

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
AUGUST 7, 2025

The City Council of Plain City convened in a regular meeting at City Hall, 4160 W 2200 N in Plain City, on Thursday, August 7, 2025 also accessible via ZOOM beginning at 6:30 p.m.

Present: Mayor Jon Beesley, Councilmembers Adam Favero, Luigi Panunzio and Jed Jenkins
Excused: Councilmember Rachael Beal, Jan Wilson
Staff: Diane Hirschi, Stacy Adams
Present: Brandon Richards, Sgt. Jim Kortright, David Pitcher, Shawna Faulkner, Phil Meyer, Lacey Hainline, Justin & Jennifer Brown, Todd & Criss & Rhett Wheeler, Shaun Fowers, Landon Limb, Sean Jones, Kory Johnson, Robert Lamb, Steve & Heather Shaffer, Carl Miller, Trisha Deachin, David Deachin
Via on Zoom: Brandan Quinney, Mike Phillips

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

Mayor Beesley presented Brandon Richards, previous City Attorney, with a plaque for over 20 years of service to the City and thanked him for his instrumental service and phenomenal friendship to himself and others at the City.

Approval of Minutes from July 17, 2025

Councilmember Jenkins moved to approve the minutes from July 17, 2025 as presented. Councilmember Panunzio seconded the motion. Councilmembers Favero, Panunzio and Jenkins voted aye. The motion carried.

Comments: Public

Rhett Wheeler asked the Council for permission to use City Parks to set up an orienteering course with markers for people to find using compasses or instruments. There would be no cost to the City but maybe a link of the project on the City website.

Sean Fowers stated he lives on 3475 W and asking for help on the speeding on 3475 W. They have called the Sheriff's Office multiple times for police presence. They spoke with another resident and thought maybe removable speed bumps might be a good deterrent. The majority of people who use that road use it as a cut through and don't care about the speed limit. He would prefer permanent speed bumps but know Public Works has problems with the snow plows. He reported that it is dangerous and would like some help to control the speeding. There has already been a traffic speed trailer out there.

Steve Schafer stated he also lives on 3475 W and works for UHP. The road used to be a dead-end street with only 16 houses on the street but now it is literally a thoroughfare. It connects people to Kent's, the high school, elementary school and the freeway. It's a wide straight road and he has sat in his patrol car at times after getting home from work and run some radar with top speeds 50 to 55 mph. They have witnessed cars racing down the road going at least 70 mph. The speed limit is 35 mph. Tonight, he did some speed enforcement and wrote down 60 cars in about a 30-minute timeframe and 45 were over 30 mph, 10 over 40 mph, 5 over 45 mph with the top speed of 48 mph. It is no longer a neighborhood, it is a throughfare, it is a huge safety problem even backing out of our driveway.

Kory Johnson stated he is building a house on 3475 W and currently lives in Roy. He noted that they have speed humps there and it helps to slow people down to the 25-mph range. They have had issues with people honking and almost ramming them as they pull into their driveway or back in a trailer. He has not seen any police officers but would like to have extra patrols on 3475 W or get a speed hump. As soon as high school starts back up it is going to get worse and Saturdays are horrible. Roy City doesn't have any issues with the speed humps as they are gradual. Someone is going to get hurt bad on that road.

Jennifer Brown stated she also lives on 3475 W and they refer to it as the favorite road since everyone seems to use it to cut through from North Plain City Road to Kents. It has become a shortcut. Many drivers drive above the speed limit and it is constant.

Landon Limb stated he also lives on 3475 W and is concerned for his kids playing in his front yard and safety.

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David Deachin stated he also lives on 3475 W and probably 1 out of 10 drivers actually go the speed limit.

Mayor Beesley stated he has talked to the Lieutenant with the WCSO traffic unit but will contact him again to do extra patrols on 3475 W and city wide. There are many roads in Plain City and one of the largest complaints we have are issues with speeding.

Report from Planning Commission

Shawna Faulkner stated the Planning Commission did not have a meeting on July 24 so there was nothing new to report to the Council.

Discussion/Motion: Approval of FY26 Road Projects

Dan stated the engineer estimate came in higher at first but was adjusted. The lowest bidder was C&B Asphalt for \$302,2610.80 which included the striping. It was noted that we have used C&B the last couple of years and they do good work. Councilmember Jenkins moved to approve the fiscal year 2026 road projects as presented. Councilmember Favero seconded the motion. Councilmembers Favero, Panunzio and Jenkins voted aye. The motion carried.

Discussion/Motion: Approval of Lee Olsen Park Sports Lighting Bid

Council is waiting on impact fees study results to make an approval at a future meeting. Councilmember Jenkins moved to table the Lee Olsen park sports lighting bid. Councilmember Panunzio seconded the motion. Councilmembers Favero, Panunzio and Jenkins voted aye. The motion carried.

Discussion/Motion: Resolution - Adopting Weber County Pre-Disaster Mitigation Plan

The Mayor reported that this plan is piggybacked with the County. Councilmember Favero moved to approve Resolution 2025-04 for the Weber County Pre-Disaster Mitigation Plan as presented. Councilmember Jenkins seconded the motion. Councilmembers Favero, Panunzio and Jenkins voted aye. The motion carried.

Discussion/Motion: Purchase of Lawnmower - \$7,500

Mayor Beesley stated Dan had tested out this used machine and the Mayor saw the results of the test drive. The mover doesn't mulch or bag but Dan stated attachments are available to purchase if needed. This purchase would come out of the Public Works Park equipment budget. Dan noted that they have had problems with other City mowers being in the shop. Councilmember Jenkins moved to approve the purchase of the lawnmower as presented. Councilmember Panunzio seconded the motion. Councilmembers Favero, Panunzio and Jenkins voted aye. The motion carried.

Motion: Approval of Business Licenses

New – Home Occupation

Sierra Hess, LLC	1921 N 3825 W	Sierra Hess	Hair Salon
Serenity Salon	2987 W 2450 N	Lindsay Friedli	Hair Salon
S&C Investment Group, LLC	1869 N 3500 W	Candis Tippets	Home Office (Rental properties & Investments)
R3 Performance	2717 W 1650 N	Garrett Rumsey	Home Office (Online Parts Store)

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

Motion: Approval of Warrant Register

See warrant register dated 7/17/2025 to 7/30/2025 and 07/31/2025 to 07/31/2025.

Councilmember Jenkins moved to approve and pay the bills as presented. Councilmember Favero seconded the motion. Councilmembers Favero, Panunzio, and Jenkins voted aye. The motion carried.

Report from City Council

Mayor Beesley stated he will get with the WCSO Traffic Unit to do extra patrols on 3475 W as well as other locations in the City. He knows the City has a lot of complaints of speeding. He asked the residents to go out and support local Plain City youth at the Weber County Fair this year. They have put in a lot of hard work and it's great to see their smiles and successes.

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WCSO Sgt. Kortright stated he is over the traffic unit and has Plain City on his list of cities for the traffic unit to patrol for speeding and using cell phones while driving. Their presence will be seen next week.

At 7:17 p.m. Councilmember Jenkins moved to adjourn and was seconded by Councilmember Panunzio. The vote was unanimous.

A work meeting was scheduled for after the regular meeting for the discussion of purchasing the property for a park. The Mayor canceled the work meeting and will reschedule at a future City Council meeting when all of the Council is present. David Pitcher asked the Council if he needed to attend future work meetings or if it is something the Council can conduct without him. It is up to him but would probably be beneficial if he were here.

Mayor

City Recorder

Date approved _____

Memo

To: Plain City Council and Mayor

From: Brandan Quinney, Plain City Attorney

Date: August 14, 2025

Re: Proposed Donation of Property from Stillcreek Village Master HOA

Over the past few months, the Plain City Council has been considering whether to accept a donation of property from the Stillcreek Village HOA. The property is located on the south end of the Stillcreek Village PRUD at approximately 3400 West North Plain City Road (the "Property"). This memo provides the city council and the mayor with some context and considerations in determining whether to accept the proposed donation.

The Development Agreement

The Stillcreek development agreement required the developer to improve the Property as open space with landscaping (e.g. trees, shrubs, mulching, etc.) and a public walkway. The developer was then required to dedicate the Property to the Stillcreek HOA. The dedication would take effect once the plat for Phase 3A was recorded.

I am not sure if the developer actually constructed the required improvements according to the development agreement (these improvements should have been approved by the City before the plat was recorded), but there are trees and a public walkway there now. The plat for Phase 3A was recorded a few years ago, and now the HOA is required to maintain the Property. The Property is now overgrown and unsightly, and the HOA is asking the City to take ownership of the Property.

Stillcreek HOA Correspondence

Melinda Jenson, the current Stillcreek HOA president Melinda, sent me an email that helps explain why the Property is now dilapidated and why the HOA is asking the City to take ownership of it. Attached to the email was:

- a copy of the HOA's "Notice of Reinvestment Fee Covenant";
- a legal analysis done by Visionary Homes regarding the applicability of the HOA's "Master Declaration" to Phase 3A of the development;
- an email from Visionary Homes' general counsel to the HOA; and

- a timeline of events regarding the recording of HOA documents, the development agreement, and city actions.

It appears that the HOA was expecting the developer of Phase 3A to pay a reinvestment fee to the Stillcreek Master HOA, which—in part—would pay for the maintenance of the Property. It also appears that the HOA never received this funding. The original developer, Visionary Homes, appears to argue that the reinvestment fee does not apply to the properties in Phase 3A. The developer also appears to argue that the HOA's "Master Declaration" does not apply to Phase 3A.

While this information from the HOA helps explain why the Property has become dilapidated, it does not create an obligation for Plain City to take ownership of the Property. When the plat for Phase 3A was recorded, the HOA took ownership of the Property and is now responsible for maintaining it in accordance with its own CC&Rs and City ordinances.

Considerations for the Proposed Donation

Overall, the City is not required to accept (or deny) the proposed donation. The city council must decide whether it is in the City's best interest to take ownership of the Property. Here are some additional considerations:

If the City takes ownership of the Property:

- The City will be able to construct public works there as needed.
- The HOA will no longer be responsible for maintaining the Property.
- The City will be responsible for maintaining the Property instead.
- The Property may continue to be subject to the CC&Rs of the HOA unless specifically exempted by the HOA.



Stillcreek HOA- Donate land to the city

From Melinda Jensen <melindakennyjensen@gmail.com>

Date Tue 4/29/2025 6:17 PM

To Diane Hirschi <diane@plaincityutah.org>

1 attachment (2 MB)

SCV 4-2025 Support docs, Mayor.pdf;

Diane,

I was told that I needed to send this information to the Mayor instead of going to the Technical Review Committee. The Stillcreek Master HOA has property on North Plain City Rd. that it wants to donate to the city. Below is the information regarding this transfer that I was going to present to the Committee. In the attached PDF it shows all the information that is outlined with pictures, plats, etc. If you could forward all this information to him, it would be greatly appreciated.

Melinda Jensen
801-458-0654

What we would like to do:

1. Donate to Plain City the property outlined/designated in yellow on attached pictures, plats. This property is designated as open space & common area – but has never been used by any HOA member and was never maintained or groomed by the original developer, Hawkins Homes.

2. Redraw Plat to signify ownership of 'yellow property' to the city.

3. Redraw Plat to signify ownership of 'blue property' to Bryan Squires, owner of 3392 W. NPC Rd. duplex (pg. 6). Pictures of the area during construction show that the property is owned by him and the plat was done incorrectly (pg. 7). He is already using this property and has a wooden fence that goes right up to the vinyl fencing (pg. 5) that was installed by Hawkins homes surrounding those homes (outlined in green).

History of proposed project:

1. My understanding is that a previous HOA board of the Stillcreek Subdivision approached Dan Schuler sometime between 2020 & 2021 about donating said property to the city. It was agreed that the city was interested and the then board asked the city to clean up the property, install rock and a few other items including the privacy fences along the sidewalk bordering North Plain City Rd. After the city did this in good faith, the then HOA board reneged on the agreement and refused to turn the property over to the city. Naturally, this left a bad taste in the mouth of anyone having to deal with our HOA.

In April 2024 a new HOA board was elected, after finding out that there wasn't a board currently acting and had let things go. I am currently the President of the HOA and reached out to Dan Schuler last spring about getting this property donated to Plain City as originally promised. Understandably, he wanted things in writing and guaranteed to make sure there wasn't a repeat of last time. We talked with our lawyer and instead of just doing a quit claim deed, we want to have it surveyed, adjust the plat to the new ownership and record it with the county. That way it will be completed, and everything will be above board and there won't be any issues when a new HOA board is eventually elected.

1.a. When I talked with Dan last October to let him know that we were still working on it, I asked if we needed to talk to the planning commission to get approval before we could do anything, and he said yes. He also mentioned that the city will want the area cleaned up before taking ownership of it. Looking at a google maps picture from November 2021, just the front area where the gravel was installed was cleaned up and the rest left as is.

2. Looking at different plats - both pdf & tif files and geo-gizmo, there are vastly different measurements for the property located at 3392 W. NPC Rd. However, all of them show a swath along the back of the property, appx. 10' x 160', that is owned by the Stillcreek Village Master HOA. This property appears to connect both common areas, however, looking at older pictures thru pictometry, on geo-gizmo, that swath was never meant to exist (pg. 7). The fence was installed to separate the

duplex from the HOA and the homeowner eventually built a wooden fence in their backyard to separate the 2 backyard areas of their duplex, and it goes right up to the HOA fence (pgs. 5 & 7).

What we hope to accomplish:

- 1.** Complete the original agreement with the city by donating said property.
- 2.** Correctly designate areas shown in yellow and blue to new owners, thereby adjusting the acreage actually owned and used by the HOA and decrease our taxable area.

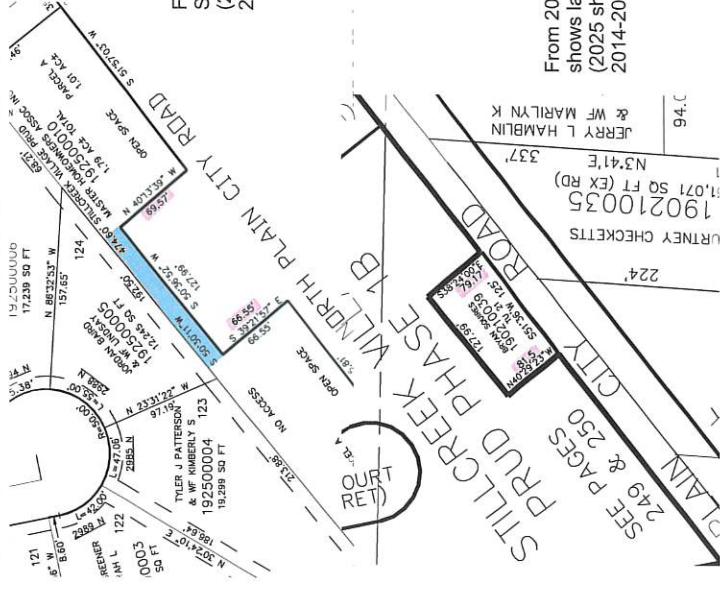
Questions to have answered:

- 1.** Direction of the next steps needed to complete this project.
- 2.** Stillcreek Village HOA is willing to pay the fees to have the survey done and recorded with Weber County. Would Plain City be willing to waive any city fees for the property that is to be donated?
- 3.** Because of #2 above, and #1a under history, would the city be willing to clean up the property once it has been deeded?

Blue: Deed to homeowner, since original build of fence and surrounding areas show that area should never have existed and they're already using it.



From 2024: 19-250-0005
Shows smaller lot dimensions
(2025 shows same, as does
2014-2017)



From 2024: plat 19-021-0039
shows larger lot dimensions
(2025 shows same, as does
2014-2017)

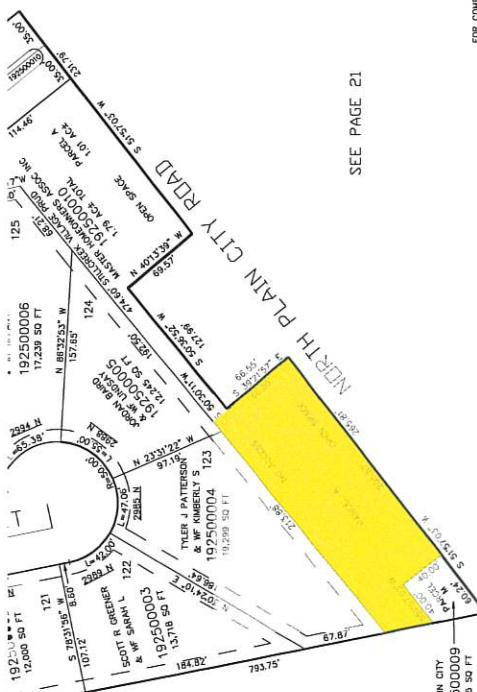
An aerial photograph of a residential neighborhood in North Plain City, Washington. The image shows a grid of streets with house numbers. A large, irregularly shaped plot of land in the lower right is highlighted in yellow. Other plots are outlined in white. The streets visible include N Plain City Rd, 3370, 3389, 3391, 3392, 3393, 3394, 3395, 3396, 3397, and 3398. House numbers 3370, 3389, 3391, 3392, 3393, 3394, 3395, 3396, and 3397 are clearly visible. The area appears to be a mix of single-family homes and larger lots.

Yellow: Deed to Plain City

SEE PAGE 100

SEE PAGE 21

FOR COMPLETE ENG DATA SEE
ORIGINAL DEDICATION PLAT IN
BOOK 65, PAGE 49 OF RECORDS.



10" UTILITY & DRAINAGE EASEMENTS EACH



Pictures taken Mar. 24, 2025
Property we want to Deed to the City



Pictures taken Mar. 24, 2025



3/24/25

Property we want to Deed to the City

When these pictures were taken on March 24th, there was standing water in the lower areas at the rear of the property.

The parkstrip and level area next to the sidewalk have gravel already in place.



4/23/25

4



4/23/25



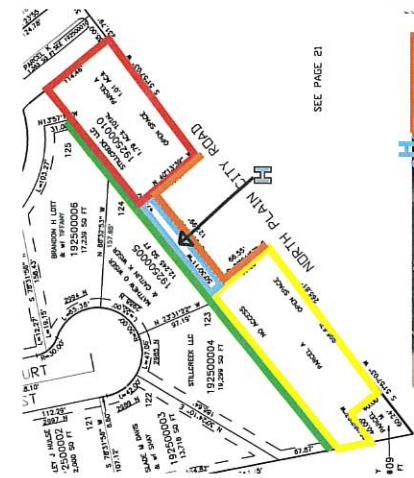
Fence installed by
Hawkins Homes

4/23/25

We know that the HOA owns the back 10 feet of the duplex's yard. However, pictures of the area during construction show that the property is owned by duplex, the plat was done incorrectly. Since the owners have always used this as part of their yard, we want to make sure the plat signifies that area as being owned by Mr. Squires.

According to the plats the HOA owns the back 10 feet of the duplex's yard. However, pictures of the area during construction show that the property is owned by duplex, the plat was done incorrectly. Since the owners have always used this as part of their yard, we want to make sure the plat signifies that area as being owned by Mr. Squires.

5



SEE PAGE 21

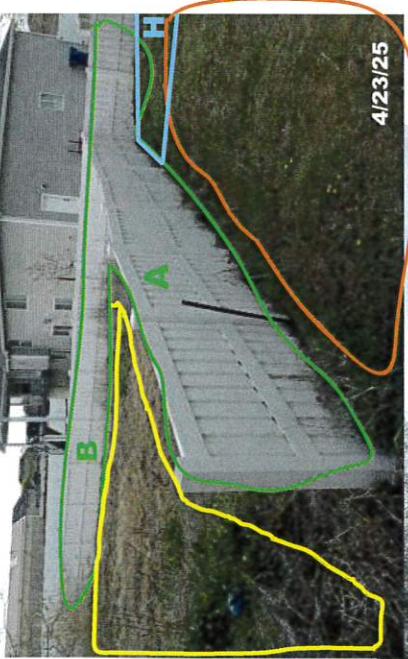


4/23/25



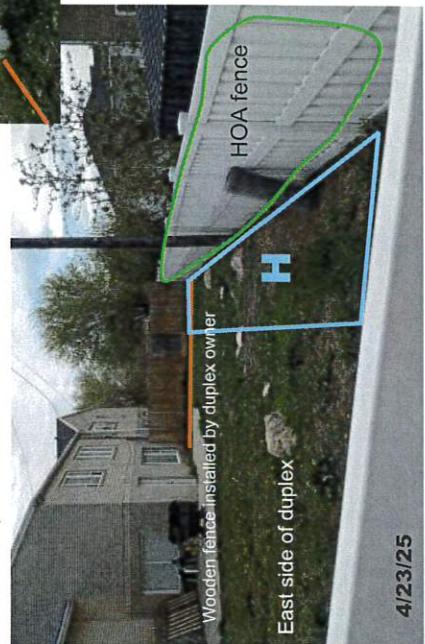
West side of duplex

4/23/25



West side of duplex

4/23/25

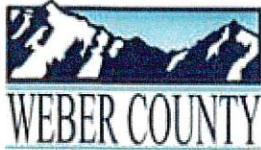


Wooden fence installed by duplex owner

East side of duplex

4/23/25

Duplex Owner



Ownership Info for 190210039 as of Apr-24-2025 11:17:11am

PropertyOwner as of Apr-24-2025 11:17:11am

Property Address

SQUIRES, BRYAN

3392 W NORTH PLAIN CITY RD

PLAIN CITY

84404

Parcel Number: 190210039

Mailing Address

SQUIRES, BRYAN

3392 W NORTH PLAIN CITY RD

PLAIN CITY UT

844049635

Tax Area: 21

No Dedication Plats found

Current References

Entry#	Book	Page	Recorded Date
3024592			December 24, 2019

Kind of Instrument WARRANTY DEED

Prior Parcels

190210027 (Discontinued)

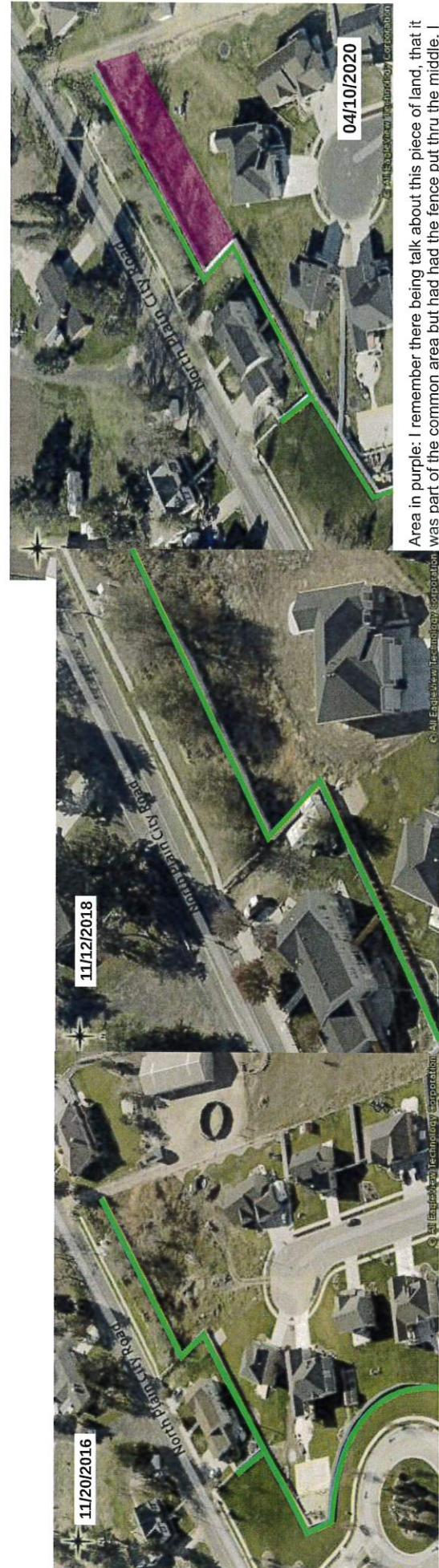
Legal Description

PART OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 7 NORTH,
RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY:
BEGINNING ON A FENCE CORNER WHICH IS SOUTH 78D12'12" EAST
816.27 FEET FROM THE WEST QUARTER CORNER OF SAID SECTION 27;
RUNNING THENCE NORTH 52D37'15" EAST 127.99 FEET ALONG AN
EXISTING FENCE; THENCE SOUTH 38D24' EAST 79.17 FEET TO THE
NORTH LINE OF A 66 FOOT RIGHT-OF-WAY FOR NORTH PLAIN CITY
ROAD AS NOW OCCUPIED; THENCE SOUTH 51D36' WEST 125.00 FEET
ALONG SAID NORTH LINE TO AN EXISTING FENCE; THENCE NORTH
40D29'23" WEST 81.50 FEET ALONG SAID FENCE TO THE POINT OF
BEGINNING.

Pictures from Geo-Gizmo>Pictometry



Green = Fence installed by Hawkins



Area in purple: I remember there being talk about this piece of land, that it was part of the common area but had had the fence put thru the middle. I had talked with my husband that it would make more sense to just sell or give it to the homeowner instead of having that weird brush area next to their property that they couldn't use and would have to keep their kids out of.



Green - Original fence line when installed by Hawkins Homes.
 Purple - Fenceline adjusted to correct area, sometime 2020-2021



Gravel installed, fence moved to correct area to encompass entire common area. 2 other fences also installed next to the sidewalk -----> to block the view of the backyards of a couple of houses. I believe that those new fences, the moving of this fence was an agreement with Hawkins so they could pull out of their agreement with the city and get their escrow back, sometime 2020-2021.

Nov. 2021 Google maps

Pictures from Geo-Gizmo>Pictometry



Yellow - most current aerial view of property to be donated to the city.



Pink - original fence coming up side of duplex yard; Purple - new fence along NPC Rd & fence moved to correct placement for west 'common area', sometime 2020-2021. Green - original fence installed

Winger - Park Property

SECTION 29, T.7N., R.2W., S.L.B. & M.

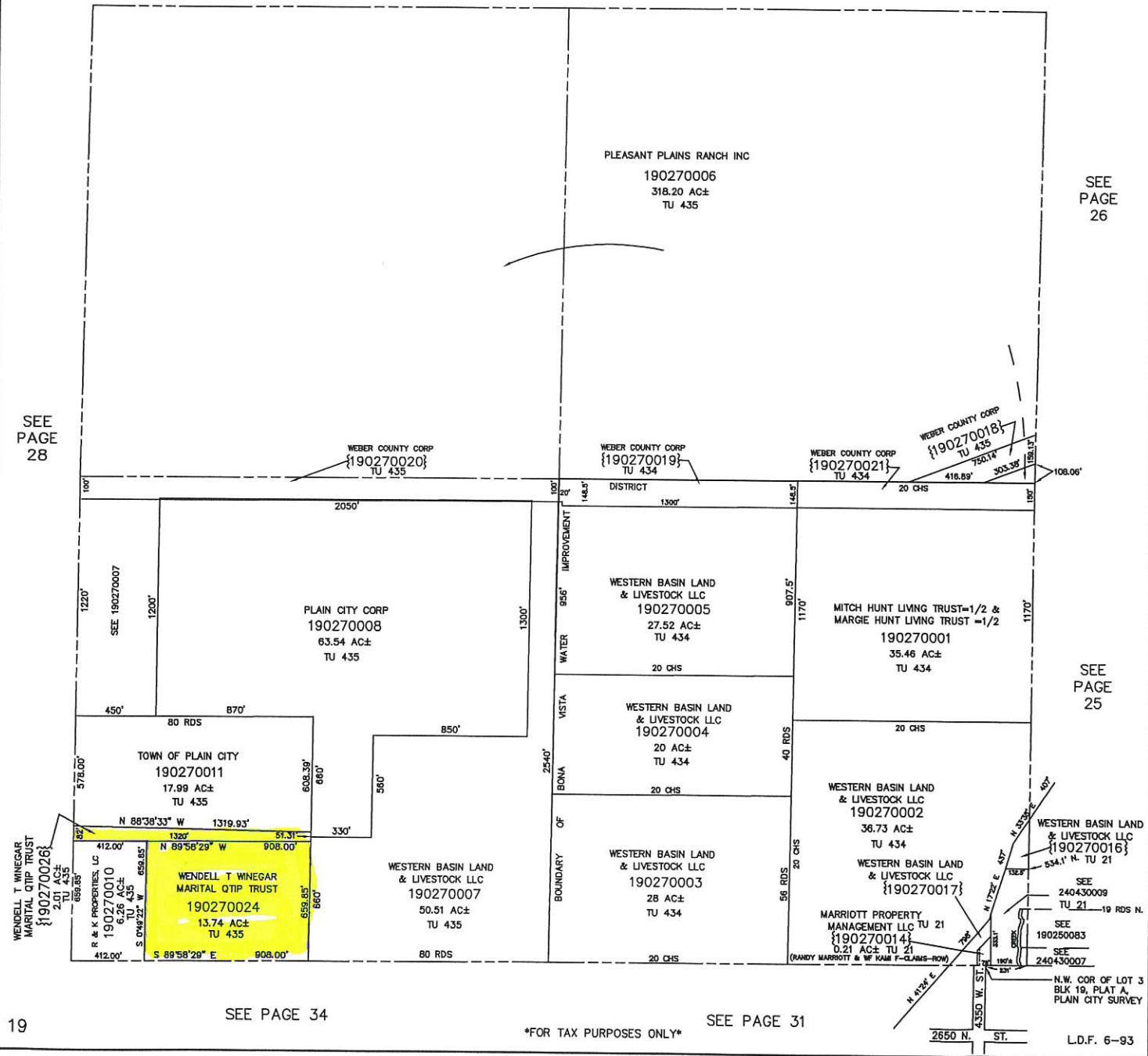
27

IN PLAIN CITY & WEBER COUNTY

TAXING UNIT: 21, 434, 435

SCALE 1" = 400'

SEE PAGE 8



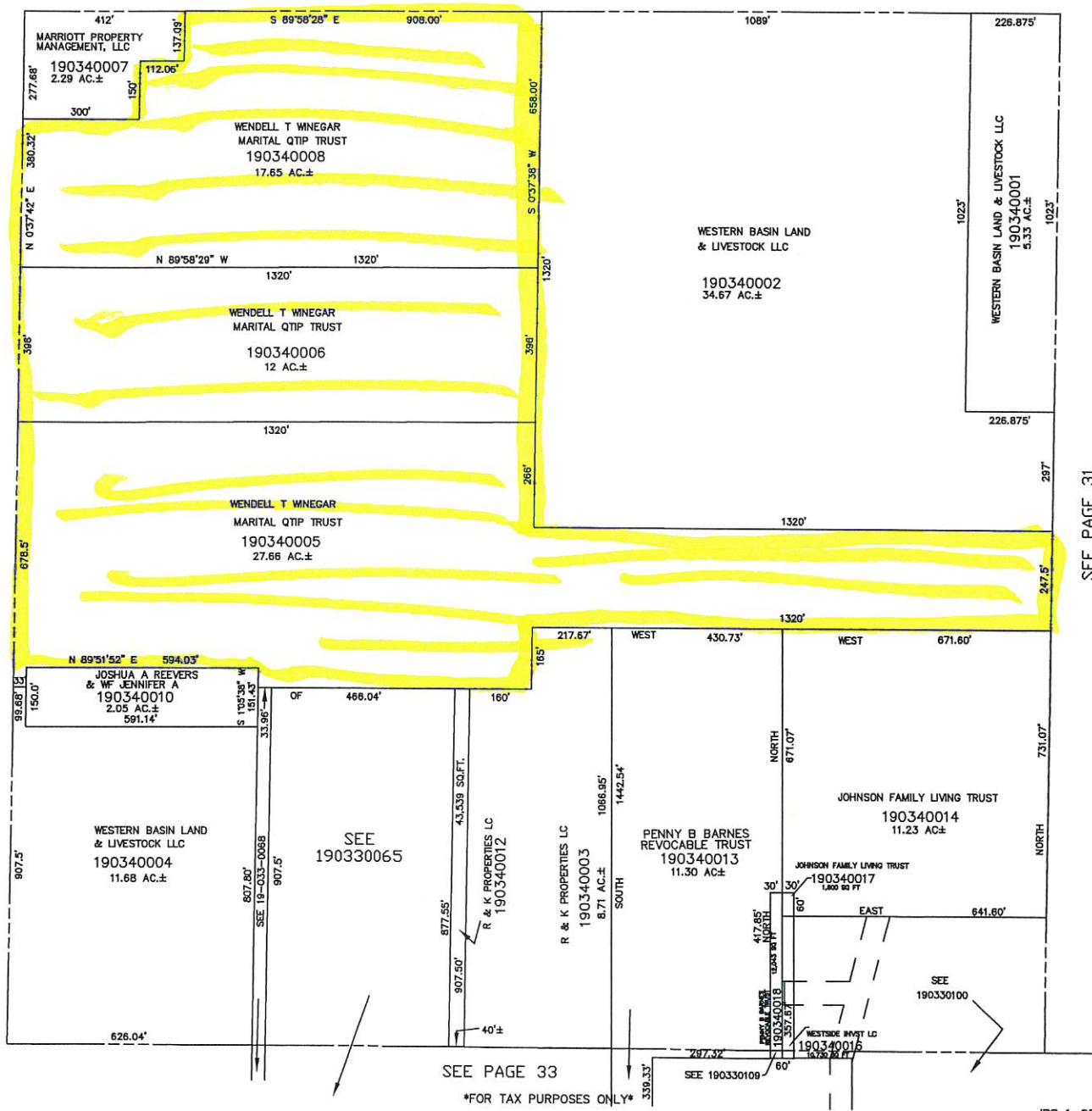
SECTION 32, T.7N., R.2W., S.L.B. & M.

IN PLAIN CITY

SCALE 1" = 200'

TAXING UNIT: 434

SEE PAGE 27



SECTION 52, T.7N., 2W., S.L.B.&M.

51

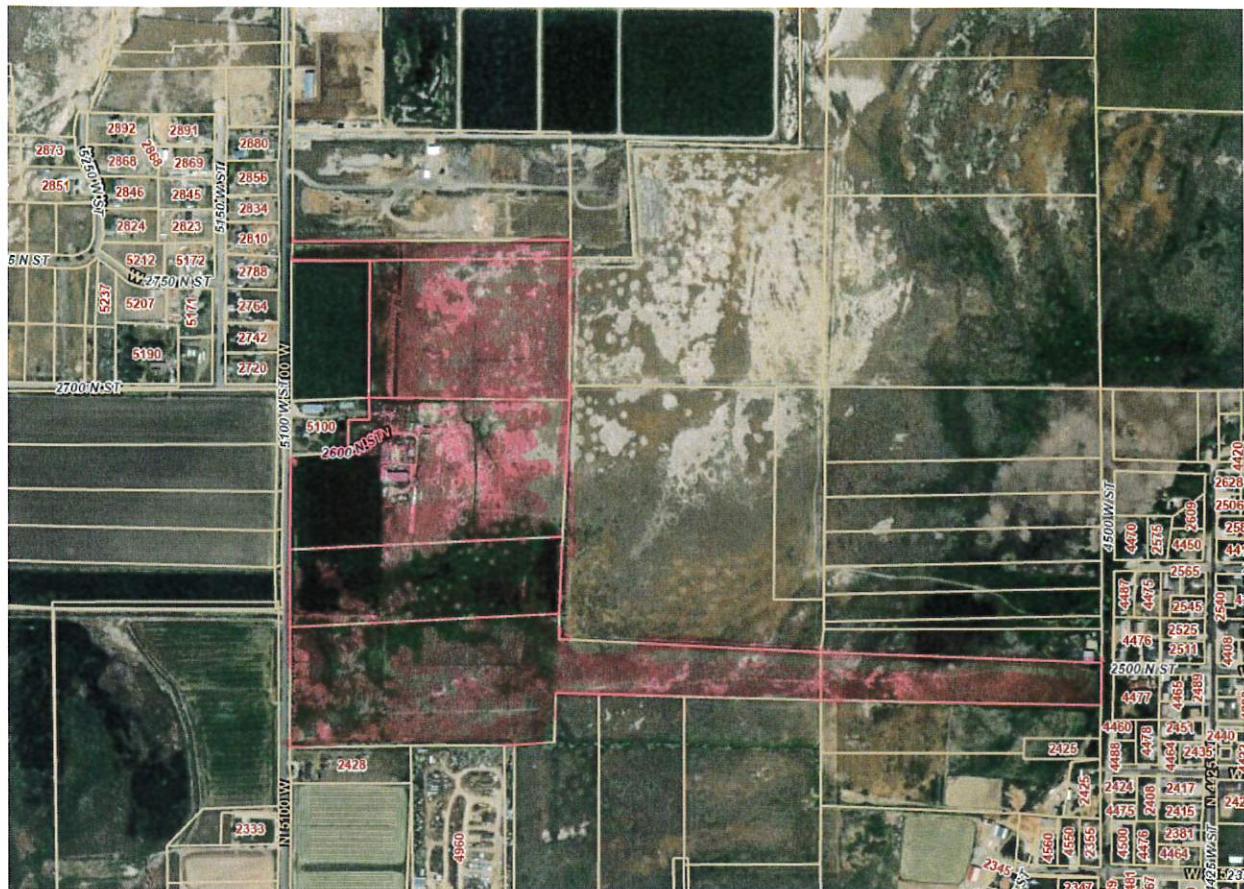
PREFIX: 19-031

TAXING UNIT: 21, 434

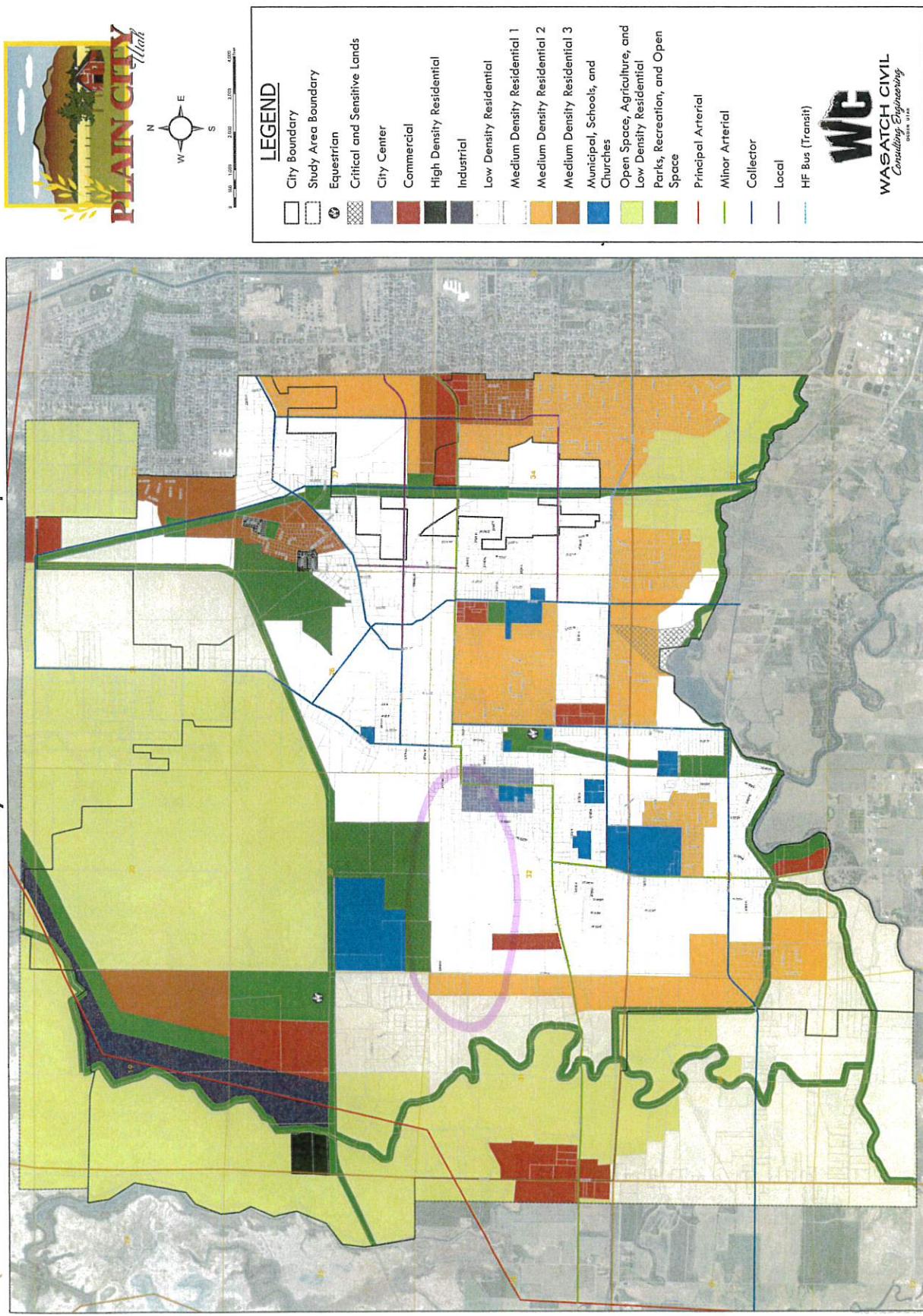
SCALE 1" = 200'

SEE Q. 37

FOR TAX PURPOSES ONLY



Plain City Future Land Use Map 2025



PARKS, RECREATION, AND OPEN SPACE

Parks, Recreation, and Open Space: this land use category is for both passive and active recreation. It includes rivers and streams, developed and future parks, and pedestrian, equestrian, and biking trails. Future parks are often associated with medium density residential and commercial uses, so as to maximize opportunities for the city to negotiate and require developed parks, other recreational facilities and open space.

Plain City has a system of parks including three major parks of various sizes and associated facilities: Lee Oslen Park, approximately 20 acres with City offices, fire house, and sports fields and parking; Lyon's Club Park, approximately one acre with a playground, pavilion, and small baseball diamond; and, Town Square Park, approximately 4.17 acres with a playground, pavilion, pickleball courts, and a baseball field (privately owned). Plans are to develop additional parks and trails as the City grows and to preserve areas that provide regional environmental, economic, social, educational, and recreational benefits.

TRAILS AND LINEAR PARKS

The regional Long Range Transportation Plan identifies multipurpose facilities (trails and paths for pedestrians/bicycles and possibly equestrian) on railroad corridors. Plain City has also identified major trails to be developed along corridors that would otherwise be underutilized, including near or along transmission lines, canals, and rivers, and in areas to connect other public spaces and parks. For example, there are several opportunities for a linear park system which could include the right of way associated with the North Branch Warren canal which runs east and west in the western most corner of the community.

Trails should be developed wide enough to accommodate the anticipated use. A standard classification system should be used as a guide for development of future trails, using the following table as an example that can be developed in future trail planning:

Class	Name	Width	Level of Use
Class 1	Linear Park	15 feet + open space	High
Class 2	Major Multi-use	8-12 feet	High
Class 3	Roadside Corridor	8-12 feet	High
Class 4	Standard Multi-use	6-8 feet	Moderate
Class 5	Narrow Multi-use	4-6 feet	Low-Moderate
Class 6	Nature Trails	2-4 feet	Low



Major Multi-use Trail Example (8-12 feet)



Standard Multi-use Trail Example (6-8 feet)

Trails should adhere to the following guidelines:

- Trails should be developed using materials to accommodate the type of anticipated use and determined on a case-by-case basis. For example, neighborhood trails for access and general recreation could be asphalt while longer trails for bikes and horseback riding could be dirt or gravel.
- Trails should connect users and provide access to parks, recreational facilities, and other community amenities or destinations.



Example of a trail associated with a park that connects users to the park and the park to the users.

- Trails should be prioritized and planned based on opportunities for colocation, existing trailheads, and cultural and historic places and viewpoints.
- Trails should have the support of the public and the neighborhoods they serve.
- Trails should be planned with specific funding partnerships





PARKS, RECREATION, AND OPEN SPACE ACTION PLAN

- **Action:** Identify opportunities for additional parks and open space that are integrated into the planned trail system, particularly for larger recreational facilities, such as the park on the West side of Plain City including a proposed equestrian park and associated facilities.
- **Action:** Develop a comprehensive Master Parks, Trails, and Open Space Plan for preserving existing and developing new parks, trails and trail heads, and open space in the City for both active and passive recreation, equestrian, and bicycling and walking purposes.
- **Action:** Develop a system of trails that could connect with existing and future trails and parks in the City and those in adjacent communities.
- **Action:** Provide adequate funding programs for the maintenance of existing and development of future parks, trails, and recreation facilities, which could include the consideration of impact fees and the pursuit of grants from federal, state, and other sources.

