

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
NOVEMBER 1, 2018

The City Council of Plain City convened in a regular meeting on Thursday, November 1, 2018, in the Plain City Hall beginning at 7:00 p.m.

Present: Mayor Jon Beesley, Councilmembers Chad Allen, Buddy Sadler, Todd Davis and Brad Searle
Excused: Councilmember Don Weston and City Recorder Diane Hirschi
Staff: Mike Kerswell, Dan Schuler, Brandon Richards
Also in attendance: Steve Dolatowski, Richard Schroeder, TJ Larson, Jim & Carol Jean Beesley, Lisa Cox, Eric Hartman, Jarod Maw, Ricky Hatch, Colette Doxey, Brent Weston, Nancy Kemp, Jerry Bradford, Carol Hancock, Jake Brown, Daniella Slade

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

Approval of Minutes from October 18, 2018

Councilmember Sadler moved to approve the minutes from the regular City Council meeting on October 18, 2018 as presented. Councilmember Allen seconded the motion. Councilmembers Allen, Sadler, Davis and Searle voted aye. The motion carried.

Comments: Public
None offered.

Presentation: Ricky Hatch - Weber County Clerk - Security of Election Process

Weber County Clerk/Auditor, Ricky Hatch remarked on having Plain City Fire Chief, T.J. Larson in his class when he taught school, some years ago. He applauded Chief Larson's achievements. He stated the topic of his presentation: Providing a safe, secure, private election process. He displayed a video that highlighted measures taken at each step in the elections process, to ensure voter privacy, accuracy in counting, and inclusive fairness. He distributed sample ballots with return envelopes and described security features. He gave locations of drop boxes and polling places, throughout Weber County. He noted, whenever a returned ballot is touched, there are two people present. He commented on reconciliation procedures and checks in the process. He explained the purpose of issuing and scanning the ballot bar code. He indicated, voter signatures are kept in a database and validated with human eyes. He told of notification methods for ballots that do not pass verification. He outlined the ballot tracking process, tabulation mechanisms, and results reporting. He spoke to national cyber security. He described responsibilities of the Government Coordinating Council for the Department of Homeland Security, related to local and state elections. He offered to take Councilmembers for a tour of the Weber County elections headquarters. Councilmember Davis asked why "I VOTED" stickers are not provided with mail-in ballots. Ricky Hatch indicated, that has been a frequently asked question. He reported significant expense that has been avoided through omission of the stickers. Councilmember Allen, referring to a complaint heard from a candidate, asked why Weber County does not provide return postage on ballot envelopes. Ricky Hatch estimated the cost of postage for each election. He stated, correlation has not been established, between voter turn out and pre-paid return postage. He indicated, the average distance from residence to a County ballot drop box is 1.6 miles. He commented on savings to taxpayers through ballot-by-mail provisions. He explained poll closing procedures.

Discussion/Motion: Set Public Hearing for Glenn Williams Annexation - November 15

Councilmember Sadler moved to Set Public Hearing for Glenn Williams Annexation - November 15, 2018. Councilmember Davis seconded the motion. Councilmembers Allen, Sadler, Davis and Searle voted aye. The motion carried.

Discussion/Motion: Parks & Recreation Director Position

Mayor Beesley reported discussion with former Parks and Recreation Director, Tyson Garr and Public Works Director, Dan Schuler on moving Parks responsibilities to the Public Works Department. Employing Tyson Garr, part-time, as Recreation Director was also deliberated. He expressed confidence in workability of the plan, with support of a part-time Recreation Assistant Director. He spoke to the possibility of employing multiple assistants, to direct each sport, individually. He listed details that have yet to be settled on. Councilmember Allen asked who had formulated the proposed division of Parks and Recreation Director tasks, as described. Mayor Beesley indicated, he is responsible for the proposition. Councilmember Allen sought reasoning for the suggested change. Mayor Beesley commented on a significant

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
NOVEMBER 1, 2018

percentage of workhours, reportedly spent on Parks duties by Tyson Garr. He noted, the Public Works Department has a dedicated workforce, better equipped to perform Parks duties. Tyson Garr acknowledged the major time commitment for Park maintenance. He spoke to the seasonal aspect of the Parks and Recreation Department responsibilities. He indicated, seasonal help is difficult to acquire when school is in session. Councilmember Sadler clarified, overall (throughout the year), workhours devoted to Parks tasks have been pointedly higher than time required for other Director obligations. He explained how the constant workforce of the Public Works Department is capable of handling Parks tasks, thus freeing up time for essential commitment to Recreation programs. Councilmember Searle commented on the Council's recent decision to move Parks assignments from Public Works and merge them with Recreation responsibilities under a Parks and Recreation Director. Tyson Garr acknowledged the rationality of the establishment of a full-time Director to oversee the combined departments. He affirmed his ability to maintain the current level of service as a part-time manager. Councilmember Searle asked if applications have been received for the open, full-time Parks and Recreation Directorship. Mayor Beesley answered in the affirmative. He reported, ten applications have been submitted. He indicated, resume review and interview dealings have been postponed, pending a decision on the proposed arrangement. Referring to his experience with Recreation programs, Councilmember Searle pointed out advantages of having a full-time Director of the department. He commented on community growth and the necessity to step up focus on Recreation programs. He reported public disinclination to the proposal of a parent-run system. He spoke to biases in sports programs. He touted the consistency in management by a dedicated, full-time Director. He recommended that the resume review and interview process be forwarded, without delay, for the advertised Parks and Recreation Director position. He weighed the possibility of moving Parks responsibilities to a designated new hire in the Public Works Department. Councilmember Davis asked Public Works Director, Dan Schuler, for comment on the proposed shift of Parks duties to his department. Dan Schuler reported dialogue with Mayor Beesley concerning the matter, in which he had requested the hiring of a full-time employee that would be assigned to Parks tasks. Mayor Beesley stated accord with employing a full-time Recreation Director if Parks responsibilities are assumed by the Public Works Department. Dan Schuler explained how seasonal assignments will be scheduled for a full-time employee, dedicated to Parks duties. Councilmember Davis advised of the definite need for an additional, full-time employee (Public Works Department) - dedicated to Parks, if those responsibilities are added to Public Works assignments. City Attorney, Brandon Richards explained, a position that is not already spelled out in City policy, such as proposed, will need to be described and voted on. He further clarified, there is not a directive that mandates the filling of a position because it has been defined and currently exists in Plain City policy. Tyson Garr commented on differing attitudes that develop through full-time work in a department and seasonal or part-time employment. Councilmember Allen proposed combining seasonal Parks duties with projected sewer treatment coordinating undertakings, into the job description for a new, full-time employee. He spoke positively to the hiring of a full-time Recreation Director. He pointed out the Public Works Director's accountability for maintenance and management of City parks, should the responsibility be moved to his department. Councilmember Sadler suggested employing one person as a part-time, Assistant Recreation Director, to work under Tyson Garr's part-time Directorship. He commented on experience and training aspects of the arrangement. Councilmember Searle commented on communication and coordination issues, resulting from Tyson's outside, full-time employment. **Councilmember Sadler moved to table Discussion/Motion: Parks & Recreation Director Position. Councilmember Allen seconded the motion. Councilmembers Allen, Sadler, Davis and Searle voted aye. The motion carried.**

Discussion/Motion: Bids for Replacement SCBA's for Fire Department

Mayor Beesley introduced the topic, reporting past efforts to get grant funding for new SCBA equipment for the Fire Department. He evoked, a grant was not awarded to Plain City. He commented on expiration dates of equipment currently in use. Plain City Fire Chief, T.J. Larson defined SCBA and described its function. He identified governing institutions that regulate SCBA equipment. He listed the components of a SCBA, and outlined life span indications for each piece. He commented on the regular updating of standards by governing agencies. He reviewed printed copies of bids for SCBA equipment, distributed to Councilmembers and staff, prior to the meeting. He explained upgrades in components comprised in the bids. He emphasized the importance of the incorporation of a low-air alarm in the new apparatus. Councilmember Sadler sought details on items listed in the bid as "cylinders without lock collars". Chief Larson explained, the locking collar is part of the frame that holds the cylinders (bottles) and is present on equipment currently in use by the Department. He acknowledged, a request for greater detail on the product has been requested of the manufacturer. He noted, bidding vendors have estimated, serviceability of the packs, currently used by the Department, will end in two to three years. He stated, existing cylinders will expire on December 31, 2018. He laid out buy-back proposals. He provided information on refurbished product options, expressing disfavor of the concept. He addressed compatibility of older model equipment with SCBA's of affiliated departments. He spoke to capacity of bottles. He gave personal example of exhausting the contents of his SCBA cylinder while involved in fighting a fire. He reviewed bids for new, contemporary equipment and designated a preferred assemblage. He further explained time classifications of

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
NOVEMBER 1, 2018

cylinders. He displayed various models of SCBA packs and emergency adapters. He noted, updated standards (2018) require compatibility between all brands. Councilmember Davis asked for information on bottle refilling procedures. Chief Larson indicated, there is an air refilling appliance, located in the Fire Station. Councilmember Sadler spoke to variation in air usage between fire fighters. He described SCBA use training methods. Councilmember Allen suggested, having cylinders with a greater time classification than needed, provides a safety cushion for emergency situations. Chief Larson asserted, current department protocol dictates that the bottle be rotated when fifty percent of its capacity is used. Councilmember Allen clarified, funds in the Department's budget are currently available for this purchase. The request is for approval of the use of existing funds, not for additional money to pay for the equipment. Chief Larson identified an expected budget surplus, after the purchase of the new SCBA packs. He commented on measures taken for cost saving. Councilmember Searle expressed concern over approving funds for new equipment when the future of the Plain City Fire Department is uncertain, while acknowledging, safety of fire personnel is crucial. Chief Larson spoke to foreseen changes in the operating model of the Plain City Fire Department. **Councilmember Allen moved to approve \$60,480.00 for purchase of Replacement SCBA's for Fire Department. Councilmember Searle seconded the motion. Councilmembers Allen, Sadler, Davis and Searle voted aye. The motion carried.**

Motion: Approval of Business Licenses
Renewals

Kelly's Hauling & Tractor	Kelly Dixon	2183 N 4650 W	hauling & tractor light landscaping
Cole Truscott Industrial	Cole Truscott	2406 W 2350 N	industrial controls

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

Motion: Approval of Warrant Register

See warrant register dated from 10/19/2018 to 10/31/2018. **Councilmember Searle moved to approve the warrant registers as presented. Councilmember Davis seconded the motion. Councilmembers Allen, Sadler, Davis and Searle voted aye. The motion carried.**

Report from Planning Commission

Commissioner Maw reported on the October 25th Planning Commission Meeting. He reported a Public Hearing was set for an Agriculture and Residential zoning text amendment – November 8th. He indicated, a site plan request for a dental office at Kelly's Corner was tabled because there was not representation at the meeting. He reported site plan approval for AutoZone at Kelly's Corner, with contingency that street-side signage not be lighted. He told of receiving updated Land Use Deskbooks from Utah League of Cities and Towns. He noted, discussion of parking ordinance updates is on the agenda for next Planning Commission Meeting.

Report from City Council

Councilmember Sadler reported attending the UMAA (Utah Mosquito Abatement Association) conference. He commented on mosquito variety identification procedures and testing for transferable viruses. He gave statistics on the correlation between moving violation citations and the likelihood of vehicle accidents. Councilmember Davis asked if flashing crosswalk lights have been ordered. Dan Schuler answered in the affirmative. Mayor Beesley expressed gratitude to the Public Works, Fire, Parks and Recreation departments, and office staff for their diligence in serving Plain City citizens. He commended the Public Works Department for providing a written monthly report to the Council.

At 9:01 p.m. Councilmember Sadler moved to adjourn and was seconded by Councilmember Searle. The vote was unanimous.

City Recorder

Mayor

Date approved

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
NOVEMBER 15, 2018

The City Council of Plain City convened in a regular meeting on Thursday, November 15, 2018, in the Plain City Hall beginning at 7:00 p.m.

Present: Mayor Jon Beesley, Councilmembers Chad Allen, Buddy Sadler, Todd Davis and Don Weston
Excused: Councilmember Brad Searle
Staff: Diane Hirschi, Mike Kerswell, Dan Schuler, Brandon Richards
Also in attendance: Glenn Williams, Josh Ableman, Dallas Weston, Merrill Halling, Zac Hancock, Gordon Nozaki, Alec Kehr, Emily Keyes, Jerry Bradford, Jim & Carol Jean Beesley

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

Approval of Minutes from November 1, 2018

Councilmember Allen indicated, Councilmember Weston is shown in the minutes to be present and excused from the November 1, 2018 meeting. **Councilmember Sadler moved to approve the minutes from the regular City Council meeting on November 1, 2018 as corrected. Councilmember Allen seconded the motion. Councilmembers Allen, Sadler, Davis and Weston voted aye. The motion carried.**

Comments: Public

Plain City resident, Josh Ableman referred to comments he had sent, via email, to the Council. He read aloud, the message concerning a requested zoning amendment for property owned by the Panunzio Family Trust. He commented on the Planning Commission's recommendation that the request be approved by the City Council. He indicated, a large part of Plain City will need to be re-zoned, similarly, in order to correspond with the updated Future Land Use Map. He recommended the zoning amendment be denied.

Public Hearing: Annexation for Glenn Williams Property

Councilmember Allen moved to open the Public Hearing on the Annexation of Glenn Williams property. Councilmember Davis seconded the motion. Councilmembers Allen, Sadler, Davis and Weston voted aye. The motion carried. Land owner and developer, Glen Williams restated intent to clean up property line divergences with the annexation of a small piece of land, left out of past annexation arrangements. **Councilmember Sadler moved to close the Public Hearing on the Annexation of Glenn Williams property. Councilmember Allen seconded the motion. Councilmembers Allen, Sadler, Davis and Weston voted aye. The motion carried.**

Discussion/Motion: Ordinance for Annexation of Glenn Williams Property

Councilmember Allen moved to approve Ordinance 2018-13: Annexation of Glenn Williams property. Councilmember Sadler seconded the motion. Councilmembers Allen, Sadler, Davis and Weston voted aye. The motion carried.

Discussion/Motion: Approval of Panunzio Rezone Ordinance – approx. 1975 N 3900 W – RE-20 to RE-15

Councilmember Sadler mentioned the absence of a project representative and noted a lack of updated details. He suggested the matter be tabled. **Councilmember Sadler moved to table Approval of Panunzio Rezone Ordinance – approx. 1975 N 3900 W – RE-20 to RE-15. Councilmember Davis seconded the motion. Councilmembers Allen, Sadler, Davis and Weston voted aye. The motion carried.**

Discussion/Motion: Ordinance for Agriculture and Residential Zoning Text Amendments

City Planner, Derek Moss indicated, the amendments have been made at the request of Planning Commission Chairman, Blake Neil. He explained, changes have been made to provide clarification on residential lot size requirements for the keeping of horses. He noted the addition of a RE-30 zone to Plain City code. Mayor Beesley questioned the prohibition of horses on lots that meet the minimum RE-20 area requirement of 20,000 square feet. Derek Moss commented on persistent non-compliance with setback requirements, as previously written. He indicated, the amended parameters are tailored for future development. Mayor Beesley suggested the restriction be directed by developers with covenants written for specific regions. He expressed disagreement with proposed changes to the residential zoning ordinance. Councilmember Sadler commented on the reasoning behind current code indications. He told of published university studies that show negative

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
NOVEMBER 15, 2018

effects of confined corralling on horse health. He commented on proper stable and corral maintenance. He voiced accord with the proposed amendments. Derek Moss clarified, amended text indicates, a minimum half-acre of land, beyond the footprint of a dwelling on the property, is required for the keeping of horses. Councilmember Weston commented on humane conditions for animals and environmental impacts of improper livestock management on neighboring property. Mayor Beesley assessed, projects that have recently been approved for development in the City, do not include lots of a size that will allow the holding of horses, according to the proposed updates. He evoked historical accommodations for livestock keeping in residential zones. Councilmember Allen asked why the Planning Commission is recommending the ordinance amendments. Derek Moss indicated, the issue has been discussed by the Planning Commission for several years. He cited probable citizen complaints received by Planning Commissioners as reason behind the suggested regulation modifications. He stated intent to provide reasonable benchmarks, allowing for livestock holding on residential properties under conditions that are safe for the animals and considerate of the daily life of neighbors. He reviewed existing setback requirements for horse property. Mayor Beesley commented on perceived government overreach. Councilmember Davis asserted, there are property owners in Plain City that aptly manage livestock on half-acre lots. He commented on accountability of animal owners for the wellbeing of their livestock and for the condition of surrounding areas. Derek Moss acknowledged enforcement failings. He spoke to enforcement of developer and HOA derived restrictive covenants. Councilmember Allen suggested the ordinance be evaluated by a group of horse owners. Derek Moss conveyed, the proposed changes represent a slight adjustment to existing regulations. He identified the amended text and articulated the logic behind the change. He noted Plain City's lack of animal permit stipulations. He described "grandfathering" clauses for lots that conform to previous standards and currently accommodate horses. Mayor Beesley implied, an atmosphere that welcomes new residents who are looking for a place to live and tend horses will be hindered by the amended regulations. He spoke of recognized, traditional Plain City values. Councilmember Davis commented on restrictive covenants and market influences on horse property provisions. He reiterated the importance of enforcement of zoning ordinances. **Councilmember Allen moved to deny amendment of Ordinance for Agriculture and Residential Zoning Text, and to return the matter to the Planning Commission for further study. Councilmember Davis seconded the motion. Councilmembers Allen, Sadler, Davis and Weston voted aye. The motion carried.**

Discussion/Motion: Financial Statement Review

City Treasurer, Steve Davis previewed budget adjustments that may occur after an annual audit is complete. He reviewed the June 30th preliminary year-end financial report (printed copies were distributed to Council and Staff, prior to the meeting). He noted, Plain City ended up in a good financial position, with a probable surplus that will be calculated after final adjustments are made. He listed General Fund revenues and expenditures. He commented on carryover reserves. He broke down revenues from various impact fees and an awarded R.A.M.P. grant. He mentioned an increase in sales tax revenue, due to new commercial enterprises. He advised follow-up on contracted reimbursements from Ogden City Ambulance. He pointed out, total revenues are higher than anticipated when the annual budget was approved. He broke down expenditures by department. He noted, all departments but the Landfill/Garbage Collection had under-budget expenditures. He commented on having separate reports for Landfill and Garbage Collection. He explained how surpluses were transferred into Capital Projects Funds. He spoke to accounting for increased Parks Impact Fees when the budget is amended for the following year, noting, the Impact Fee Study will give indication of what the revenue can be spent on. He appraised the Capital Projects Fund. He reviewed the Sewer Fund. He presented September 30th financials, remarking on a positive cash position. He reviewed revenues and expenditures. He commented on future amendments that are manifestly necessary. He explained expenditure anomalies, related to the September 30th financial report.

Discussion/Motion: Approval of Fleet Exchange

Mayor Beesley reported requesting information on City vehicle trade-in prospects from Public Works Director, Dan Schuler. He commented on past trade-in arrangements. He gave details on costs for upgrading a fleet vehicle and listed beneficial features available in a new City truck. Councilmember Sadler outlined the trade-in program. He recommended the exchange. Councilmember Weston spoke to the advantages of improved truck capabilities and amenities. He indicated, cost for the exchange is minimal and benefits are great. Dan Schuler presented pricing for an attachable snowplow frame and blade. He commented on the importance of having back-up snowplow trucks. Councilmember Allen directly asked Dan Schuler if the proposed, upgraded vehicle will meet department needs. Dan Schuler answered in the affirmative. **Councilmember Sadler moved to Approve Fleet Exchange as presented. Councilmember Weston seconded the motion. Councilmembers Allen, Sadler, Davis and Weston voted aye. The motion carried.**

Discussion/Motion: Parks & Recreation Director Job Description

Mayor Beesley described Parks & Recreation Director job description amendments, including the transferring of Parks responsibilities to the Public Works Department. Councilmember Sadler commented on the assignment trash removal

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
NOVEMBER 15, 2018

tasks at the City parks. Councilmember Allen expressed concern over scheduling of recreation activities at the City parks and coordination of maintenance obligations. He stressed the need for good communication between the Recreation Director and Public Works personnel. **Councilmember Allen moved to Approve the Recreation Director Job Description. Councilmember Davis seconded the motion. Councilmembers Allen, Sadler, Davis and Weston voted aye. The motion carried.**

Motion: Approval of Business Licenses
There was none at this time.

Motion: Approval of Warrant Register
See warrant register dated from 11/1/2018 to 11/14/2018. **Councilmember Sadler moved to approve the warrant registers as presented. Councilmember Allen seconded the motion. Councilmembers Allen, Sadler, Davis and Weston voted aye. The motion carried.**

Report from Planning Commission

Planning Commission Vice Chair, John Leonardi reported on a Public Hearing for re-zoning of property owned by the Panunzio Family Trust. He indicated, the application was forwarded to City Council with a recommendation for approval. He commented on the recommendation of Ordinance for Agriculture and Residential Zoning Text Amendments approval. He reported, work continues on a Mixed-use Overlay Zone and an update to the Parking Ordinance. He noted, research of current parking conditions, by the Public Works Department, has been requested. He reported the cancellation of a Planning Commission Meeting that falls on Thanksgiving Day.

Report from City Council

Councilmember Sadler asked City Attorney, Brandon Richards for a status update on litigation related to the Stillcreek Development. Brandon Richards stated, the matter is set for trial, and agreed to keep the Council updated on pre-trial efforts.

Councilmember Davis announced the Plain City Christmas tree lighting event, December 1, 2018. He mentioned burn barrels that were part of the program, last year. He reported a citizen request for City Council oversight of burn barrel safety, at this year's celebration. He proposed that the Plain City Fire Department manage safety at burn barrel locations.

Councilmember Weston reported conversations with Richard Mickelsen of RJ Analytical on future Plain City sewer projects. He suggested a presentation by Mr. Mickelsen be scheduled for the next City Council Meeting - to review adapted information, prior to enactment of current plans.

Mayor Beesley announced funeral services for North Ogden Mayor, Brent Taylor. He gave date, time, and location details. He invited all present to attend and show support. He reported on recognition given at the Weber County Commissioners Meeting, of surviving World War II veterans, five of whom have ties to Plain City. He sought input on bid gathering for construction of new restroom facilities at Lee Olsen Park. He described building contract options. He proposed the matter be put on the agenda for discussion/motion at the next City Council Meeting. He commented on drafting of a RE-18.5 zone. He requested that the Planning Commission schedule the matter for discussion at their upcoming meeting. Councilmember Sadler suggested that special recognition be formally given, by the City Council, to living WWII veterans that have ties to Plain City.

At 8:24 p.m. Councilmember Weston moved to adjourn and was seconded by Councilmember Davis. The vote was unanimous.

City Recorder

Mayor

Date approved