

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
MARCH 3, 2022

The City Council of Plain City convened in a regular meeting at City Hall, 4160 W 2200 N in Plain City, on Thursday, March 3, 2022 also accessible via ZOOM beginning at 7:00 p.m.

Present: Mayor Jon Beesley, Councilmembers Rachael Beal, Buddy Sadler, Luigi Panunzio and Todd Skeen
Excused : Councilmember Jed Jenkins
Staff: Diane Hirschi, Dan Schuler, Melissa Miller
Present: Jared Hadley, Parker McGarvy, Jeff Hales, Jim Flint, Lisa Cox
Also Present via Zoom: Brandon Richards, Rob Ortega, Jim Beesley

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

The Mayor excused Councilmember Jenkins.

Approval of Minutes from Feb. 17, 2022

Councilmember Beal moved to approve the work meeting and regular minutes from February 17, 2022 as presented. Councilmember Skeen seconded the motion. Councilmembers Beal, Sadler, Panunzio and Skeen voted aye. The motion carried.

Comments: Public

There was none at this time.

Report from Planning Commission

Jarod Maw spoke about their meeting from February 24, 2022. The commission approved the Stokes property lot line adjustment. They tabled the Panunzio Phase 2 final subdivision due to some questions for the developer. They discussed the Jackson property on 3900 West. The Jackson's proposed their ideas and the commission gave them feedback on what could possibly work due to zoning and wetlands areas. The commission discussed accessory dwelling units and vacation rentals. They also discussed the definition of front lot lines. The commission has worked on a 10-question survey which will be posted on line for public feedback on the general plan. Mayor Beesley mentioned the RV permit ordinance would be coming their way for review.

Discussion/Motion: Final of Cove Creek Subdivision – 6 lots – approximately 900 N 5200 W

Mayor Beesley mentioned that there was some verbiage that needed to be changed to reflect that the city would own the detention basin and take over the sewer line at some point; the lot lines in the cul-de-sac and the temporary turnaround also needed attention. Mayor Beesley stated Jim Flint has completed the tasks he was given regarding these items. Mayor Beesley mentioned that Jim Flint has asked that the detention basin remain open to allow for animals and be maintained by the owner of lot 6. The owner would fence it and rock it as well. Councilmember Sadler asked if the city had a written agreement for this and Jim Flint mentioned that he would be happy to provide it. Councilmember Sadler stated he would like it in writing so that it's part of the agreement. Mayor Beesley asked Mr. Flint to draft the agreement and address the items they discussed for the city attorney to review regarding the basin. Mr. Flint requested that the final approval be offered tonight so that they can move forward.

Councilmember Sadler moved to accept Cove Creek Subdivision contingent upon Mr. Flint's agreement being approved by the city attorney and the next council meeting. If it is not accepted, the approval is void. Councilmember Panunzio seconded the motion. Councilmembers Beal, Sadler, Panunzio and Skeen voted aye. The motion carried.

Discussion/Motion: Approval of Golden Land Management Sewer Lift Station Reimbursement Agreement – River Crossing

Mayor Beesley stated that this is a pioneering agreement. In the past, the city has always been the bank on these agreements and is not a benefit to the city in any way. The agreement has been reworded so that the developer must go through Golden Land Management to get a letter stating they have paid in full before any subdivisions can be approved. Mayor Beesley stated these agreements are usually in effect for 10 years with extensions of 5 years being offered. Jeff Hales stated he's gone over some of the past agreements with the city. He stated by modifying the agreement, it takes the city out of being responsible for collecting or enforcing the developers to perform. The developer must now get a receipt of payment from Golden Land Management to present to the city instead. Mr. Hales stated that once the 10 years has passed, if an extension is needed, Golden Land Management would be the ones to track it and come to the city to request it. Mayor Beesley stated that decision would be the up to the council. Mayor Beesley asked for city attorney, Brandon Richards, input. Mr. Richards went through the agreement and pointed out areas that might need to be reworded. Mayor Beesley stated there was discussion about taking the city completely out of it. Diane Hirschi mentioned that since Mountain View Water is notified as part of the approval process, they will know that a development falls into this agreement. Mr. Hales agreed. Mr. Hales stated the city support would be beneficial to Golden Land

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Management in order to keep developers in line and have better watch over reimbursements. Mr. Hales said it would be less responsibility for the city and better reimbursement from developers. Mayor Beesley stated that all responsibility is at the risk of the developer and Mr. Hales agreed. Mr. Hales asked that Golden Land be given the opportunity to extend agreements for an additional five years as long as they approach the city before the initial 10-year period ends. Mr. Hales suggested making changes to the agreement and running them through the city attorney. Dan Schuler asked if newer systems begin popping up around the lift station will there be a requirement to tie into it. Mr. Hales said that would not be the case as long as there are other options. Mayor Beesley mentioned that Golden Land would just need to be diligent about making sure the agreements are done correctly as the city would not be responsible for it. **Councilmember Sadler moved to table approval of Golden Land Management Agreement until changes have been revised. Councilmember Skeen seconded the motion. Councilmembers Beal, Sadler, Panunzio and Skeen voted aye. The motion carried.**

Discussion: Visionary Homes – Stimpson Parcel Proposal

Parker McGarvy was invited to speak to the council regarding some acreage out by the Stillcreek Subdivision. Mayor Beesley stated he asked Mr. McGarvy to explain his ideas to the council. Mr. McGarvy mentioned Phase 3 of Stillcreek and stated they are looking at an area that is designated as a park right now with one acre lots surrounding it. They would like to increase the density. Mayor Beesley stated he suggested allowing for some half acre lots if Visionary Homes would deed the city 14 acres for a park with a possible fish pond. Mr. McGarvy mentioned Visionary Homes would like to see roughly 35 half acre lots. Mayor Beesley asked if this was even a possibility for them. Mr. McGarvy stated they would have to sit down and see how everything “pencils” but it was something they could look at. Mayor Beesley stated the area is also a prime location to cut into the trail system as well and it would tie into the park. Councilmember Panunzio mentioned he liked the idea. Councilmember Skeen stated the parcel “screams horse property”. Jarod Maw mentioned the parcel appeared to be on critical/sensitive land according to the general plan and future land use maps. Mr. McGarvy stated an environmental study has been done and acknowledged the area is pretty wet, but buildable. Mr. Maw stated a park to tie into the trail is a great idea. Mayor Beesley thanked Mr. McGarvy for presenting and mentioned that this is all very preliminary. Councilmember Sadler stated he agreed with Councilmember Skeen about keeping it as horse property. Mayor Beesley asked if Visionary Homes would allow the city to take on the responsibility of building the park instead of having Visionary Homes be responsible for the amenity. Mr. McGarvy stated he believed that would be something to consider, but large acre lots and parks are hard to do in this economy. He stated Visionary Homes is looking to invest in Plain City, so they are looking for ways to make things work for both them and the city. Mayor Beesley stated he believes there’s room for discussion to make things work and asked Mr. McGarvy to throw some ideas together and see what they can come up with. Mr. McGarvy asked if there have been any citizen requests for certain amenities. Councilmember Beal mentioned a rock wall and dirt bike courses. Councilmember Skeen stated more pickleball courts. Mayor Beesley mentioned this was just a discussion item for now.

Discussion/Motion: Proposed Draft - Internal Accessory Dwelling Units

Mayor Beesley stated this has been worked on by both the Planning Commission and the City Council. He invited comments from the council. Councilmember Sadler had some concern regarding some of the verbiage used. There was discussion regarding rentals within the city and the upkeep of the exterior when the owners are not living in the home. Councilmember Sadler stated he would like to see verbiage stating that the owners “must” live in the residence as opposed to the word “shall”. He also worried about add-ons becoming too big, but liked the mother-in-law apartments where parking doesn’t become an issue. Mayor Beesley stated by changing the wording to allow two parking spaces instead of one, that would take care of that issue. Councilmember Sadler stated he would like to see add-ons be limited in size as well so that they cannot become larger than the house itself. Mayor Beesley suggested doing rentals by permit in order get credit for affordable housing and the city is made aware of where and rentals are happening. Councilmember Sadler mentioned waiting to make any final decisions until the Legislature finishes their session in April and sends out new guidelines to cities. Jarod Maw stated one of the bills being discussed (HB 462) which talks about IADUs. The legislature is considering making those require a permit or license. Mayor Beesley stated he added a line to the permit stating “No rental addition will be more than 50% of the home’s square footage.” Councilmember Sadler stated he liked that verbiage and added he would like to see the city also double the sewer billing as well. Mayor Beesley stated the city should require a business license for any rentals and have them apply for permits to allow for the city to inspect the units. Mayor Beesley suggested there should be a cost for the permit. He asked Mr. Maw to take it back to the Planning Commission for one final review before the City Council takes it back. Councilmember Skeen liked the improvements made to the draft as did Councilmember Beal. **Councilmember Beal motioned to send the Proposed Draft back to the Planning Commission for changes. Councilmember Skeen seconded the motion. Councilmembers Beal, Sadler, Panunzio and Skeen voted aye. The motion carried.**

Discussion/Motion: Council Assignments

Mayor Beesley presented the council assignments and reported that he will be over all Administration, Judicial, Sheriff, Bona Vista, Public Works, Fire Department and Parks and Recreation. Councilmember Sadler will continue to be over Mosquito Abatement and be assigned Fiscal Management under the Strategic plan. Councilmember Skeen will be over Facilities and the

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Landfill, as well as Recreation under the Strategic plan. Councilmember Beal will be over Plain City Irrigation and Community Planning under the Strategic plan. Councilmember Panunzio will be over Emergency Management and Community Engagement under the Strategic plan. Councilmember Jenkins will be Mayor Pro Temp and over CTC Fremont 5 Coalition, and Community Engagement under the Strategic plan. Mayor Beesley asked for feedback on assignments. Councilmember Beal asked why a more seasoned councilmember was not being given the Mayor Pro Temp assignment and suggested it be given to either Councilmember Skeen or Councilmember Sadler. Both Skeen and Sadler stated they were fine with the Mayor's decision. Mayor Beesley stated there was no special decision made regarding the assignment and he would be happy to give it to someone else. Councilmember Sadler stated he would like it, but he was fine with Councilmember Jenkins taking it as well. Mayor Beesley stated he has no issue with giving it back to him. Councilmember Sadler will be reassigned to Mayor Pro Temp. Councilmember Beal stated her comments were not meant to be taken negatively against Councilmember Jenkins and the council agreed as well. **Councilmember Skeen moved to approve the council assignments as presented. Councilmember Beal seconded the motion. Councilmembers Beal, Sadler, Panunzio and Skeen all voted aye. The motion carried.**

Motion: Approval of Business Licenses

New

Oakmont Trucking Ross Fox 5145 W 1500 N office for trucking company

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

Motion: Approval of Warrant Register

See warrant register dated 02/28/2022 to 02/28/2022. **Councilmember Beal moved to approve and pay the bills as presented. Councilmember Skeen seconded the motion. Councilmembers Beal, Sadler, Panunzio and Skeen voted aye. The motion carried.**

Report from City Council

Councilmember Beal mentioned Track signups in April. The Lion's Club and Youth Council will be helping Colette Doxey with the annual Easter Egg hunt. The Youth Council will be holding a Veterans Appreciation Dinner on March 17th. She will be attending the ULCT meeting in St. George in April. She will be visiting the Thunder Junction all-abilities park for ideas while there.

Councilmember Sadler addressed the street light on 1975 N and 3600 W. He mentioned the light seems to be very dull or not working at all. Dan Schuler stated Rocky Mountain Power has been made aware of it and are working to fix it. Councilmember Sadler also mentioned the speed limit sign on 1975 N was also not working properly. Dan stated he will look into it. Councilmember Sadler asked if something was being planned for Founder's Day and Mayor Beesley stated the Veterans dinner is taking its place this year while the city looks at revamping it.

Mayor Beesley spoke about the cornhole league and mentioned how much fun it was. There were 20 teams with Councilmember Panunzio winning the tournament. There was great participation from our city and surrounding cities. Another league will be starting up for Spring. Mayor Beesley addressed the RAMP grant status for the amphitheater. The city did not receive a grant this year. Mayor Beesley, Dan Schuler and Melissa Miller met with the arts coordinator for the RAMP committee before grants were decided and answered her questions and concerns. The coordinator mentioned there were more requests for arts grants than they've ever received in the past and money was tight this year. The coordinator explained part of the reason for being denied this year was due to limited funding, but the committee also wanted to see letters of support from all neighboring residents. This was an issue for the North Ogden amphitheater, which resulted in a lawsuit. The committee stated they wanted to see the project come back to them next year. Mayor Beesley then spoke about the Blossom Angus game. He presented the council with a Founder's Cup which will be awarded at the end of each game every year. There is a place for each winner to be engraved on the side of the cup. The cup will be displayed proudly in the city office building.

At 8:45 p.m. Councilmember Sadler moved to adjourn and was seconded by Councilmember Skeen. The vote was unanimous.

City Recorder

Mayor

Date approved _____

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Present: Mayor Jon Beesley, Councilmembers Jed Jenkins, Rachael Beal, Buddy Sadler, Luigi Panunzio and Todd Skeen
Staff: Diane Hirschi, Dan Schuler, Colette Doxey
Present: Greg Burdett, Shad Christensen, Dave Stireman, Reed Scow, Blake Neil, Jim Flint, Lt. Horton
Also Present via Zoom: Rob Ortega, Jim Beesley
Call to Order: Mayor Beesley
Pledge of Allegiance: Councilmember Beal
Invocation/Moment of Silence: Councilmember Sadler

Approval of Minutes from February 18 and March 3, 2022

Councilmember Sadler moved to approve the minutes from February 18 and March 3, 2022 work as presented. Councilmember Beal seconded the motion. Councilmembers Jenkins, Beal, Sadler, Panunzio and Skeen voted aye. The motion carried.

Comments: Public

There were none at this time.

Report from Planning Commission

Commissioner Neil explained the new punch list ordinance the Planning Commission has been working on. He spoke about the Sage Creek Development and stated the plans they had were old and did not meet current requirements. Sage Creek presented new plans that night to the commission with updates so it was tabled. He also spoke about Accessory Dwelling Units and stated they have reviewed it and made a few changes, such as “adequate parking” instead of “2 parking places”. Commissioner Neil stated the commission discussed some of the verbiage regarding how large the unit could be and the commission worried that if it was left as a percentage, it would be hard to enforce. Councilmember Sadler and Mayor Beesley discussed the idea of requiring square footage documentation to be attached to the application. Commissioner Neil stated that after discussing it with the commission, they worried that people might find the application to be too detailed and skip it. Mayor Beesley suggested just limiting the size to simplify things. Councilmember Sadler agreed that might be an option and asked Commissioner Neil to discuss it with the commission to get their thoughts. Commissioner Neil mentioned that they have actually brought that idea up in their meetings. Councilmember Sadler clarified that the council’s concern behind the square footage was to ensure the ADU would not become larger than the actual home itself. Commissioner Neil understood their position and stated they have different avenues they can look at to achieve that goal. Commissioner Neil also mentioned the Stillcreek Subdivision and the engineer’s recommendations and asked the council if it was ready for their approval. Councilmember Sadler asked about the frontage of lot 356 in C3, as it stated this particular lot does not have enough frontage. Commissioner Neil stated there was no curve table which can cause problems with the frontage requirements. Councilmember Sadler stated the shape of the lot is odd. Commissioner Neil stated because of the angle of the lot, they need to figure out where to measure frontage, but they do believe it was wide enough. He mentioned the Panunzio subdivision was tabled for now while the developer finishes some items. Councilmember Sadler thanked Commissioner Neil for his report and the good work of the Planning Commission.

Presentation: Wasatch Front Football League

Dave Stireman, president of WFFL, and Greg Burdett spoke to the council. He invited the council to ask questions about the WFFL. He stated he was here to answer any concerns the council might have after the presentation of the Ute Football League back in February. He stated that the WFFL is the incumbent and has been in Plain City for years. He has nothing against the Ute League, but he believes some of their coaches don’t like to follow the rules such as creating teams from the kids within city limits, so they leave the WFFL in order to pull kids from different cities and create their own teams. Mayor Beesley pointed out that Plain City does allow kids from neighboring cities to play, but they pay a non-resident fee. Mr. Stireman stated he understands the need to do that since some of the areas surrounding Plain City are unincorporated. He said that every kid on the WFFL is given the opportunity to play, which starts with the support of the cities. He said the support of the city is an enormous benefit to the residents. He also mentioned the WFFL has the lowest player fees in all leagues. Colette handed out a breakdown of the fees. He mentioned that the starting cost for Ute League players is \$280. Subsequent years range from \$350-400 per player and he is concerned that it becomes too expensive. Mr. Stireman stated that if Plain City chooses to stay with the WFFL, the fees stay the same and nothing changes for the players. He stated he works on a volunteer basis and helps the WFFL resolve any

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issues to keep the league going. He also stated in the 20 years he's been involved, there have not been many changes to rules. He recognizes the WFFL needs to evolve and make a few changes to help the league stay competitive and they are already in the process of doing so. Mr. Stireman stated they have discussed the issue of age-based teams vs. grade-based, and have begun making changes. The WFFL has also broken teams out into A and B level teams based on each team's choosing for how competitive they want to be. He mentioned there are over 200 teams in the league with up to 100 games being played each week and he tries to keep travel games very close so as not to impact families. He mentioned the Ute League has presented their platform at other cities and have gained some support, but not every city is on board. Councilmember Jenkins stated he has been doing some research on the Ute League since their presentation and asked Mr. Stireman if the Ute League plays on a shorter field (80 yards). Mr. Stireman stated that was correct and that the goal lines were set at the 10's mark. Mr. Stireman stated the WFFL does that with the younger teams when they start out on the rookie tackle program, which consists of 8 players on an 80-yard field. As the kids move up, the teams go to 11 people and play on the 100-yard field. He stated the Ute League uses the 80-yard field due to the fact that many of the teams they play in the Salt Lake are cannot accommodate a 100-yard field. Councilmember Jenkins also asked if the Ute League using a running clock, which can average 10 less plays. Mayor Beesley confirmed that the Ute League does keep a running clock, for the most part. Mr. Stireman stated the WFFL does try to adhere to an hour and 45 minutes for each game, but they do not keep a running clock. The goal of the WFFL is to get in as many plays as possible to give the kids experience and appease parents. He stated the whole goal of the WFFL is to create opportunity for the kids and give them a great experience. Mayor Beesley stated he wants everyone to know that he wants football played on Plain City fields and he supports both the WFFL and the Ute League. He will not ask the council to vote on football this year, but they will monitor how this upcoming season goes and then reevaluate next year. Mayor Beesley thanked Mr. Stireman for his comments and information. Mayor Beesley asked Colette Doxey about the amount budgeted for referees. He mentioned the budget was set at \$7500.00, and only \$3584.00 was used. He asked about why it was so low. Colette stated she budgeted high so it would include flag football. She also added a \$5.00 misc. fee for equipment fixes, mouth pieces, first aide kits, etc. Colette stated she knew it was very inflated, but wanted to give the council an accurate picture of costs and fees.

Discussion/Motion: Agreement for Cove Creek Subdivision – Drainage Pond Agreement

Mayor Beesley stated he spoke with Brandon Richards and wanted to make sure that Dan Schuler would have access to inspect the property. He stated the agreement included verbiage that stated the property owner would mat and rock the pond and maintain it. Mayor Beesley invited Jim Flint to comment on the agreement. Mr. Flint stated the agreement also included a lien as per the city's request. Mayor Beesley invited the council to ask any questions or address any concerns. Councilmember Beal asked if the Engineer was satisfied and Mayor Beesley confirmed that he was. Councilmember Jenkins asked if the temporary turnaround issue had been resolved. Mayor Beesley asked Mr. Flint if the turnaround had been deeded to the city and recorded on the plat. Mr. Flint confirmed that it was. **Councilmember Sadler moved to approve the agreement for the Cove Creek Subdivision as presented. Councilmember Jenkins seconded the motion. Councilmembers Jenkins, Beal, Sadler, Panunzio and Skeen voted aye. The motion carried.**

Discussion/Motion: Shad Christensen – Utility ROW Agreement – Robson Farms Subdivision

Mayor Beesley stated this ROW was very similar to the Skeen Subdivision agreement. Mayor Beesley stated that the agreement stipulated that if the city was running behind on their part of the project, the lots involved would not sit for long periods of time unfinished. He mentioned that this project will not happen this year. He mentioned he's not against approving the ROW agreement, but the city can ask the developer to put the improvements in. Councilmember Beal pointed out an issue with some verbiage on page 3 item 5. She stated the language should be changed from "may complete" to "will complete". Shad Christensen stated that the verbiage dictates that the developer would need to obtain permission from the city in order to complete any improvements. Mayor Beesley stated it basically just states if at any time the city determines they are unable to complete the improvements, the developer will do it. Mayor Beesley asked Mr. Christensen if he would change the wording from "may" to "will" and Mr. Christensen agreed to do so. Councilmember Sadler stated he was concerned about the property transferring hands before the improvements are completed. He asked if the lots were able to be built on even without completed improvements. Mayor Beesley stated this agreement allows homes to be built and obtain occupancy with the knowledge that improvements are forthcoming through a grant. He asked if building permits would be issued. Dan Schuler stated permits could be issued and occupancy would be permitted, but the developer would have to enter into an escrow and would be responsible for a temporary asphalt up to the driveways and connecting to the existing asphalt. Mayor Beesley stated he wasn't sure asphalt could be required, but gravel would be. Councilmember Sadler mentioned the ditch would need to be installed before water is released by the developer. Mr. Christensen said timing would be an issue with market conditions and grant money access. He stated part of the ROW was acquiring an easement to move the ditch, but he may have to hold off to record the plat until the grant comes through so it may not happen this year. He mentioned the best time to do it will be right before the contractors arrive to raise the asphalt, which would push the ditch project back by several months. Mayor Beesley stated if the road is under construction, the city would not be able to issue a permit for them to move the ditch. Mr. Christensen stated he plans to pull permits the month

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before that happens. He stated he also needs to coordinate with Rocky Mountain Power and Dominion Energy to get the stubs done on the road in order to keep things moving. Councilmember Sadler asked if the ditch would be ready before the water starts running. Mr. Christensen said the portion that has been torn out will be vacated and the city will no longer be required to pipe about 1,000 feet of the ditch, which is why he is hoping to move forward with this agreement. He said everything that needs to happen with the road depends on the agreement being approved. **Councilmember Jenkins moved to approve the Utility ROW Agreement with the word change on page 3, section 5 from “may” to “will”. Councilmember Beal seconded the motion. Councilmembers Jenkins, Beal, Sadler, Panunzio and Skeen voted aye. The motion carried.**

Discussion/Motion: Final Approval of Still Creek Phase 3C and 3D

Reed Scow with Visionary Homes spoke to the council. Mayor Beesley asked Mr. Scow when the city would see amenities. Mr. Scow stated he met with the HOA board and is hoping for a second meeting to go over the amenity package this week. He said once they have everything done, they will come and present it to the city. Mayor Beesley asked Councilmember Sadler if he was on Planning Commission when this subdivision was approved. Councilmember Sadler confirmed that he was. Mayor Beesley stated his understanding is that the city selects the amenities. Councilmember Sadler clarified that a list of amenities was presented for city approval and final selection would be determined by both the city and developer. He said that if the council is unhappy with the list, the council could reject it and ask the developer to start over. Mayor Beesley asked about the number of phases going in. Commissioner Neil stated there are four phases and the commission has asked Visionary Homes to bring them an overview of all the phases as they are also concerned about open spaces and amenities as well. He stated the commission has not yet received it. He spoke about Phase 2 and the requests they made regarding the park. The commission had asked for a restroom and parking and Visionary completed that request. Commissioner Neil stated the city does have final approval. Councilmember Sadler mentioned that the city even had direction over where trees were planted. Commissioner Neil stated the commission is waiting for the overview to see how Phase 3 will interface with Phase 4. Mayor Beesley stated he just wanted to clarify the city’s position on the amenities since Phase 2 was still not completed yet. He mentioned he has a few concerns regarding Still Creek. Mayor Beesley stated that the engineer gave them a green light. Mr. Scow asked if the engineer’s approval took precedence and Mayor Beesley confirmed that it did. Councilmember Beal asked if there was anything that addressed the note about the frontage road. Mayor Beesley then asked Mr. Scow about lot 356. Mr. Scow stated it was built according to the ordinance and they had it verified by the engineer. **Councilmember Jenkins moved to approve Still Creek Phase 3C and 3D as per the engineer’s approval. Councilmember Panunzio seconded the motion. Councilmember Jenkins, Beal, Sadler, Panunzio and Skeen voted aye. The motion carried.** Mayor Beesley spoke about a concern he had over HOA fees being increased to cover the cost of amenities. He mentioned that the HOA increase would amount to \$20,000.00 a month. Mr. Scow stated the amenity package is roughly \$2.5 million dollars, as well as donated items which includes tot lots, soccer fields, club houses, etc. He explained that the HOA covers existing and future amenities while also replacing things such as dead trees, ongoing repairs, insurance, etc. Mayor Beesley stated his dilemma is that the developer is creating a sub-HOA for amenities. He believes once it’s turned over to the HOA, it should be the HOA’s call whether or not to raise rates. Mr. Scow stated the developer is legally required to do a reserve study on the entirety of the project, which determines the price of the project. The developer should ideally have it funded at 100%, but the reality is closer to 70%. Mr. Scow stated if the reserve study states HOA fees must be set at a certain price, the developer cannot lower the rate in order to help sales. Mr. Scow state the reserve study is not funded and if the developer doesn’t follow the law, it opens the doors for lawsuits. Mr. Scow acknowledged not everyone likes HOAs and stated poor funding and poor management can lead to its downfall. He mentioned there needs to be enough money in the HOA to keep it going so that the homeowners don’t ask the city to take it over. Mayor Beesley agreed with his comments, but asked why it is not the HOAs decision to determine fees. Mr. Scow stated due to the reserve study, the fees are the responsibility of the developer until it’s turned over. Mayor Beesley then asked why a sub-HOA would be created. Mr. Scow stated there are many different reasons one could be created, but usually there is a reason such as a benefit assessment area. He stated he’s not in favor of doing a sub-HOA, but if it becomes to big and expensive, then the need might arise and if that happens, they would work with the existing HOA. He stated he hopes the HOA would want to remain, but that’s a bridge they would need to cross if that happens. Mayor Beesley stated he understands there are costs involved, but questions the excessive amount, especially considering there are not any large amenities to maintain. Mr. Scow stated he agrees with Mayor Beesley’s comments and explained that amenities to require a lot of upkeep in order to remain functioning. Mayor Beesley thanked Mr. Scow for his time and stated they would discuss it more in the future.

Discussion/Motion: Western Weber ATP Funding - \$2,000

Mayor Beesley stated this is a grant regarding a regional active transportation trail system through Plain City, Marriott-Slaterville, Farr West, West Haven, Hooper and possibly even Roy. Mayor Beesley spoke about the trail system through Plain City and this grant would help us update and tie trails all the way through Utah County. Councilmember Jenkins stated he liked the idea and asked if Plain City would have a say in the planning. Mayor Beesley mentioned we would have input and

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Councilmember Sadler would also be involved as well as he is over Parks and Trails. Councilmember Beal asked where the funds would be taken from. Mayor Beesley stated he would look into it and let everyone know which fund would be used. **Councilmember Jenkins moved to approve the Western Weber APT Funding of \$2,000. Councilmember Sadler seconded the motion. Councilmember Jenkins, Beal, Sadler, Panunzio and Skeen voted aye. The motion carried.**

Discussion/Motion: Amendment to Subdivision Ordinance Concerning Punch List Items

Dan Schuler addressed the council and explained that the punch list is used as a way for Dan to cover the city and help the developer get any items cleaned up before conditional final could be approved. Dan explained that the punch list doesn't have a time limit for the items to be resolved. This has led to developers holding onto the lists for long periods of time, sometimes up to a year. Dan explained when this happens, the original punch list might be finished, but new problems or issues can crop up and Dan isn't allowed to add anything to the punch list. Dan has added a 60-day time limit to the ordinance for punch list items to be finished. If the items have not been completed by that time, the developer must start over. **Councilmember Sadler moved to approve Ordinance 2022-04 amending the Subdivision Ordinance concerning punch list items. Councilmember Beal seconded the motion. Councilmembers Jenkins, Beal, Sadler, Panunzio and Skeen voted aye. The motion carried.**

Motion: Approval of Business License

JM Trucking	Jerald McWain	2869 N 5150 W	paperwork for trucking co
ABC Appraisals, LC	A. Bruce Christensen	3139 W 3050 N	appraisals of real property
Anarie Piano Studio	Anarie White	2754 N 3475 W	private piano studio
Goat Hollow Ranch	Jeff Zitselberger	3296 W 3900 W	emotional support using animals

Renewals

Cody Rhees Construction, Inc	Cody Rhees	2414 n 4350 W B2	general contractor
Talia Dodd, LMT	Talia Dodd	3108 W NPC Rd	massage therapy
Totally Blind	Spencer & Elizabeth Bennett	2414 N 4350 W	window coverings
Yellowstone Fence Sprinkler	Greg Shepherd	2726 W 2550 N	landscaping contractor
True Value, Plain City	PCT-KTA LLC	3627 W 2600 N	hardware store

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

Motion: Approval of Warrant Register

See warrant register dated 03/01/2022 to 03/15/2022. **Councilmember Beal moved to approve and pay the bills as presented. Councilmember Skeen seconded the motion. Councilmembers Jenkins, Beal, Sadler, Panunzio and Skeen voted aye. The motion carried.**

Report from City Council

Councilmember Beal mentioned Planning Commission letters were due on March 18th. She attended the Veterans Dinner and enjoyed the evening.

Councilmember Sadler attended the Mosquito Board meeting and mentioned abatement chemical is being stockpiled. They are looking at using drones to help spread the chemical and they have been very helpful and cost effective.

Councilmember Panunzio asked about a social media post regarding no landscaping this spring. Mayor Beesley stated there was a preliminary assessment done by Weber Basin and the possibility of no new landscaping being considered. Nothing has been finalized yet. Councilmember Panunzio also addressed the concerns of increased traffic accidents at 4100 and 1975.

Councilmember Beal mentioned that daylight savings time could be a factor. Mayor Beesley stated this is probably where Plain City's first stop light might have to go. There was some discussion about the Weber County Sheriff's Office is actively studying this particular area to see what is happening. Dan Schuler stated with the addition of the new subdivision, he requested a traffic study which was conducted and determined that a light was not warranted yet.

Councilmember Skeen stated the Lion's Club restrooms were in perfect condition. He is looking forward to working on the landfill and recreation assignments with the Strategic Plan.

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
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Mayor Beesley stated he is going over the Strategic Plan with each councilmember and asking them to dedicate an hour a week to keep the goals moving forward and completing tasks. He is excited to progress in the plan and asked for any feedback going forward to keep things going. He also attended the Veterans Dinner and expressed his appreciation for Barb and James Jensen's work in finding veterans throughout our city. He expressed his appreciation for Kent's Market and their generous donation on the catering. He also mentioned the hard work of the Youth Council and Melissa Miller, stating they did a great job hosting this event.

At 8:39 p.m. Councilmember Sadler moved to adjourn and was seconded by Councilmember Skeen. The vote was unanimous.

City Recorder

Mayor

Date approved _____