moved to approve the business license for August 18, 2016. Councilmember Hale seconded the motion. Councilmembers Sadler, Ferrin, Hale and Searle voted aye.**

Motion: Approval of Warrant Register

See warrant register 08/03/2016 to 08/12/16. Councilmember Ferrin noted that Advantage Rental was for the 4<sup>th</sup> of July generators. One of the trucks needed to be repaired. There was a discussion about the demolition of the old shop and if it is worth keeping or taking down to the landfill. Sprinklers were discussed. Councilmember Searle noted that a kid twisted his knee because of sprinkler problem at the end zone. Bren noted that it should be good now. **Councilmember Ferrin moved to approve the warrant registers as presented. Councilmember Searle seconded the motion. Councilmembers Sadler, Ferrin, Hale and Searle voted aye. The motion carried.**

Report: Planning Commission

There was no report.

Report: Council

Councilmember Ferrin reported that the mosquito abatement is replacing seals and gaskets on the plane but are still looking at replacing their building. Plain City has the most reports of spraying in the council. Councilmember Ferrin has been asked about a truck route by the elementary school. It has to be passed by ordinance and is asking the Planning Commission to look into it. This would stop the trucks from going in front of the school. Other cities have truck routes posted so they don't go in front of schools. His other concern is the pipe that is starting to sink on 2200 N by his old house. It appears to be an irrigation problem. Bren will look into it.

Councilmember Searle noted that football is up and running. Dixie Higley and Michelle Koford did a great job. Tyson Garr is our new director. There was not one complaint on draft night. He would recommend having Dixie and Michelle helping next year with sign ups. Councilmember Searle noted that we need to pay those ladies. The Mayor noted that his wife cannot be paid but Michelle can. It was mentioned that we haven't done anything for Jon Beesley and his wife yet. Flag football is up and running. Councilmember Searle noted that we need a picture of Tyson on Facebook so people know who he is. There was a discussion about advertising for an information specialist. It is still coming as well as some changes to the personnel policy.

Mayor Higley had our city engineer put a cost estimate out for the 2600 North crosswalk project. His estimate came at \$70,000 and we received a TAP grant from UDOT for \$35,000. The bids came in at \$157,000. Bona Vista will pay a portion for their work which is \$38,000. That leaves us with \$127,000. The Mayor noted that he talked with the State and there is a chance that they will chip in another \$35,000. We will have to match the \$70,000. He will know tomorrow if that can happen. It was noted that UDOT will pay for the signs. Impact fees can be used. There was a discussion about how much money we have in impact fees. Drains were discussed and it was noted that Plain

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City is at the end of the line and we shouldn't have to flip the bill for all the drain work. The county and other cities should participate. The storm water coalition could maybe help with that.

**At 7.40 p.m. Councilmember Ferrin moved to adjourn and was seconded by Councilmember Searle. The vote was unanimous.**

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City Recorder

\_\_\_\_\_  
Mayor

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

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