

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
OCTOBER 4, 2018

The City Council of Plain City convened in a regular meeting on Thursday, October 4, 2018, in the Plain City Hall beginning at 7:00 p.m.

Present: Mayor Jon Beesley, Councilmembers Chad Allen, Buddy Sadler, Todd Davis, Don Weston and Brad Searle
Staff: Diane Hirschi, Mike Kerswell, Jake Melbos, Tyson Garr, Matt Sorensen
Also in attendance: Kim & Dan Schuler, Boyd Brown, Derek Moss, Shane McFarland, Glenn Williams, Carl Miller, Steve Diamond, Jim & Carol Jean Beesley, Lisa and Neil Cox, Jeff Hales

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

Approval of Minutes from September 6, 2018

Councilmember Sadler moved to approve the minutes from the regular City Council meeting on September 6, 2018 as presented. Councilmember Searle seconded the motion. Councilmembers Allen, Sadler, Davis, Weston and Searle voted aye. The motion carried.

Comments: Public

Carl Miller referred to printed copies of past and current General Plan land use maps, distributed to Councilmembers. He pointed out areas, previously designated "Wetland" and "Sensitive Land", noting, the recent General Plan update establishes industrial and commercial use at those locations. He commented on foreseeable difficulties of developing land that is designated "Wetland" and/or "Sensitive Land". He suggested relocating future industrial and commercial development to more suitable areas. Mayor Beesley explained, planning of the commercial corridor coincides with State plans for a future highway extension, through the area. He acknowledged, amendment of plan is possible. Councilmember Searle asserted, the land in question is not designated "Wetland", but possible flood zone. Mr. Miller asked that the plan be amended to allow commercial use of land, once zoned as such, but rezoned residential as housing spread through the vicinity. He listed Plain City properties that exemplify the aforementioned condition. City Planner, Derek Moss indicated, the Future Land Use Map of the General Plan, does not designate current zoning. He commented on the zoning amendment process. He noted, a General Plan amendment may also be petitioned.

Mayor Beesley turned time over to Parks and Recreation Director, Tyson Garr. Tyson Garr read part of a letter of resignation, he submitted to Mayor Beesley, earlier in the week.. He expressed appreciation to the Mayor, City Council, City Staff, and Plain City community, for assisting in the successful operation of his department. He announced, his last day will be October 20, 2018.

Public Hearing: Annexation of Christensen Property

Councilmember Sadler moved to go into a public hearing for the purpose of annexing the Christensen property. Councilmember Allen seconded the motion. Councilmembers Allen, Sadler, Davis, Weston and Searle voted aye. The motion carried. The Mayor read the letter from Weber Fire District noting that property will still be required to pay back the general obligation bonds until August of 2025. No other comments. **Councilmember Salder moved to go out of the public hearing and into the regular meeting. Councilmember Allen seconded the motion. Councilmembers Allen, Sadler, Davis, Weston and Searle voted aye. The motion carried.**

Discussion/Motion: Push Button Crosswalk Lights at approximately 3825 W 1975 N

Councilmember Searle suggested, an additional location (two installations) be considered in the upcoming motion. He evoked discussion at previous City Council Meetings on a continuing installation of Crosswalk Lights, at crucial locations throughout the City. He commented on available budgeted funds for the project. He recommended notice be posted on Facebook, alerting the public to the arrangement. Cost for installation was discussed. Mayor Beesley noted, radar speed limit signs are to be purchased and placed, as part of a safety program. He mentioned costs for planned visibility improvements, for other traffic control signs. He proposed the motion not be amended, and a plan be devised for sign upgrading and installation, after further study. **Councilmember Davis moved to approve the Push Button Crosswalk Lights at approximately 3825 W 1975 N, with further discussion on additional Crosswalk Light provisions at other locations. Councilmember Sadler seconded the motion. Councilmembers Allen, Sadler, Davis, Weston and Searle voted aye. The motion carried.**

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Discussion/Motion: Resolution to Accept Annexation Petition – Glenn Williams approx. 3475 W North Plain City Rd
Glenn Williams reported that the Papagoerge's owned this property and a small sliver was left out that is about ¼ of an acre. He noted that his development plan is to continue the road from Pheasant Hollow to North Plain City Road.

Councilmember Allen moved to adopt Resolution 2018-09 accepting the petition to annex his property into the city. Councilmember Searle seconded the motion. Councilmembers Allen, Sadler, Davis, Weston and Searle voted aye. The motion carried.

Discussion/Motion: Final Approval of Sunflower Subdivision – 2350 N 3600 W – 13 lots

Developer, Steve Diamond reviewed the subdivision application process, asserting, all steps for final approval have been completed. He stated intent to place curb, gutter and sidewalk along 3600 West Street, straightway, after approval is given. Councilmember Searle commented on safety concerns, as a proposed road will join an existing street near a crosswalk. Steve Diamond affirmed, safety was considered when locating the junction on the plat. Councilmember Sadler advised restricting the direction of frontage on lots with possible access onto 3600 West Street. He cited safety concerns, proposing the elimination of subdivision driveway approaches on 3600 West Street. Steve Diamond contended, one of the lots requires frontage on 3600 West Street to be suitable for dwelling conditions. **Councilmember Allen moved to approve Final Sunflower Subdivision - 2350 N 3600 W -13 lots. Councilmember Searle seconded the motion. Councilmembers Allen, Sadler, Davis, Weston and Searle voted aye. The motion carried.**

Discussion/Motion: Christmas Tree Lighting

Because of previous commitments, event organizer, Colette Doxey asked to be excused from the City Council Meeting. Mayor Beesley reviewed City contributions for last year's Christmas Tree Lighting. He indicated, Colette Doxey requested a similar donation, this year. He commented on the success of the event and recommended the request be granted. Councilmember Allen asked if the agenda item had been properly advertised to the public. City Recorder, Diane Hirschi answered in the affirmative. Councilmember Searle promoted adding to the existing collection of decorations and commented on procurement of a tree. Councilmember Allen clarified, money has been budgeted for the Christmas Tree Lighting and Pops Concert events. **Councilmember Sadler moved to approve a contribution of \$1,700.00 for Christmas Tree Lighting. Councilmember Searle seconded the motion. Councilmembers Allen, Sadler, Davis, Weston and Searle voted aye. The motion carried.**

Discussion/Motion: Resolution to Adopt General Plan

Mayor Beesley introduced the topic to be discussed and commended Carl Miller for participating in the process. He voiced support of Mr. Miller's proposal of returning areas, historically used for commercial enterprises, to a more appropriate zoning designation. Councilmember Searle sought verification that previously discussed updates have been included in the proposed, final draft of the General Plan. Councilmember Sadler confirmed, the recent draft contains revisions proposed by the City Council. **Councilmember Davis moved to Adopt Resolution 2018-10, Plain City General Plan. Councilmember Searle seconded the motion. Councilmembers Allen, Sadler, Davis, Weston and Searle voted aye. The motion carried.**

Discussion/Motion: Adopt Ordinance Annexing Christensen Property

Councilmember Searle asked for a description of the action to be taken, from Councilmember Sadler. Councilmember Sadler gave details on the ordinance and emphasized the importance of including a stipulation in the motion, that the land be annexed with current zoning conferred. He explained the process of amending zoning designations after annexation is complete. Derek Moss recognized annexation with current zoning attached as a standard Plain City will assume, on all annexation requests going forward. **Councilmember Sadler moved to Adopt Ordinance 2018-11, Annexing Christensen Property into Plain City as zoned, (agricultural) A-1. Councilmember Weston seconded the motion. Councilmembers Allen, Sadler, Davis, Weston and Searle voted aye. The motion carried.**

Discussion/Motion: Subdivision Amendment – Town Square Estates

Mayor Beesley described the proposed amendment and stated its purpose. He noted, changes will not affect Senior Housing Overlay parameters. Councilmember Sadler verified claims of code compliance. **Councilmember Weston moved to approve Subdivision Amendment – Town Square Estates. Councilmember Allen seconded the motion. Councilmembers Allen, Sadler, Davis, Weston and Searle voted aye. The motion carried.**

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Discussion/Motion: Ordinance to Amend Zoning Ordinance concerning residential in commercial zones

Derek Moss explained, at the request of City Council and the Planning Commission, language permitting apartments in commercial zones has been deleted from Plain City Zoning Ordinance. He indicated, standards for other types of dwellings, to be permitted in commercial zones, are being developed by the Planning Commission. **Councilmember Sadler moved to accept Ordinance 2018-12, Amendment of Zoning Ordinance concerning residential in commercial zones. Councilmember Searle seconded the motion. Councilmembers Allen, Sadler, Davis, Weston and Searle voted aye. The motion carried.**

Discussion/Motion: Air Brakes (Engine Brakes)

Mayor Beesley clarified, the apparatus up for discussion is commonly known as “Jake Brake” or “Engine Brake”. He commented on citizen complaints about the use of engine brakes within city limits – particularly on 4700 West Street. It was proposed, signage be posted, prohibiting use of engine brakes within city limits. Councilmember Searle commented on enforcement of the regulation. Mayor Beesley suggested the signs be placed at main arteries, into town. He stated, an ordinance must be written for the regulation. Councilmember Sadler explained, the action to be taken is recommendation to the Planning Commission, that the ordinance to be drafted. **Councilmember Sadler moved to forward Discussion/Motion on an ordinance to Restrict Engine Brakes within the City to the Planning Commission. Councilmember Searle seconded the motion. Councilmembers Allen, Sadler, Davis, Weston and Searle voted aye. The motion carried.**

Discussion/Motion: Appointment – Public Works Director

Mayor Beesley read a written statement, summarizing hiring procedures and listing qualifications considered in the selection of a new Public Works Director. He indicated, Dan Schuler is the candidate, selected by Matt Dixon and Councilmember Davis for appointment to the Director position. He reported positive feedback from Dan Schuler’s references. He mentioned Dan Schuler’s certifications and experience. He appointed Dan Schuler, Director of the Plain City Public Works Department, and asked for the Council’s support. Councilmember Searle requested salary details. Mayor Beesley provided the information, affirming, he will start at the established base pay, set forth in Plain City code. Councilmember Searle reviewed Dan Schuler’s qualifications and experience. He asked him why he agreed to the salary offered, when its apparent that more should be expected, given his resume. Dan Schuler stated his desire for the title of Public Works Director. He expressed esteem for small-town work environment and infrastructure. Councilmember Searle queried if supervising employees that may be paid more than himself would cause concern. Dan Schuler answered in the negative. He suggested, pay is not a relevant factor in choosing such an occupation. He commented on leaving a legacy as Public Works Director. Councilmember Searle asked for his vision of the future, with Plain City. Dan Schuler restated his desire to create a legacy. He indicated, he will enjoy working for Plain City, long-term. Councilmember Sadler spoke positively to Dan Schuler’s qualifications and responses to interview questions. Councilmember Davis asked if Plain City is going to be a stepping stone to further career advancement with other municipalities or private enterprises. Dan Schuler answered in the negative. He recapped experience with working for larger cities, asserting his preference for smaller operations and staff. Mayor Beesley noted, the agreed salary is a starting salary – expected to increase, significantly, in due time. He voiced gratitude for Dan Schuler’s willingness to start at the salary offered. Councilmember Weston validated the valuing of work environment over compensation, in many cases. Councilmember Davis sought particulars on Dan Schuler’s experience in petitioning for grants. Dan Schuler indicated, he has participated in Community Development Block Grant (CDBG) programs. He provided details on the process. **Councilmember Weston moved to approve the appointment of Dan Schuler to Director of the Plain City Public Works Department. Councilmember Sadler seconded the motion. Councilmembers Sadler, Davis and Weston voted aye. Councilmembers Allen and Searle voted nay. The motion carried.**

Motion: Approval of Business Licenses

New

HO	Bravado Finance, LLC	Cassie Shaw	4420 W 2650 N	bookkeeping, accounting (online)
HO	Bio-One Utah LLC	Joe Dussol	2123 N 2875 W	home office

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

Motion: Approval of Warrant Register

See warrant register dated from 09/01/2018 to 09/19/2018 and 09/20/2018 to 09/30/2018. There was a question on a credit card charge for the fire department. Asphalt repairs and football jerseys were briefly discussed. **Councilmember Searle**

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moved to approve the warrant registers as presented. Councilmember Sadler seconded the motion. Councilmembers Allen, Sadler, Davis, Weston and Searle voted aye. The motion carried.

Report from Planning Commission

No report presented.

Report from City Council

Councilmember Allen asked that the Planning Commission provide a status update on revisions to the Parking Ordinance, requested by the City Council. He indicated, a draft was to be ready for review, six months ago. He made clear, his vote against the appointment of Dan Schuler does not signify aversion toward him, rather, disapproval of the selection of an outside applicant instead of an in-house candidate. He affirmed support of Dan Schuler as the appointed Public Works Director.

Councilmember Sadler expressed gratitude to Tyson Garr for effectively running the Parks and Recreation department.

Councilmember Davis spoke to the delayed, yet vitally necessary appointment of a Public Works Director. He expressed respect for the current Public Works staff.

Councilmember Weston had no further comment.

Councilmember Searle commented on conditions agreed upon with the approval of the Kelly's Corner development, that have yet to be satisfied. He congratulated Dan Schuler on his appointment, acknowledging qualms with the salary offering, which is too low, in his opinion. He recognized great benefit seen by the City Recreation programs under the direction of Tyson Garr. He thanked him, and wished Tyson Garr well, with future endeavors.

Mayor Beesley indicated, it has been his privilege to work with Tyson Garr. He offered thanks to him, for a job well done. He expressed confidence in Dan Schuler and thanked him for accepting the mantle of Public Works Director. He announced, engineered plans for the back end of the sewer lagoons have been completed and will be sent out for bids, promptly. He congratulated Councilmember Allen on retirement from the Weber County Sheriff's Office. He thanked him for his service in law enforcement and public safety.

At 8:12 p.m. Councilmember Searle moved to adjourn and was seconded by Councilmember Allen. The vote was unanimous.

City Recorder

Mayor

Date approved

PLAIN CITY COUNCIL
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OCTOBER 18, 2018

The City Council of Plain City convened in a regular meeting on Thursday, October 18, 2018, in the Plain City Hall beginning at 7:00 p.m.

Present: Mayor Jon Beesley, Councilmembers Chad Allen, Buddy Sadler, Don Weston and Brad Searle
Excused: Councilmember Todd Davis
Staff: Diane Hirschi, Mike Kerswell, Dan Schuler, Tyson Garr, Shane McFarland
Also in attendance: Bridger Bingham, Ty Christensen, Kinnli Brophy, Kiera Call, Allyson Cottle, Jeff Hales, Madison Thomas, Lindi Cottle, Shawna Faulkner, Austin Morris, Kaison Achter, Jim & Carol Jean Beesley, Lisa and Neil Cox, Jessica Smith

Call to Order: Mayor Beesley
Pledge of Allegiance: Mayor Beesley
Invocation/Moment of Silence: Councilmember Weston

Approval of Minutes from October 4, 2018

Councilmember Searle moved to approve the minutes from the regular City Council meeting on October 4, 2018 as presented. Councilmember Allen seconded the motion. Councilmembers Allen, Sadler, Weston and Searle voted aye. The motion carried.

Comments: Public

There was none at this time.

Discussion/Motion: Subdivision Amendment – Kelly’s Corner Lots 7 & 8

Commissioner Faulkner reported Planning Commission recommendation of amendment approval by City Council. She described the scope and purpose of the requested change. She gave site location details. **Councilmember Sadler moved to approve Subdivision Amendment – Kelly’s Corner Lots 7 & 8. Councilmember Weston seconded the motion. Councilmembers Allen, Sadler, Weston and Searle voted aye. The motion carried.**

Discussion/Motion: Final Approval of Mountain West Meadows Phase 5

Project developer, Jeff Hales indicated, the proposed project complies with all City codes and development agreement criteria. He noted, this is the last phase in the Mountain West Meadows subdivision, and comprises nine lots. He gave location details. Councilmember Sadler commented on emergency turnouts and accesses. Jeff Hales articulated the purpose of the requested change. **Councilmember Allen moved to give Final approval of Mountain West Meadows Phase 5. Councilmember Searle seconded the motion. Councilmembers Allen, Sadler, Weston and Searle voted aye. The motion carried.**

Discussion/Motion: Push Button Crosswalk Lights Plan

Public Works Director, Dan Schuler confirmed the purchase of one set of Crosswalk Lights and stated intent to shop around for better pricing on future sets. He listed various vendors and control mechanisms that will be considered in future arrangements. Councilmember Searle commented on locations that should be included in a plan for supplying Crosswalk Lights. Mayor Beesley mentioned terms, other than location, to be addressed in a plan for future installations. He commented on required State involvement for Crosswalk Light provisions at particular locations. He asked for extended time to put together a plan with the Public Works Department before further action is taken on the matter. Dan Schuler agreed to meet with the Mayor and devise a plan. Councilmember Searle voiced preference for push button mechanisms, where feasible. Mayor Beesley noted, high visibility sign upgrades and flashing speed limit signs will be part of an overall traffic sign improvement plan. Councilmember Weston expressed accord with Dan Schuler’s effort to compare prices and evaluate products. **Councilmember Allen moved to table Discussion/Motion: Push Button Crosswalk Lights Plan. Councilmember Sadler seconded the motion. Councilmembers Allen, Sadler, Weston and Searle voted aye. The motion carried.**

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Discussion/Motion: Resolution – Interlocal Agreement with Utah Local Governments Trust

City Recorder, Diane Hirschi indicated, Plain City has been with the Utah Local Governments Trust for a number of years. The action to be taken at this meeting is to adopt a resolution, stating continued commitment to the relationship.

Councilmember Weston moved to adopt Resolution 2018-11 – Interlocal Agreement with Utah Local Governments Trust. Councilmember Allen seconded the motion. Councilmembers Allen, Sadler, Weston and Searle voted aye. The motion carried.

Discussion/Motion: Food Trucks on City Property

Mayor Beesley reported a request by a citizen that has reserved the Senior Citizen Center for a holiday boutique, for food truck service to be available in the parking lot or adjacent areas. According to City code (10-6A-4C), permission must be given by the City Council for such use of City owned property. Councilmember Sadler indicated, after conversing with renter, Jessica Smith, he became aware of a scheduling deadline that is quickly approaching. He expressed belief that the requested use of the property is appropriate. Diane Hirschi commented on sales tax considerations that are not addressed in the current food truck ordinance. She suggested a future review of the code and revision to cover sales tax concerns. Commissioner Faulkner commented on enforcement of food truck regulations. Applicable business licensing of food trucks was discussed, at length.

Councilmember Sadler moved to allow requested Food Trucks on City Property. Councilmember Weston seconded the motion. Councilmembers Allen, Sadler, Weston and Searle voted aye. The motion carried.

Motion: Approval of Business Licenses

Solicitor

LaVell Chadburn LaVell Chadburn 1035 Washington Blvd satellite/internet installation

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

Motion: Approval of Warrant Register

See warrant register dated from 10/01/2018 to 10/17/2018. **Councilmember Searle moved to approve the warrant registers as presented. Councilmember Sadler seconded the motion. Councilmembers Allen, Sadler, Weston and Searle voted aye. The motion carried.**

Report from Planning Commission

Commissioner Faulkner reported Planning Commission recommendation to City Council that the proposed annexation of the Glen Williams property be approved. She indicated Public Hearing was is set for a proposed zoning amendment of Panunzio property, November 8, 2018. She reported discussion on a Mixed-Use Overlay Zone ordinance and the tabling of action on the proposed Dr. Mackley dentist office at Kelly's Corner. She confirmed approval of the Wade Estates minor subdivision. She suggested a reduced speed limit on 2200 North Street, as development on the east end progresses. She noted, an ordinance restricting the use of engine brakes in the city is being drafted for Commission review at an upcoming Planning Commission Meeting.

Councilmember Searle commented on conditions agreed upon with the approval of the Kelly's Corner development, that have yet to be satisfied. He sought suggestions for enforcement of the contract. Councilmember Sadler proposed inviting owners of the development to meet with the Council for review of the contract. He weighed legal means of notifying the owners of the infringement. Councilmember Allen suggested that a friendly reminder letter be sent. Councilmember Sadler spoke to the cooperative virtues of development ownership and efforts to be good neighbors. Councilmember Searle listed landscaping elements that need to be addressed.

Report from City Council

Commissioner Allen had no further comment.

Commissioner Sadler commented on Parking Ordinance updates, including the restriction of parking on 2200 North Street.

Commissioner Searle deferred report.

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Commissioner Weston had no further comment.

Mayor Beesley reported on a farewell and “thank you” luncheon, held at the Public Works Building, for Tyson Garr. He commented on an impromptu meeting, after the event, including discussion on prospects for future Parks and Recreation Department leadership. He described a possible arrangement, with Public Works absorbing the responsibilities of park management, Tyson Garr directing recreation activities as a part-time employee, and sports programs being operated by paid citizens. He recommended the matter be put on the agenda for discussion, during the next City Council Meeting. Councilmember Searle explained, park management has seen improved as responsibility for it was given to the Recreation Department. He pointed out past problems with the handling of parks through the Public Works Department. Mayor Beesley asserted, leaving the Full-time Parks and Recreation Director position unfilled is legally acceptable, and can be ordered by the Mayor, according to the City Attorney. Councilmember Allen remarked on the value of holding to policy conditions. Councilmember Searle questioned the policy alteration, without Council approval. He expressed concern over going back to a system that has proven less effective, in the past. He acknowledged the soundness of keeping Tyson in a part-time supervisory position. Mayor Beesley restated his desire for further analysis and feedback, regarding the option.

At 7:41 p.m. Councilmember Searle moved to adjourn and was seconded by Councilmember Allen. The vote was unanimous.

City Recorder

Mayor

Date approved

