

PLAIN CITY COUNCIL  
MINUTES OF REGULAR MEETING  
JULY 1, 2021

The City Council of Plain City convened in a regular meeting at City Hall on Thursday, July 1, 2021 also accessible via ZOOM beginning at 7:00 p.m.

Present: Mayor Jon Beesley, Councilmembers Buddy Sadler, Don Weston, Todd Skeen, Jed Jenkins  
Excused: Councilmember Rachael Beal  
Staff: Diane Hirschi, Dan Schuler  
Present: Joshua Wiscombe, Shad Christensen, Luigi Panunzio, Pat Burns, Rich Skeen, Dustin Skeen, Jarod Maw, Tom & Chris Ruiz, James Farrell, Lieutenant Mark Horton

Also Present via Zoom: Tom Favero, Adams Family, Andrew Petersen, Bob Spencer, Brandon Richards, Drew, Jim Beesley, Jim Flint, Lisa Cox, Darci, Owner, Sarah Bates, Shane Skeen, Rob Ortega

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

Approval of Minutes from June 17, 2021

**Councilmember Sadler moved to approve the minutes from the work and regular meetings on June 17, 2021 as presented. Councilmember Skeen seconded the motion. Councilmembers Sadler, Weston and Skeen voted aye. The motion carried.**

Comments: Public  
None.

Report from Planning Commission

Planning Commissioner, Jarod Maw reported that preliminary approval of the Plain City Fields subdivision, approx. 2200 N 3600 W, was granted. He commented on a Public Hearing that was held for a requested Zoning Amendment (A-1 to RE-30) – Burns Plain City, approximately 4277 W 3600 N and indicated that approval of the application is recommended. He informed that final approval of Robson Farms Phase 2 is recommended, as well. He reported that a Public Hearing was set for an amendment to the General Plan. He stated that a proposed ordinance, restricting Issuance of Building Permits and Certificates of Occupancy, was reviewed and tabled for one year. He reported that a draft ordinance for special exceptions to Cul-De-Sac Length standards was forwarded to the Council with a recommendation for approval. He gave details for a discussion had on Rear Yard Setback requirements. Mayor Beesley indicated that the Public Hearing on the Zoning Amendment was well attended. He noted that he wants the City Council to hold another Public Hearing on the matter. He explained why he agrees with the decision to suspend discussion on an adding constraint to the Issuance of Building Permits and Certificates of Occupancy.

Discussion/Motion: City Council Vacancy

Mayor Beesley reviewed the process for replacing a city officer that submits a resignation. He introduced Luigi Panunzio and Jed Jenkins - two candidates for City Council that offered to temporarily fill the vacated seat. Councilmember Sadler asked each to give an informative self-introduction. Jed Jenkins indicated that he's a lifelong resident of Plain City. He expressed his love for the town, commented on impending community growth and voiced a desire to help guide development. Luigi Panunzio noted that his first name is Michael but he goes by his middle name (Luigi). He stated that he grew up on a family farm in Plain City and plans to live happily, the rest of his life here. He informed that he's married with five children. He affirmed his willingness to serve and concurred that the City is progressing in a way that is likely to result in success. Councilmember Weston asked the candidates if they've had experience in civil service and/or municipal government. Jed Jenkins indicated that he helped construct a building at the sewer lagoons, a few years ago. He told of frequent City Council and Planning Commission meeting attendance. Luigi Panunzio reported that he and his family participate in City-sponsored activities. He indicated that his position with the Riverdale Police Department has given him experience with municipal government. Councilmember Skeen asked for the candidates' take on the current state of commercial development in Plain City. Jed Jenkins submitted that the trajectory of local commercial development is appropriate, at this time. Luigi Panunzio said that existing commercial provisions are adequate for the current population. He recognized a need for additional businesses as residential growth continues. Councilmember Sadler requested that the candidates speak to City parks, trails and open space significances. Jed Jenkins stated that maintenance aspects should be paramount in planning parks, trails and open space. Luigi Panunzio mentioned recreational elements that might be considered. Councilmember Weston asked the candidates to give their opinions on infrastructure, recreation programs and public safety. Jed Jenkins stated that recreation opportunities are abundant, but facilities are somewhat limited. He surmised that he would prioritize infrastructure needs. Luigi Panunzio acknowledged that the population will likely be split as to the importance of infrastructure and recreation resources. He remarked on the abundance of recreational activities in Plain City. Mayor Beesley briefed the Council on points brought up during his interviews with Luigi Panunzio and Jed Jenkins. He announced that he asked Jed Jenkins to fill the vacated councilmember position until his instatement to a permanent seat in January. He sought Council support of the appointment. **Councilmember Weston moved to approve the appointment of Jed Jenkins to the City**

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

Swearing In: New City Council Member

**Jed Jenkins took the Oath of Office - presented by Diane Hirschi, City Recorder.**

Discussion/Motion: Final Approval of Skeen Subdivision – approx. 2200 N 3600 W

Project developer, Dustin Skeen commented on concerns related to the timing of utility installations. He indicated that it's his goal to work in conjunction with a planned widening of 3600 North Street. Public Works Director, Dan Schuler confirmed that he has reviewed the plat and deems it acceptable. **Councilmember Sadler moved to approve the Skeen Subdivision, with consideration of the attached City Engineer's memorandum. Councilmember Jenkins seconded the motion. Councilmembers Sadler, Weston, Jenkins and Skeen voted aye. The motion carried.**

Discussion/Motion: Final Approval of Robson Farms Phase 2 – approx. 3626 W 1975 N

Councilmember Sadler verified that there are sufficient access points for (the number of proposed lots, per Plain City subdivision ordinance. **Councilmember Skeen moved to approve Robson Farms Phase 2. Councilmember Weston seconded the motion. Councilmembers Sadler, Jenkins, Weston and Skeen voted aye. The motion carried.**

Discussion/Motion: Zoning Amendment - Favero Property – 1295 N 4700 W – RE-30 to RE-18.5 and A-2 to RE-15

Mayor Beesley gave a short summary of proceedings for this application over past months. He described General Plan stipulations for the land owned by the Favero family. He noted that concessions must be made in order to establish beneficial trails and open space features in the area. He indicated that he has met with property owner, Tom Favero, to discuss future development of his farmland. He stated that he's met with developers that are interested in providing a variety of residential offerings in that locale. He suggested that the requested zoning is not favorable at this time. Councilmember Skeen remarked on possible amendments to the General Plan/Future Land Use Map. Jarod Maw acknowledged that the Planning Commission is currently discussing amendments to the General Plan and considering a comprehensive update in 2022. He proposed that this rezoning petition be postponed until the Future Land Use Map is revised. Councilmember Sadler explained that the Planning Commission issued a recommendation for disapproval of this change, and the petitioner is appealing the pronouncement to the City Council – the Appeals Board for this land use application. He spoke of a recent site inspection he undertook with Councilmember Weston, noting many eye-opening discoveries that are not discernible by looking at parcel maps. He divulged that Tom Favero agreed to dedicate much undevelopable property to public open space if RE-15 zoning is allowed. He advised that housing density will be significantly reduced due to the amount of available open space. He stated that he's in favor of amending the zoning, contingent on an agreement with the owners of the property to ensure the preservation of offered open space. Jarod Maw commented on sensitive land issues and reviewed Plain City code that addresses development of land in flood areas. He contemplated the use of an Overlay instead of strictly amending the zoning. Councilmember Weston recapped conclusions from his site inspection with Councilmember Sadler. He spoke to the potential of the area to comprise an extraordinary mixed-use community with ample parks and trail systems. Mayor Beesley expressed reservations because the requested zoning conflicts with General Plan/Future Land Use guidelines. He recommended that the intended conditions be spelled out when the General Plan is updated. Councilmember Sadler considered a timetable for the upcoming General Plan update. Jarod Maw touched on the General Plan amendment process. City Attorney, Brandon Richards recommended that the Future Land Use Map be amended before this rezoning is approved. Tom Favero indicated that he wants to begin an earnest planning process for his land as soon as possible. Brandon Richards laid out an expedited process for amending the General Plan and effectively entering into a development agreement that runs with the land. He offered to meet with the Favero Family and councilmembers in an effort to resolve the mentioned issues. Tom Favero was agreeable. **Councilmember Sadler moved to table the Zoning Amendment - Favero Property for sixty days, to consider an amendment to the General Plan, formulate a development agreement and firm up scheduling. Councilmember Weston seconded the motion. Councilmembers Sadler, Weston, Jenkins and Skeen voted aye. The motion carried.**

Discussion/Motion: Set Public Hearing – Zoning Amendment – Burns Plain City – 4277 W 3600 N – A-1 to RE-30 - Aug 5

Mayor Beesley related points discussed during the Public Hearing for the Burns Plain City Zoning Amendment, hosted by the Planning Commission. He thought it important for the City Council to hear the stated concerns directly from affected land owners. **Councilmember Sadler moved to Set Public Hearing for the proposed Zoning Amendment – Burns Plain City – 4277 W 3600 N – A-1 to RE-30, August 5, 2021. Councilmember Weston seconded the motion. Councilmembers Sadler, Jenkins, Weston and Skeen voted aye. The motion carried.**

Discussion/Motion: Set Public Hearing for Subdivision Ordinance Amendment – Cul-de-sacs – Aug 5

**Councilmember Sadler moved to Set Public Hearing for a Subdivision Ordinance Amendment – Cul-de-sacs – Aug 5, 2021. Councilmember Skeen seconded the motion. Councilmembers Sadler, Jenkins, Weston and Skeen voted aye. The motion carried.**

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Discussion/Motion: Fireworks

Mayor Beesley remarked on local clamor about rumored fireworks restrictions. Councilmember Weston informed that 4<sup>th</sup> of July celebration hazards are surpassed by Pioneer Day fireworks dangers, in Plain City. He commented on personal responsibility/liability associated with lighting of fireworks. Mayor Beesley made known that the City has not banned fireworks. He indicated that the Fire Department will be sufficiently staffed through the holiday. He proposed that noise restrictions be eased and park closing times be extended for the 4<sup>th</sup> and 5<sup>th</sup> of July. He cautioned; fireworks should not be used near dry vegetation. Councilmember Weston told of Fire Marshall powers appertaining to the banning of fireworks in certain areas of town. Weber County Sheriff, Ryan Arbon stated that the Weber County Sheriff's Office supports the decision of the Council and Mayor Beesley. Councilmember Sadler contemplated banning personal fireworks for the 24<sup>th</sup> of July (Pioneer Day). Brandon Richards advised; there are two provisions for prohibiting fireworks – one of which cannot be instituted because of notification timelines. He indicated that areas and conditions already defined in the code as hazardous may be restricted by the Council. Councilmember Weston suggested the Fire Department be involved in identifying restricted areas. **Councilmember Sadler moved to sustain existing Plain City fire safety regulations and issue an advisory for extreme caution when using fireworks within City limits. Councilmember Jenkins seconded the motion. Councilmembers Sadler, Jenkins, Weston and Skeen voted aye. The motion carried.**

Motion: Approval of Business Licenses

New

American Promotional Events	TNT	3673 W 2600 N (tent)	retail fireworks
Fluffig Alpacas LLC	Joey Tracy	4257 W 1400 N	alpaca merchandise
The Pretty Peony	Kendra Day	2827 W 2450 W	women's online boutique
Sweet Honey Quilts	Shaylene Engb	8168 N 3450 W	long arm quilting

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

Motion: Approval of Warrant Register

See warrant register dated 06/17/2021 to 06/30/2021. **Councilmember Weston moved to approve and pay the bills as presented. Councilmember Sadler seconded the motion. Councilmembers Jenkins, Sadler, Weston and Skeen voted aye. The motion carried.**

Report from City Council

Mayor Beesley urged residents to be responsible with fireworks. He restated; the Plain City Fire Department will be sufficiently staffed through the holiday. He announced that Billy Dean will be in concert at Lee Olsen Park, July 2<sup>nd</sup>. He indicated that the concert is free and the Lions Club will be selling food and drinks there. He noted that the Lions Club will also be accepting donations during the concert, to fund local service projects. He relayed a recent experience in which a new Plain City resident and business owner replaced the existing roof covering on the historic Lions Club building at no cost. He expressed appreciation for his genuine goodwill. He mentioned other events that will take place in celebration of the 4<sup>th</sup> of July. At the request of the City Council, Weber County Sheriff's Lieutenant Mark Horton reported details from a criminal complaint by a Plain City resident, received in 2018.

**At 8:38 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 \_\_\_\_\_

PLAIN CITY COUNCIL  
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JULY 15, 2021

The City Council of Plain City convened in a regular meeting at City Hall on Thursday, July 15, 2021 also accessible via ZOOM beginning at 7:00 p.m.

Present: Mayor Jon Beesley, Councilmembers Jed Jenkins, Buddy Sadler, Don Weston and Todd Skeen  
Zoom: Councilmember Rachael Beal  
Staff: Diane Hirschi, Dan Schuler  
Present: Johnny Ferry, Jim and Carol Jean Beesley

Also Present via Zoom: Adams Family, Rob Ortega

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

Approval of Minutes from July 1, 2021

**Councilmember Skeen moved to approve the minutes from the work and regular meetings on July 1, 2021 as presented. Councilmember Beal seconded the motion. Councilmembers Jenkins, Beal, Sadler, Weston and Skeen voted aye. The motion carried.**

Comments: Public  
None.

Report from Planning Commission

Planning Commissioner, Rob Ortega indicated that Final Subdivision – Plain City Fields, approx. 2200 N 3600 W was tabled, pending an updated memorandum from the City Engineer.

Presentation: Major Brent Taylor Foundation – County Wide 9/11 Commemoration

Local business owner and representative for the Major Brent Taylor Foundation, Johnny Ferry gave a video presentation, informing that The Major Brent Taylor Foundation is planning an interactive commemorative museum experience highlighting the events of September 11, 2001. He stated that the event will run from September 9-11 and will be held at the Weber County Fairgrounds. He announced; the event is free to the public will include an interactive museum, a chance to speak with Utahns in uniform, booths to share your experiences and thoughts, as well as food trucks and activities for the kids. He requested support from the City Council and explained that organizers of the event are volunteers. He spoke of state elected officials and prominent community leaders that have pledged to participate in the memorial. He displayed a layout of the exhibit and gave a conceptualized tour. He indicated that Plain City can use two display boards to showcase the city. He described ways the Council and individual citizens can contribute to the cause. Mayor Beesley reported that he's a member of the Weber Remembers Committee. He thanked Johnny Ferry for the presentation. Councilmember Beal suggested that Plain City residents be invited via social media, to submit photos for the display boards.

Discussion/Motion: Conditional Final Acceptance – Brook Haven Subdivision

Public Works Director, Dan Schuler affirmed that the subdivision is ready for Conditional Final Acceptance.

Councilmember Beal verified that the subdivision in question is Brook Haven – not Pheasant Brook. **Councilmember Sadler moved to approve Conditional Final Acceptance – Brook Haven Subdivision. Councilmember Skeen seconded the motion. Councilmembers Jenkins, Beal, Sadler, Weston and Skeen voted aye. The motion carried.**

Discussion/Motion: Resolution - Interlocal Agreement – RAMP – Lee Olsen Park Walking Path

Mayor Beesley indicated that this matter was tabled at a previous City Council meeting, as final details had not been worked out. He advised that demolition of the existing concrete path is underway. Dan Schuler commented on the mix of coarse aggregate stone, sand, fine aggregate and asphalt that will be used for the surface of the new track. He voiced expectation that the project will be completed before the 24<sup>th</sup> of July. Councilmember Sadler noted that the pavement will be suitable for a walking course.

**Councilmember Sadler moved to approve Resolution 2021-07 Interlocal Agreement – RAMP – Lee Olsen Park Walking Path. Councilmember Skeen seconded the motion. Councilmembers Jenkins, Beal, Sadler, Weston and Skeen voted aye. The motion carried.**

Discussion/Motion: Approval of Parking Extension – Lee Olsen Park

Dan Schuler explained that the additional parking will be on the east side of the Equestrian Arena and will be paid for with impact fee funds. Councilmember Sadler remarked on bids received for the project. Councilmember Beal asked if there will be accessible parking spaces as required by ADA standards in the added parking arrangement. She recommended that ADA compliance be regarded throughout construction. Dan Schuler outlined the intended parking plan and proposed that additional

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ADA stalls be placed in existing parking lots. Councilmember Sadler told of accessibility provisions that will be installed as part of a widened Lee Olsen Park walking path. **Councilmember Skeen moved to approve the Parking Extension at Lee Olsen Park. Councilmember Beal seconded the motion. Councilmembers Jenkins, Beal, Sadler, Weston and Skeen voted aye. The motion carried.**

Discussion/Motion: Approval of 5200 W Skin Patch and Chip Seal - \$17,641

Mayor Beesley stated that impact fee reserves will be used for the proposed project. Councilmember Sadler sought confirmation that Plain City possesses half of 5200 West Street (to the center of the road). He explained; the developer of adjacent land claimed that the City does not own any part of 5200 West Street, thus was not required to provide sidewalk where his subdivision is borders on the road. He recommended the claim be reexamined. Dan Schuler agreed to research the matter. **Councilmember Sadler moved to table Approval of 5200 W Skin Patch and Chip Seal - \$17,641. Councilmember Skeen seconded the motion. Councilmembers Jenkins, Beal, Sadler, Weston and Skeen voted aye. The motion carried.**

Discussion/Motion: Approval of OTech Scholarship Application and Set Timeline

Mayor Beesley referred to an application packet that was assembled and distributed to councilmembers, prior to the meeting by Diane Hirschi, City Recorder. He informed that the scholarship will be granted in December, this year. Councilmember Sadler suggested that the scholarship opportunity be advertised when school is in session, to more effectively reach candidates. Councilmember Beal stated that completing and submitting the simple application form should not take more than two weeks. **Councilmember Sadler moved to accept the presented Application packet and Set a Timeline for the application process – August 27, 2021 through September 17, 2021. Councilmember Skeen seconded the motion. Councilmembers Jenkins, Beal, Sadler, Weston and Skeen voted aye. The motion carried.**

Discussion/Motion: Approval of Job Description for Mayor's Assistant

Mayor Beesley described the method he used to compose the proposed Job Description. Councilmember Beal expressed concern over terms in *Distinguishing Features of the Position*: The Mayor's Assistant serves at the pleasure of the Mayor – perceivably without Council oversight. She noted that *Functions & Duties* of the Mayor's Assistant will often require cooperation with the City Council. Councilmember Sadler indicated that having checks and balances for the position would be good. He clarified that he trusts direction by the current mayor but sees a potential need for Council controls in the future. Mayor Beesley queried if all part-time positions in the City should be taken up by the Council. Councilmember Skeen remarked on conditions of serving at the pleasure of another and the responsibility for making work decisions or taking work-related actions. He noted that he does not have a problem with the Job Description, as presented. He asked Councilmember Sadler to clarify his stance on checks and balances. Councilmember Sadler contemplated ways a future mayor might abuse inadequate oversight. He affirmed that he is in favor of giving the Mayor an assistant, but decisions related to the position should be coordinated with the legislative branch. Mayor Beesley acknowledged; if this job were a full-time position, the Council would have administrative authority. He commented on Nepotism and Conflicts of Interest clauses in Plain City code. Councilmember Weston inferred, other part-time employees of the City do not work as closely with the City Council as the Mayor's Assistant will. Councilmember Beal pointed out tasks listed in the Job Description that will require City Council involvement. Councilmember Sadler reasoned that the Youth City Council should be directed by the City Council if the Mayor, himself, is not over the organization. Mayor Beesley indicated that the Youth City Council, as instituted during his tenure, is directed under supervision of the Mayor, by an unselected, adult volunteer. In answer to Councilmember Weston's question, he asserted that he would like to hire a Mayor's Assistant promptly. Councilmember Beal reiterated her expectation that the City Council will be vested with the right to approve or deny the appointment. **Councilmember Weston moved to approve the Job Description for Mayor's Assistant, with an added stipulation that the appointment be subject to City Council's assent and with replacement of the title "Chair" with a term depicting a supervisory role to the Youth City Council. Councilmember Beal seconded the motion. Councilmembers Jenkins, Beal, Sadler, Weston and Skeen voted aye. The motion carried.**

Discussion/Motion: Resolution – Fraud Risk Policies

Councilmember Sadler advised that minor amendments to the previous draft did not resolve issues he has with the Resolution – Fraud Risk Policies. Diane Hirschi noted that the City Attorney, Brandon Richards, is not present at this meeting. Councilmember Sadler suggested that purported changes to the Utah Municipal Officers' and Employees' Ethics Act be confirmed. He rejected a policy that prohibits elected officers or appointed officers from receiving compensation from the municipality in which the member is an officer. He expressed opposition to a rule requiring a city employee take a leave of absence upon announcing candidacy for an elected or appointed office seat. He spoke of his current post with the Plain City Fire Department. He voiced his opinion that a part-time city employee should be able to run for City Council without resigning. Councilmember Weston mentioned that the past two City Council elections have been uncontested due to a lack of candidates. He spoke of his experience serving on a Utah Senate sub-committee a few years ago – relating deliberations which led to the reversal of established statutes on municipal employment and serving as an elected official. He agreed with Councilmember Sadler's recommendation for due research of current, pertinent state laws. Councilmember Skeen proposed that Brandon Richards verify enacted legislation. **Councilmember Sadler moved to table the Resolution – Fraud Risk Policies.**

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**Councilmember Skeen seconded the motion. Councilmembers Jenkins, 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 07/01/2021 to 07/14/2021 and 07/15/2021. **Councilmember Sadler moved to approve and pay the bills as presented. Councilmember Weston seconded the motion. Councilmembers Jenkins, Beal, Sadler, Weston and Skeen voted aye. The motion carried.**

Report from City Council

Councilmember Beal commented on an all-abilities park that was built in Spanish Fork, incorporating ideas from several local families with kids with special needs. She informed that the goal of this park is to have something for everyone, regardless of their abilities and invited councilmembers to join her for a tour, in the next month or two.

Councilmember Skeen reported that he's been approached by residents about Lions Club Park restroom opening and closing times. He indicated that he has worked out a new summertime schedule with the Public Works Director. He expressed appreciation to members of the Council, Staff and Plain City residents who contributed to the success of this year's 4<sup>th</sup> of July celebration.

Councilmember Weston touted the productive operation of the Green Waste Program.

Councilmember Sadler reported that, to date, there have not been any diagnosed cases of West Nile virus in Weber County, this summer. He gave details on submitting residential spray requests to Weber Mosquito Abatement District. He remarked on West Nile case reporting protocol. He noted that discussion about replacing the Fire Department's storage building was reopened a year ago. He called for hastened start of the construction process. He applauded those involved in organizing the 4<sup>th</sup> of July celebration.

Mayor Beesley reported on key developments presented at the Bona Vista Water Improvement District Board meeting. He asked Plain City citizens to conserve water, advising that there is a statewide drought emergency. He explained that Pineview Water Systems will be shutting secondary water off early, this season, due to a lack of water resources. He repeated accolades to 4<sup>th</sup> of July celebration coordinators and spoke highly of the well-attended events over the long weekend.

**At 8:19 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 \_\_\_\_\_