

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
JUNE 3, 2021

The City Council of Plain City convened in a regular meeting at City Hall on Thursday, June 3, 2021 also accessible via ZOOM beginning at 7:00 p.m.

Present: Mayor Jon Beesley, Councilmembers Rachael Beal, Buddy Sadler, Don Weston, Todd Skeen
Staff Present: Diane Hirschi, Dan Schuler, Dennis Crezee
Present: Dustin Skeen, Steve Diamond, Joshua Gardner, Jim Taggart, Brynn Murdock
Also Present via Zoom: Adams Family, James Farrell, Lisa Cox

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

Approval of Minutes from May 20, 2021

Councilmember Sadler moved to approve the minutes from the work and regular meetings on May 20, 2021 as presented. Councilmember Skeen seconded the motion. Councilmembers Beal, Sadler, Weston and Skeen voted aye. The motion carried.

Comments: Public

None presented.

Mayor Beesley read Councilmember Allen's resignation letter.

Report from Planning Commission

Planning Commissioner, Dustin Skeen reported that Final Subdivision approval for the Skeen Subdivision, approx. 2200 N 3600 W, was recommended. He indicated that a Public Hearing for the Burns Plain City Zoning Amendment was set for June 24th. He reported that changes to the Residential Overlay Zone were reexamined and approval of the amended ordinance was also recommended. He commented on proposed General Plan/Future Land Use Map changes.

Presentation: Ogden-Weber Technical College – 50th Anniversary – Scholarship Opportunity

Ogden-Weber Technical College President, Jim Taggart introduced companions Josh Gardner, 2021 OTech Student of the Year, and College Development Director, Brynn Murdock. He explained how, since 1971, Ogden-Weber Technical College has provided life-changing training and education to Weber County residents. He noted; despite various name and location changes, the mission to build a prosperous community by creating a technically trained workforce, one student at a time, has remained constant. He voiced his belief in the power of student success and the effect it has - not only on students and their families, but generations to come. He spoke of high school students that attend classes at Ogden-Weber Technical College tuition free. He acknowledged OTech's contribution to the community and giving back through the success of their students. He mentioned that Miss Plain City 2020, Kalley Murphy, is a OTech graduate. Josh Gardner remarked on his high school experience. He contrasted the hands-on approach to learning offered at Ogden-Weber Technical College. He stated that going into the job force as an apprentice while attending college has effectively advanced his education and given him a leg up monetarily. Brynn Murdock expressed appreciation for support the College has received from Plain City over the past fifty years. She announced that OTech has a 50th Anniversary Scholarship for the City Council to present to a select resident. Mayor Beesley thanked Brynn Murdock and commented on fluctuating enrollment numbers at the school in the recent past. Jim Taggart affirmed; whether a high school student, parent, employer, community member, or an adult looking to change careers or upgrade skills, technical education is for everyone. He detailed programs at OTech for current high school students. Councilmember Weston indicated that other countries have highly effective work-based vocational training systems. He commented on the less alluring, decentralized approach the United States takes toward technical education provisions. He suggested that OTech establish a Fire Science program. Mayor Beesley stated that the Council will start the process to select a scholarship recipient.

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

Mayor Beesley confirmed that Project Developer, Dustin Skeen requested that this application be tabled until further notice.

Councilmember Sadler moved to table Final Approval of Skeen Subdivision – approximately 2200 N 3600 W. Councilmember Beal seconded the motion. Councilmembers Beal, Sadler, Weston and Skeen voted aye. The motion carried.

Discussion/Motion: Ordinance – Amendment to Residential Overlay Zone

Mayor Beesley reviewed changes to the Residential Overlay Zone ordinance, recommended by the Council at a previous meeting. He proposed that the amended minimum rear yard setback be further reduced to twenty feet. He asserted that the purpose and intent of the Overlay is preservation of open space and the development of parks, trails, and other open space - *and will solely be considered for areas comprising or adjacent to existing or proposed pathway corridors, set forth in the Plain City Parks, Trails, and Open Space Master Plan.* Councilmember Sadler advised that the maximum garage door height constraint is

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not specified as “height”. He suggested that specifying garage door dimensions is not necessary with the established restriction on how much of a home’s façade it can cover. He agreed with the proposed twenty-foot minimum rear yard setback. He contemplated reducing the minimum allowed lot size to 7,000 square feet. Councilmember Weston commented on the City Council’s role in approving the Overlay for new subdivisions. He proposed that 140-foot frontage be required for duplex lots. Mayor Beesley submitted; the amended ordinance can be approved by the Council, contingent upon completion of the changes discussed. **Councilmember Sadler moved to approve the Amendment to the Residential Overlay Zone Ordinance with the following changes: 7,000 sq.ft. Minimum Lot Area, 20-foot Minimum Rear Setback, 140-foot Minimum Frontage for Duplex Lots and the 12-foot Garage Door Height Constraint be Specified as “Height”. Councilmember Skeen seconded the motion. Councilmembers Beal, Sadler, and Skeen voted aye. Councilmember Weston voted nay. The motion carried.**

Discussion/Motion: Change Length of Cul-de-sacs

Mayor Beesley commented on areas in the City that will require atypical street configurations in order to be subdivided, due to existing, unalterable conditions. Dustin Skeen voiced his opinion that a draft ordinance for Special Exceptions to Provide for Variable Cul-de-sac Length Standards, earlier rejected by the Council, may have contained an excess of qualifying circumstances. He attested that allowing exceptions under certain conditions is sensible. He proposed that the Council consider a more restrictive version of the ordinance for Special Exceptions to Provide for Variable Cul-de-sac Length Standards. Councilmember Beal affirmed that providing a means to rationally extend cul-de-sac streets will prevent ineffectual development layouts with dead-ends and temporary turnarounds, which are presently allowed. Councilmember Weston spoke of existing, unalterable conditions that would give good reason for a slightly longer cul-de-sac. He reasoned that it’s in the City’s best interest to allow special exceptions for when there are practical difficulties in subdivision design – under specific circumstances, that cul-de-sac lengths may be extended beyond the existing maximum cul-de-sac standards. Mayor Beesley asked developer, Steve Diamond, to display a subdivision plan comprising a cul-de-sac street which extends beyond the 400-foot threshold. Steve Diamond explained the unique layout of the parcel he wants to subdivide. He commented on access and future connectivity aspects of his proposed development. He asserted; eight, half-acre lots can be laid out on the property, along a cul-de-sac street, if an exception was applied. Mayor Beesley recognized the appeal of half-acre lots. He suggested that an exception be granted for developments comprising half-acre lots. Dustin Skeen offered to bring back a list of acceptable conditions for Special Exceptions to Provide for Cul-de-sac Length Standards from the Planning Commission. **Councilmember Weston moved to table Discussion/Motion: Change Length of Cul-de-sacs, pending resubmittal by the Planning Commission of proposed conditions that would warrant a special exception to the Cul-de-sac maximum length standard. Councilmember Beal seconded the motion. Councilmembers Beal, Sadler, Weston and Skeen voted aye. The motion carried.**

Discussion/Motion: Conditional Final Acceptance – Sunflower Estates

Public Works Director, Dan Schuler notified that Sunflower Estates is ready for Conditional Final Acceptance. He indicated that everything has been completed except for road surface treatment. He commented on anticipated 2021 City Road projects and affirmed that Steve Diamond will pay the city to complete surfaces in Sunflower Estates. **Councilmember Beal moved to approve Conditional Final Acceptance – Sunflower Estates. Councilmember Weston seconded the motion. Councilmembers Beal, Sadler, Weston and Skeen voted aye. The motion carried.**

Discussion/Motion: Fire Department Update and Payment Approval of Replacement of Vinyl Fencing

Plain City Fire Chief, Dennis Crezee gave a rundown of Fire Department undertakings from January through May of 2021. He mentioned that he was installed as Chief in January, 2021. He indicated that recertification of volunteers has been a priority. He remarked on apparatus maintenance endeavors he’s headed up. He spoke of automatic and mutual aid agreements that have been sorted out. He reported that an upgraded communications system has been approved for State Public Safety and Emergency sectors, which will render Plain City Fire Department radios obsolete in the next three years. He advised that funds should be set aside for the purchase of new radios. He briefed the Council on a controlled burn, managed by the Fire Department, that damaged a vinyl fence on an adjacent property. He indicated that the original materials used for the fence are no longer available and reviewed a bid for replacement of the entire line of panels – affected and unaffected. He explained that siding on a house in the area was also damaged by the heat of the prescribed burning. He asked for approval of payment for the fence replacement. **Councilmember Weston moved to approve Payment of Replacement of Vinyl Fencing. Councilmember Sadler seconded the motion. Councilmembers Beal, Sadler, Weston and Skeen voted aye. The motion carried.** Dennis Crezee presented a resignation letter and assured he is willing the return to his command in the future, after his personal retirement benefit situation is settled.

Motion: Approval of Business Licenses

None.

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Motion: Approval of Warrant Register

See warrant register dated 05/19/2021 to 05/31/2021. **Councilmember Sadler moved to approve and pay the bills as presented. Councilmember Beal seconded the motion. Councilmembers Beal, Sadler, Weston and Skeen voted aye. The motion carried.**

Report from City Council

Councilmember Weston informed that a fine was levied upon the Plain City Fire Department, by the State, for late EMT certification. He noted that federal certification was completed on time. He spoke of reimbursement plans for EMTs that paid for their recertification out-of-pocket. He mentioned a donation made by a citizen that was apparently intended for the *Association* but was placed into the City's General Fund, due to actions by the previous Fire Chief. He contemplated measures to transfer the monies to the *Association*. Councilmember Sadler requested a status update on 4th of July Celebration arrangements.

Councilmember Beal reported that she has officially signed the Council up to participate in the 4th of July parade. She commented positively on a Strategic Planning Retreat, recently held for the City Council and department heads.

Mayor Beesley gave an update on Strategic Planning progress. He announced that a two-hour planning meeting has been scheduled June 17th - prior to City Council meeting. He reported that volunteers have been lined up for 4th of July activities. He verified that a Billy Dean concert at Lee Olsen Park will be presented July 2nd, a car show to benefit veterans will be hosted July 3rd, and the Town Square Celebration will be on July 5th.

At 9:00 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

PLAIN CITY COUNCIL
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JUNE 17, 2021

The City Council of Plain City convened in a regular meeting at City Hall on Thursday, June 17, 2021 also accessible via ZOOM beginning at 7:00 p.m.

Present: Mayor Jon Beesley, Councilmembers Buddy Sadler, Don Weston, Todd Skeen
Present via Zoom: Councilmember Rachael Beal
Staff Present: Diane Hirschi, Ryan Child
Staff Present via Zoom: Dan Schuler
Also Present via Zoom: Sheriff Ryan Arbon, Lt. Mark Horton, Adams Family, Jim Beesley, Brandon Richards

Call to Order: Mayor Beesley
Pledge of Allegiance: Sheriff Ryan Arbon
Invocation/Moment of Silence: Mayor Beesley

Approval of Minutes from June 3, 2021

Councilmember Sadler moved to approve the minutes from the work and regular meetings on June 3, 2021 as presented. Councilmember Beal seconded the motion. Councilmembers Beal, Sadler, Weston and Skeen voted aye. The motion carried.

Comments: Public
None presented.

Report from Planning Commission

Planning Commissioner, Rob Ortega reported that preliminary approval of the Plain City Fields subdivision, approx. 2200 N 3600 W, was tabled. He commented on a new ordinance for the issuance of building permits and certificates of occupancy, presented by the Public Works Director. He reported that the proposed code was tabled, pending recommended changes to the draft. He gave details about a newly composed ordinance on exceptions to the maximum cul-de-sac length standard, noting that the matter was tabled until the Commission can review edits. Mayor Beesley contended that withholding building permits until 100% of a subdivision's public improvements are in place is unreasonable. He referred to a clause, currently in Plain City code, that restricts issuance of certificates of occupancy until said improvements are completed. Rob Ortega agreed to relay the Mayor's sentiments to the Planning Commission.

Discussion: Sheriff Ryan Arbon – Weber County Sheriff's Contract

Councilmember Sadler indicated that Sheriff Ryan Arbon said there are a number of things he wanted to change or do differently at the Sheriff's Office, shortly after he won the Republican primary. He noted that one of Sheriff Arbon's campaign promises was to increase quality and service in law enforcement and corrections while maintaining financial fairness to all tax payers in the county. He reported that the City's budget for Public Safety has been increased each year, yet the Sheriff's Office continues to operate with deficient staffing. Sheriff Arbon clarified that the Sheriff's Office is fully staffed, on paper (technically speaking). He explained that there may be a reduced amount of trained and working officers due to a number of factors, such as retirement and attrition. He commented on the VIPS program. He spoke of law enforcement demands resulting from population growth in the area. He commented on training mandates from the state legislature. He remarked on costs associated with body camera equipment, upgrades, data storage and training. He summarized aspects of local law enforcement over a 25-year span. He acknowledged that staffing is a large expense. He thanked Councilmember Sadler for holding him accountable for his campaign promises. Councilmember Sadler commented on the addition of police dogs - specifically trained to assist the Sheriff's Office. Sheriff Arbon touched on the use of drone technology and specialized K9 tasks. Mayor Beesley verified that the mentioned K9s were purchased with funds from the Sheriff's Office General Fund. Sheriff Arbon informed that CSI service is included in the City's contract with the Sheriff's Office. Councilmember Sadler stated that he misses the friendly, personalized service from a dedicated Weber County Deputy, once enjoyed by Plain City residents. He voiced his opinion that Plain City subsidizes service to other Weber County communities with higher crime rates. Mayor Beesley gave an overview of Sheriff's service cost structure. He explained that contract city mayors come together to arrange fair and economical contract terms. He indicated that the Council is invited to the meetings where pricing is negotiated. He affirmed that he is actively striving to get the most value for taxpayer money.

Public Hearing: Final Adjustments to the 2020-21 City Budgets

Councilmember Sadler moved to go into a public hearing for final adjustments to the 2020-21 City Budgets. Councilmember Skeen seconded the motion. Councilmembers Beal, Sadler, Weston and Skeen voted aye. The motion carried. There were no comments from the public. **Councilmember Weston close the public hearing. Councilmembers Beal, Sadler, Weston and Skeen voted aye. The motion carried.**

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Discussion/Motion: Final Adjustments to the 2020-21 City Budgets

City Treasurer, Ryan Child indicated that there aren't any final adjustments up for discussion.

Councilmember Weston moved to approve final adjustments to the 2020-21 City Budgets. Councilmember Beal seconded the motion. Councilmembers Beal, Sadler, Weston and Skeen voted aye. The motion carried.

Public Hearing: Final Approval of the 2021-22 City Budgets

Councilmember Sadler moved to go into a public hearing for final approved of the 2021-22 City Budgets.

Councilmember Weston seconded the motion. Councilmembers Beal, Sadler, Weston and Skeen voted aye. The motion carried. There were not comments from the public. **Councilmember Sadler moved to close the public hearing.**
Councilmember Weston seconded the motion. Councilmember Beal, Sadler, Weston and Skeen voted aye. The motion carried.

Discussion/Motion: Final Approval of the 2021-22 City Budgets

Mayor Beesley reviewed recent adjustments made to the 2021-22 Budgets. Ryan Child pointed out changes made to the Landfill *Maintenance and Operations* account. Councilmember Weston commented on projected Landfill operation costs and historic budget adaptations. He spoke of a proposed Fire Department budget increase that was evidently left out. Mayor Beesley stated that he is 100% confident that Plain City department heads did not unduly inflate their budget requests for 2021-22. He noted that the Budgets can be adjusted without questioning, if necessary, in coming months. He suggested that the proposed Fire Protection appropriation be added when a definite plan for the money has been established. Councilmember Sadler contemplated uniting with Ogden City Fire Department to arrange 24-hour coverage for Plain City. Councilmember Skeen echoed Lieutenant Mark Horton's warning that money does not always fix issues with personnel. Mayor Beesley remarked on the potential installment of a Plain City Police Department or a unified force with a neighboring city. He advised that the foreseeable negatives outweigh likely positive aspects. Public Works Director, Dan Schuler commented on plans for sewer system upgrades. Councilmember Sadler expressed his opinion that using Parks impact fees for a Recreation Department building and parking lot is a mistake. He asserted that Parks impact fees must be used for park-related expenditures, maintaining that the building and parking lot do not fall in that category. He recounted processes for calculating an appropriate Parks, Recreation and Trails impact fee. He recommended that the City pay for the structure and paving with Capital Projects funds. Councilmember Beal agreed with Councilmember Sadler's statement. Ryan Child indicated; if an expenditure qualifies for restricted funds, those funds should be used, primarily. He acknowledged that the expenditure should be verified by the City Engineer and/or the City Attorney. Councilmember Weston commented on sewer impact money that was used for construction of the Public Works building. He stated; the arrangement was wrong. City Attorney, Brandon Richards committed to look into the expenditure in question. He affirmed that the 2021-22 Budgets can be adjusted, relative to his finding, at a later date. **Councilmember Weston moved to approve the 2021-22 City Budgets, including an added expenditure for a Strategic Planning Program and Sewer Fund revenue from a grant. Councilmember Skeen seconded the motion. Councilmembers Beal, Sadler, Weston and Skeen voted aye. The motion carried.**

Discussion/Motion: Approval of Certified Tax Rate -.007

Councilmember Sadler told of cities that have adopted an ordinance or passed a law that circumvents the constant yield tax rate concept, that requires yearly adjustment. Ryan Child spoke to contrasts between constant yield and constant tax rates.

Mayor Beesley informed that municipalities must go through the Truth-in-taxation process, each year they choose to adopt the constant yield instead of the constant tax rate. He confirmed that Plain City is the lowest taxed city in the state.

Councilmember Weston stated that he does not like property taxes but they are a necessary evil to keep the city going.

Councilmember Sadler moved to approve the Certified Tax Rate -.007. Councilmember Weston seconded the motion. Councilmembers Beal, Sadler, Weston and Skeen voted aye. The motion carried.

Discussion/Motion: Fraud Risk Policies

Ryan Child reviewed the State Auditor's Fraud Risk Assessment. He displayed an accompanying score sheet and explained that the program is designed to help local governments assess their fraud risk. He noted that he and Diane Hirschi, City Recorder, filled out the questionnaire based on policies and procedures, currently in place. He briefly explained prescribed separation of duties and mitigating controls. He spoke of recommended written policies that Plain City does not have, at this time. He referred to drafts of the mentioned policies, composed by Diane Hirschi and distributed to councilmembers prior to this meeting. He informed that adoption of these new policies will help the City achieve a lower Fraud Risk score. He remarked on Fraud Risk training for local governing bodies, available through the State Auditor's Office. He reported that Plain City's Fraud Risk Assessment is "Moderate". Mayor Beesley indicated that he and the Council will read through the template policies, provided by the City Recorder. Councilmember Sadler questioned terms of a draft policy prohibiting public employee status for elected city officials. Councilmember Weston maintained that legislation was passed to allow municipal employment of elected officials. Ramifications associated with a "Moderate" Fraud Risk Assessment were discussed. **Councilmember Sadler moved to approve the Fraud Risk Assessment. Councilmember Weston seconded the motion. Councilmembers Sadler, Weston and Skeen voted aye. The motion carried.**

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Motion: Approval of Business Licenses
None.

Motion: Approval of Warrant Register
See warrant register dated 06/01/2021 to 06/16/2021. **Councilmember Weston moved to approve and pay the bills as presented. Councilmember Skeen seconded the motion. Councilmembers Sadler, Weston and Skeen voted aye. The motion carried.**

Report from City Council

Councilmember Skeen relayed a report by a resident, of sink holes in the bowery parking lot on 4425 West Street. He indicated that Dan Schuler is aware of the report and has resolved the issue.

Councilmember Weston reported that the Green Waste Program is functioning well. He noted that repairs were done to equipment at the City Landfill.

Mayor Beesley thanked the Council for accepting the proposed budget. He voiced appreciation to department heads for prudent use of taxpayer money. He specifically acknowledged the Landfill Director's carefulness in manage resources. He commented positively on new businesses that have opened in the Town Center area. He encouraged patronage of local businesses.

At 8:28 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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