

PLAIN CITY COUNCIL  
MINUTES OF REGULAR MEETING  
OCTOBER 5, 2017

The City Council of Plain City convened in a regular meeting on Thursday, October 5, 2017, in the Plain City Hall beginning at 7:00 p.m.

Present: Mayor Bruce Higley, Councilmembers Brett Ferrin, Natalie Hale and Brad Searle  
Excused: Councilmember Mike McKean, Buddy Sadler  
Staff: Diane Hirschi, Mike Kerswell, Bren Edwards, Brandon Richards, Shane McFarland  
Also in attendance: Luke Brown, Rachael Scott, Kennedy Cragun, Joel Scott, Jarod Maw, Chad Allen, Ashlin Crosley

Call to Order: Mayor Bruce Higley  
Pledge of Allegiance: Diane Hirschi  
Invocation/Moment of Silence: Mike Kerswell

Approval of Minutes from September 21, 2017

**Councilmember Ferrin moved to approve the minutes for the regular City Council meeting of September 21, 2017. Councilmember Searle seconded the motion. Councilmembers Ferrin, Hale and Searle voted aye. The motion carried.**

Comments: Public  
None imparted.

Discussion/Motion: Award Bid for North Plain City Road Storm Drain

Public Works Director, Bren Edwards outlined bids by four contractors for the proposed project. He described the scope and location of the proposed project. He spoke of coordination efforts with the owners of land that will be affected by the work. Councilmember Searle reviewed the printed bids that had been distributed to the Council and Staff, prior to the presentation. Bren Edwards noted, three of the bids are very similar and one is substantially higher. Mayor Higley expressed gratitude to the Public Works Department for addressing the storm drain issue. **Councilmember Hale moved to Award the North Plain City Road Storm Drain Project to Rock Hard Excavating. Councilmember Searle seconded the motion. Councilmembers Ferrin, Hale and Searle voted aye. The motion carried.**

Discussion: Sewer Facilities Plan Engineering Update

City Engineer, Shane McFarland displayed an annual overview of engineering work performed for Plain City. He updated the Council on the progress of current projects. He spoke to foreseen engineering endeavors, noting, the City Council will be participating in decision making for the proposed projects. He defined State laws that affect scheduling. He announced the receipt of grant money to fund projects and studies. Bren Edwards explained how recent studies provided by the City Engineer have been paid for. Shane McFarland described the process of sewer system planning. He indicated, long term planning is necessary but decisions must be made within a time structure set by State law. He noted, Plain City sewer arrangements are working well under the skilled management of the Public Works Department. He advised, population growth will require upgrades to the system to meet State regulations and displayed State Permit Levels with trending growth pattern influences. Councilmember Searle enquired why PH numbers are not going down if the system is functioning as it should. Bren Edwards explained, PH levels are not controlled in a lagoon system, such as the City currently operates. Shane McFarland emphasized, population growth is inevitable. He reviewed the speculations of sewer system requirements in the future. He revisited State Permit Standards. He spoke to the challenges of operating a lagoon-designed sewer system within the State Permit Standards. Councilmember Ferrin asked if recently installed equipment is proving effective. Shane McFarland answered in the affirmative. He reiterated, the existing system is being well managed by the Public Works Department and meeting current obligations. Councilmember Ferrin commented on maintenance costs of the present system. Bren Edwards detailed planned budget provisions for sewer system maintenance. Shane McFarland continued; delineating limits, defining solutions, and addressing timeline requirements. He named "head-works upgrading" as an initial step in overall system improvement. Bren Edwards confirmed, Phase 1 of the project will be "head-works upgrading". He defined Head-works. Councilmember Searle asked for particulars on cost. Shane McFarland admitted, predicting costs at an early stage of planning is difficult. He provided no particulars. Councilmember Searle asked when a more detailed draft of the plan will be available. Shane McFarland stated, more information on cost will be available in coming weeks. Mayor Higley commented on grant money used to pay for a sewer system study and highlighted the finding of current compliance and efficiency of the Plain City operation. He declared, preemptive improvements are essential to continued effectiveness as the population of the City grows. Shane McFarland

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spoke of City project successes. He listed grants that have been approved and petitions that are in application stage. He described how grant money can be used. He complimented the Public Works Department for ascertaining areas that need improvement and aptly prioritizing projects. He closed his presentation with an explanation of various engineering services he provides. Councilmember Searle asked for an update on the GIS system, recently obtained by the Public Works Department. Shane McFarland attested, initiation procedures are underway and benefits will be clearly seen in 6 – 8 months.

Discussion: Wasatch Front Regional Council Funding Announcement

Bren Edwards disclosed, application for a FEMA grant for backup generators has been postponed due to tight deadline constraints. He displayed four grant option categories and remarked on future projects that qualify for grant funding. He explained the process of applying for a grant. Councilmember Searle asked if there is a penalty for applying for/receiving too many Federal Grants. Mayor Higley noted, grant awards appear to be negatively affected when multiple applications are submitted simultaneously or over a short period of time. Bren Edwards explained, it is necessary to prioritize and apply for grants as needed, focusing on future planning. Councilmember Searle queried if grant money can be used to fund land purchases for open space use. Bren Edwards answered in the negative. He advised, grant money can be used for establishing trails and other facilities on open space land. Mayor Higley clarified, certain clauses must be met when applying for grants to fund facilities in parks, such as ADA requirements. Councilmember Ferrin offered ADA restroom facilities at a Rodeo Arena as an example. Bren Edwards acknowledged, the purpose of his presentation is to get insight from the Council on where grant money might be utilized. He noted, letters of intent for specified Federal grant applications are due before October 30<sup>th</sup>. Councilmember Hale suggested, funding repairs to North Plain City Road is a prime for grant money consideration. Councilmember Ferrin proposed applying for grant money to pay for ADA restroom upgrades at the Posse Grounds.

Discussion/Motion: Update Fee Schedule

City Recorder, Diane Hirschi reviewed information, previously distributed in printed packets, charting the current fee schedule, proposed changes to existing format, and new Technical Review fees. Councilmember Searle asked for a comparison of the proposed fee schedule with those of neighboring municipalities. Diane Hirschi acknowledged, the requested data has not been gathered. Councilmember Searle asked how long the Technical Review process takes. Bren Edwards outlined the process, explaining, variables make the timeline difficult to prefigure. He stated, compensation for time and services provided by Technical Review participants, beyond City Staff and the petitioners comes from the City budget. The new Technical Review fee is meant to cover professional service expenses. Shane McFarland commented on conservative measures taken to reduce engineering fees for Technical Review. Mayor Higley spoke to the justification of charges for professional services. Councilmember Ferrin emphasized, Technical Review fees do not pay hourly wages for City Staff nor City Councilmembers. Diane Hirschi confirmed, the fees are strictly for expenses beyond City Staff and Council offerings. She proceeded with the outline of fee schedule changes. **Councilmember Ferrin moved to Adopt Resolution 2017.08 Fee Schedule Update with pending Commercial Rezoning Fee discussion. Councilmember Searle seconded the motion. Councilmembers Ferrin, Hale and Searle voted aye. The motion carried.**

Discussion/Motion: Purchasing Policy

**Councilmember Hale moved to table Discussion/Motion: Purchasing Policy. Councilmember Searle seconded the motion. Councilmembers Ferrin, Hale and Searle voted aye. The motion carried.**

Motion: Approval of Business Licenses

The following business license was approved:

TEN Supplies                      Glen Clarke                      3825 W 2200 N                      consult with government contracts

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

Motion: Approval of Warrant Register

See warrant register dated from 09/20/17 to 10/04/17. **Councilmember Searle moved to approve the warrant register as presented. Councilmember Ferrin seconded the motion. Councilmembers Ferrin, Hale and Searle voted aye. The motion carried.**

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Report from Planning Commission

Planning Commissioner, Jarod Maw gave a summary of the most recent Planning Commission meeting. He described an ordinance conflict that was resolved.

Report: Council

Councilmember Ferrin proposed an open house be scheduled at the new Public Works building.

Councilmember Hale sought information on an apparently abandoned RV parked by Roylies. She asked for help from the Sheriff's Office to determine its registration status and possibly have it removed from the area.

Councilmember Searle reported on complaints made about aggressive dogs at a Plain City residence. He asked if the issue is being handled by the Sheriff's Office. He commented on lighting and security cameras at Pioneer Park. He sought scheduling details for lawn care and weed control. He commended the Parks and Recreation Department for improved conditions at the City parks.

Mayor Higley announced a ribbon cutting ceremony at the Knight Complex pickleball courts. He reported on progress being made toward pedestrian safety. He reported on the occupancy status of the new Public Works building and progress of the Kelly's Korner development. He gave appreciation to Plain City Public Safety for assisting with the recent Uinta fire emergency. He recapped the Meet the Candidates Night event.

**At 8:22 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

PLAIN CITY COUNCIL  
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The City Council of Plain City convened in a regular meeting on Thursday, October 19, 2017, 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, Mike Kerswell, Bren Edwards, Jeremy Crowton, Derek Moss  
Also in attendance: Cheri Sparks, Blake Neil, Chad Allen, Jared Lowry, Jeff Hales, Jacob Bradford, Breanna Price, Todd Davis, Lt. Chad Ferrin

Call to Order: Mayor Bruce Higley  
Pledge of Allegiance: Chief Jeremy Crowton  
Invocation/Moment of Silence: Councilmember Mike McKean

Approval of Minutes from October 5, 2017

Councilmember Hales moved to approve the minutes for the work meeting and the regular City Council meeting of October 5, 2017. Councilmember McKean seconded the motion. Councilmembers McKean, Sadler, Ferrin, Hale and Searle voted aye. The motion carried.

Comments: Public  
None imparted.

Public Hearing: Amendment to Zoning Ordinance Concerning Commercial Uses

Councilmember Ferrin moved to open a Public Hearing for Amendment to Zoning Ordinance Concerning Commercial Uses. Councilmember Sadler seconded the motion. Councilmembers McKean, Sadler, Ferrin, Hale and Searle voted aye. The motion carried.

Councilmember Ferrin commented on the consolidation of various medical related specialty uses under a general title in the proposed amendment. He suggested, uses be separated into more distinctive classifications.

Councilmember Searle indicated, a more precise ordinance will eliminate controversy in enforcing regulations. He gave examples of possible misunderstandings.

Mayor Higley proposed the matter be discussed as part of the subsequent Discussion/Motion for Ordinance and asked for public input.

As there was none, Councilmember Hale moved to close the Public Hearing for Amendment to Zoning Ordinance Concerning Commercial Uses. Councilmember Searle seconded the motion. Councilmembers McKean, Sadler, Ferrin, Hale and Searle voted aye. The motion carried.

Discussion/Motion for Ordinance: Amendment to Zoning Ordinance Concerning Commercial Uses

Councilmember Searle stressed the importance of explicit identification of use when drafting the proposed changes to the Commercial Use Ordinance.

Councilmember Sadler noted, the latest rendering of the amended ordinance has not been distributed to the Council. He asked that the matter be suspended until a printed, current version be available for review.

Planning Commission Chairman, Blake Neil explained, the assorted medical uses were consolidated under a more general term at the recommendation of zoning consultant, Mr. Scott.

Councilmember Ferrin objected to the ambiguity.

Blake Neil consented to make the suggested demarcation in the next draft of the amendment.

Councilmember Hale contrasted medical and professional uses.

Councilmember McKean asserted, the large number of medical related specialties will require excessive classifications in the zoning ordinance if not consolidated or independently eliminated. He declared, the Planning Commission is best equipped to spell out the details.

Blake Neil spoke to the grouping of uses related to Dairy businesses.

Councilmember Hale contrasted Dairy related businesses and Restaurant businesses.

Councilmember Searle moved to table Discussion/Motion for Ordinance: Amendment to Zoning Ordinance Concerning Commercial Uses pending Planning Commission action. Councilmember Sadler seconded the motion. Councilmembers McKean, Sadler, Ferrin, Hale and Searle voted aye. The motion carried.

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Discussion/Motion for Ordinance: Rezone from R-1-11 to C-2 – 2750 W 2600 N and 2850 W 2600 N

Councilmember Hale mentioned a proposed urgent care facility planned for the development at 2750 W 2600N and asked what other business is intended for the property that will require rezoning.

City Engineer, Derek Moss referred to printed information, previously distributed to the Council and Staff. He outlined the uses permitted in a C-2 Zone.

Councilmember Searle and Councilmember Ferrin sought clarification on the reason for the requested rezone action.

Double J Development representative, Jeff Hales explained, professional services that constitute C-2 zoning regulation will be part of the urgent care business, to be built on the property.

Councilmember McKean asked if current or proposed/revised zoning regulations are to be considered in this matter.

Councilmember Sadler indicated, new applications are bound to the most recently adopted and/or proposed zoning requirements. As changes to the ordinance have been proposed, the development will be held to the proposed requirements.

Derek Moss noted, use is still “unknown” until plans for areas of the development have been finalized. At that time, regulations for specified zoning will be met. He contrasted C-1, C-2, and C-3 zoning parameters and explained the coordination of commercial use zones with land use of adjoining property.

Councilmember Searle spoke to the conflict of C-1 Zoning amid residential neighborhoods.

Jeff Hales reiterated, rezoning will not be needed until the site plan has been finalized and a tenant is certain. Zoning will be applied per use of the site. Each site will be subject to approval by the Planning Commission and zoning approval by City Council.

Councilmember McKean pointed out, C-2 zoning will allow future businesses that may not be well suited to Plain City.

Councilmember Sadler remarked on the ability of the City Council to approve rezoning of each site, individually.

Councilmember McKean emphasized the need for heightened scrutiny when outlining C-2 zoning allowances.

Jeff Hales stated, the City Council can deny a rezoning petition if the business proposed to occupy a site is deemed a poor fit for the community.

Blake Neil compared permitted use to conditional use. He noted, the State of Utah is trying to eliminate conditional use. City Recorder, Diane Hirschi reviewed proposed changes to the zoning ordinance. She affirmed, the word “conditional” will be added to the Site Plan Approval clause.

**Councilmember McKean moved to approve the Rezoning from R-1-11 to C-2 for the property located at 2750 W 2600 N, contingent on Site Plan Approval. Councilmember Hale seconded the motion. Councilmembers McKean, Sadler, Ferrin, Hale and Searle voted aye. The motion carried.**

Discussion/Motion for Ordinance: Purchasing Policy

Councilmember McKean suggested that expenses for professional services be added to the proposed purchasing policy text.

Councilmember Searle expressed willingness to participate in information gathering. He volunteered to attend bank presentations with Diane Hirschi.

Mayor Higley commented positively on the partnership and recommended a third party be in attendance at the presentations.

Councilmember Sadler volunteered to assist in the factfinding endeavor. He noted, a select bank presentation should be heard by the entire Council at a City Council Meeting or Work Session.

Councilmember McKean listed some purchasing card options that should be deliberated. He cited the benefits of a program offered by the State of Utah. He highlighted the incentives of a program offered by the City’s current banking institution.

Bren Edwards provided information on the monitoring system, integral to the State of Utah’s purchasing card program.

Councilmember McKean declared, because of personal employment in the industry, he will recuse himself from rulings regarding a purchasing card plan.

Councilmember Searle evoked, Diane Hirschi, Councilmember Sadler and he will participate in a bank purchasing card plan investigation, selecting one or more options to be presented at a future City Council Meeting and/or Work Session.

Diane Hirschi sought clarification on the Purchasing Policy Agent role.

Councilmember Searle read through the description contained in the proposed policy.

Councilmember McKean suggested, each Director of a Department that is issued a purchasing card will be tasked with the role of Purchasing Policy Agent, thus, Purchasing Policy Agents (multiple) should be written into the document.

**Councilmember Ferrin moved to adopt Ordinance 2017-12: Purchasing Policy, with corrections as discussed and further dialogue on Purchasing Policy Agent(s) ordered. Councilmember Searle seconded the motion. Councilmembers McKean, Sadler, Ferrin, Hale and Searle voted aye. The motion carried.**

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Motion: Approval of Business Licenses

There were none.

Motion: Approval of Warrant Register

See warrant register dated from 10/04/17 to 10/18/17. It was noted that the phone system has been installed. Home Depot was for some shelving and flooring for the shop. There are still three teams in the playoffs at Fremont. **Councilmember McKean moved to approve the warrant register as presented. Councilmember Ferrin seconded the motion. Councilmembers McKean, Sadler, Ferrin, Hale and Searle voted aye. The motion carried.**

Report from Planning Commission

Planning Commissioner, Cheri Sparks reported final approval of the Brook Haven Development. She commented on Commission negotiation of an ordinance regulating food trucks and signage. Derek Moss reported on the kickoff meeting for the Plain City General Plan update. He verified, the selection process for Advisory Committee members has begun. Councilmember Searle asked if selections have been solidified. Derek Moss answered in the negative. He notified, the first Advisory Committee Meeting is tentatively scheduled for the first week in November. He reminded the Council that one of the Advisory Committee members will be from their ranks. Councilmember Sadler volunteered to be the representative from the City Council. Derek Moss affirmed, three meetings will be held over the next four months. One Councilmember and the Mayor will be invited to attend all Advisory Committee Meetings. Councilmember Searle asked for expected qualifications of Advisory Committee members. Derek Moss admitted, while knowledge of the process is good, diverse perspective is more desirable for committee purposes. Councilmember Searle volunteered to participate on the Advisory Committee. Blake Neil suggested a single representative be selected and an alternate be appointed. Mayor Higley asked for Council agreement on the selection of Councilmember Seale for City Council representation to the Advisory Committee and Councilmember Sadler as alternate, should substitution be necessary. All agreed.

Report: Council

Councilmember Searle expressed thanks to the Parks and Recreation Department and Director, Tyson Garr, City staff, and volunteer coaches for an impressive community sports program. He directed, citizens need to be made aware of positive City news through a more comprehensive public information system. He contrasted the impact of a newsletter to that of a social media forum. He proposed a City-managed Facebook page be amplified to notify the public of the good things happening in the community. Councilmember Hale commented positively on the completion of work on a crosswalk at 2600 North 3425 West. Councilmember Ferrin reported on the recently held County Mosquito Abatement Meeting. He noted, a property in Plain City has required extreme attention by Mosquito Abatement (local, state, and federal) because of standing water conditions. He reported on current state and local West Nile Disease statistics. Mayor Higley reported on the Pickleball Court Ribbon Cutting Ceremony. He thanked donors, and the organizers of the event. He commented on the kickoff meeting for the Plain City General Plan update. He announced the receipt of grant money for a sewer pond study and the initiation of the task. He mentioned the changing requirements and demands on the sewer system due to population growth and State regulations. Councilmember McKean announced the date and time of the Kent's Market Ribbon Cutting Ceremony. Councilmember Sadler had no further comment.

**At 8:01 p.m. Councilmember Ferrin moved to adjourn and was seconded by Councilmember McKean. The vote was unanimous.**

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City Recorder

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Mayor

PLAIN CITY COUNCIL  
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OCTOBER 19, 2017

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Date approved

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