

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
DECEMBER 3, 2020

The City Council of Plain City convened in a regular meeting at City Hall on Thursday, December 3, 2020, public was also accessible via ZOOM beginning at 7:00 p.m.

Present: Mayor Jon Beesley, Councilmembers Chad Allen, Buddy Sadler, Don Weston and Todd Skeen
Attendance Via Zoom: Councilmember Rachael Beal
Staff Present: Diane Hirschi, Dan Schuler
Present: Scott Wayment, Wayne Andreotti, Lisa Rose, Dennis and Sherilyn Rogers
Attendance via Zoom: Rob Ortega, Judd Cook, Kathy Averett, Mike Kerswell, Julie Kerswell, Brandon Richards, Jim and Carol Jean Beesley, Colton Anderson, Jarod Maw, Lisa Cox, Marci Doolan, Shad, Paul, Pam Kramer

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

Approval of Minutes from November 19, 2020

Councilmember Allen moved to approve the minutes from the regular meeting of the City Council on November 19, 2020 as presented. Councilmember Sadler seconded the motion. Councilmembers Allen, Beal, Sadler, Weston and Skeen voted aye. The motion carried.

Comments: Public
None presented.

Report from Planning Commission

Planning Commissioner, Rob Ortega indicated that the regular Planning Commission meeting fell on Thanksgiving Day, thus was canceled. He had nothing further to report.

Public Discussion: West Annexation

Warren property owner, Scott Wayment stated that he is unaware of how far the annexation process has progressed. He affirmed that he believes the annexation is yet regarded with approval by a majority of affected land owners. Mayor Beesley notified that advancement of the annexation sequence is under direction of Weber County, at this moment. He spoke of formal protests to the annexation petition that have been filed. He explained that the City may take no further action on the annexation until after receipt of the Commission's notice of its decision on the protest(s).

West Warren resident, Kathy Averett queried about plans for maintenance of County roads in the area of the proposed annexation. Mayor Beesley answered; maintenance of the roads in question will follow the exact arrangement as is charted for current Plain City streets. He indicated that additional equipment will be procured for the expanded duties. Kathy Averett asked about Public Works staffing, assuming that supplementary personnel will be needed. Mayor Beesley stated that the City will have sufficient personnel to man the essential fleet of trucks. Kathy Averett sought details on utility provisions to existing households within the annexation boundary. She specifically asked about Plain City secondary water requirements. Mayor Beesley indicated that utility sources will remain the same, in that area. He noted that suppliers of secondary water may wish to expand services into the newly annexed sector, but assured that new residents will not be required by the City to changeover utility providers. He informed that independent cemetery districts will not be required to merge.

Wayne Andreotti, a resident of Warren, acknowledged that he has been involved in fighting plans to incorporate a new city, comprising western Weber County property – including his own. He voiced appreciation for the annexation alternative, made available by Plain City. He commended the Council for effective management of the process. He expressed concern over Weber River environments, as it flows through the annexed area. He asked if the annexation process involves the Weber Area Council of Governments (WACOG). Mayor Beesley answered in the negative. He indicated that authorization rests on the Lieutenant Governor by way of the County Commission. He asserted that Weber County will continue to manage Weber River conditions.

Utah Division of Wildlife Resources representative, Pam Kramer disclosed that the Division has appealed for withdrawal of their property from the proposed annexation. She stated that the Utah Division of Wildlife Resources does not oppose the annexation but their property will remain undeveloped, therefore does not need to be included. Mayor Beesley verified that the appeal has been received and action has been taken to remove the Division's land from the annexation plan.

Kathy Averett remarked on property tax structuring and rate comparisons. She asked for a list of relative advantages and disadvantages, which she might consider. Scott Wayment reported that clear downsides to owning unincorporated land were revealed when the process of forming a new city was initiated. He reasoned that Plain City is established and well-run. Mayor

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Beesley indicated that the Plain City General Plan and Future Land Use Map will be updated when the annexation is finalized, taking into consideration input from annexed property owners. He spoke of North Legacy Transportation Corridor concepts, mentioning potential planning powers with the City's acquisition of property within its mapped passage.

Plain City resident, Dennis Rogers commented on the cost of road and drain maintenance. He noted that the current Plain City property tax rate is relatively low. He suggested that the sparsely populated annexation area will put a strain on the City budget for road and drain maintenance. He advised that current tax revenues afford Plain City resident's exceptional amenities and service and expressed reservations about the liability of taking on a large region of low demographic density. He asked if the financial ramifications of the annexation have been thoroughly considered. Mayor Beesley affirmed that he has researched the matter and it is very feasible. He stated; though the additional territory will be a marginal liability for the first few years, it will prove to be a great asset to Plain City in the long run. He commented on expected residential developments on western acreages. Dennis Rogers contended that established fees and taxes should not be significantly increased to pay for encumbrances ascribable to the annexation.

Discussion/Motion: Dominion Energy Joint Cooperation Statement

Mayor Beesley indicated that the presented Cooperation Statement does not establish any legally binding obligation on the part of either Plain City or Dominion Energy. Lifelong Plain City resident and Director of Gas Operations at Dominion Energy, Judd Cook told of a recent trend in liberal communities to refuse building permits for new construction that contains natural gas hookups. These local governments, in the name of environmental stewardship, have passed a reach code that mandates new construction in buildings contain all-electric heating and cooking appliances. He advised that natural gas is a clean, reliable and affordable way to heat homes. He argued that by banning certain forms of energy/heating, municipal authorities are denying citizens the right to choose. He spoke of proposed Utah legislation that would state; a municipality [or county] may not enact an ordinance, a resolution, or a policy that prohibits, or has the effect of prohibiting, the connection or reconnection of a utility service to a customer based upon the type or source of energy to be delivered to the customer. He reiterated that customer choice should not be prohibited by government. He explained that Dominion Energy has started a campaign in Utah encouraging a unified push against gas bans, while recognizing environmental sensitivities, through a joint Cooperation Statement – to be signed by city governments and put forward to state legislators. Mayor Beesley informed that City Attorney, Brandon Richards has reviewed the document and found it to be appropriate. Councilmember Beal asked if there's an immediate cause for signing the Cooperation Statement. Mayor Beesley answered in the negative. He inferred that the action will show support of legislation that promotes the preservation of customer choice when it comes to energy. Councilmember Allen reckoned that the show of support by cities will put pressure on Utah policymakers to follow states like Arizona, Tennessee, Louisiana and Oklahoma in enacting laws barring municipalities from banning gas. Judd Cook reported; Representative Handy has sponsored a bill that saw little opposition as the measure was advanced for consideration in the upcoming legislative session. He noted that concerns raised about compulsions placed on cities will be alleviated with acknowledgement of support through this joint Cooperation Statement. Councilmember Beal queried if the mentioned legislation would unjustly prohibit municipalities from ordaining environmental policies, as they see fit. Judd Cook clarified that Representative Handy's bill preserves options for renewable sources of energy, such as wind and solar, as well as traditional fossil fuels, such as natural gas and coal. He confirmed that this law would prohibit city [or county] governments from eliminating the connection or reconnection of a utility service to a customer based upon the type or source of energy to be delivered to the customer. He noted that there's not been a city in Utah that has proposed or adopted a ban on natural gas connections. Councilmember Allen spoke favorably of Dominion Energy's effort to encourage lawmakers in advocating equity and reason in local energy policies. **Councilmember Weston moved to support the Dominion Energy Joint Cooperation Statement. Councilmember Allen seconded the motion. Councilmembers Allen, Beal, Sadler, Weston and Skeen voted aye. The motion carried.**

Discussion/Motion: Right-of-Way Purchases for 3600 W

Mayor Beesley reported that appraisals have been received for the 3600 West Street project. He stated that a grant from WACOG will reimburse the City for the Right-of-Way Purchases. He indicated that awarded funds from Wasatch Front Regional Council (WFRC) will be used for the actual road rebuild. He notified that acquisition details for the land have not been settled. **Councilmember Sadler moved to table the Right-of-Way Purchases for 3600 W. Councilmember Skeen seconded the motion. Councilmembers Allen, Beal, Sadler, Weston and Skeen voted aye. The motion carried.**

Motion: Approval of Business Licenses

None.

Motion: Approval of Warrant Register

See warrant register dated 11/19/2020 to 11/30/2020. **Councilmember Sadler moved to approve and pay the bills as presented. Councilmember Weston seconded the motion. Councilmembers Allen, Beal, Sadler, Weston and Skeen voted aye. The motion carried.**

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Report from City Council

Councilmember Beal offered kudos to Information Specialist, Mike Kerswell, for improving the online audio quality for this meeting. She reported that she's received multiple inquiries about cardboard recycling bins. She asked if a drop area might be established to accommodate residents that want to recycle their cardboard boxes, etc. Mayor Beesley affirmed that Public Works Director, Dan Schuler is finalizing plans for recycling container locations. Councilmember Beal commented on an aspiration to install fiberoptic infrastructure in Plain City. Mayor Beesley recounted measures that have been taken to further the project. He indicated that a ZOOM meeting will be scheduled with Ammon, Idaho's technology director, to discuss key components of their public broadband infrastructure – possibly the best fiberoptic network in the US. Councilmember Sadler suggested that estimates for the cost of installation should be obtained to determine feasibility of the proposed internet grid, before endeavors to gather information on managing the network are carried out. Dan Schuler agreed to pursue bids on the project.

Councilmember Allen inquired about recently presented data regarding a UTA Transit Plan. Mayor Beesley indicated that Steve Anderson, West Haven City Planner/Engineer, called him to offer a portion of WFRG grant funds, allocated for a Master Transportation Plan for Western Weber County, with a minimal buy-in. He described how participation would allow Plain City the ability to influence decision-making. He asserted that the program would resourcefully initiate a vital update to the Future Transportation Plan for Plain City. Councilmember Allen referred to his report of an impolitely handled phone call between the Weber-Morgan Health Department and an unnamed resident, who's number was mistakenly dialed by a Health Department staff member attempting to call the City offices. He made clear; his account was not meant as a reproach levelled at Plain City personnel. He commended City staff for handling difficult situations in a professional manner. He expressed appreciation to City Recorder, Diane Hirschi for excellent service.

Councilmember Weston announced that the curb-side green waste program has transitioned to household trash removal through winter months. He verified that a printed announcement of the switch will be mailed out with public water bills. He explained; because residents were confused about the transition date, all waste loads were hauled to the County transfer station instead of the City landfill, this week. He stated that he inspected blue can contents in his neighborhood the morning of scheduled pick up and alerted the Mayor before making the prompt order.

Mayor Beesley reported that a new billing system has been coordinated with Bona Vista. He indicated that the new system provides straightforward differentiating of printed vs. paperless invoices and allows hard copy inserts to be duplicated digitally and attached to bills sent electronically. He noted that the new application will be implemented January 1, 2021.

At 8:12 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

ORDINANCE #

AN ORDINANCE AMENDING THE ZONING MAP AND THE UNIFORM ZONING ORDINANCE OF THE CITY OF PLAIN CITY TO RECLASSIFY RESIDENTIAL PROPERTY FROM AN A-1 ZONE TO AN RE-18.5 ZONE. THIS PROPERTY IS LOCATED APPROXIMATELY 3600 W 2200 N.

Upon consideration of the petition to rezone the hereinafter described real property and the recommendations of the Plain City Planning Commission, and after public hearing on said petition,

THE CITY COUNCIL OF THE CITY OF PLAIN CITY HEREBY ORDAINS:

1. The zoning map of Plain City, Utah, is amended to reclassify the following described property as RE-18.5:

19-035-0061

PART OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 7 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN. BEGINNING AT A POINT ON THE WEST LINE OF S AND J SUBDIVISION LOCATED SOUTH 01D00'00" WEST 412.39 FEET, FROM A POINT LOCATED NORTH 89D58'59" WEST 98.35 FEET AND NORTH 89D12'02" WEST 371.26 FEET FROM THE CURRENT MONUMENTED LOCATION OF THE EAST QUARTER CORNER OF SAID SECTION, SAID POINT BEING OF RECORD LOCATED NORTH 2648.25 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION, AND RUNNING THENCE ALONG THE WEST LINE OF S AND J SUBDIVISION SOUTH 01D00'00" WEST 304.78 FEET TO THE NORTH LINE OF 2200 NORTH STREET; THENCE ALONG SAID NORTH LINE NORTH 89D00'00" WEST 351.92 FEET; THENCE NORTH 01D17'49" EAST 303.56 FEET; THENCE SOUTH 89D12'02" EAST 350.35 FEET TO THE BEGINNING. CONTAINING 2.45 ACRES. E# 3095885

2. This ordinance shall become effective immediately upon its passage and adoption.

Passed and ordered posted this _____ day of _____, 20____.

Mayor Jon Beesley

ATTEST:

City Recorder

Zoning Amendment ApplicationLocation of Property 3600 W 2200 NLand Serial Number(s) 19-035-0061Request from Zone A-1 to Zone RE-18.5FEE: \$200.00 Date paid 10/07/20 Receipt # 2,033195*Property Owner Richard Skeen (RICH) rskeen@mtctrains.comPhone 801540 7876 Fax _____Mailing Address 4355 W 2200 N Zip 84404Developer/Agent Stacey DixonPhone 385 248 7130 Fax _____Mailing Address 1848 N 1775 W Zip 84404E-Mail Address staceydixon24@hotmail.com**LEGAL DESCRIPTION: Please Attach**TOTAL AREA - Acres or Square Feet: 2.45 acres

Please attach a letter addressing the following:

1. Summarization of:

- Current Plain City General Plan classification and zoning classification
- Requested change to the General Plan classification and zoning classification

2. For what reason(s) do you suggest the change? The applicant is responsible for justifying the requested change to the General Plan and Zoning. Issues to be evaluated will include, but are not limited to:

- adopted goals and policies as expressed in Plain City's General Plan
- adjacent land uses
- population served
- transportation impacts
- public facilities (water, sewer, storm water, parks, schools, etc.)
- the type of use requested and reasons why this use should be on this site

3. What is the estimated development schedule?

4. Attach a list of all adjacent properties within 500 feet. (Parcel #, name, mailing address)

- Current property owner(s) must sign application (see attached affidavit)

AFFIDAVIT

PROPERTY OWNER

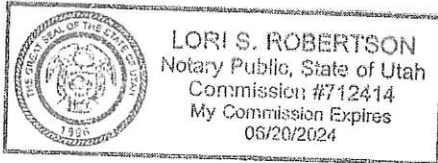
STATE OF UTAH)
) ss
 COUNTY OF WEBER)

I (we), Richard Skeen, being duly sworn, depose and say that I (we) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I also acknowledge that I have received written instructions regarding the process for which I am applying and the Plain City Planning staff have indicated they are available to assist me in making this application.

[Signature]
 (Property Owner)

 (Property Owner)

Subscribed and sworn to me this 7 day of October, 2020.



Lori S. Robertson
 (Notary)
 Residing in Weber County, Utah

My commission expires: 06-20-2024

AGENT AUTHORIZATION

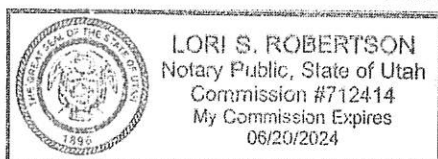
I (we), Richard Skeen, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) Stacey Dixon to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the City considering this application and to act in all respects as our agent in matters pertaining to the attached application.

[Signature]
 (Agent)

[Signature]
 (Property Owner)

 (Property Owner)

Dated this 7 day of October, 2020, personally appeared before me Stacey Dixon, the signer(s) of the above agent authorization who duly acknowledged to me that they executed the same.



Lori S. Robertson
 (Notary)
 Residing in Weber County, Utah

My commission expires: 06-20-2024

Plain City Planning Commission
Minutes of Meeting
December 10, 2020

7. Legislative Items:

Discussion / Motion: Zoning Amendment – Richard Skeen Property, app. 3600 W 2200 N (A-1 to RE-18.5)

Note: Commissioner Skeen recused himself from the discussion and from voting on this item.

Commissioner Faulkner motioned to recommend the Richard Skeen Property Zoning Amendment, app. 3600 W 2200 N (A-1 to RE-18.5), to City Council for approval - specific to parcel 190350061.

Commissioner Neil seconded the motion. Vote: Commissioners Faulkner, Neil, Ortega and Jenkins voted aye. Motion carried.

8. Administrative Items:

-Army Quartermaster, Denver, Colo., 1941-42.
 -WV. Army, Global Foundry, Webster
 Co., Survey dress cap Mar. 1965

A FINAL PLAN FOR

[illegible]

190337 *

Nonlinear

10/10/2019 10:10:10 AM

Figure 1 - Relative to the 1990-1991 season, the 1992-1993 season was characterized by a significant increase in the number of cases of influenza A virus infection in the United States.

Casey J. O'Connell
New York State
Attorney General

Gould, W. & Wards
2, 1902:33

WEST LINE OF S AND J SUBDIVISION AS
RECORDED IN BOOK 36 PAGE 44

44

Lot 1
CONT. 3.107 ACRES

Parcel A
CONT. 2.48 ACRES

Parcel B
CONT. 500 ACRES

Parcel C
West

10015

PARCEL A

Dr. B. A. Rubinfeld
Proprietor, LLC

WASH SCH 55561 JAPAN
SCHOOL PLANS
PART LINE OF NORTH SCHOOL DISTRICT
NEW GREAT BASIN SURVEY 2001 SURVEY

2. PART 55 THE SUBSTANTIVE MATTER OF SECTION 11, FORMERLY 7 MONTHS, DATED 2 MARCH, 1951 (PAGE 2) ALSO AS ABOVE.

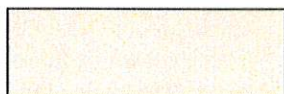
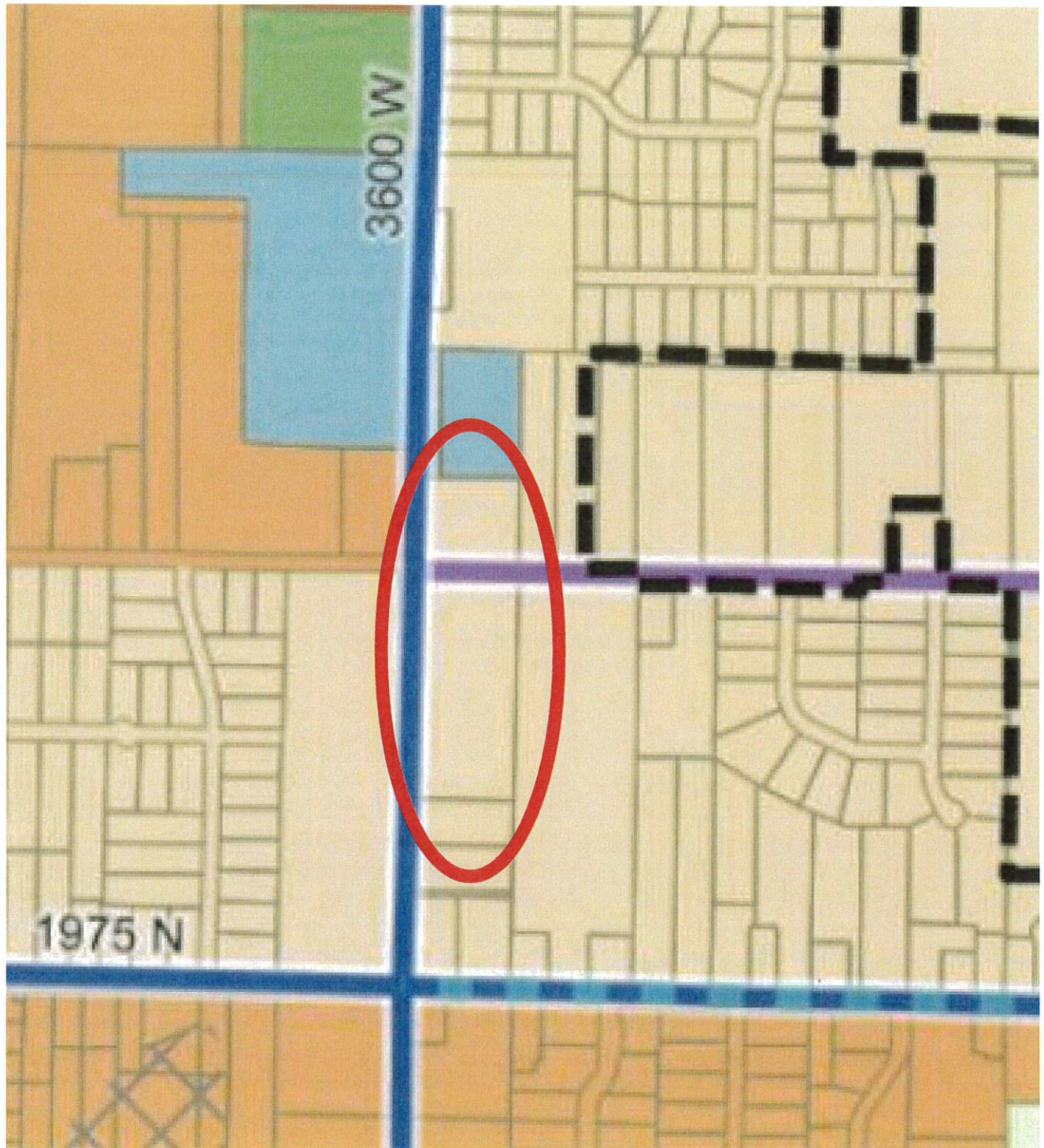
RECORDED AT THE OFFICE OF THE CLERK OF THE DISTRICT COURT OF THE DISTRICT OF COLUMBIA, THIS 17TH DAY OF JANUARY, 1968, IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL OF OFFICE.

CLERK

PLAN
PLANNING

FOR SALE





Medium Density Residential 1: this land use category is for lots 18,500 square feet or greater. This land use category is also a means to provide various lot sizes and housing types and should maintain an average lot size of 18,500 square feet or greater, or 2.4 units per acre.

— Local



W3095885

Mail tax notice to:
Grantee
4355 W 2200 N
Ogden, UT 84404

E# 3095885 PG 1 OF 2
Leann H. Kilts, WEBER COUNTY RECORDER
26-Oct-20 0917 AM FEE \$40.00 DEP KL
REC FOR: LINCOLN TITLE INSURANCE AGENCY
ELECTRONICALLY RECORDED

WARRANTY DEED

AJS Investments LLC, "Grantor",

hereby CONVEYS and WARRANTS to:

AJS Investments LLC, "Grantee",

for the sum of TEN DOLLARS and other good and valuable consideration the following described tract of land in Weber County, State of Utah:

A PART OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 7 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN.

BEGINNING AT A POINT ON THE WEST LINE OF S AND J SUBDIVISION LOCATED SOUTH 01°00'00" WEST 412.39 FEET FROM A POINT LOCATED NORTH 89°58'59" WEST 98.35 FEET AND NORTH 89°12'02" WEST 371.26 FEET FROM THE CURRENT MONUMENTED LOCATION OF THE EAST QUARTER CORNER OF SAID SECTION, SAID POINT BEING OF RECORD LOCATED NORTH 2648.25 FEET AND WEST 271.25 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION, AND RUNNING THENCE ALONG THE WEST LINE OF S AND J SUBDIVISION SOUTH 01°00'00" WEST 304.78 FEET TO THE NORTH LINE OF 2200 NORTH STREET; THENCE ALONG SAID NORTH LINE NORTH 89°00'00" WEST 351.92 FEET; THENCE NORTH 01°17'49" EAST 303.56 FEET; THENCE SOUTH 89°12'02" EAST 350.35 FEET TO THE BEGINNING. CONTAINING 2.45 ACRES.

19-035-0056 part

SUBJECT TO: County and/or City taxes not delinquent; Bonds and/or Special Assessments not delinquent and Covenants, Conditions, Restrictions, Rights-of-Way, Easements, and Reservations now of Record or enforceable in law or equity.

WITNESS, the hand of said grantor, this 23 day of OCT, 2020.

AJS Investments LLC

By:

Richard R. Skeen, Managing Member

STATE OF UTAH)

)ss.
COUNTY OF

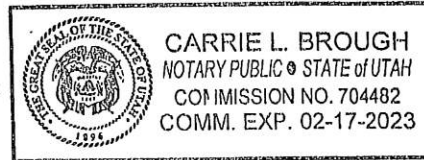
Weber)

On the 23 day of Oct, 20 20, personally appeared before me, Richard R. Skeen, who did say that he is a Managing Member of AJS Investments LLC, that the foregoing instrument was signed on behalf of said Limited Liability Company by authority of Richard R. Skeen and that he duly acknowledged to me that said Limited Liability Company executed the same.

Notary Public

My Commission Expires:

Residing at:



Plain City Project Punch List

The Subdivision Big Cottonwood phase 3, was started on 4/19/2016.

After completing my field inspections on 12/10/2020 for project: Big Cottonwood Phase 3 on items needing completed from the last punch list generated. All Items have been completed for said subdivision listed above, the sewer was reinspected and found to be installed to city standards and functioning, the mailbox was installed by city staff, keys dropped off at post office for future users, and the surface treatment will be added to the city's road improvement projects the summer of 2021.

At this time, I would request the City Council and Mayor grant conditional final and start the one warranty period for Big Cottonwood phase 3.

If you have any questions please contact me.

Daniel Schuler
Public Works Director
385-466-1079
dans@pliancityutah.org

Plain City Project Punch List

Project Name: Big Cottonwood Phase #3

Contractors Name: Royce Richard

Start Date of Subdivision: 4/19/2016

Date of substantial completion inspection: 11/12/2020

Date of punch list: 11/13/2020

City representative: Daniel Schuler

Contractors representative: Royce Richard

The following is a list of items within the scope of work for the project, but not to, that require correction or completion prior to:

_____ Escrow release.

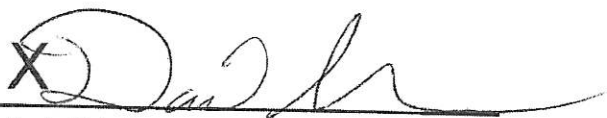
_____ A new substantial completion inspection.

XXX Conditional final recommended.

_____ Final completion.

A detailed description for each item is provided below. Upon completion the city representative and the contractors shall inspect the work performed and initial that each item has been completed and accepted. (Use additional pages as necessary).

Description of items needing completion	%	City Representative	Date of City Acceptance
Seal Coat / Surface Treatment	0	D Schuler	
Clean and Video Inspection of Sewer	0	D Schuler	12/10/20
Mail Box installed (Ordered)	0	D Schuler	12/11/20



Daniel Schuler
Public Works Director

DS
DS



Weber County Geo-Gizmo



50ft

Clean & Camera fed area

41.296 -112.093 Degrees

<https://www3.co.weber.ut.us/gis/maps/gizmo2/index.html>

Rio Grande