

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
FEBRUARY 4, 2016

The City Council of Plain City convened in a regular meeting on Thursday, February 4, 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
Also present: Nick Garrett, Eric Stolus, Nathan Jackson, Linsey Stokes, Blake Neil, Jake Elliott, Dustin Nelson, Scott Bennett and John Leonardi

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

Approval of Minutes

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

Comments: Public

There was none at this time.

Discussion/Motion: Re-appointment of City Recorder and City Treasurer

The Mayor recommended re-appointing Diane Hirschi and Steve Davis. **Councilmember Ferrin moved to re-appoint Diane Hirschi as the City Recorder and Steve Davis as the City Treasurer. Councilmember McKean seconded the motion. Councilmembers McKean, Sadler, Ferrin, Hale and Searle voted aye.**

Discussion/Motion: Planning Commission Appointment

The Mayor reported that John Leonardi's term is up and he would like to be re-appointed for another term. **Councilmember McKean moved to re-appoint John Leonardi to the Planning Commission. Councilmember Sadler seconded the motion. Councilmembers McKean, Sadler, Ferrin, Hale and Searle voted aye. The motion carried.**

Motion: Approval of Business Licenses

New			
High Mountain Sales LLC	Brett Ferrin	3225 W 2200 N	manufacturer's representative
Renewals			
C&B Auto Repair	Curt Knight	2166 N 4500 W	automotive repairs
Hairquarters	Karlene DeVries	3647 W 1975 N	beauty/barber shop
Cook's Auto Sales, Antique Sales	George Cook	1985 N 4650 W	auto & antique sales & storage
Randy Marriott Construction	Randy Marriott	4960 W 2200 N	construction & maintenance
The Dance Establishment	Gary & Peggi Nielsen	4423 W 2350 N	dance instruction
America First Credit Union	America First C.U.	4350 W 2336 N	banking
R.J. Analytical	Richard Mickelsen	2195 N 3500 W	chemical analysis consulting
Cedarwood Studios Inc.	Stan & Shauna Smith	2803 W NPC Rd	photography
Fingers & Toes	Sherry Bradford	2710 N 4200 W	salon
Deseret Land Design LLC	Paul Keeler	4184 W 1975 N	landscape architecture-city/land planning
RJ Analytical LLC	Rich Mickelsen	4364 W 2575 N	chemical, microbiological testing
Vision Extreme	James Ferrell	3351 W 1700 N	investment properties
Frog Pond Preschool	Julie Deha-Lucia	2414 N 4350 W #C	preschool
Walker Homes	Alan Walker	4496 W 1650 N	construction, general contractor
Affordable Sign Solutions LLC	Samuel Gian	1383 N 4700 W	sign maintenance & repair
Redbox Automated Retail LLC	Redbox	4098 W 1975 N	DVD/game rental
JR Enterprizes	Josh Reeves	2187 N 4575 W	reptile sales, internet sales, real estate
Two Bit Treats	Sherry Bradford	2710 N 4200 W	office for candy vending
Chauntel Hipwell	Chauntel Hipwell	2832 W 2175 N	home salon
Williams Steel Buildings	Kelly & Mary Jo Williams	3438 W 2350 N	online metal building sales
Talk to Me Crisis Communication	Mark Lowther	5039 W 1500 N	office - police training

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Julianne L Koer LCSW, Inc.	Julianne Koer	2848 W 1975 N	clinical social worker
Temporary Fence Inc.	Chad & Naomi Sase	3919 W 2800 N	temporary fencing
Morrell & Sons Inc.	Jeff Morrell	3424 W 1975 N	office for HVAC service
Beehive Naturals LLC	Samuel Ginn	1383 N 4700 W	lotions, lip balms & soaps
BRG Excavation	Bryson Grow	5171 W 2750 N	excavation company
Tips and Tangles	Suzanne Whitelock	2414 N 4350 W #C	hair salon
Roylies	Suzanne Whitelock	2414 N 4350 W	bakery & café
CJD Hauling	John Anderson	2489 N 4425 W	truck hauling
Tara's Tot Stop Preschool	Tara Savage	2067 N 2850 W	preschool
Kangaroo Sacks LLC	Lucas Fawson	2750 W NPC Rd	online sales of leather products
B.E. Excavating LLC	Kameron Whitaker	1882 N 3500 W	excavation billing
New Wave Pool/Spa/Swim School	Ann & Jeff Tippetts	3364 W 1975 N	pool chemicals, swim lessons

Councilmember Ferrin stated that one of the business licenses was his and so he will not vote. **Councilmember McKean moved to approve the business licenses as presented. Councilmember Searle seconded the motion. Councilmembers McKean, Sadler, Hale and Searle voted aye. The motion carried.**

Motion: Approval of Warrant Register

See warrant register dated 1/21/2016 to 01/31/2016. It was noted that the pins are stainless steel and are for sewer. The Sheriff bill is for one quarter. **Councilmember Ferrin moved to approve the warrant register as presented. Councilmember McKean seconded the motion. Councilmembers McKean, Sadler, Ferrin, Hale and Searle voted aye. The motion carried.**

Report: Planning Commission

John Leonardi reported that the Planning Commission gave preliminary site plan approval to Kelly's Corner. There were some contingencies concerning utilities and UDOT, the development agreement and signs and landscaping. Councilmember Ferrin asked about the development agreement. The Mayor noted that it is with the attorney's right now. He does have a copy and will get it to the council. It could possibly be on the agenda for our next meeting.

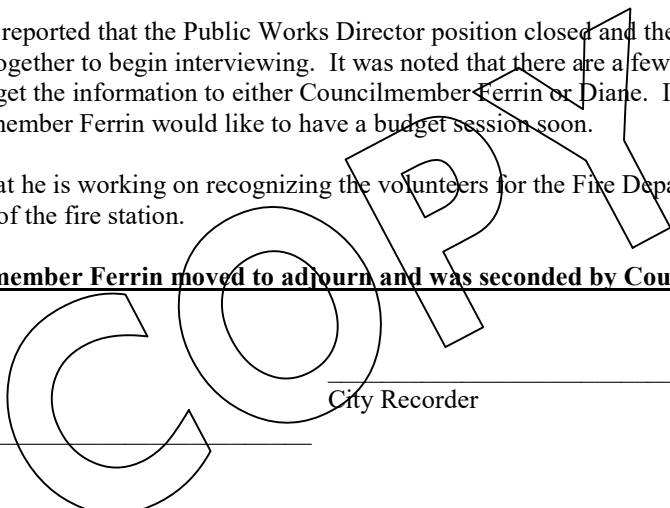
Report: Council

Councilmember Sadler noted that he and his committee are working on Founders Day.

Councilmember Ferrin reported that the Public Works Director position closed and there are 15 applicants. They have a committee put together to begin interviewing. It was noted that there are a few potholes around. If the council knows of one, get the information to either Councilmember Ferrin or Diane. It was noted that 5100 West is falling apart. Councilmember Ferrin would like to have a budget session soon.

Mayor Higley noted that he is working on recognizing the volunteers for the Fire Department. He is also working on a policy for the use of the fire station.

At 7:42 p.m. Councilmember Ferrin moved to adjourn and was seconded by Councilmember Sadler. 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, February 18, 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: Councilmember Natalie Hale
Staff: Diane Hirschi, Brandon Richards
Also present: Rachel Laub, Carson Robb, Nova & Ron Lott, Ashlee Thomisen, Monica Hanks, Steve Jensen, Tracie Jensen, John Leonardi, Kam Petersen, Becky Cannon, Roger Cannon, Brayden Calvert, Brandon Talbert, Kelton Brandley, Wyatt Jardine, Jay Gresham, Jeremy Crowton, Suzanne Whitelock, Steve Diamond, Blake Neil, Nick Garrett, Tyler White, Kevin Howell, Susan Goldsberry, Brian Goldsberry, Shanna Goldsberry, Bren Edwards

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

Approval of Minutes

Councilmember Ferrin noted that he didn't vote on the business licenses. **Councilmember Ferrin moved to approve the regular minutes and the work meeting minutes from February 4, 2016 as corrected. Councilmember Searle seconded the motion. Councilmembers McKean, Sadler, Ferrin and Searle voted aye. The motion carried.**

Comments: Public

Rebecca Cannon reported her comments are in regards to Kent's. She is on the community council at the elementary school and is very concerned about the semis on 3600 West and suggests lowering the speed limit is 25 mph. She is asking for a dark store ordinance because they don't want a situation like the old elementary school. She would like to see the 70' road from the property line to the elementary school. She also is suggesting for the berms to be 4-4½ feet tall to alleviate the traffic lights. She is asking that no back lit signs be allowed because it is a residential neighborhood and no big LED signs. She would like to have the parking lot follow the dark sky rules. She is concerned about the quality of trees and a sturdy fence around the property that can handle the snow. She also would like the city to follow the master plan and put in a park between the store and the school.

Monica Hanks is also concerned about the safety of the children and doesn't want to see semis on 3600 W because it isn't wide enough. She is concerned about a dark store and doesn't want to see anything like the old plain city elementary school. She pointed out the berms around the Walmart in Logan. You can't see that the store is even there. She feels that would help the residents. She would like to see a more permanent fence like a cinderblock fence. She is also concerned that the pads are too big and would like to see them landscaped while waiting to be built. She would also like to see the speed limit lowered to 25 mph. Finally, she would like to see a crosswalk on 2600 N.

Roger Cannon has the same concerns as the previous two comments. If the store is going to happen, it needs to be right. He noted a comment that if we allowed a backlit sign at Maverik, they have to allow it now. He thinks there needs to be a change in the way of thinking and we need signs pleasing to the eye. He is concerned that there is no sidewalk between the church and the school which has always been a great concern. He feels that we need to keep the trucks on the state road where we don't have to pay to keep them up. He also suggests limiting the size of trucks on our roads. He noted that keeping the kids safe is the council's responsibility.

Steve Diamond reported that the grocery store needs to be done right to protect the citizens, tax payers and the kids. He noted that 3600 W is failing and the city needs to deal with the road and the open drains. He also added that sidewalks need to be on 2600 N and 3600 W.

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Susan Goldsberry noted that people use 3600 W to ride their bikes, walk and jog. 2600 N is too busy for that. She noted that they are trying to keep the kids off of video games by doing physical activity, but they won't be able to with the semis and the high school kids at lunch. It will be hard for the semis to see the kids. Currently the school district is bussing their kids to Wahlquist and that is a gift but they can't always depend on that. She suggests looking at the Roy complex. She feels the proposed pads are huge. She doesn't want to live in the slums of Plain City.

Presentation: E-Cigarette Tax Presentation – Representative Paul Ray

Carson Robb and Rachel Laub, from Davis High School, presented the council a resolution that they are asking each city in Utah to support concerning the regulation of E-cigarettes. They presented a sample copy of the resolution, facts and sources. They are asking the cities to support HB333 that Representative Paul Ray agreed to present. The students have formed a coalition called Student Against Electronic Vaping and their website is SAEUtah.com. It is run by students who are concerned about this problem that is hitting their generation hard. The stats show that 50% of the students in Weber County are using e-cigarettes. This equates to about 22,000. Currently, the only regulation on E-cigarettes is that you have to be 19 years old. Obviously they are very accessible to the students despite that one regulation. Carson and Rachel can get the city a list of all the cities that have passed the resolution. The Mayor thanked the students who presented and noted that it restored his faith in the youth. Carson asked the council members to contact their local legislator about supporting it. Councilmember McKean noted that it was an excellent presentation and commended the students.

Discussion/Motion: Site Plan – Town Square Boutique – 2414 N 4350 W

Nova Lott and her daughter Ashlee Thomsen are making a craft boutique in the section of Roylies that they used to have the ice cream. It will be items from local people. They put a French door between them and Roylies, but the Planning Commission wants the door kept open. Councilmember Sadler asked if the city ever re-dedicated the road to the north of Roylies. It has a 66' ROW and our other streets have a 60' ROW. The city was going to reduce it down to 60'. It was a condition for Roylies. The Mayor asked if Ken Martin has done an inspection. Diane said she would have him go over on Monday. Jeremy noted that he didn't have any issues concerning the fire department. Nova reported that she would like to open on March 18. **Councilmember Sadler moved to approve the site plan for the Town Square Boutique with the condition that the building inspector approves it and the road to the north be re-dedicated from 66' to 60'. Councilmember Ferrin seconded the motion. Councilmembers McKean, Sadler, Ferrin and Searle voted aye. The motion carried.**

Discussion/Motion: Escrow Extension for Subdivision – Big Cottonwood Estates Phase 3

The Mayor reported that this phase was recorded in 2007 and had an escrow set up. Some of the improvements were made but the bank went under. Nothing has happened since 2009. Now there is a new owner who wishes to get it moving. He is asking the city council to grant an extension and he will get a new escrow set up. Brad Jensen, city engineer, will do an inspection to create a new list of improvements since the last inspection was in 2009. The list will include the 10% on the whole phase. A developer's agreement will be signed. All of this must be completed before any work is done. Another issue on this development is a drainage/irrigation issue with the adjoining land owners. The Mayor reported that he had a meeting with some of the adjoining land owners, the new developer and Brad Jensen earlier today and had some good discussion. These issues will be addressed with phase 3 as much as they can. It was noted that there is a plan in place and it is being addressed. Jay Gresham, an affected land owner, noted that he is happy about the discussion and is in full agreement to what is taking place. Brandon Richards explained the process for verifying escrow accounts and how the money is released. **Councilmember Ferrin moved to extend Big Cottonwood Phase 3 an escrow extension with the condition of having a new developers and escrow agreement after a thorough inspection from Wasatch Civil is performed before any work is done. Councilmember Sadler seconded the motion. Councilmembers McKean, Sadler, Ferrin and Searle voted aye. The motion carried.**

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

The Mayor noted that this will just be a discussion. Brandon suggested that this be tabled until the next meeting due to the fact that we don't have all the information. It was noted that the planner couldn't be here tonight and a staff meeting has been set up for Monday. As for the planning commission comments, Blake Neil reported that the

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Planning Commission had some suggestion for the development agreement but the city council is the approving authority. It was then passed onto Brandon. Brandon noted that the planner isn't here and we have not seen his concerns from the planning side. It was reported that everything will have to comply with the C-2 zone. There was discussion about the dark store agreement and some language about keeping the building as if it is occupied. Brandon noted that after the Monday meeting, they will get it quickly to the City Council for the next meeting. Blake noted that the other pages of the site plan haven't come through that show the truck plan. Berms were discussed with having the headlights shine into them. Exhibit C needs to show the setback as 20'. Blake noted that Rob is working on landscaping design standards for the March 10 meeting. **Councilmember McKean moved to table the development agreement once it is complete. Councilmember Searle seconded the motion.**

Councilmember Sadler noted that the list of things not to be included is not addressed and percentages of open space haven't been addressed. Drive-thru's haven't been addressed. Councilmember Ferrin noted that they can be faced inside the development so lights aren't shining into the property owners. Fencing, tree size, minimum height for berms need to be address, No two-story buildings, dark store, dark sky, marquees are all points that need to be addressed. Councilmember Sadler wants this to keep moving along. It was noted that the attorneys will get this drafted. **Councilmembers McKean, Sadler, Ferrin and Searle voted aye. The motion carried.**

Motion: Approval of Business Licenses Renewals

Plain City Confectionary	Randy Marriott	2398 N 4350 W	bar/tavern/beer license
Hair Trends	Sheryl Costley	2740 W 1750 N	hair salon
RK Supply, Inc.	Rebecca Kohler	3803 W 2100 N	broker for packaging
Scofield Construction Inc.	Hollie & Tyler Scofield	1730 N 5100 W	construction
New Beginnings Realty Group	Diana T Moss	2028 N 3700 W	real estate sales
Keyway Strategies LLC	Paul & Sara Hurd	4487 W 2575 N	business coaching
Maxfield Concrete Inc.	Vaughn Maxfield	2164 N 4425 W	concrete – flatwork
Scofield Rental LLC	Hollie & Tyler Scofield	1730 N 5100 W	rental houses
Head to Toe Salon	Christi Branz	4772 W 2050 N	hair & nail salon
Scofield Hunting LLC	Hollie & Tyler Scofield	1730 N 5100 W	hunting & camping gear
Millers Sprinklers	Eric Miller	4468 W 1650 N	sprinkler installation
Doni Products LLC	Lucy Petersen	2932 N 3550 W	online sales
Denny's Gun Repair	Dennis Wilcox	2840 W 3250 N	firearm repair & restoration
Half Pint Preschool	Traci Koplun	5003 W 2150 N	preschool
Mike's Custom Welding	Michael Shaum	4168 W 2600 N	welding repair fabrication
D and J Guns	Dennis Vaughn	1459 N 4300 W	guns & ammo sales, accessories
Jones Precision Sports	Eric Jones	2435 N 3425 W	mail order/repair firearms
Cole Truscott Industrial	Cole Truscott	3406 W 2350 N	industrial controls
Allen Landscaping	Shauna Allen	4286 W 2275 N	landscaping
Daisha-Vu	Daisha & Mark Jensen	2260 N 4425 W	nail salon
E.R.S. Heating & Cooling	Ryan Bryson	4798 W 2200 N	home office
J Brad Barto Construction	Brad Barto	2965 W 2600 N	general contractor office
MBI Recruiting Specialists Inc.	Phil Meyer	1806 N Pioneer Rd	technical recruiting office
Old School Yard Maintenance	Ben Carnahan	3805 W 2200 N	lawn care
Donum Vitae Consulting LLC	Stephanie Mitchell	2812 W 1975 N	online consulting

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

Motion: Approval of Warrant Register

See warrant register dated 02/01/2016 to 02/17/2016. Ogden Publishing was for a job advertisement. Case, Lowe and Hart was for electrical for a new lift station. Econo Waste was for garbage hauling. **Councilmember Ferrin moved to approve the warrant register as presented. Councilmember Sadler seconded the motion. Councilmembers McKean, Sadler, Ferrin and Searle voted aye. The motion carried.**

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Report: Planning Commission

Blake asked about the status of the side yard ordinance amendment that the Planning Commission passed on. Diane will look into it. Blake noted that they are working on a commercial landscaping ordinance. Stillcreek Phase 2 is working on final approval. There are some fencing issues from Phase 1 that need to be addressed. The development agreement will have to be signed by the new developers.

Report: Council

Councilmember McKean is having a tour of the sewer system in order to fulfill his new responsibilities.

Councilmember Sadler noted that he has been attending staff meeting when he can and it has been very informative. Founder's Day is being taken care of. They sold 130 tickets last year and bought for 250. He is wondering how many to prepare for. It was noted that it will on March 19 at the stake center this year. Wangsgard's is preparing some of the food. The price will be \$5-6 for adults and \$3 for children. A flyer will go out in the water bill. The council agreed to buy for 180-200 tops on the number of meals to prepare for.

Councilmember Ferrin reported that the public works department is trying to keep up with the potholes. 5100 West is pretty bad but they are trying to keep the potholes filled. He noted that Dusty's last day is tomorrow.

Councilmember Searle noted that on the recreation side, he complimented Daniel and noted that he is very organized. He has brought in officials that know the game. Basketball will continue 2-3 more weeks and then baseball will be starting up.

Mayor Higley appreciates the council and the input of the public. He noted that Dusty has been here for nine years and has done a wonderful job. We are down to one public works employee. We have completed the hiring process for public works director out of 15 candidates. The Mayor introduced Bren Edwards as the public works director who is young, energetic and ready to get dirty. The Mayor noted that we are getting ready to open the job for an assistant public works director.

At 8:40 p.m. Councilmember Sadler moved to adjourn and was seconded by Councilmember Searle. The vote was unanimous.

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City Recorder

Mayor

Date approved