

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
FEBRUARY 6, 2020

The City Council of Plain City convened in a regular meeting on Thursday, February 6, 2020, in the Plain City Hall beginning at 7:00 p.m.

Present: Mayor Jon Beesley, Councilmembers Chad Allen, Rachael Beal, Buddy Sadler, Don Weston and Todd Skeen
Staff: Diane Hirschi, Dan Schuler
Also in attendance: Sgt. Lavelly, DeEtt Skeen, Beth Holbrook, Blake Jenkins, Shad Christensen, Jay Christensen, Cody Christensen, Andreas Coleman, Wyatt Hoskins, Kassidy Williams, Neil & Lisa Cox, Gage Heslop, Dallin Brown, Sherry Barker, Rob Ortega, Hannah McBride, Camberly Remy

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

Approval of Minutes from January 16, 2020

Councilmember Sadler moved to approve the minutes from the City Council meetings of January 16, 2020 as presented. Councilmember Allen seconded the motion. Councilmembers Allen, Beal, Sadler, Weston and Skeen voted aye. The motion carried.

Comments: Public

None.

Report from Youth Council

Vice President of the Plain City Youth Council, Hannah McBride gave a progress report on their project to honor military veterans. She announced that a dinner will be held in the Senior Center, Tuesday, February 11th. She briefly outlined the program. Mayor Beesley remarked on the exemplary effort by the Youth Council, to organize the event. Councilmember Sadler asked if representation by the City Council is invited. Hannah McBride answered in the affirmative. Councilmember Beal asked about the search for veterans to be honored. Hannah McBride explained how social media and word of mouth promotions were conducted. She noted that 23 veterans have been invited to participate. Councilmember Beal indicated that she is a veteran; as well as her husband – they were not aware of the project. She commented positively on Youth Council's devoted work. Mayor Beesley stated that Councilmember Beal and her husband will be added to the guest list. He described research conducted by the Youth Council, to find veterans with community ties. Hannah McBride indicated that the Youth Council is planning a float for the 4th of July parade, paying tribute to military veterans, and spoke of an associated video presentation that will be shown at the Founders Day and 4th of July celebrations.

Report from Planning Commission

A representative from the Planning Commission was not present at this meeting.

Presentation: UTA Transit Presentation – Trustee Beth Holbrook

UTA Trustee for Davis, Weber and Box Elder counties, Beth Holbrook commented on community growth patterns. She informed that the Utah Transit Authority is studying long-term growth strategies for cities and towns located in northwestern Utah. She referred to the passage of Senate Bill 34 (SB34, 2019 General Session) into law, requiring 82 Utah municipalities to ensure that their general plan meets specified requirements for affordable housing by December 1, 2019. She reported that WFRC is working with their Unified Plan partners (UDOT, UTA, Mountainland Association of Governments, Cache MPO, and Dixie MPO) to provide city-specific maps and GIS data to support cities as they consider general plan updates related to SB34 requirements. She reviewed Small Area Projections: Population, household, and employment (by sector) at the 'City area' and Traffic Analysis Zone (TAZ) levels (annually, through 2050). She indicated that these are prepared for Utah's regional and statewide travel models, building upon the county-level projections developed by the University of Utah's Gardner Policy Institute. She provided data from long-range transportation plan projects (road, transit, and active transportation modes) including those from the Regional Transportation Plans (RTPs) developed by Utah's four MPOs. The transportation projects are phased in ten-year increments and constrained to future revenue projections. She explained how major transit investment corridors (existing & planned) and stations (existing & planned, where the station location has been determined) could impact the Plain City General Plan. This includes commuter and light rail, bus rapid transit, and core route bus services. She noted that SB 34 requirements for Household - Workplace Accessibility (ATO) ensure transportation systems work together with household and employment density and

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present localized challenges. She indicated that maps have been created to show community job and housing locations together with auto and transit travel time projections for 2019 from the Wasatch Front regional travel demand model. She listed factors of service that UTA consider vital to making public transit successful.

- Where does the transit run?
- When does the transit run?
- How frequently does the transit arrive?

She described aspects of an effective public transportation program that can be impacted by local government.

- Density of jobs
- Density of Housing
- Mix of land uses
- Walkability
- Safe crossings

She stated that population near transit posts helps determine the level of ridership used in UTA studies. She relayed how difficult access to transit stops can limit ridership. She contrasted routes of long and short distance destinations, as well as varied grades of directness, and explained how the difference influences transit ridership. She spoke of personal experience with local traffic flow and road arrangement. She affirmed that major UTA system changes, intended to assist communities in her districts with SB 34 compliance, will not be enacted until August of 2021.

Mayor Beesley commented on improvements made with implementation of Trax and Fronrunner services.

Beth Holbrook remarked on east and west connections to fronrunner stations. She reported an uptick in UTA ridership over past months. She reported that a new bus route into West Haven has recently been opened. She voiced opinion that anticipated growth within the next five to seven years will provide demand for new public transportation services in west Weber County. She introduced Andreas Coleman, UTA Regional Manager. Councilmember Sadler commented on a tax increase that was voted for, some 10 to 20 years ago, funding the establishment of Fronrunner in Weber County. He noted that the Fronrunner station in north Weber County has been closed down. He asserted that the Utah Transit Authority has lost his support because his tax contribution for Fronrunner funding does not benefit him. He commented on transit scheduling complications. Beth Holbrook argued that Councilmember Sadler's tax dollar for Fronrunner funding benefits him by providing an alternative that reduces vehicles on the streets. She conveyed a variety of long-term solutions to scheduling problems. She expounded reasoning behind the elimination of the Pleasant View Fronrunner stop. She introduced a future Ogden Bus Rapid Transit (BRT) system, designed to efficiently shuttle students to Weber State University. Councilmember Allen commented on the tax burden shouldered by Plain City residents for UTA services. He maintained that these services are not available to them. Councilmember Weston related a history of UTA bus service in Plain City. Andreas Coleman cited historical ridership decreases as the reason for discontinuation of the Plain City bus route. He mentioned a proposal to use a reduced size transport vehicle. He reiterated that there are demonstrable gains seen by Plain City tax payers with their investment in the UTA public transit system, in general. Beth Holbrook suggested that councilmembers refer to the open data portal at www.rideuta.com for specific facts and up to date statistics. She thanked the City Council for allowing her to give her presentation and offered to assist with future Plain City transportation planning.

Presentation: Sheriff – UTV/ATV Information

Sgt. Lavelly identified obstacles that will be encountered in creating legal provisions for off-road vehicle use on Plain City streets. He noted that City ordinances will not override State OHV restrictions. He pointed out areas where State Route 134 intersects City roads. He remarked on packages of aftermarket equipment that are available to make UTV/ATVs street-legal. He spoke of State code that allows Cities to designate OHV routes over city-owned roads. He described operator licensing stipulations, ordered in nearby districts. He highlighted the difference between a regularly licensed driver and one that only possesses an OHV operator certificate. He made mention of traffic problems on Sate Route 134, near Fremont High School. He related experience with unlawful off-road vehicle operators that avoid law enforcement stops by bolting over rough terrain. He reviewed State law on street-legal UTV/ATV use. He touched on the severity of accidents involving off-road vehicles. He reviewed Huntsville's town ordinance for UTV/ATV controls. He commented on reports of increased noise pollution due to off-road vehicles on neighborhood streets. He defined all-terrain vehicle types, as designated by the State of Utah, and presented off-highway vehicle standards. He suggested that State statutes for vehicle safety standards, operation limits and licensing requirements are adequate. Councilmember Allen commented on insurance coverage and liabilities associated with OHV ownership and operation. Councilmember Skeen gave details on current Filmore City OHV regulations. He explained that he supports facilitating ATV/UTV – not dirt bike - use on Plain City roads. He remarked on the elimination of a State safety inspection requirement for registration od street-legal vehicles. He speculated that OHV ridership (on paved roads) would be moderate in Plain City. He weighed services provided by Weber County with collected ATV registration fees. Councilmember Allen voiced apprehension over age and

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licensing dynamics. He clarified Weber County Sheriff's Office accident reporting practices; specifically, in cases involving ATV/UTVs. Councilmember Weston advised that City regulations be put in place. He noted that illegal operation of ATV/UTVs is somewhat routine on Plain City roadways. Mayor Beesley proposed restricting use of two-stroke motorized vehicles, raising noise pollution concerns. Councilmember Weston recommended that Councilmember Skeen evaluate the information presented by Sgt. Lavelly and draft regulations relevant to local conditions, for Council review.

Discussion/Motion: Set Public Hearing for Sherry Barker Annexation

Councilmember Allen moved to Set Public Hearing for Sherry Barker Annexation, February 20, 2020.

Councilmember Weston seconded the motion. Councilmembers Allen, Beal, Sadler, Weston and Skeen voted aye. The motion carried.

Discussion/Motion: Appointment of Planning Commission Member

Mayor Beesley reported vacancy of two Planning Commission seats. He indicated that Commissioner Dustin Skeen will be moved from the alternate position to a regular commission seat and that Blake Jenkins will be appointed to a permanent seat, as well. He acknowledged that the alternate position is open to applicants at this time. Councilmember Allen commented supportively on Blake Jenkins' resume and asked about his Spanish language skills. Blake Jenkins informed that he served a religious mission in Colombia. **Councilmember Sadler moved to Appoint Dustin Skeen and Blake Jenkins to the Plain City Planning Commission, with full status. Councilmember Weston seconded the motion. Councilmembers Allen, Beal, Sadler, Weston and Skeen voted aye. The motion carried.**

Discussion: Annexation of Island of Unincorporated Weber County on Plain City's East Side

Mayor Beesley specified the location of unincorporated parcels to be considered for annexation. City Attorney, Brandon Richards referred to discussions on annexation process, in recent past. He reviewed annexation petition procedures. He noted that there is a way for a city to annex land without obtaining a petition and explained that the formula for this type of annexation would be applicable in this case. He described conditions that would justify the annexation of property without a petition. He outlined options for qualifying islands and peninsulas of unincorporated land for conscripted annexation. He gave a brief explanation of the evolution of State law on annexation. He asserted that the proposal meets terms necessary for overriding objections to annexation of the specified parcels. Mayor Beesley asked if further discussion on the Annexation of Island of Unincorporated Weber County on Plain City's East Side can take place in a closed meeting. Brandon Richards agreed to delve into the notion and report back. He stated that a resolution for the proposed annexation must be ratified with a public meeting on the matter to be held 31 days after the its adoption. Public noticing requirements were contemplated. Councilmember Sadler expressed favor with annexing unincorporated areas within Plain City boundaries. City Engineer, Paul Taylor commented on technical aspects and engineering concerns related to the annexation process. Councilmember Allen inquired why the annexation of east side property would be perused, despite potential opposition by land owners. Mayor Beesley explained that development of Plain City property that borders the Weber County islands is excessively difficult because of zoning conflicts, street dedication issues, and utility variances. Councilmember Allen stated opinion that the forced annexation would represent a questionable overreach of government, while acknowledging the soundness of its intended consequence. Representing the Christensen family, Shad Christensen explained that his family is not opposed to their land being part of Plain City, but annexation should be mutually beneficial. He contended that involuntary annexation of their property will result in ardent resistance to future plans for the area, if not markedly advantageous to the family. He echoed Councilmember Allen's assertion of a questionable government overreach. Councilmember Allen suggested that the Council work on an amicable agreement with the Christensen family and other owners of unincorporated land that is part of the proposed annexation. Councilmember Skeen agreed with the advised negotiation. Councilmember Beal asked if passage of a resolution will outrightly authorize annexation of the unincorporated islands and peninsulas or just initiate the process. Brandon Richards revisited the practical timeline and requirements of the annexation process. He noted that the City Council can allow a reasonable time period for negotiation between adoption of the resolution and final approval of the annexation.

Discussion/Motion: Ordinance - Establishing Time and Plan for City Meetings

Councilmember Sadler moved to approve Ordinance 2020-02, as written. Councilmember Skeen seconded the motion. Councilmembers Allen, Beal, Sadler, Weston and Skeen voted aye. The motion carried.

Discussion/Motion: Garbage Can Policy

Mayor Beesley reviewed Plain City's current Garbage Can Policy and fee schedule. Councilmember Beal verified that the \$8.50 charge to residents for trash service covers tipping fees at the transfer station. Mayor Beesley further detailed extra

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or “second” garbage can policies, giving emphasis to a 6-month minimum possession requirement. He submitted that second can distribution can be minimized through appropriate utilization of the Plain City landfill; available to residents, free of charge. He commented on receptacle replacement and repair practices. Councilmember Weston reviewed fee formulations for original garbage can distribution. He weighed second can return options. Councilmember Allen voiced concern over garbage can ownership paradoxes. He stated that maintenance responsibilities associated with receptacles that are technically owned by residents, should be carried by the owner – not by the City. He argued that home owners buy a physical garbage can when they pay for their building permit. He suggested that an installment-type lease fee be charged instead of a fixed (upfront) garbage can fee. He noted that the same arrangement will work in second can scenarios. Councilmember Weston outlined a potential billing structure for the proposed lease fee plan. He discouraged charging residents that have already paid for their trash receptacle a lease fee for the same can, going forward. Councilmember Sadler contemplated keeping the upfront garbage can fee and adding a lease fee program for extra cans. Mayor Beesley commented on changes that would need to be made to billing/collections, provided by Bona Vista. Councilmember Skeen proposed keeping the \$100.00 fee for original cans and charging an added flat fee for extra cans; \$100 per new can and \$50.00 for a used can. Councilmember Weston put forward; if a resident wants a second can, they should be sold a new can. He remarked on the lease program Econo Waste uses for recycling containers. Councilmember Beal related personal experience with trash programs offered by other municipalities in which she’s lived. She indicated that second can policies in those cities did not allow cancellations and returns after the additional cans were delivered.

Councilmember Sadler moved to table Discussion/Motion: Garbage Can Policy and order a moratorium on second can orders until further notice. Councilmember Weston seconded the motion. Councilmembers Allen, Beal, Sadler, Weston and Skeen voted aye. The motion carried.

Motion: Approval of Business Licenses

New

C&J Construction	Cortney Smith	3547 W 2350 N	construct, excavate, landscaping
Jason Cantonwine Repairs	Jason Cantonwine	2726 N 4350 W	roofers helper
K&K Rain Gutters	Nicholas Shane Cota	2530 N 4175 W	remove & replace rain gutters

Renewals

C&B Auto Repair	Curt Knight	2166 N 4500 W	auto repair
Randy Marriott Construction	Randy Marriott	4960 W 2200 N	construction & maintenance
Maverik Inc #461	Maverik Inc	4098 W 1975 N	c-store, beer license
Real Estate Connection	Ruth Mary Hansen	3438 W Larkspur Ln	real estate
Reading Express Preschool, LLC	Amber Dunn	2385 M 3575 W	preschool
Tara’s Tot Stop Preschool	Tara Savage	2067 N 2850 W	preschool
Brain Builders Preschool	Jen Ortgiessen	3820 W 1975 N	preschool
Talia Dodd, LMT	Talia Dodd	3108 W NPC Rd	massage therapy
New Heights Chiropractic	Zachary King	2412 N 3600 W	chiropractic services
RLK Electric, Inc	Richard Kester	1617 N 4650 W	home office
Clarke Restaurants Unlimited	Glen Clarke	3639 W 2600 N	pizza shop
Precision Lighting	Kaleb Wayment	3535 W NPC Rd	install custom Christmas lights
Plain City Confectionary	Randy Marriott	2398 N 4350 W	bar, beer license

Solicitor

Best Satellite Systems	LaVell Chadburn	798 Liberty Ave	satellite TV & internet
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Councilmember Sadler questioned the practice of charging a uniform fee for all commercial business licenses when some enterprises preempt or extract greater resources from public services than do others. City Recorder, Diane Hirschi commented on a business license fee study. She asserted that the study is necessary if the fee schedule is to be modified. Mayor Beesley requested that the matter be put on the agenda for the next City Council meeting. **Councilmember Sadler moved to approve the business licenses as presented. Councilmember Weston seconded the motion. Councilmembers Allen, Beal, Sadler, Weston and Skeen voted aye. The motion carried.**

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Motion: Approval of Warrant Register

See warrant register dated from 1/16/2020 to 1/31/2020. **Councilmember Sadler moved to approve the warrant register as presented. Councilmember Allen seconded the motion. Councilmembers Allen, Beal, Sadler, Weston and Skeen voted aye. The motion carried.**

Report from City Council

Councilmember Allen commented on landscaping requirements that have not been completed by developers of Kelly's Corner, per the development agreement. He suggested that a representative be invited to City Council meeting to explain the delay and provide a completion schedule. Mayor Beesley requested that the presentation be put on the agenda for the next City Council meeting. Councilmember Allen spoke about a possible closed meeting for an unrelated matter.

Councilmember Beal condone further discussion on garbage can policies.

Councilmember Sadler reported receipt of emails regarding Plain City internet service provisions. He recommended commencing a public survey on the topic, as soon as possible. He encouraged advancement toward a new residential sewer billing structure. He expressed endorsement of a proposed budget development retreat.

Councilmember Weston stated that a review of neighboring city internet arrangements is advisable.

Councilmember Skeen offered up kudos to the Public Works Department for their timely handling of a reported garbage can problem at a City park.

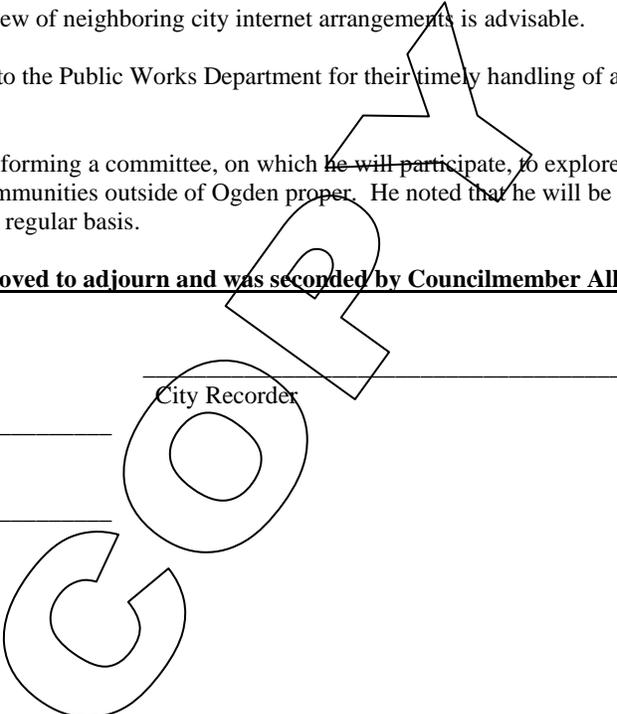
Mayor Beesley reported that WACOG is forming a committee, on which he will participate, to explore ways of expanding low-to-moderate income housing into communities outside of Ogden proper. He noted that he will be updating the Council on the committee's findings on a regular basis.

At 9:04 p.m. Councilmember Sadler moved to adjourn and was seconded by Councilmember Allen. The vote was unanimous.

City Recorder

Mayor

Date approved



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The City Council of Plain City convened in a regular meeting on Thursday, February 20, 2020, in the Plain City Hall beginning at 7:00 p.m.

Present: Mayor Jon Beesley, Councilmembers Chad Allen, Rachael Beal, Buddy Sadler, Don Weston and Todd Skeen
Staff: Diane Hirschi, Dan Schuler, Mike Kerswell, Brandon Richards
Also in attendance: Lisa Cox, Carol Jean and Jim Beesley, Rachel Rowley, Ryan Gimble, Ryan Gimble, Sherry Barker, Marlie Hansen, DeEtt Skeen, Rob Ortega, Matt Dixon, Paul Taylor

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

Approval of Minutes from February 6, 2020

Councilmember Allen moved to approve the minutes from the City Council meetings of February 6, 2020 as presented. Councilmember Sadler seconded the motion. Councilmembers Allen, Beal, Sadler, Weston and Skeen voted aye. The motion carried.

Comments: Public

Rob Ortega compared garbage service to all other utility services, provided by the City. He suggested that the contract for garbage can possession should be similar to sewer connection arrangements. Home owners understand that the sewer connection apparatus will remain as part of the public system if the house is ever vacated, even though it was initially paid for by the resident. He commented on second trash container policies, supporting an added nominal fee for extra can orders. He remarked on adverse behavioral issues that might be improved with a more burdensome second can policy.

Report from Youth Council

Rachel Rowley reported on the Veterans Recognition Dinner, held on February 11th. She indicated that a tribute video, produced by the Youth Council, was presented at the dinner and will be screened again during the Founders Day celebration. She announced that the next Youth Council meeting will be held March 17, 2020. Mayor Beesley noted; military veterans that did not participate in the earlier event are invited to provide pictures and stories for display at the Founders Day celebration.

Report from Planning Commission

Commissioner Blake Jenkins explained; two main points were discussed at the February 13th Planning Commission meeting: Setting a Public Hearing date for a Mixed-Use Overlay Zone request; and Review the site plan for a proposed woodshop in the Roylies building. He described the planned Mixed-Use development and detailed its location. He commented on safety concerns raised, due to the proximity of an existing preschool to the proposed woodshop. He stated that the matter was tabled, pending further review by the Fire Marshal and Building Inspector. He reported that Public Hearing for the Mixed-Use Overlay was set for April 12, 2020.

Public Hearing: Sherry Barker Annexation – 3224 W 2200 N – RE-20

Councilmember Sadler moved to go into a Public Hearing for Sherry Barker Annexation. Councilmember Allen seconded the motion. Councilmembers Allen, Beal, Sadler, Weston and Skeen voted aye. The motion carried. There were no comments from the public. **Councilmember Allen moved to go out of the public hearing and into the regular meeting. Councilmember Sadler seconded the motion. Councilmembers Allen, Beal, Sadler, Weston and Skeen moved aye. The motion carried.**

No comment from the public was presented.

Discussion/Motion: Ordinance – Sherry Barker Annexation – 3224 W 2200 N – RE-20

Councilmember Sadler verified that the property is currently zoned (Weber County) A-1. Councilmember Allen asserted that any annexed property shall become part of Plain City with the zoning classification assigned by the previous jurisdiction. Mayor Beesley indicated that the annexation petition specifies a revised zoning classification (RE-20). He commented on code related to zoning requirements in annexation cases. He acknowledged that the Public Hearing was on the simple annexation of Sherry Barker's land without consideration of amended zoning. City Attorney, Brandon Richards stated that the annexation can be approved at this meeting; the zoning amendment must be processed separately. Noticing stipulations were discussed. Councilmember Beal advised that the established zoning amendment process should

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be followed. Councilmember Weston proposed allowing the annexation with revised zoning, as presented, without further demand. **Councilmember Sadler moved to approve Ordinance 2020-03, Sherry Barker Annexation – 3224 W 2200 N, with A-1 Zoning. Councilmember Allen seconded the motion. Councilmembers Allen, Beal, Sadler, Weston and Skeen voted aye. The motion carried.** City Engineer, Paul Taylor voiced opinion that a policy to annex land into Plain City with zoning as specified in the General Plan/Future Land Use Map (if zoning is identified) would be prudent. Councilmember Sadler indicated that a policy to annex land into Plain City with commercial zoning, if specified in the General Plan/Future Land Use Map is not advisable. He agreed with Paul Taylor's assessment, otherwise. He remarked on the capacity of a developer agreement before annexed land is assigned commercial zoning.

Discussion/Motion: Ordinance allowing Residential Overlay Zone for Heritage North (Andrea Folkman Prop) – 4000 W 2800 N

Mayor Beesley described the location and scope of the proposed Heritage North development. He noted that the project has been reviewed by the Planning Commission. He identified aspects of the development that he finds appealing. He identified aspects that he does not like, including departure from the Future Land Use Map. He informed that the developer has backed a proposal to record a three-acre lot on the plat, such that it shall never be open to further subdividing. He provided details on overall maximum density restrictions and adjoining property access points. Councilmember Allen asked for the Planning Commission assessment of the proposal. Councilmember Sadler reported that the Planning Commission recommended disapproval of the Residential Overlay Zone for this development. He explained that the ultimate decision rests with the City Council, as this item is a legislative matter. He outlined areas of concern found in the original plat schematic, assuring, with recent modifications, the plan is acceptable. He stated that this application for the Residential Overlay Zone was received prior to the latest update to the ordinance, thus subject to the version of the code in place when the petition was filed. Mayor Beesley indicated that the current proposal wholly complies with (City Code) 10-20-3, B. Legal means for ensuring preservation of the three-acre parcel were discussed. **Councilmember Allen moved to approve Ordinance 2020-04, allowing Residential Overlay Zone for Heritage North (Andrea Folkman Property) – 4000 W 2800 N, with condition that a three-acre parcel be permanently preserved as a single residential lot. Councilmember Weston seconded the motion. Councilmembers Allen, Beal, Sadler, Weston and Skeen voted aye. The motion carried.**

Discussion/Motion: Waive Senior Center Rental Fee for Town Hall Meeting with Jeff Burningham – March 3
Mayor Beesley informed that Jeff Burningham is a 2020 Utah gubernatorial candidate. **Councilmember Weston moved to Waive Senior Center Rental Fee for Town Hall Meeting with Jeff Burningham. Councilmember Sadler seconded the motion. Councilmembers Allen, Beal, Sadler, Weston and Skeen voted aye. The motion carried.**

Discussion/Motion: Resolution – Moratorium on Overlay Zones and Cluster Ordinances

Mayor Beesley commented on endeavors by staff and City officials to align Overlay Zone ordinances and the Cluster Subdivision ordinance with projected Plain City development plans. He suggested that the revised terms do not adequately regulate aspects of concern and confuses authoritative roles of the Planning Commission and City Council. He proposed a 90-day moratorium on Overlay Zone and Cluster Subdivision application acceptance while corrections are devised and adopted. He indicated that assistance will be provided by a professional. Councilmember Sadler asserted that a moratorium is not necessary. He explained that while revisions are being formally deliberated, new applications can be held to stipulations ratified in the new version of the code. Brandon Richards reported complications that have resulted in the past, related to acceptance of applications while pertinent ordinances are in the process of being modified. He emphasized the importance of a definitive action (such as enactment of a moratorium) to mark the shift to an amended ordinance. Moratorium extensions were discussed. The executing a moratorium on Overlay Zones and Cluster Ordinances was regarded with apprehension, by Councilmember Sadler. He submitted that the City Council can competently revise the text without delays. Mayor Beesley gave an example of a process change he would like stipulated in the new Overlay ordinances. Paul Taylor verified that active projects with an approved Overlay will not be hindered by the moratorium. **Councilmember Allen moved to approve a Moratorium on the acceptance of Overlay Zone and Cluster Subdivision applications. Councilmember Skeen seconded the motion. Councilmembers Allen and Skeen voted aye. Councilmembers Beal, Sadler and Weston voted nay. The motion did not pass.**

Discussion/Motion – Request for Proposal – Engineering Services

Mayor Beesley indicated that the City Engineer contract with J-U-B Engineers expired on February 1, 2020. Councilmember Allen referred to printed material, distributed to the Council prior to the meeting, noting; a closing date for the anticipated acceptance of bids has not been identified. Councilmember Sadler recommended that the RFP be open for three weeks. Mayor Beesley suggested making that detail part of a motion. **Councilmember Allen moved to submit**

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a Request for Proposal (RFP) for Engineering Services, to remain open for three weeks. Councilmember Weston seconded the motion. Councilmembers Allen, Beal, Sadler, Weston and Skeen voted aye. The motion carried.

Discussion/Motion – Approval of Business License Fee Study – Zions Bank

Councilmember Sadler questioned the established practice of charging the same fee for all commercial business licenses. He asserted that some enterprises preempt or extract greater resources from public services than do others. He stated support of the proposed Business License Fee Study. Councilmember Allen remarked on recouping the cost of the Business License Fee Study. **Councilmember Sadler moved to Approve a Business License Fee Study by Zions Bank. Councilmember Beal seconded the motion. Councilmembers Allen, Beal, Sadler, Weston and Skeen voted aye. The motion carried.**

Discussion/Motion: Garbage Can Policy

Councilmember Allen proposed incorporating a green waste can April 15 – October 15. The green waste can could be exchanged for a regular waste container in winter months. He affirmed that the green waste can would not replace the standard recycling container. He spoke of enhanced utilization of the City Landfill. Councilmember Sadler commented on the Plain City recycling program. He informed that the program was originated with an “opt out” provision that is not commonly understood by the community. He endorsed a study to determine what an added green waste program would cost. Mayor Beesley summarized the Council’s discussion at a work meeting on the Garbage Can Policy, held prior to this meeting. He outlined the proposed, amended Garbage Can Policy; including a charge of \$100 for extra cans (per can) and warranty coverage of damage to cans, five years old or newer. He explained that the policy adjustment is intended to correct a budget gap. Councilmember Allen commented on the Public Works Department’s commitment to repair broken cans when sensible. **Councilmember Allen moved to Approve the updated Garbage Can Policy. Councilmember Skeen seconded the motion. Councilmembers Allen, Beal, Sadler, Weston and Skeen voted aye. The motion carried.**

Discussion/Motion: Set Public Hearing for FY2020 Budget Adjustment – March 5

Councilmember Sadler moved to Set Public Hearing for the FY2020 Budget Adjustment - March 5, 2020. Councilmember Allen seconded the motion. Councilmembers Allen, Beal, Sadler, Weston and Skeen voted aye. The motion carried.

Discussion/Motion: Contract for Consultant Services – Matt Dixon

Mayor Beesley stated that a printed copy of the pending contract, distributed to the Council as the meeting began, describes Matt Dixon’s proposed function in the context of city administration. He noted that Mr. Dixon is the City Manager of South Ogden, presently. Councilmember Sadler indicated that he would like additional time to review the contract. He invited Mr. Dixon to speak about the proposal. Mayor Beesley commented on free advice and assistance that he has received from Mr. Dixon, over past months. Mr. Dixon, a Plain City resident, spoke of his appreciation for City leadership and the community in general. He indicated that Mayor Beesley approached him with a request for his sustained service as a contracted professional. He explained particulars of the contract. He recounted his years of experience in local government administration. Councilmember Allen voiced gratitude for services provided by Mr. Dixon. He conveyed respect for Mr. Dixon’s abilities and insight. Councilmember Allen stated opinion that the contract is an attempt to circumvent the preferable employment of a full-time City Manager/Administrator. Mayor Beesley explained that the contract arrangement will help in determining how essential the position is to daily management of the City. He acknowledged that a measure of professional direction needed. Councilmember Beal proposed opening the position for bids from other consultants. Mayor Beesley maintained that he has the authority to hire Mr. Dixon as a part-time employee, as per current personnel policy. Councilmember Allen asked why the matter has been brought before the Council if employment of Mr. Dixon can be ordered by the Mayor. Mayor Beesley explained that the Council’s approval is required because the City will be entering into a contract for professional services. Mr. Dixon briefed on State instituted procurement procedures for municipalities. He indicated that the State does not require the same bidding process for certain types of professional services as for procurement of other contractors. He divulged his inclination that the contract be reviewed by the Council. Councilmember Sadler asserted that the Council can elect to consider bids from other consultants. **Councilmember Sadler moved to table Discussion/Motion: Contract for Consultant Services – Matt Dixon. Until the next City Council meeting. Councilmember Allen seconded the motion. Councilmembers Allen, Beal, Sadler, Weston and Skeen voted aye. The motion carried.**

Motion: Approval of Business Licenses

There were none.

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Motion: Approval of Warrant Register

See warrant register dated 02/01/2020 to 02/19/2020. **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.**

Report from City Council

Councilmember Allen reported that information gathered from the Weber County Sheriff's Office quarterly meeting projects a rate increase (for city contracts) and an enlargement of staff.

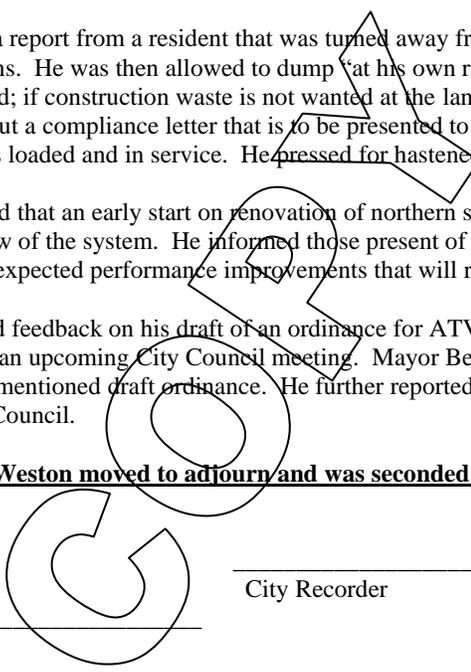
Councilmember Beal referenced a survey on Plain City internet service and requested details on its release to the public. Mayor Beesley mentioned some concerns with the method used by the survey publisher.

Councilmember Sadler relayed a report from a resident that was turned away from the construction waste area of the landfill, due to pit safety concerns. He was then allowed to dump "at his own risk". He questioned the actions of landfill operators in this case and advised; if construction waste is not wanted at the landfill, the restriction should be posted. He reminded Brandon Richards about a compliance letter that is to be presented to the developers of Kelly's Corner. He reported that the new firetruck is loaded and in service. He pressed for hastened planning of a budget organization retreat.

Councilmember Weston affirmed that an early start on renovation of northern sewer ponds is now priority one. He reported a scheduled State review of the system. He informed those present of elements of the lagoons that will be overhauled. He commented on expected performance improvements that will result from the effort.

Councilmember Skeen requested feedback on his draft of an ordinance for ATV use on Plain City roads. He proposed that the matter be discussed again at an upcoming City Council meeting. Mayor Beesley advised that a work meeting be scheduled for refinement of the mentioned draft ordinance. He further reported on the Veterans Recognition Dinner, hosted by the Plain City Youth Council.

At 8:32 p.m. Councilmember Weston moved to adjourn and was seconded by Councilmember Sadler. The vote was unanimous.



City Recorder

Mayor

Date approved