

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
SEPTEMBER 7, 2017

The City Council of Plain City convened in a regular meeting on Thursday, September 7, 2017, in the Plain City Hall beginning at 7:00 p.m.

Present: Mayor Bruce Higley, Councilmembers Mike McKean (arrived at 7:15 pm), Buddy Sadler, Brett Ferrin and Brad Searle
Absent: Councilmember Natalie Hale
Staff: Diane Hirschi, Mike Kerswell, Bren Edwards, Brandon Richards, Jeremy Crowton
Also Present: Maddie Douglas, Bethany Jackson, Heidi & Ken Gibson, Chad Allen, Kendell Hyer, Garrett Hodson, Heston David Hobbs, Jake Douglas, Richard Schroeder, Steve & Jessica Smith, Jeff Hales, Jon Beesley, Eric Bauman, Brandie Kilts

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

Approval of Minutes from August 17, 2017

Councilmember Ferrin moved to approve the minutes for the work meeting and regular City Council meeting of August 17, 2017. Councilmember Sadler seconded the motion. Councilmembers Ferrin, Sadler, and Searle voted aye. The motion carried.

Comments: Public

None imparted.

Presentation: Waive Bowery Fee – Super Hero Run

Fire Chief, Jeremy Crowton announced the Heroes for Family “Super Hero 5K Run”. He described the charity event and noted, the venue needed for the occasion is managed by the Church of Jesus Christ of Latter-day Saints. Councilmember Searle announced the Make-a-Wish Utah “Ride for the Kids” charity bike ride. He described the event and noted, the venue needed for the occasion is the Town Square Bowery, managed by the City. Both affairs are planned for the same day; September 23, 2017. City Recorder, Diane Hirschi reviewed the rental log for the Town Square Bowery and determined it to be available on the date of the events. Voting on the matter was briefly postponed until Councilmember McKean was present, to verify the event and venue. **Councilmember McKean moved to waive the Town Square Bowery rental fee for the Ride for the Kids event, September 23, 2017. Councilmember Ferrin seconded the motion. Councilmembers Ferrin, Sadler, McKean and Searle voted aye. The motion carried.**

Presentation: Weber Human Services Prevention – New Parent & Youth Workshops – Use of Senior Center
Presenters from Weber Human Services Prevention were not in attendance. The presentation was cancelled.

Discussion/Motion: Final Approval – S-Curve West – approx. 2950 W 2600 N – 29 Lots

Double J Development representative, Jeff Hales gave details on associated phases of the S-Curve Development, including S-Curve West. Councilmember Searle asked if the plan for S-Curve West has been approved by the City Engineer. Jeff Hales answered in the affirmative. Councilmember Sadler commented on engineering mark-ups and asked if all adjustments have been made to the final plan. Jeff Hales answered in the affirmative. **Councilmember Ferrin moved to Approve the S-Curve West Development. Councilmember Searle seconded the motion. Councilmembers Ferrin, Sadler, and Searle voted aye. The motion carried.**

Discussion/Motion: Final Approval – S-Curve Phase 4 – approx. 2800 W 2550 N – 20 Lots

Jeff Hales displayed the plat map of S-Curve Phase 4. He explained the proposed land use and gave dimensional information. Councilmember Sadler sought clarification on engineering notes found on the documents that had been previously distributed to the Council and Staff. He pointed out some discrepancies between the handouts and the displayed information. Jeff Hales spoke to Councilmember Sadler’s concerns. Councilmember Sadler asked about property in the development that was designated for conferring back to the City. Public Works Director, Bren Edwards conveyed, the land given to Plain City will be used for pocket-parks, etc. Councilmember Ferrin, referring to a planned stub-road, asked if it will be continued to the edge of the property for community access at a later date. Jeff Hales answered in the negative. He explained, the feature will be used for backing and turning. He indicated where the development accesses will be. Councilmember Sadler asked if the proposed parking area will serve as a throughway to

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traffic. Jeff Hales answered in the negative. He affirmed, access to parking areas will only be open from the roads that border Phase 4. Councilmember McKean arrived and joined the Council. **Councilmember Ferrin moved to Approve the S-Curve Phase 4. Councilmember Searle seconded the motion. Councilmembers Ferrin, Sadler, McKean and Searle voted aye. The motion carried.**

Discussion/Motion: Escrow for KH Gibson Estates

Heidi & Ken Gibson introduced themselves and outlined a unique impasse occurring with the KH Gibson Estates development project. Heidi Gibson explained, plans for the development have been approved but not recorded. Escrow needs to be established before recording can be completed, yet financing for the project requires the plat be recorded before notarization of an escrow account can be provided. Councilmember Searle queried how this situation has been handled in the past. City Attorney, Brandon Richards acknowledged, he has not seen this dilemma before. He reviewed the requirement of proof of escrow before official recording of a plat. He offered to work with the lender to find a solution. Councilmember McKean asked, what information the lender needs to proceed. Ken Gibson confirmed, all documents are in order save the official recording of the property. Councilmember Ferrin proposed a legal document be written, allowing a sidestep while protecting the City's interest. Brandon Richards concurred with the notion.

Councilmember Ferrin moved to Allow the Recording of KH Gibson Estates with Legal Documents as Discussed. Councilmember Searle seconded the motion. Councilmembers Ferrin, Sadler, McKean and Searle voted aye. The motion carried.

Discussion/Motion: Approval to Proceed with Impact Fee Studies

Bren Edwards reviewed the Impact Fee presentation by Zions Bank from a Work Meeting, August 17, 2017. He sought approval from the City Council to move forward with an Impact Fee Study with focus on updating the existing Plain City structure. Councilmember Searle asked if the entirety of Plain City's Impact Fee Schedule will be considered for updating. Bren Edwards answered in the affirmative. He noted, changes will likely be made incrementally. Councilmember Ferrin reminded the Council, Culinary Water will not be part of the Impact Fee Study, though it is listed as such in literature from the Work Session. Bren Edwards confirmed Councilmember Ferrin's statement and detailed a tentative schedule for the study. Councilmember McKean enquired if all existing Impact Fees will be changed. Bren Edwards clarified, all fees will be examined but only subject to change if the study finds reason for adjustment. He recommended adding Sewer to a future Impact Fee Study. **Councilmember McKean moved to Approve Proceeding with an Impact Fee Study. Councilmember Searle seconded the motion. Councilmembers Ferrin, Sadler, McKean and Searle voted aye. The motion carried.**

Discussion/Motion: Ordinance for Policy & Procedure for City Council Meetings

Brandon Richards affirmed, the proposed ordinance has been reviewed and found compatible with existing State, County, and City rules relating to Policy & Procedure for City Council Meetings. Councilmember Searle commented on a rule limiting the frequency of remote, electronic participation in City Council Meetings. He asked if the regulation can be eliminated. Brandon Richards answered in the affirmative. Councilmember Sadler expressed accord with the rule. Mayor Higley explained the reason for the limitation, noting specifics have not been settled. Councilmember Ferrin spoke to the consequences of remote Council Meeting attendance without limitation. Councilmember Sadler reiterated his desire that time limitation on public input at meetings be open to ruling at the time of each meeting and not generally set by ordinance. He pointed out a conflict in Section 8, Paragraph 14. Mayor Higley acknowledged, the regulation was in conflict with State Law and asked that the directive in question be removed. Councilmember Searle sought clarification on Rule 8, #1. The rule was comprehensively discussed and revisions approved. Councilmember Sadler, referring to Page 7, #4, suggested the order of comment be revised. The rule was comprehensively discussed and revisions approved.

Councilmember Ferrin moved to Adopt Ordinance for Policy & Procedure for City Council Meetings 2017-10, with the changes noted. Councilmember McKean seconded the motion. Councilmembers Ferrin, Sadler, McKean and Searle voted aye. The motion carried.

Discussion/Motion: Ogden City Ambulance Contract Proposal

Jeremy Crowton reviewed a new contract for shared Ambulance service with Ogden City. He affirmed that the agreement has been examined by legal authorities from both Ogden City and Plain City. He introduced the Deputy-chief of the Ogden City Fire Department, Eric Bauman, who was there to help with the presentation. He clarified, the existing contract from 2004 (updated 2013) remains in place, with proposed amendments defining physical exemptions, hiring practices, and compensation details, among other things. He illustrated an acceptable flow of compensation between Ogden City and Plain City, noting, the agreement will be evaluated quarterly and open for adjustment. He explained "Standby Time". Councilmember McKean queried how the compensation flow and work load will be tracked. Jeremy Crowton identified

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an application that will be used to monitor compensation flow and work load. He announced, 15 part-time employees will be hired to execute the tasks assigned to Plain City. Councilmember Searle asked for scheduling details. Councilmember Ferrin asserted, the new hires will work in rotation, referring to the contract for anticipated scheduling specifics. Assistant Fire Chief, Brandie Kilts noted, the new hires will not be paid unless present for their assigned shift. Councilmember Searle remarked, he was expecting a far smaller number of new employees. Jeremy Crowton diagrammed the need for 15 rotating, part-time employees. He commented on the hours to be covered and regulations on healthcare benefits. Councilmember McKean asked if the Plain City Fire Station will be manned by the proposed staff. Jeremy Crowton answered in the affirmative. He outlined “peak times” when the Fire Station will be manned. Councilmember McKean queried if improvements will need to be made to the Firehouse. Jeremy Crowton answered in the negative. Councilmember Searle asked if an accurate study of medical calls has been done. He voiced budgetary concerns and suggested “peak times” for medical calls may not coincide with “peak times” for fire related calls. Councilmember Sadler reminded the Council, the contract can be adjusted after evaluation. Brandie Kilts explained, most volunteers are only available after regular business hours. Peak call times are only part of the equation when considering hours of emergency service operation by part-time staff. Councilmember McKean asked about future staffing of a night shift. Jeremy Crowton agreed with the concept, stating, the staffing of a night shift will need to be considered after steps have been taken to fulfill and evaluate the proposed agreement being discussed. Councilmember Searle questioned the feasibility of funding the arrangement. Councilmember McKean acknowledged, provisions will need to be moved from budgeted Capital Project Funds. The staffing plan was reviewed and deliberated by the Council. Councilmember Ferrin asked if there are any concerns with the wording and/or terms of the contract. Jeremy Crowton answered in the negative. He diagrammed Ogden City’s “Closest Unit” policy. He displayed a map of the area of proposed emergency service response. Pointing out a portion of the city of Farr West is included in the coverage area, Councilmember McKean asked if Farr West will participate in the compensation for service by Plain City Staff. Brandie Kilts answered in the affirmative, indicating, Farr West will be paying Ogden City. Jeremy Crowton noted, Plain City will have an ambulance at its station. Councilmember Searle asked for verification that exit from the contract is allowed without undo impediment. Jeremy Crowton answered in the affirmative. He stated, any entity can opt out at any time. Eric Bauman expressed appreciation to Jeremy Crowton for work done to form a fair partnership with Ogden City and to provide Plain City citizens with better public safety and emergency service. He revisited the adjustment provisions within the proposed contract. He highlighted the one-year term with 30 day notice for termination, extension, or adjustment actions. He spoke to Utah State EMT regulations that prohibit subcontracting of service and explained how they do not apply to the proposed program. He reviewed “Standby Time”. **Councilmember McKean moved to Approve the Ambulance Staffing Contract as presented. Councilmember Ferrin seconded the motion. Councilmembers Ferrin, Sadler, McKean and Searle voted aye. The motion carried.**

Discussion/Motion: Fence Bid for Lions Club Park

Bren Edwards, referring to printed information that was distributed ahead of time, indicated, fencing bids are difficult to acquire. He noted, the figures are for a three-part fencing project – Pickleball Court finalization, Lions Club Park fencing completion, and Public Works Building gates. Councilmember Sadler reported on a meeting with the Lions Club President who inferred the Lions Club would like to perform the labor of installing the fence. Mayor Higley explained, the proposed fencing at Lions Club Park up for discussion at this City Council Meeting is not the same project referred to by the Lions Club President during the aforementioned meeting with Councilmember Sadler. The location and scope of both projects was deliberated. **Councilmember Ferrin moved to Approve the Fence Bid by Halling Custom Fence. Councilmember McKean seconded the motion. Councilmembers Ferrin, Sadler, McKean and Searle voted aye. The motion carried.**

Discussion/Motion: Phone/Network System Upgrade

Bren Edwards presented an overview of the exiting communication system used by Plain City Staff. He described proposed upgrades, outlining benefits and cost. Councilmember Ferrin asked if the cost involved is a one-time expenditure. Bren Edwards answered in the affirmative. He explained, an instalment/lease option is available but after examination, appears to be more expensive and difficult. He confirmed, there are provisions in the City Budget to cover the proposed, upfront expenditure. Councilmember Sadler reviewed the lease option and spoke to the advantages of the program. He weighed the proposed, one-time payment option and its favorable aspects. Councilmember Ferrin reiterated, means to cover the outright purchase of the system are available in the budget. **Councilmember Ferrin moved to Approve the Phone/Network System Upgrade. Councilmember McKean seconded the motion. Councilmembers Ferrin, Searle and McKean voted aye. Councilmember Sadler voted nay. The motion carried.**

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Discussion/Motion: Purchase of Angle Blade

Bren Edwards informed the Council, he has been using his own angle blade for City projects because the City does not own one. He affirmed, there are funds available in the City Budget for the purchase of an angle blade. He reviewed printed material detailing the specifications of an angle blade recommended for purchase that had been handed out to Councilmembers and Staff prior to the meeting. Councilmember Sadler sought clarification on pricing of the tool. Bren Edwards provided the particulars. **Councilmember Ferrin moved to Approve the Purchase of an Angle Blade. Councilmember Sadler seconded the motion. Councilmembers Ferrin, Searle, McKean and Sadler voted aye. The motion carried.**

Motion: Approval of Business Licenses

The following business license was approved:

Jay's Painting Jay Koenig 4570 W 2125 N residential painting contractor

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

Motion: Approval of Warrant Register

See warrant register dated from 08/17/17 to 08/31/17. **Councilmember Ferrin moved to approve the warrant registers as presented. Councilmember McKean seconded the motion. Councilmembers McKean, Sadler, Ferrin and Searle voted aye. The motion carried.**

Report from Planning Commission

No representative present.

Report: Council

Councilmember Ferrin reported on the progress of the new Public Works Building.

Mayor Higley reported on a Fremont High School award assembly, honoring Colby Boothe for heroic actions in providing first aid that saved his father's life during a heart attack. He commented on the Plain City Fire Department's participation in the assembly and on their quick response to the incident when called.

City Recorder, Diane Hirschi announced the Meet the Candidates Night – September 26, at 7:00 – to be held at City Hall. She extended an invitation to the Council and others in attendance.

At 8:28 p.m. Councilmember McKean moved to adjourn and was seconded by Councilmember Searle. The vote was unanimous.

City Recorder

Mayor

Date approved

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SEPTEMBER 21, 2017

The City Council of Plain City convened in a regular meeting on Thursday, September 21, 2017, in the Plain City Hall beginning at 7:00 p.m.

Present: Mayor Bruce Higley, Councilmembers Mike McKean, Buddy Sadler, Brett Ferrin and Natalie Hale
Absent: Councilmember Brad Searle
Staff: Diane Hirschi, Mike Kerswell, Bren Edwards, Brandon Richards, Jeremy Crowton
Also in attendance: Chad Allen, Jaden Pond, Jeff Johansen, John Leonardi, Shelby Talbot, Mckenzie McFarland, Brody Manore, Jon Beesley, Emily Jo Hyer, Tyler Sparks, Sam Marsh, Brookelyn Jones, Brooklyn Slater, Rennan McConkie, Lyza Foulger, Bailey Burrell, Bailey Reeder, Cassidy Woolsey, Brazton Lee, Marshall Drake, Benjamin Richards

Call to Order: Mayor Bruce Higley
Pledge of Allegiance: Councilmember Mike McKean
Invocation/Moment of Silence: Councilmember Natalie Hale

Approval of Minutes from September 7, 2017

Councilmember McKean moved to approve the minutes for the work meeting and regular City Council meeting of September 7, 2017. Councilmember Ferrin seconded the motion. Councilmembers McKean, Ferrin, Sadler, and Hale voted aye. The motion carried.

Comments: Public
None imparted.

Discussion/Motion: Set Public Hearing - Zoning Ordinance Amendment – Commercial Uses – October 19

Councilmember Ferrin moved to Set a Public Hearing on Commercial Zoning Ordinance Amendment for October 19, 2017. Councilmember McKean seconded the motion. Councilmembers McKean, Sadler, Ferrin and Hale voted aye. The motion carried.

Discussion/Motion: City Surplus Property Liquidation

Public Works Director, Bren Edwards reviewed a printed proposal for liquidation of surplus City property, previously distributed to the Council and City Staff.

Councilmember Ferrin asked if keeping a lawnmower that is listed for sale as backup would be advantageous.

Bren Edwards answered in the negative. He indicated, an additional lawnmower is currently being kept for backup purposes.

Councilmember McKean sought details on the sprayers that are planned for sale.

Bren Edwards affirmed, the apparatuses are not being used and may be in need of repair or intensive service.

Councilmember Sadler suggested the repairs and/or service be done before offering the sprayers for sale.

Bren Edwards calculated, the price of work and parts would not be feasibly recovered with the sale of the repaired equipment.

He spoke to the proposed methods of advertising the available property and pricing.

Councilmember McKean moved to Approve City Surplus Property Liquidation as Proposed. Councilmember Hale seconded the motion. Councilmembers McKean, Sadler, Ferrin and Hale voted aye. The motion carried.

Discussion/Motion: Public Works Building Apron Pavement - Aspen Paving

Councilmember Ferrin reported on a meeting with Public Works Director, Bren Edwards, regarding paving of the driveway apron at the new Public Works building. He recommended the procedure be done at the time of scheduled road work in the area, claiming, costs will be minimized by having essential equipment already in place. He described the scope of the project and its location.

Councilmember McKean requested particulars on dimensions of the proposed apron. He asked for clarification on scheduled road repair work plans.

Councilmember Ferrin explained the cost savings presented.

Councilmember McKean asked for verification that the proposed project can be done within the speculated overall budget.

Bren Edwards confirmed, because of the aforementioned savings, the paving can be done well within the overall budget.

Councilmember McKean moved to Approve Paving of the Public Works Building Driveway Apron as bid by Aspen Paving. Councilmember Ferrin seconded the motion. Councilmembers McKean, Sadler, Ferrin and Hale voted aye. The motion carried.

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Motion: Approval of Business Licenses

The following business license was approved:

Rock & Gem Marvels LLC	Lucas Fawson	2750 W NPC Rd	online sale of rocks & gems
Kent's Market	PCO-KTA, LLC	3673 W 2600 N	grocery store, class A Beer License
True Value, Plain City	PCT-KTA, LLC	3627 W 2600 N	hardware store

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

Motion: Approval of Warrant Register

See warrant register dated from 09/1/17 to 09/19/17. It was noted that the bill from Vic's Locksmith services was for the vandalism of the door knobs at Pioneer Park. It was reported that the Ford Explorer had to be towed. **Councilmember Ferrin moved to approve the warrant registers as presented. Councilmember McKean seconded the motion. Councilmembers McKean, Sadler, Ferrin and Hale voted aye. The motion carried.**

Report from Planning Commission

Planning Commission Vice-Chairman, John Leonardi reported on the status of an S-Curve re-zoning (R-1-11 to C-2, and C-3). He announced the approval of the Kent's Market sign. He noted, work continues on the updating Commercial Zone regulations.

Councilmember Ferrin questioned changes proposed for zones allowing dairy enterprises.

John Leonardi stated, some proposed changes are recommendations by Mr. Scott and have yet to be discussed among Commissioners. He had no further information regarding the proposed changes to zoning for dairy operations.

Councilmember Sadler pointed out a discrepancy in the previously distributed information packet. He questioned the removal of graphic design business from the commercial zoning ordinance.

John Leonardi verified, the discrepancy has been corrected on the recent draft of the proposal. He reiterated, many of the changes to the commercial zoning ordinance are recommendations from Mr. Scott and the details have yet to be examined by the Planning Commission.

Councilmember Ferrin and Councilmember Sadler spoke to reviewing the proposed changes as more information is made available.

Report: Council

Councilmember Hale had no further comment.

Councilmember Ferrin reported on a meeting with Weber County Mosquito Abatement. He mentioned West Nile Virus testing results and a staff shortage, resulting in slowed abatement efforts.

Councilmember Sadler deferred comment.

Councilmember McKean asked the Council to approve the waiving of fees for recreation football teams to use the Senior Center for film review sessions.

Councilmember Ferrin expressed concurrence, as long as the facility has not been reserved for other functions.

City Attorney, Brandon Richards noted, the matter is of administrative concern, not legislative.

Mayor Higley thanked the City Staff and Council for a job well done. He announced Meet the Candidates Night, presented an invitation to all in attendance, and gave date and time specifics.

Fire Chief, Jeremy Crowton reported on a grant application for the purchase of a new electrical power generator for the Fire House and City Hall. He gave an update on the hiring of Ambulance staff.

At 7:22 p.m. Councilmember Ferrin moved to adjourn and was seconded by Councilmember McKean . The vote was unanimous.

City Recorder

Mayor

Date approved