

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
DECEMBER 3, 2020

The City Council of Plain City convened in a regular meeting at City Hall on Thursday, December 3, 2020, public was also accessible via ZOOM beginning at 7:00 p.m.

Present: Mayor Jon Beesley, Councilmembers Chad Allen, Buddy Sadler, Don Weston and Todd Skeen
Attendance Via Zoom: Councilmember Rachael Beal
Staff Present: Diane Hirschi, Dan Schuler
Present: Scott Wayment, Wayne Andreotti, Lisa Rose, Dennis and Sherilyn Rogers
Attendance via Zoom: Rob Ortega, Judd Cook, Kathy Averett, Mike Kerswell, Julie Kerswell, Brandon Richards, Jim and Carol Jean Beesley, Colton Anderson, Jarod Maw, Lisa Cox, Marci Doolan, Shad, Paul, Pam Kramer

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

Approval of Minutes from November 19, 2020

Councilmember Allen moved to approve the minutes from the regular meeting of the City Council on November 19, 2020 as presented. Councilmember Sadler seconded the motion. Councilmembers Allen, Beal, Sadler, Weston and Skeen voted aye. The motion carried.

Comments: Public

None presented.

Report from Planning Commission

Planning Commissioner, Rob Ortega indicated that the regular Planning Commission meeting fell on Thanksgiving Day, thus was canceled. He had nothing further to report.

Public Discussion: West Annexation

Warren property owner, Scott Wayment stated that he is unaware of how far the annexation process has progressed. He affirmed that he believes the annexation is yet regarded with approval by a majority of affected land owners. Mayor Beesley notified that advancement of the annexation sequence is under direction of Weber County, at this moment. He spoke of formal protests to the annexation petition that have been filed. He explained that the City may take no further action on the annexation until after receipt of the Commission's notice of its decision on the protest(s).

West Warren resident, Kathy Averett queried about plans for maintenance of County roads in the area of the proposed annexation. Mayor Beesley answered; maintenance of the roads in question will follow the exact arrangement as is charted for current Plain City streets. He indicated that additional equipment will be procured for the expanded duties.

Kathy Averett asked about Public Works staffing, assuming that supplementary personnel will be needed. Mayor Beesley stated that the City will have sufficient personnel to man the essential fleet of trucks. Kathy Averett sought details on utility provisions to existing households within the annexation boundary. She specifically asked about Plain City secondary water requirements. Mayor Beesley indicated that utility sources will remain the same, in that area. He noted that suppliers of secondary water may wish to expand services into the newly annexed sector, but assured that new residents will not be required by the City to changeover utility providers. He informed that independent cemetery districts will not be required to merge.

Wayne Andreotti, a resident of Warren, acknowledged that he has been involved in fighting plans to incorporate a new city, comprising western Weber County property – including his own. He voiced appreciation for the annexation alternative, made available by Plain City. He commended the Council for effective management of the process. He expressed concern over Weber River environments, as it flows through the annexed area. He asked if the annexation process involves the Weber Area Council of Governments (WACOG). Mayor Beesley answered in the negative. He indicated that authorization rests on the Lieutenant Governor by way of the County Commission. He asserted that Weber County will continue to manage Weber River conditions.

Utah Division of Wildlife Resources representative, Pam Kramer disclosed that the Division has appealed for withdrawal of their property from the proposed annexation. She stated that the Utah Division of Wildlife Resources does not oppose the annexation but their property will remain undeveloped, therefore does not need to be included. Mayor Beesley verified that the appeal has been received and action has been taken to remove the Division's land from the annexation plan.

Kathy Averett remarked on property tax structuring and rate comparisons. She asked for a list of relative advantages and disadvantages, which she might consider. Scott Wayment reported that clear downsides to owning unincorporated land were revealed when the process of forming a new city was initiated. He reasoned that Plain City is established and well-run. Mayor

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Beesley indicated that the Plain City General Plan and Future Land Use Map will be updated when the annexation is finalized, taking into consideration input from annexed property owners. He spoke of North Legacy Transportation Corridor concepts, mentioning potential planning powers with the City's acquisition of property within its mapped passage.

Plain City resident, Dennis Rogers commented on the cost of road and drain maintenance. He noted that the current Plain City property tax rate is relatively low. He suggested that the sparsely populated annexation area will put a strain on the City budget for road and drain maintenance. He advised that current tax revenues afford Plain City resident's exceptional amenities and service and expressed reservations about the liability of taking on a large region of low demographic density. He asked if the financial ramifications of the annexation have been thoroughly considered. Mayor Beesley affirmed that he has researched the matter and it is very feasible. He stated; though the additional territory will be a marginal liability for the first few years, it will prove to be a great asset to Plain City in the long run. He commented on expected residential developments on western acreages. Dennis Rogers contended that established fees and taxes should not be significantly increased to pay for encumbrances ascribable to the annexation.

Discussion/Motion: Dominion Energy Joint Cooperation Statement

Mayor Beesley indicated that the presented Cooperation Statement does not establish any legally binding obligation on the part of either Plain City or Dominion Energy. Lifelong Plain City resident and Director of Gas Operations at Dominion Energy, Judd Cook told of a recent trend in liberal communities to refuse building permits for new construction that contains natural gas hookups. These local governments, in the name of environmental stewardship, have passed a reach code that mandates new construction in buildings contain all-electric heating and cooking appliances. He advised that natural gas is a clean, reliable and affordable way to heat homes. He argued that by banning certain forms of energy/heating, municipal authorities are denying citizens the right to choose. He spoke of proposed Utah legislation that would state; a municipality [or county] may not enact an ordinance, a resolution, or a policy that prohibits, or has the effect of prohibiting, the connection or reconnection of a utility service to a customer based upon the type or source of energy to be delivered to the customer. He reiterated that customer choice should not be prohibited by government. He explained that Dominion Energy has started a campaign in Utah encouraging a unified push against gas bans, while recognizing environmental sensitivities, through a joint Cooperation Statement – to be signed by city governments and put forward to state legislators. Mayor Beesley informed that City Attorney, Brandon Richards has reviewed the document and found it to be appropriate. Councilmember Beal asked if there's an immediate cause for signing the Cooperation Statement. Mayor Beesley answered in the negative. He inferred that the action will show support of legislation that promotes the preservation of customer choice when it comes to energy. Councilmember Allen reckoned that the show of support by cities will put pressure on Utah policymakers to follow states like Arizona, Tennessee, Louisiana and Oklahoma in enacting laws barring municipalities from banning gas. Judd Cook reported; Representative Handy has sponsored a bill that saw little opposition as the measure was advanced for consideration in the upcoming legislative session. He noted that concerns raised about compulsions placed on cities will be alleviated with acknowledgement of support through this joint Cooperation Statement. Councilmember Beal queried if the mentioned legislation would unjustly prohibit municipalities from ordaining environmental policies, as they see fit. Judd Cook clarified that Representative Handy's bill preserves options for renewable sources of energy, such as wind and solar, as well as traditional fossil fuels, such as natural gas and coal. He confirmed that this law would prohibit city [or county] governments from eliminating the connection or reconnection of a utility service to a customer based upon the type or source of energy to be delivered to the customer. He noted that there's not been a city in Utah that has proposed or adopted a ban on natural gas connections. Councilmember Allen spoke favorably of Dominion Energy's effort to encourage lawmakers in advocating equity and reason in local energy policies. **Councilmember Weston moved to support the Dominion Energy Joint Cooperation Statement. Councilmember Allen seconded the motion. Councilmembers Allen, Beal, Sadler, Weston and Skeen voted aye. The motion carried.**

Discussion/Motion: Right-of-Way Purchases for 3600 W

Mayor Beesley reported that appraisals have been received for the 3600 West Street project. He stated that a grant from WACOG will reimburse the City for the Right-of-Way Purchases. He indicated that awarded funds from Wasatch Front Regional Council (WFRC) will be used for the actual road rebuild. He notified that acquisition details for the land have not been settled. **Councilmember Sadler moved to table the Right-of-Way Purchases for 3600 W. Councilmember Skeen seconded the motion. Councilmembers Allen, Beal, Sadler, Weston and Skeen voted aye. The motion carried.**

Motion: Approval of Business Licenses

None.

Motion: Approval of Warrant Register

See warrant register dated 11/19/2020 to 11/30/2020. **Councilmember Sadler moved to approve and pay the bills as presented. Councilmember Weston seconded the motion. Councilmembers Allen, Beal, Sadler, Weston and Skeen voted aye. The motion carried.**

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Report from City Council

Councilmember Beal offered kudos to Information Specialist, Mike Kerswell, for improving the online audio quality for this meeting. She reported that she's received multiple inquiries about cardboard recycling bins. She asked if a drop area might be established to accommodate residents that want to recycle their cardboard boxes, etc. Mayor Beesley affirmed that Public Works Director, Dan Schuler is finalizing plans for recycling container locations. Councilmember Beal commented on an aspiration to install fiberoptic infrastructure in Plain City. Mayor Beesley recounted measures that have been taken to further the project. He indicated that a ZOOM meeting will be scheduled with Ammon, Idaho's technology director, to discuss key components of their public broadband infrastructure – possibly the best fiberoptic network in the US. Councilmember Sadler suggested that estimates for the cost of installation should be obtained to determine feasibility of the proposed internet grid, before endeavors to gather information on managing the network are carried out. Dan Schuler agreed to pursue bids on the project.

Councilmember Allen inquired about recently presented data regarding a UTA Transit Plan. Mayor Beesley indicated that Steve Anderson, West Haven City Planner/Engineer, called him to offer a portion of WFRC grant funds, allocated for a Master Transportation Plan for Western Weber County, with a minimal buy-in. He described how participation would allow Plain City the ability to influence decision-making. He asserted that the program would resourcefully initiate a vital update to the Future Transportation Plan for Plain City. Councilmember Allen referred to his report of an impolitely handled phone call between the Weber-Morgan Health Department and an unnamed resident, who's number was mistakenly dialed by a Health Department staff member attempting to call the City offices. He made clear; his account was not meant as a reproach levelled at Plain City personnel. He commended City staff for handling difficult situations in a professional manner. He expressed appreciation to City Recorder, Diane Hirschi for excellent service.

Councilmember Weston announced that the curb-side green waste program has transitioned to household trash removal through winter months. He verified that a printed announcement of the switch will be mailed out with public water bills. He explained; because residents were confused about the transition date, all waste loads were hauled to the County transfer station instead of the City landfill, this week. He stated that he inspected blue can contents in his neighborhood the morning of scheduled pick up and alerted the Mayor before making the prompt order.

Mayor Beesley reported that a new billing system has been coordinated with Bona Vista. He indicated that the new system provides straightforward differentiating of printed vs. paperless invoices and allows hard copy inserts to be duplicated digitally and attached to bills sent electronically. He noted that the new application will be implemented January 1, 2021.

At 8:12 p.m. Councilmember Weston moved to adjourn and was seconded by Councilmember Skeen seconded the motion. The vote was unanimous.

City Recorder

Mayor

Date approved

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DECEMBER 17, 2020

The City Council of Plain City convened in a regular meeting at City Hall on Thursday, December 17, 2020, public was also accessible via ZOOM beginning at 7:00 p.m.

Present: Mayor Jon Beesley, Councilmembers Chad Allen, Buddy Sadler, Don Weston and Todd Skeen
Attendance Via Zoom: Councilmembers Rachael Beal, Todd Skeen (for approximately 5 minutes)
Staff Present: Diane Hirschi, Dan Schuler
Attendance via Zoom: Adams Family, Brandon Richards, Rich Skeen, Greg Day, Rob Ortega, Mike Kerswell, Lisa Cox, Shane, Shad, Plain City Fire Dept.

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

Approval of Minutes from December 3, 2020

Councilmember Sadler moved to approve the minutes from the regular meeting of the City Council on December 3, 2020 as presented. Councilmember Allen seconded the motion. Councilmembers Allen, Beal, Sadler, Weston and Skeen voted aye. The motion carried.

Comments: Public
None presented.

Report from Planning Commission
None.

Discussion/Motion: Ordinance to Rezone 2.45 Acres at 3600 W 2200 N from A-1 to RE-18.5 – Richard Skeen

Mayor Beesley described the plot of land to be rezoned. He identified the proposed land use and deemed it to be consistent with the General Plan and Future Land Use Map. Councilmember Sadler voiced approval of the proposal. Councilmember Weston acknowledged that the proposed Zoning Amendment is in line with General Plan directives. **Councilmember Allen moved to approve Ordinance 2020-11, amending the zone of Richard Skeen's 2.45-acre property at 3600 W 2200 N from A-1 to RE-18.5. Councilmember Weston seconded the motion. Councilmembers Allen, Beal, Sadler and Weston voted aye. The motion carried.**

Discussion/Motion: Conditional Final Acceptance of Big Cottonwood Estates Phase 3

Public Works Director, Dan Schuler affirmed that items on a final checklist for the subdivision have been addressed and Final Acceptance is in order. **Councilmember Allen moved to approve Conditional Final Acceptance of Big Cottonwood Estates Phase 3. Councilmember Sadler seconded the motion. Councilmembers Allen, Beal, Sadler and Weston voted aye. The motion carried.**

Discussion/Motion: RFQ for Fiber Optics

Mayor Beesley reported that Dan Schuler will do a preliminary assessment of the potential cost to bring fiber-optic cable from existing points of available connection into Plain City. He noted that trunk lines are currently established near the City limits at Remuda and west of I-15 on 2700 North Street. Councilmember Sadler asserted that the Public Works Department assessment will reveal important information; to clarify the scope of work and weigh practicality. **Councilmember Sadler moved to approve an RFQ for Fiber Optics. Councilmember Weston seconded the motion. Councilmembers Allen, Beal, Sadler and Weston voted aye. The motion carried.**

Motion: Approval of Business Licenses
None.

Motion: Approval of Warrant Register

See warrant register dated 12/01/2020 to 12/16/2020. **Councilmember Sadler moved to approve and pay the bills as presented. Councilmember Allen seconded the motion. Councilmembers Allen, Beal, Sadler and Weston voted aye. The motion carried.**

Report from City Council

Councilmember Sadler reported that he was contacted by a representative of the company contracted by Farr West City for installation of their fiber-optic infrastructure. He informed that the agent offered services to Plain City and claimed a city-wide system could be completed in eighteen months. He contemplated requesting a presentation by the company. He reported hearing

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from a property owner that wants to build a home on their lot in Plain City but does not have a secondary water supply. He indicated that he gave the caller contact information for individuals that can assist her.

Councilmember Weston proposed that educational information about the green waste program be printed and distributed with household water bills on a monthly basis. Councilmember Beal suggested that the educational information on the green waste program be formatted and distributed digitally, as well.

Mayor Beesley reported that a new billing system has been coordinated with Bona Vista. He indicated that the new system allows hard copy inserts to be duplicated digitally and attached to emailed statements. He noted that the new application will be put into operation in January. He stated that the Christmas Tree Lighting event was awesome. He reported an outstanding turnout. He thanked Colette Doxey and her staff for organizing the activity. He expressed appreciation to the Public Works Department for their involvement. He announced that Fire Chief, T.J. Larson resigned. He indicated that the vacated position has been advertised. He fervently thanked T.J. for his service to the City, recognizing his passionate recruiting efforts and exceptional leadership.

At 7:29 p.m. Councilmember Allen moved to adjourn and was seconded by Councilmember Beal seconded the motion. The vote was unanimous.

City Recorder

Mayor

Date approved _____