

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
JULY 18, 2019

The City Council of Plain City convened in a regular meeting on Thursday, July 18, 2019, in the Plain City Hall beginning at 7:00 p.m.

Present: Mayor Jon Beesley, Councilmembers Chad Allen, Buddy Sadler and Brad Searle
Excused: Councilmember Todd Davis and Don Weston
Staff: Diane Hirschi, Mike Kerswell, Dan Schuler
Also in attendance: Sgt Lavelly, Matthew Bell, Heidi & Paul Philpot, Shawna Faulkner, John & Gwen Stephens, Karen Stephens, Russ and Debbie Gough

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

Approval of Minutes from June 20, 25, 27, 2019

It was noted that the meeting on the 25th, Councilmember Allen was disconnected before the vote to adjourn.

Councilmember Searle moved to approve the minutes from the City Council meeting of June 20, 25 and 27, 2019 as corrected. Councilmember Allen seconded the motion. Councilmembers Allen, Sadler and Searle voted aye. The motion carried.

Comments: Public

Debbie Gough told of rumors that sidewalk is soon to be constructed on 2800 West Street. She asked for details about the design and a timeline. Mayor Beesley acknowledged that sidewalk will be placed along 2800 West Street. He commented on the opening of a new elementary school in the area and pedestrian safety concerns. He indicated that the goal is to have the sidewalk finished before school starts, in August. Debbie Gough remarked on required easements for the proposed sidewalk. She stated; assurances that the road would not be widened have been breached. She asserted that there is not much, if any, easement remaining. Mayor Beesley listed construction options and noted; engineering for the project has yet to be completed. He made mention of efforts by Public Works Director, Dan Schuler, to notify property owners of the upcoming work. Debbie Gough commented on pedestrian safety issues resulting from constant speed limit defiance on roads in her neighborhood, and spoke of lapses in law enforcement. She contended that newly installed stop signs are being ignored, at large. She emphasized that when the school opens, the traffic in the area will increase exponentially. She requested that the City be mindful of the residents in her neighborhood and help alleviate traffic problems.

Karen Stephens praised the City for a successful 4th of July Celebration. She thanked Dan Schuler for notifying her and neighbors of the upcoming sidewalk installation. She indicated that a fence on her property will need to be moved, along with other preparations, prior to commencement of the project. She asked for continued updates, specifically on timetable assessments. She commented on speed control measures to be taken by the Sheriff's Office, that have been delayed because needed equipment is backordered.

John Stephens suggested that designating a walking path on the existing road with paint would be an effective and less expensive way to accommodate pedestrians along the road. He commented on a drain ditch, located north of his house, that has not been appropriately inspected. He mentioned a strip of land that has been left between neighbors' fences, that has not been properly maintained. He queried who is responsible for the maintenance of that strip of land. Mayor Beesley supposed that the strip of land in question is in Farr West boundaries. John Stephens reported conversing with the Mayor of Farr West about the concern.

Gwen Stephens recommended that mountable curb, attached directly to a sidewalk, be installed along 2800 West Street. She affirmed that it would be a simple solution to the limited easement circumstance.

Discussion/Motion: Purchase of Papageorge Easement for Manhole

Mayor Beesley described the location of the Papageorge Easement. He explained the conditions under which the manhole was built. He reported findings from an executive meeting that generated a purchase price of \$9000.00. He noted that final approval of the purchase price must be accomplished in a public meeting. **Councilmember Searle moved to approve the Purchase of Papageorge Easement for Manhole for \$9,000.00. Councilmember Sadler seconded the motion. Councilmembers Allen, Sadler and Searle voted aye. The motion carried.**

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Discussion/Motion: Set Public Hearing for Residential Overlay Zone at Papageorge Estates – August 15

Councilmember Sadler moved to Set Public Hearing for Residential Overlay Zone at Papageorge Estates – August 15, for Discussion only. Councilmember Searle seconded the motion. Councilmembers Allen, Sadler and Searle voted aye. The motion carried.

Discussion/Motion: Approval of 2019 Surface Treatment Project

Mayor Beesley recapped previous bid returns for the Project that produced erroneous results. He reported that adjustments to bid criteria were made and requests for a bid were reissued. He described the modified petition that was used for more refined bid structuring. Dan Schuler further outlined the bid process. He announced that Advanced Paving and Construction is the chosen contractor, and named the bid price (lowest bid) presented for Council approval.

Councilmember Searle asked for particulars from other bids that were submitted. He commented on favored materials and treatments. He advised that the bid process should be started in January. Dan Schuler affirmed that the original petition for bids on the project was sent out in January. He noted that the selected bid pricing, though received later in the year, was not significantly different from the earlier submittal by the same company. He remarked on testing procedures. He made mention of warrantee provisions. Councilmember Searle voiced opinion that Advanced Paving and Construction is suited for the asphalt business but less adept in maintenance-oriented projects. Councilmember Allen asked to see the bids that were not chosen. He asserted that the Council is not required to accept the lowest bid if past dealings with the contractor have proven problematic. Dan Schuler indicated that two bids were returned with the modified request and documents associated with the rejected bid were not in his possession, at the meeting. Scheduling of the work was deliberated. Dan Schuler was excused to retrieve precluded bid information from his office. When he returned, he explained that 2019 Surface Treatment Project bid information received, represents the City Engineer's estimate and a bid from Advanced Paving and Construction. He submitted that the bid from Advanced Paving and Construction was lower than the Engineer's estimate, thus selected for award. Councilmember Searle pointed out that there was, in actual fact, one bid received for the project. Mayor Beesley compared bids that were returned in January. Dan Schuler recounted that bids from January were canceled per City Engineer recommendation, and a modified petition for bids was disseminated. He described more distinctive bid criteria that will be issued in the future. Councilmember Searle commented on sound preparation methods. He mentioned contractor reliability. Dan Schuler acknowledged that he has confidence in work done by Advanced Paving and Construction, based on numerous years of involvement with the company. Existing Public Works Standards for surface treatment and advisable changes to the directives were discussed. Councilmember Allen commented on problematic dealings with Advanced Paving and Construction, in the past. Mayor Beesley affirmed that past issues with the company have been resolved. Councilmember Searle asked that Dan Schuler closely monitor preparation procedures. **Councilmember Searle moved to approve 2019 Surface Treatment Project for \$145,135.00 – to be completed by September 15th, 2019. Councilmember Sadler seconded the motion. Councilmembers Allen, Sadler and Searle voted aye. The motion carried.**

Discussion/Motion: Weber County Animal Control Interlocal Agreement

Mayor Beesley stated that Weber County Animal Control has not included a price for service in their contract. He reported estimated cost for service, historically. He expressed expectation that a price for service be defined in the written agreement. Councilmember Searle remarked on the relatively uniform pricing for Animal Control services over the years. Councilmember Sadler explained difficulties in accurately predicting cost for sheltering animals when a "no kill" policy is in place. He indicated that cost per call averages are figured at the end of each contract term. Councilmember Allen suggested that a breakdown of services and shelter provisions be provided by Weber County Animal Control.

Councilmember Allen moved to table Discussion/Motion: Weber County Animal Control Interlocal Agreement. Councilmember Sadler seconded the motion. Councilmembers Allen, Sadler and Searle voted aye. The motion carried.

Discussion/Motion: Amendment to Interlocal Agreement to Add Morgan County – Fire Department

Councilmember Searle moved to approve Amendment to Interlocal Agreement to Add Morgan County – Fire Department. Councilmember Allen seconded the motion. Councilmembers Allen, Sadler and Searle voted aye. The motion carried.

Discussion/Motion: Capital Projects

Councilmember Sadler proposed adding a sewer-vacuum truck to the list of Capital Projects items to be considered. He commented on more efficient ways to inspect sewer lines and schedule maintenance. Mayor Beesley estimated the purchase price for a suitable vacuum truck at \$100,000. Councilmember Searle recommended that land be purchased with

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Capital Projects funds. He advised that a work session be organized, to narrow down the options for Capital Projects funding. Councilmember Sadler commented on available R.A.M.P. Grant subsidies for the proposed land acquisitions. **Councilmember Sadler moved to table Discussion/Motion: Capital Projects and schedule a Work Session for August 15, 2019. Councilmember Searle seconded the motion. Councilmembers Allen, Sadler and Searle voted aye. The motion carried.**

Motion: Approval of Business Licenses

New

S and S Handyman	Ken Strebel	2474 N 3550 W	handyman
New Heights Chiropractic	Zachary King	2412 N 3600 W	chiropractic services

Solicitor

Energy Savers Insulation, LLC (DBA ES Solar)	Steve Creswell	5723 W 4350 S	Solar
Beau Ellsworth			

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

Motion: Approval of Warrant Register

See warrant register dated from 06/20/2019 to 6/30/2019, 07/01/2019 to 07/16/2019 and 07/17/2019 to 07/17/2019.

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

Report from Planning Commission

Planning Commissioner, Shawna Faulkner reported business from two Planning Commission meetings – June 27th and July 11th. She indicated that a proposed amendment to Poplar Estates Phase 1 was tabled, pending a signed affidavit from the owner of a parcel that will be impacted by the change. She reported discussion about an application for the Residential Overlay Zone at Papageorge Estates (Wasatch Ridge subdivision), and noted that the petition was recommended to City Council for further processing; including the setting of a Public Hearing. She remarked on reevaluation of the Cluster Subdivisions ordinance. She asked the Council for guidance on revising a recently drafted Accessory Dwelling Unit ordinance. Mayor Beesley stated that the ordinance that allows for and regulates Accessory Dwelling Units will not be considered for approval by the City Council. Councilmember Sadler asserted that the concept will allow far-reaching abuse of rental faculties. Commissioner Faulkner reported a Public Hearing that was held on July 11th, for a zoning amendment at the Shane King Property. She noted that Planning Commission recommends the requested amendment (RE-20 to RE-15) be denied by the City Council. She stated that the reason for the decision is because the proposed rezone does not coincide with General Plan stipulations. She commented on a zoning amendment that is sought by Cody Rhees and reported that Public Hearing was set for the application, August 8th.

Report from City Council

Councilmember Allen proposed that meetings be scheduled, with department heads, for input on adjustments to the 2020 City budgets. He requested that budget adjustments be put on the agenda for the next City Council meeting; to include settlement of cost of living pay increases and discussion on merit-based raise arrangements. He remarked on the advertised, full-time Public Works Utility Operator job opening. He advised that a full-time Recreation Department Director be hired.

Councilmember Sadler expressed appreciation to volunteers that assisted with 2nd, 3rd and 4th of July Celebration events.

Councilmember Searle reported receipt of an email from Heidi Philpot, urging the institution of a Plain City public library. He evoked past requests for a library and contemplated the formation of a committee to advance the proposal.

Mayor Beesley told of suspected sewer connection limitations that have been discussed in Planning Commission meetings. He reported on a dry sewer line, constructed many years ago, that will soon be restored to service – alleviating immediate concern over connection shortages. He gave credit to previous mayor, Scott Jenkins, for taking proactive measures to handle future sewer demand. He noted that an accurate survey of the existing system is being conducted by the City Engineer, presently. He reported that a new de-chlorination tank has been placed. He indicated that fees at the Weber County Transfer Station have increased by one dollar per ton. He verified that Plain City recyclables are being accepted at Recycled Earth facilities. He praised the Dairy Days staff for staging an amazing 4th of July Celebration. He expressed

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gratitude to the Public Works Department for timely execution of supplementary tasks, related to the events. He thanked all involved with 2nd, 3rd and 4th of July Celebration workings.

At 8:34 p.m. Councilmember Sadler moved to adjourn and was seconded by Councilmember Allen. The vote was unanimous.

City Recorder

Mayor

Date approved

