

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
JANUARY 16, 2020

The City Council of Plain City convened in a regular meeting on Thursday, January 16, 2020, in the Plain City Hall beginning at 7:00 p.m.

Present: Councilmembers Rachael Beal, Buddy Sadler, Don Weston and Todd Skeen
Excused: Mayor Jon Beesley, Councilmember Chad Allen
Staff: Diane Hirschi, Dan Schuler
Also in attendance: Sgt. Lavelly, Jim & Carol Jean Beesley, Lynette & Bret Howard, Jay Jenkins, Blake Jenkins, DeEtt Skeen, Clint Skeen, Cody Rhees, Laney Hall, Marilyn Sadler, Wayne Andreotti, Neil & Lisa Cox, Scott Wayment, Lillian Brown, Craig Jackson

Call to Order: Councilmember Sadler
Pledge of Allegiance: Councilmember Beal
Invocation/Moment of Silence: Councilmember Weston

Judge James Beesley swore in Councilmembers Buddy Sadler, Rachael Beal and Todd Skeen.

Approval of Minutes from December 19, 2019

Councilmember Weston moved to approve the minutes from the City Council meetings of December 19, 2019 as presented. Councilmember Skeen seconded the motion. Councilmembers Beal, Sadler, Weston and Skeen voted aye. The motion carried.

Comments: Public

None.

Report from Youth Council

Representing Plain City Youth Council, Laney Hall reported headway in production of a tribute to local military veterans. She confirmed that the recognition will occur over two events - a special dinner to be held February 11th, at 6:00 p.m. and a screening of the video at the Founders Day celebration.

Report from Planning Commission

Planning Commissioner, Shawna Faulkner congratulated the new and returning councilmembers. She reported discussion on a previously acted on request for the Residential Overlay Zone, noting; no further action will be taken by the Planning Commission on this application. She explained that the petition was forwarded to City Council with a recommendation for denial. She reported that discussion and action on the first phase of Panunzio Estates subdivision was tabled at the request of project developer, Jeff Hales. She remarked on the finalization of an amended Mixed-Use Overlay Zone ordinance, indicating that the code is on the agenda for City Council approval at this meeting. She summarized concerns presented by a resident, regarding the construction and indeterminate use of home additions in the City. She maintained that many of the problems were addressed in a nullified ordinance on Accessory Dwelling Units, marshaled by the Planning Commission in 2019. She proposed that a new ordinance regulating additions be contemplated.

Discussion/Motion: Purchase of Fire Truck

Plain City Fire Chief, T. J. Larson commented on a rapid stage of growth expected for Plain City in coming months. He reported history shared by Guido Smith, the Fire Chief of Farmington City, descriptive of the necessary expansion of his fire department, due to a rapid stage of growth seen by Farmington. He stated that Chief Smith divulged his objective to sell a reserve fire truck that is no longer needed. He affirmed that the apparatus is in excellent condition. He indicated that the price of the Fire Truck is \$6000.00 or \$8,000.00 with the inclusion of new tires, purchased under State contract. He read a list of accessory items that will be included at no additional cost. Councilmember Weston estimated the value of the extras presented. He reported test driving the vehicle and confirmed that it is in remarkable shape. He supported the purchase. Chief Larson indicated that he had an independent mechanical review performed on the truck and is was found to be in fine condition. He acknowledged that there are funds available in the Fire Department budget for the purchase. Councilmember Sadler stated that he participated in the test drive and inspection of the Fire Truck. He expressed endorsement of the proposed acquisition. **Councilmember Weston moved to approve the Purchase of the 1994 Pierce Fire Truck with accessory equipment. Councilmember Beal seconded the motion. Councilmembers Beal, Sadler, Weston and Skeen voted aye. The motion carried.**

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Discussion/Motion: Ordinance – Residential Overlay Zone at Heritage North Subdivision – 4000 W 2800 N
Project developer, Cody Rhees requested that the Council table Discussion/Motion: Ordinance – Residential Overlay Zone at Heritage North Subdivision. He proposed that the item be sent back to Planning Commission. He reviewed progression of the application for the Overlay, which was submitted in the summer of 2019, including supplementary analyses by the Technical Review committee. He stated that he has paid for City Engineer review and consultations. He noted that the Residential Overlay Zone ordinance has been amended as his petition is yet under consideration. He requested dialogue related to application formalities. Councilmember Sadler asked why the procedures in question were not discussed while the application was being considered by the Planning Commission. He presumed that Cody Rhees did not attend all of the Planning Commission meetings at which his project was discussed. Cody Rhees asserted that he did not miss meetings when his application for the Residential Overlay Zone was on the agenda. He described changes that were made to his original proposal, per advice of the Planning Commission and City Engineer. He appealed for continued consideration of his proposal and additional examination of his application, by the Mayor and City Attorney. Commissioner Faulkner acknowledged that the project was once presented to the Commission for *discussion only* and guidance was provided. She stated that it was later put on an agenda for *discussion and motion*. Planning Commission moved unanimously and unconditionally on the current application September 12th, 2019. She explained why recommendation for City Council denial of the petition was rendered. Councilmember Sadler asked if action was taken at the request of the developer. Commissioner Faulkner ascertained that the developer was fully aware that the item was on the Planning Commission meeting agenda for discussion and motion. She further noted that Cody Rhees did not subsequently pursue City Council consideration of his application. Cody Rhees reaffirmed his desire that the matter be tabled pending arbitration with City officials and the City Attorney. **Councilmember Weston moved to table Discussion/Motion: Ordinance – Residential Overlay Zone at Heritage North Subdivision. Councilmember Beal seconded the motion. Councilmembers Beal, Weston and Skeen voted aye. Councilmember Sadler voted nay. The motion carried.**

Discussion/Motion: Resolution – Acceptance of Annexation Petitions
Councilmember Sadler referred to numerous Annexation Petitions that have been received from unincorporated land owners that wish to be part of Plain City. He explained that action taken at this point will simply allow or disallow the individual annexation requests to be considered by the Council. **Councilmember Weston moved to approve Resolution 2020-01 Acceptance of Annexation Petitions. Councilmember Skeen seconded the motion. Councilmembers Beal, Sadler, Weston and Skeen voted aye. The motion carried.**

Discussion/Motion: Ordinance Amendment – Mixed Use Overlay Zone
Councilmember Sadler remarked on the amendment process. He noted that changes have been made to the current Mixed-Use ordinance in accordance with specific direction by the City Council. He reviewed the changes. He mentioned deleted terms that required City Council to hold Public Hearing for an application for the Mixed-Use Overlay Zone and suggested that language be inserted, allowing City Council to hold Public Hearing for Overlay requests if they choose to. He proposed adding a requirement for a development agreement in articles defining City Council Action. Councilmember Weston voiced concurrence with the proposed amendments. He commented on protections and powers provided to the City with the submitted additions. Commissioner Faulkner spoke of concerns with application processes. After reciting comments by the City Attorney from the minutes of the December 12, 2019 Planning Commission meeting, she weighed up adding stipulations to clearly spell out application progression constraints. Councilmember Weston referred to land use application time limits, currently provided in City code. He surmised that existing ordinances, adequately regulate the application process. Councilmember Sadler advised that the constraints should be notated on application forms. **Councilmember Sadler moved to approve Ordinance 2020-01 Mixed-Use Overlay Zone with changes as ordered. Councilmember Weston seconded the motion. Councilmembers Beal, Sadler, Weston and Skeen voted aye. The motion carried.**

Motion: Approval of Business Licenses

New

Yellowstone Fence Sprinkler & Landscaping	Greg Shepherd	2726 W 2550 N	landscaping contractor
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Renewals

Cook's Auto Sales, Antique Sale	George Cook	1985 N 4650 W	auto & antiques sales & storage
America First Credit Union	AFCU	2336 N 4350 W	banking
Teresa's Daycare	Teresa Maisey	1623 N 4400 W	daycare
Hilary's Home Daycare	Hilary Perez	1484 N 4800 W	daycare

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Jack's Garage	Greg Warg	2417 N 4425 W	restore cars
Redbox Automated Retail	Redbox	4098 W 1975 N	dvd/games rental
Cody Rhees Construction	Cody Rhees	2414 N 4350 W	general contractor
Paulette & Emily's Home Daycare	Paulette Sip	1547 N 4325 W	daycare
Kent's Market	PCO-KTA LLC	3673 W 2600 N	grocery & beer license
America First Credit Union	AFCU	3673 W 2600 N	credit union
Next Level Fundraising	Brody Flint	3230 W 1975 N	sell fundraising cards
Artistic Custom Badges & Coins LLC	Louanne Daz	2063 N 5100 W	promotional products
RZR Utah	Cory King	3461 W Bridlewood Ct	online sales
Marguerite	Marguerite Smoot	1415 N 4250 W	seamstress

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

Motion: Approval of Warrant Register

See warrant register dated from 12/18/2019 to 12/31/2019. **Councilmember Weston moved to approve the warrant register as presented. Councilmember Sadler seconded the motion. Councilmembers Beal, Sadler, Weston and Skeen voted aye. The motion carried.** See warrant register dated 01/01/2020 to 01/15/2020. **Councilmember Sadler moved to approve the warrant register as presented. Councilmember Skeen seconded the motion. Councilmembers Beal, Sadler, Weston and Skeen voted aye. The motion carried.**

Report from City Council

Councilmember Beal said that she is happy to serve on the City Council.

Councilmember Skeen commented on ATV and UTV use on Plain City roads, specifically those vehicles that are not street-legal. He proposed regulations for operation of ATVs and UTVs within the City. Councilmember Sadler requested that the matter be put on the next City Council meeting agenda. He suggested that the Weber County Sheriff's Office be invited to present relevant statistics and other material at that meeting.

Councilmember Weston reported on current sewer system function and condition.

Councilmember Sadler expressed thanks to Councilmember Weston for sustaining exceptional sewer system performance. He thanked Fire Chief Larson for his hard work in directing Fire Department affairs. He voiced gratitude to the Planning Commission for considering City Council assessment in land use matters. He recognized Judge Beesley and thanked him for swearing in new and returning councilmembers. He reported receiving emails from citizens inquiring about the state of internet provisions in Plain City. He advised that a survey of residents be conducted, to obtain more generalized insight on internet provision concerns. He reported details of a discussion with a Farr West City official on their internet arrangements. He stated desire for further examination of a UTOPIA infrastructure proposal. He conveyed appreciation for contributions by the City Youth Council.

At 7:48 p.m. Councilmember Weston moved to adjourn and was seconded by Councilmember Beal. The vote was unanimous.

City Recorder

Mayor

Date approved