

PLAIN CITY COUNCIL  
MINUTES OF REGULAR MEETING  
JANUARY 7, 2021

The City Council of Plain City convened in a regular meeting at City Hall on Thursday, January 7, 2021, public was also accessible via ZOOM beginning at 7:00 p.m.

Present: Mayor Jon Beesley, Councilmembers Chad Allen, Don Weston and Todd Skeen  
Attendance Via Zoom: Councilmembers Rachael Beal  
Excused: Councilmember Buddy Sadler  
Staff Present: Diane Hirschi, Dan Schuler, Ryan Child, Chuck Palmer  
Attendance via Zoom: Jim Beesley, Carol Jean Beesley, Brandon Richards, Rob Ortega, Mike Kerswell, Lisa Cox, Adams Family

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

Approval of Minutes from December 17, 2020

**Councilmember Allen moved to approve the minutes from the regular meeting of the City Council on December 17, 2020 as presented. Councilmember Beal seconded the motion. Councilmembers Allen, Beal, Weston and Skeen voted aye. The motion carried.**

Comments: Public

None presented.

Report from Planning Commission

Planning Commissioner, Rob Ortega reported that the Commission recommended approval of a Zoning Amendment (A1 to RE-18.5) requested by Richard Skeen for his property near 3600 W 2200 N. He recapped a discussion on Penalties for Violation of Subdivision Completion Time Limits. He reported that an application for the Hilary Home Daycare at Kelly's Corner Site Plan was reviewed. He indicated that discussion/motion on the Palmer Heritage subdivision was tabled, as was discussion/motion on the Taylor Parks Three subdivision.

Discussion/Motion: Presentation of the FY2020 Independent Audit Report

Managing Officer at Christensen, Palmer & Ambrose, Chuck Palmer thanked the Council for hiring his firm to do the FY2020 Independent Audit for Plain City Corporation. He referred to a printed copy of the report, distributed to Councilmembers prior to the meeting. He noted that the report is an unqualified opinion – the financial statements in the summary are materially correct. He briefly reviewed a comparison between the FY2019 Audit Report and the FY2020 Audit Report. He outlined various balance sheets. He explained statuses on the comprehensive income statement. He reviewed fund statements. Councilmember Allen commented on a bond for sewer system expansion and queried if paying off the balance would be preferable to continuation of equal payments, spread over the agreed period of time. Chuck Palmer remarked on interest conditions associated with the note. Councilmember Beal reasoned that resulting interest savings give good reason for paying the bond in full, as soon as possible. Chuck Palmer stated that he will check to see if there are restrictions on early payoff. City Treasurer, Ryan Child advised that there are large capital expenditures, currently budgeted in the Sewer Fund. Chuck Palmer informed that further details on items covered in the Audit can be found in the *Notes* section of the Report. He commented on actual General Fund budget numbers and internal controls. He verified that the City's stated financial information is in accordance with specified accounting standards. Councilmember Weston remarked on the loan for sewer system expansion. He calculated interest savings that would result from paying off a large portion of the principal. Mayor Beesley indicated that the proposed bond payment should be considered when other, foreseen Enterprise Account expenditures are discussed. He applauded measures taken by City staff to use resources carefully, in order to avoid waste and avert budget deficits. Councilmember Allen contemplated reallocating Capital Projects monies to pay down the mentioned debt. **Councilmember Weston moved to accept the FY2020 Independent Audit Report. Councilmember Skeen seconded the motion. Councilmembers Allen, Beal, Weston and Skeen voted aye. The motion carried.**

Discussion/Motion: Denial of the West Annexation Petition

Mayor Beesley instructed; Denial of the West Annexation petition must occur because enough land owners or residents in the proposed annexation area protested the annexation. He requested that the Council formally deny the West Annexation Petition, affirming that engineering, mapping and other aspects of the proposal can be kept and reused in the future, should interest in the matter be renewed. City Attorney, Brandon Richards reviewed the annexation petition process. He indicated that when protests to the West Annexation Petition were received, Weber County deemed islands in the annexation area stemming from a potential Boundary Commission resolution, unacceptable. He stated that denying the present petition will allow the City to draw up a new annexation proposal that does not include parcels owned by objecting parties. He commented on time constraints and financial liability associated with appointing a Boundary Commission. Councilmember Beal remarked on the County's disapproval of

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annexation plans that leave "orphan" islands of unincorporated territory. Councilmember Allen called into question the formal protests that were abruptly filed, so late into the process. He asked if damages might be sought from those objectors. Brandon Richards acknowledged that opposition to the proposed annexation was unexpected and raised at a late stage in proceedings. He indicated that he can explore legal means to recover some of the expenses incurred due to protest deferment. Councilmember Skeen advised that Wayne Andriotti and Scott Wayment should be notified of the denial of the petition. Mayor Beesley confirmed that Mr. Andriotti and Mr. Wayment have been notified of the intended action. Councilmember Allen spoke of the work done by Mr. Andriotti and Mr. Wayment in an attempt to achieve the West Annexation. **Councilmember Allen moved to deny the West Annexation Petition. Councilmember Beal seconded the motion. Councilmembers Allen, Beal and Skeen voted aye. Councilmember Weston voted nay. The motion carried.**

Discussion/Motion: Ordinance – Set Time and Place for City Meeting Schedule

Mayor Beesley suggested that the schedule for City meetings should remain the same – City Council meeting to be held the first and third Thursday of every month, at 7:00 pm. Councilmember Beal indicated that her husband is out of town Thursday nights, which complicates her personal schedule, but did not want the calendar to change if other Councilmembers prefer the standing Time and Place. **Councilmember Weston moved to approve Ordinance 2021-01 setting time and place for City meeting schedules (City Council Meeting, 1<sup>st</sup> and 3<sup>rd</sup> Thursdays – 7:00 p.m. in Council Chambers at Plain City Hall. Planning Commission Meeting, 2<sup>nd</sup> and 4<sup>th</sup> Thursdays – 7:00 p.m. in Council Chambers at Plain City Hall) Councilmember Beal seconded the motion. Councilmembers Allen, Beal, Weston and Skeen voted aye. The motion carried.**

Motion: Approval of Business Licenses

New

Wasatch Peaks Credit Union	Wasatch Peaks	3631 W 2600 N	credit union
Wyatt Technologies LLC	Nicholas Cota	2806 W 1800 N	assembly of small cables
CLS Creative	Cheri Sparks	1947 N 3450 W	accounting/craft projects
Joshua A Reeves	Joshua Reeves	2428 N 5100 W	buy & sell, cleaning, odd jobs

Renewals

JDR Home Inspections LLC	Dee & Sue Rose	1802 N 4475 W	construction loan inspections
Jack's Garage	Greg Warg	2417 N 4425 W	restore cars
Cody Rhees Construction Inc	Cody Rhees	2414 N 4350 W B2	general contractor
Artistic Custom Badges & Coins LLC	Louanne Daz	2063 N 5100 W	promotional products
A Lyn Events	Angela Child	2414 N 4350 W	planning/hosting events
Mac Renovations	Shane McFarland	2941 N 3550 W	general contractor
Boca Motors LLC	Angel Valquinto	2414 N 4350 W #A	used car dealership
RJ Analytical LLC	Rich Mickelsen	4364 W 2575 N	microbiological testing
Real Estate Connection	Ruth Mary Hansen	3438 W Larkspur Lane	real estate sales
RZR Utah	Cory King	3461 W Bridlewood Ct	online RZR items
Next Level Fundraising	Brody Flint	3230 W 1975 N	fundraising cards
Marguerite	Marguerite Smoot	1415 N 4250 W	seamstress
K & K Rain Gutters	Nicholas Cota	2530 N 4175 W	remove & replace gutter
Wilson Quality Cleaning Inc	Tami Wilson	2153 N 3700 W	cleaning business
Mount Zerín Consulting LLC	Justin Cowley	3257 W 2975 N	business management
Wasatch Heavy Haul LLC	Dillon Fowler	3155 N 3450 W	office for dump truck
Blossoming Medium	Krystal Parry	3115 N Stillcreek Prkwy	medium reading/reiki energy

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

Motion: Approval of Warrant Register

See warrant register dated 12/17/2020 to 12/31/2020. **Councilmember Weston moved to approve and pay the bills except JUB as presented. Councilmember Allen seconded the motion. Councilmembers Allen, Beal, Weston and Skeen voted aye. The motion carried.**

Report from City Council

Councilmember Beal commented on a recent surge of parking ordinance violations. She reminded residents of winter parking restrictions and appealed for conscientious compliance.

Councilmember Skeen spoke about diligent efforts by the Public Works Department to keep Plain City roads clear of ice and snow.

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Councilmember Allen reported that he's been asked by neighbors about snow plow dispatch policies. Public Works Director, Dan Schuler indicated that he manages the snow removal schedule for Plain City. He stated that he utilizes the Utah Department of Transportation (UDOT) camera system to gauge accumulation. He noted that Department personnel keep watch when snow is forecast. Councilmember Allen sought clarification on EconoWaste's rules for curb-side garbage can placement/spacing. Mayor Beesley stated; containers must be placed at least 6 feet away from other cans, light posts, mailboxes, fences, etc. Dan Schuler informed that residents that live on a cul-de-sac place their cans away from the curb – near the center of the circle.

Councilmember Weston commented on Bona Vista's new billing application. He asserted that JUB Engineers, Inc. has not returned record books borrowed when City sewer system upgrades were analyzed by the company. He maintained that payment of JUB invoices should be withheld until the historical records are given back. He remarked on plans for a structure to house the sewer aeration compressor. He requested that discussion on the building be scheduled for the next City Council meeting.

Mayor Beesley indicated that he will look into early payoff options for the 5100 W sewer line bond. He wished all a happy new year.

**At 8:01 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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The City Council of Plain City convened in a regular meeting at City Hall on Thursday, January 21, 2021, public was also accessible via ZOOM beginning at 7:00 p.m.

Present: Mayor Jon Beesley, Councilmembers Buddy Sadler, Don Weston and Todd Skeen  
Attendance Via Zoom: Councilmembers Chad Allen and Rachael Beal  
Staff Present: Diane Hirschi, Dan Schuler, Ryan Child  
Attendance via Zoom: Jim Beesley, Brandon Richards, Rob Ortega, Mike Kerswell, Adams Family, Lisa Cox

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

Approval of Minutes from January 7, 2021

**Councilmember Skeen moved to approve the minutes from the regular meeting of the City Council on January 7, 2021 as presented. Councilmember Weston seconded the motion. Councilmembers Allen, Beal, Sadler, Weston and Skeen voted aye.** Councilmember Sadler noted that he was not at that meeting. **The motion carried.**

Comments: Public  
None presented.

Report from Planning Commission

Planning Commissioner, Rob Ortega reported that public hearings were set for Zoning Amendments – Richard Skeen property, approximately 3600 W 2200 N, Parcel “B” (A1 to RE-18.5) and Scott Wayment Property, approximately 5000 W 1500 N (A1 to RE-18.5). He indicated that cul-de-sac standards and ordinances were reviewed. He reported that Preliminary Subdivision – Palmer Heritage, approximately 3975 W 2600 N was approved. He stated that the Taylor Parks Three Preliminary Subdivision, approximately 3850 W 2200 N was approved.

Discussion/Motion: Sewer Bond Payoff

City Treasurer, Ryan Child reviewed his analysis of the original bond. He indicated that he has not checked to see if there is an early payoff penalty. He recommended capital outlay figures be verified, as there is not much of an allowable margin of variation in the Sewer Fund. Mayor Beesley commented on available money in the Capital Projects Fund. Councilmember Sadler stated that he would be more comfortable with the proposed payoff if bids for the sewer system headworks and land application upgrades were firmed up. Councilmember Weston remarked on upcoming projects that have not been fully priced out. Councilmember Beal contemplated alternative means of expediting the payoff without risk of seriously depleting budget funds. Councilmember Sadler suggested that there may be a way to “re-bond” at a lower interest rate. Councilmember Allen pointed out that initial plans were to use Capital Projects funds to pay down the sewer bond. **Councilmember Sadler moved to table Discussion/Motion: Sewer Bond Payoff. Councilmember Weston seconded the motion. Councilmembers Allen, Beal, Sadler, Weston and Skeen voted aye. The motion carried.**

Discussion/Motion: Approval of Sewer De-Chlorination Building

Mayor Beesley described the size and intended use of the proposed structure. He affirmed that the building has been approved by the state as part of sewer system upgrade plans. He noted that estimates have been charted for varying types of construction methods and materials. Councilmember Weston compared the proposal being considered to earlier cost projections for the building. He indicated that the new plan will cost substantially less than the original. Public Works Director, Dan Schuler explained that the building footprint has been downsized. He listed additional, minor changes that are exhibited in the proposal. Mayor Beesley stated that many revised details for the Sewer De-Chlorination Building have not been straightforwardly presented to the Council for review. Councilmember Sadler asserted that the drawings and documents used for bidding purposes should be made available to the City Council. Mayor Beesley noted that details for a recessed catch basin in the floor of the proposed building are not provided with the plans. Dan Schuler displayed a copy of the drawings and documents used for bidding purposes to Councilmember Weston. He agreed to present the Council’s comments to the contractor and supply the requested information to the councilmembers, prior to their next meeting. **Councilmember Weston moved to table Discussion/Motion: Approval of Sewer De-Chlorination Building. Councilmember Skeen seconded the motion. Councilmembers Allen, Beal, Sadler, Weston and Skeen voted aye. The motion carried.**

Discussion/Motion: Purchase of Two Chopper Sewer Pumps for Lift Station 16

Mayor Beesley remarked on problems associated with the pumps at Lift Station 16 and how the installation of Chopper Pumps would improve operations at that location. Dan Schuler commented on the frequency of emergency maintenance events at Lift Station 16 over recent months. He confirmed that the new Chopper Pumps will be more powerful (7.5-horsepower vs 5-horsepower) and prevent clogging with the ability of chopping all incoming solids prior to pumping. Councilmember Weston

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spoke of enhanced efficiency that will result from more powerful pumps. He queried if the proposed pumps are compatible with the existing power supply. Dan Schuler answered in the affirmative. He noted that the installation contractor competently renovated Lift Station 2, in the recent past. Mayor Beesley indicated that the old 5-horsepower pumps will be stored and used as backup units. **Councilmember Weston moved to approve Purchase of Two Chopper Sewer Pumps for Lift Station 16. Councilmember Sadler seconded the motion. Councilmembers Allen, Beal, Sadler, Weston and Skeen voted aye. The motion carried.**

Discussion: Subdivision Improvements – No permits until Conditional Final Acceptance

Dan Schuler reported; there are approximately twelve subdivisions in Plain City that were started more than two years ago and have yet to be finalized. He indicated that the developers of these subdivisions are violating time limit statutes in Plain City code. He commented on escrow and warrantee issues. He outlined complications caused by overdue emplacement of public improvements. Mayor Beesley asked what components of a development must be completed before Preliminary Final Acceptance is granted. Dan Schuler affirmed that all street improvements, utilities, street lights and road signs, should be in place before building permits for homes are issued. He advised that developers will look to the City Council for reprieve from these existing standards, when they are strictly enforced. Mayor Beesley asked what exceptions are being allowed, currently. City Recorder, Diane Hirschi indicated; building permits have been issued as soon as fire hydrants are charged and road base is laid. Dan Schuler noted that the recent phase of River Crossing has occupied homes with house numbers attached, but no street signs. Councilmember Sadler inferred that there's a City ordinance stipulating the full list of improvements be installed prior to issuance of building permits. Mayor Beesley noted that proper asphalt paving processes are dependent on weather conditions. Dan Schuler commented on nuisances caused by allowing residential traffic on gravel roads. Councilmember Sadler agreed; enforcement of existing ordinances on subdivision development should be propped up.

Discussion: Public Works Standard – Time Limit for Cutting a New Road

Mayor Beesley explained that finished road surfaces are too often blemished by troublesome cuts and detrimental reconstruction due to indifferent development practices. He weighed measures that might be taken to promote better scheduling and more agreeable repair of necessary road cuts. He proposed a three to five-year moratorium on road cuts in newly surfaced streets be instituted. City Attorney, Brandon Richards acknowledged that other municipalities impose such a moratorium. He suggested that the moratorium be readily publicized so schedulers of upcoming development can include it in their planning process. He advised that a clause be added to the stipulation, giving City Council power to dispense with the suspension in atypical instances. Councilmember Sadler supported a five-year moratorium on road cuts in newly surfaced streets, with an added clause allowing City Council to override the rule in atypical instances. Dan Schuler stated that he has drafted a preliminary resolution for a moratorium on road cuts in new roads and slurries. Mayor Beesley requested that the preliminary resolution be presented to the Planning Commission for further review, prior to a vote by the City Council. He indicated that he will forward the draft to the Planning Commission Chairman.

Discussion/Motion: Create Job Description – Landfill Superintendent

Mayor Beesley informed that compensation for a Landfill Superintendent has been a line item in the City budget in the past. He asserted that the position should be reinstated to give the landfill operator authority to manage day-to-day situations. He reported discussing the matter with Dan Schuler and arriving at a consensus on job duties and powers. He reviewed the proposed Job Description and commented on possible revisions. Brandon Richards advised that authority and supervisory designations are clearly spelled out. Councilmember Allen questioned the purpose of removing the Public Works Director as overseer of the Landfill Operator. He warned that the creation of this position and specific Job Description may set precedence for supervisor reassignment by the Mayor on behalf of any City employee that does not like their boss. Mayor Beesley maintained that the move is to revert to a historically functioning system that served well for a long time. He referred to the relatively short time that the general Landfill Operator has answered to the Public Works Director. He mentioned; Chris Weicks is the Landfill Operator II for Plain City. Councilmember Weston asserted that this proposed action has nothing to do with Chris Weicks not getting along with his boss. Councilmember Allen asked Councilmember Sadler why management of the position was assigned to the Public Works Director a few years ago. Councilmember Sadler indicated that the existing arrangement was established before he was on the Council. Mayor Beesley reiterated that this requested change is not on account of strained staff relations. Councilmember Skeen voiced opinion that the proposal is based on sound advises. He supposed that relieving the Public Works Director of this assignment will free him up for increased concentration on advancing infrastructure and development concerns. Councilmember Sadler proposed that all amendments to this new Job Description be written and appropriately reviewed by the Council before it's voted on. **Councilmember Sadler moved to table Discussion/Motion: Create Job Description – Landfill Superintendent. Councilmember Weston seconded the motion pending a final draft with changes as discussed. Councilmembers Allen, Beal, Sadler, Weston and Skeen voted aye. The motion carried.**

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Discussion/Motion: Update Job Description – Public Works Director

Mayor Beesley explained that this matter is associated with the previous agenda item. Councilmember Sadler reported reviewing the Update and considered it to be passable when aforementioned modifications are made to the draft document.

**Councilmember Allan moved to table Discussion/Motion: Update Job Description – Public Works Director. Councilmember Sadler seconded the motion, conditional on review of a final draft with changes as discussed. Councilmembers Allen, Beal, Sadler, Weston and Skeen voted aye. The motion carried.**

Discussion/Motion: Update Job Description – Fire Chief

Mayor Beesley commented on the established monthly stipend method of payment, Plain City currently uses for Fire Chief compensation. He indicated that the set salary range needs to be modernized in order to meet updated Plain City policy. He highlighted the salary amendment in the Update Job Description. Councilmember Sadler deemed the change reasonable. Councilmember Allen voiced approval of the proposed terms of compensation. He asked why a minimum annual pay rate and maximum annual pay rate are being considered if a set monthly payment is to be affixed to the position. Mayor Beesley indicated that the variable pay rate will allow for future increases. Councilmember Beal noted that the starting salary can be set anywhere within the proposed range. Councilmember Sadler reasoned that the City's posting for the open Fire Chief position summons a wide variety of skills and backgrounds, thus a sizable pay range should be open for applicants with wide-ranging qualifications. Councilmember Beal asked about possible budget adjustments to cover the updated salary proposal. Mayor Beesley answered in the negative. **Councilmember Sadler moved to approve the Updated Job Description for the Fire Chief. Councilmember Weston seconded the motion. Councilmembers Allen, Beal, Sadler, Weston and Skeen voted aye. The motion carried.**

Motion: Approval of Business Licenses

The following licenses were presented for approval:

Renewals

C&B Auto Repair	Curt M Knight	2166 N 4500 W	automotive repairs
Cook's Auto Sales, Antique Sales	George Cook	1985 N 4650 W	auto/antique sales & storage
Randy Marriott Construction	Randy Marriott	4960 W 2200 N	construction & maintenance
America First Credit Union	AFCU	4350 W 2336 N	banking
Affordable Sign Solutions LLC	Sam Ginn	1383 N 4700 W	sign maintenance and repair
Maverik Inc	Maverik	4098 W 1975 N	c-store & beer license
Beehive Naturals LLC	Sam Ginn	1383 N 4700 W	lotions, lip balms & soaps
Kent's Market	PCO-KITA LLC	3673 W 2600 N	grocery & beer license
America First Credit Union	AFCU	3673 W 2600 N	credit union
Autozone Parts Inc	Autozone	3655 W 2600 N	retail auto parts & accessories
Sugar Stop	Elie Clark	3267 W 2950 N	food trailer office
Swift Rain Gutter Solutions	Tyler Swift	3733 W 1975 N	office for construction business
Phenix Ventures LLC	Marci Shupe	4716 W 2050 N	purchase & maintain rental prop
Dust B Gone	Tracy Young	3440 W NPC Rd	housekeeping
Morning Orchid Boutique & Home	RoxAnne Taylor	1984 N 4800 W	online sales

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

Motion: Approval of Warrant Register

See warrant register dated 1/01/2021 to 1/20/2021. **Councilmember Sadler moved to approve and pay the bills.**

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

Report from City Council

Councilmember Beal spoke of public amenities that will be located in upcoming developments and proposed consideration of placing a time capsule in a dedicated monument or structure, therein.

Councilmember Weston reported that organic material received at the landfill from the Green Waste program is effectively decomposing as expected. He acknowledged that there's a trace amount of plastic that remains in the mulch, reckoning it will be removed by those that use it.

Councilmember Sadler requested a status update on the new restroom facility at Lee Olsen Park. Dan Schuler informed that the project will resume the end of February. He gave a report of elements that have been completed.

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Mayor Beesley reported that Councilmember Sadler and he met with the fiber-optic company that is working on a system for Farr West City. He indicated that the contractors will present at a work session, preceding the next City Council meeting. He explained how that the company's approach is different than that of UTOPIA. He noted that the City has also been in discussions with Century Link. He announced that the RFP issued for a regional fiber-optic trunk line connection has closed. He reported that Diane Hirschi is working on City Hall renovation details.

**At 8:28 p.m. Councilmember Weston moved to adjourn and was seconded by Councilmember Sadler seconded the motion. The vote was unanimous.**

\_\_\_\_\_  
City Recorder

\_\_\_\_\_  
Mayor

Date approved \_\_\_\_\_