

**MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL HELD WEDNESDAY, APRIL 19, 2000.**

**Mayor and Council Present:** Mayor Merle Cole. Council Members: Byron Anderson, Craig Anderson, Kevin Hall, Justin Linares (8:45 p.m.) and Karen Watson.

**Appointed officers and employees present:** Wendy Palmer, City Recorder, Attorney Ronald Elton. Grantsville Volunteer Firemen and Auxiliary: Paul Seekins, David Hammond, Harold & Leslie Chadwick, Eric & Marcy Grange, Leslie and Laurel Mascherino, Breck & Kim Russell, Kent & Terri Liddiard, Scott & Janet Liddiard, Jamie Corless, Cliff & Tammy Haynes, Doug & Valerie Anderson, Butch Barton, Perry Skaug, William & Sabrina Skaug, Sharlene Skaug, and Alan Baldy.

**Citizens and Guests:** Mary Ruth Hammond (press), Candice Knigher, Brent Mouritsen, Cody Perkins, Ken Madsen, Bole Madsen, Crystal Brown, Whitney McGlamery, Melinda Sutton, Evan Nelson, Ruthann Knutson, Alan Norton, Hayden & Heather Williamson, Paul Cook, Gary and Paula Aagard and Craig Hunt.

**PUBLIC HEARING:**

- A. Consideration of amending Chapter 12 to allow legal non-conforming commercial lots to be used under a planned unit development.** Mayor opened the public hearing at 7:05 p.m. Attorney Elton explained this new amendment would allow legal non-conforming lots to be able to be used as a commercial use. Currently the ordinance only allows for lots of 60,000 square feet to be developed for commercial use. Currently there is a parcel that has half of it zoned RM-7 and half of it is zoned CS. If the RM-7 zone were changed to CS the current ordinance would not allow for development because the lot is less than 60,000 square feet. Mayor asked for any further comment? No further comment being offered, the Mayor closed the public hearing at 7:10 p.m.
- B. Consideration of zone change from RM-7 to CS on the corner of Kearl and Main Streets:** Paul Cook stated that he would like to have the other half of his property zoned Commercial so he can move his Barber Shop behind his home. David Hammond stated that he was in favor of the zone change and felt that this was an appropriate place to build a barber shop. Mr. Hammond stated that across Main Street is a beauty shop, across Kearl Street is Soelberg's grocery store, and to the rear of the lot is another beauty shop. Recorder Palmer stated that she had received a phone call from Karla Hammond who is a resident on Kearl Street. Mrs. Hammond asked the Recorder to relay to the Mayor and Council that she is in favor of the zone change for Paul Cook. Mayor asked for any further comment? No further comment being offered the Mayor closed the public hearing at 7:14 p.m.

**APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING:** Motion was made by Karen to approve the minutes of City Council meeting held 4-19-00 with the following corrections: Byron stated that the word trash can should be separated on page 5; on page 3 add to the minutes that the Council supports the Police Chief in funding the Police Departments Ladies Auxiliary; page 5 second paragraph – change the word allows to allowed; page 5 add an “s” to application in the third paragraph. Seconded by Craig. All voted in favor, motion carried.

**FIRE DEPARTMENT BUSINESS:**

- a. Presentation of Fire Fighter I Certificates.** Fire Chief Kent Liddiard, 1<sup>st</sup> Assistant Chief Doug Anderson with the assistance of Mayor Cole presented the Fire Fighter I certificates to Eric Grange, Tony Skaug, Scott Liddiard, Jarred Russell, Brian Barton (Butch Barton accepting the certificate), Harold Chadwick, and Alan Baldy. Doug Anderson announced that the Tooele County Fire Chiefs Association financially sponsored this last training class. It was announced that Brian Barton was a third generation Grantsville Volunteer Fire Fighter. Recorder Palmer presented roses to the wives of the Firemen that received their certificates on behalf of the Fire Department. Mayor announced that the City is working diligently on the new ISO

inspection to try and improve our insurance fire rating in Grantsville City. The Volunteer Fire Departments efforts to be certified will greatly help our efforts. Fire Chief Liddiard invited the Mayor and Council to attend fire prevention classes being conducted for the preschools on May 4, at 9:00 a.m. at the fire station.

- b. Presentation of budget.** Fire Chief Kent Liddiard presented the proposed budget for fiscal year 2000/2001. Chief Liddiard stated that the budget increase is directly related to the need for the 800 MHz radios required by Tooele County. Some of the highlights of the budget were the need to paint a refurbished tanker, replacement of a ventilation fan, and ten sets of bunkers. Mayor and Council asked if the old bunkers would be in good enough shape to donate to some of the smaller departments in the County? Chief Liddiard stated that they are donating them to the Terra Fire Department. Mayor asked if they budgeted for the monthly fee for each of the radios? Chief stated that he budgeted for the monthly fee.
- c. Request for the adoption of the uniform fire code.** Attorney Elton stated that the State of Utah has adopted the Uniform Fire Code as the State of Utah standard. Grantsville City is required to enforce it by state law. Grantsville City can enforce and adopt more stringent regulations if they desire. Mayor asked Chief Liddiard to review the Uniform Fire Code and make any recommendations that the Fire Department would like to add?

**HEATHER AND HAYDEN WILLIAMSON – REQUEST CHANGE TO PARKING ORDINANCE ON 211 S. HALE STREET:** Heather stated that she has talked with Mr. Roberts the neighbor across the street and Police Chief Johnson concerning allowing parking on Hale Street. The Williamson's stated that they have agreed to not allow any parking north of the driveway on Hale Street that enters the apartments. Attorney Elton asked for the footage of that driveway. Mayor and Council stated that it was 125 feet south of Cherry Street on the East Side. Karen made the motion to place the consideration of ordinance amending the parking restrictions on 211 S. Hale Street on the May 3, 2000 City Council Agenda. Seconded by Byron. All voted in favor, motion carried.

**CRAIG HUNT – REQUEST FOR WAIVER OF BUILDING FEES FOR AGRICULTURAL BUILDING:** Attorney Elton stated that the City Ordinance and the State Law makes this issue clear and the Council has no option to waive the building fee.

**DESTINATION IMAGINATION REQUEST FOR COUNCIL SUPPORT:** Ken Madsen was present to represent the Destination Imagination teams from the High School and the Middle School. Mr. Madsen stated that both of these teams qualified for the National Finals that will be held at the University of Iowa. They are seeking financial support to enable them to compete at National Finals. Mayor stated that he wished that there were developers in the audience to solicit additional donations from. Mayor reflected on the events of two years ago when the developers matched dollar for dollar the city's donation. Craig made the motion to match the donation that the city gave two years ago and send letters to the developers to seek additional financial support. Seconded by Kevin. All voted in favor, motion carried. Mayor asked that Karen write the letter to the developers.

#### **CONSIDERATION OF ORDINANCES AND RESOLUTIONS:**

- a. Amendment to Chapter 21 (subdivision) to prohibit septic systems on lots less than one acre in size:** Byron expressed his concern that this ordinance will be more restrictive than the current regulations set by the Tooele County Health Department. Byron stated that in some instances the Health Department would allow for septic systems on less than one acre. Craig and Kevin stated that the saturation level of septic systems in a particular area and the percolation quality of the soil play a major factor in the ability to place septic systems. This ordinance would apply to subdivided lots that will most likely be in areas that are also served by private culinary wells. Mayor stated that the Council of Governments has been discussing this very issue in their concern of the safety of private well system and the value that may be set for septic system saturation levels. Motion was made by Craig and seconded by Kevin to approve Ordinance 2000-6 to prohibit septic systems on lots less than one acre in size.

- b. Amend Chapter 3.5 of the Land Use Management Code to lengthen the term of the Planning Commission Chairman:** Craig explained that the Planning Commission believed that the one year term of office for the Chairman would be more beneficial to the Commission. Craig made the motion to approve Ordinance 2000-7 changing the term of office for the Planning Commission Chairman from six months to one year. Seconded by Kevin. All voted in favor, motion carried.
- c. Amend Chapter 15.4(1) of the code in reducing the side yard set backs for accessory buildings on corner lots:** Craig made the motion to approve Ordinance 2000-8 that reduces the side yard set backs for accessory buildings on corner lots. Seconded by Karen. All voted in favor, motion carried.
- d. Consideration of Water Advisory Board Agreement:** Byron made the motion to approve resolution 2000-4 approving the Water Advisory Board Agreement between Grantsville Irrigation Company and Grantsville City Corporation. With the addition of “as agreed upon by Grantsville City and Grantsville Irrigation Company on the issue of acquisition of water rights “c” of page 3. Seconded by Craig. All voted in favor, motion carried.

**CONSIDERATION OF SETTING ASSET COST LIMIT FOR DEPRECIATION PURPOSES:** Mayor explained that the current depreciation level for assets purchased by Grantsville City is \$500.00. The Auditors during the annual audit have suggested that the Mayor and Council review this amount for its applicability. The Auditor’s suggested raising this value to \$1000.00 for depreciation of Assets. Byron made the motion to increase the value of assets that the City of Grantsville will depreciate from \$500.00 to \$1000.00. Seconded by Kevin. All voted in favor, motion carried.

**CONSIDERATION OF SETTING A BUDGET WORK MEETING:** Motion was made by Karen to set Tuesday, May 2, 2000 at 7:00 p.m. for a preliminary 2000/2001 fiscal year budget work meeting. Seconded by Byron. All voted in favor, motion carried.

**PLANNING COMMISSION ITEMS TO BE SET FOR A PUBLIC HEARING:**

- a. Danny Newberry – Zone change request from A-10 to R1-21 zone on South Worthington Street.**
- b. Changes to chapter 15 Use Table to provide for the Zoning Administrator to be able to approve animal conditional use permits.**
- c. Addition to Chapter 15 to allow animal conditional use permits to be considered “grandfathered.”** Kevin stated that he was concerned about the Planning Commissions criteria for this recommendation. Kevin stated that the Planning Commission would not grandfather in animal conditional use permit for a lot in a subdivision that was adjacent to a vacant lot. The property owner requesting a conditional use for animals would be unable to build any permanent structures until the neighboring vacant lot was built on. Kevin stated that he felt that the developers of the subdivision should have to declare the placement of potential homes so that a vacant lot could not build a home outside of a designated area on a lot. This would allow animal conditional use permit holders to build permanent structures. Attorney Elton stated that the Council must set the public hearing for any recommendations from the Planning Commission. The issues surrounding the actual ordinance can be worked out after the public hearing. Attorney Elton read the draft minutes from the Planning Commission in reference to this subject.
- d. Changes to Chapter 8.1. (4)(b) To define a special exception home occupation.** Craig made the motion to set the public hearings for May 17, 2000 at 7:00 p.m. Seconded by Kevin. All voted in favor, motion carried.

**CONSIDERATION OF ABANDONMENT OF CLAY STREET:** Kevin explained that Clay Street which is accessed from Booth Street on the North East area of town, has a maintenance problem. Due to its location it is subject to surface water problems. A landowner on Clay Street has requested that the city improve the street so that he may access his property. Kevin stated that he felt that improving this street would be no different that the improvement of South Hale. The property owners on South Hale Street had to pay for their improvements. Kevin stated that he had discussed this issue with Public Works Director, Joel Kertamus and the expense to improve this farm access road would be thousands of dollars. Kevin stated that in talking with Recorder Palmer, she

informed him that in the 1980's the property owners in this area asked that the city abandon Clay Street entirely. The West portion of Clay Street was abandoned but the East portion was not. Kevin stated that it is his recommendation that the City considers abandoning the East portion of Clay Street and let the property owners take the road. Kevin made the motion that the city proceeds with the abandonment process of Clay Street east of Booth Street. Seconded by Craig. All in favor, motion carried.

**CONSIDERATION OF PARKING STATUS OF KEARL STREET:** Kevin stated that due to the narrowness of Kearl Street and the increased traffic on this street he would like to suggest that the city prohibit off street parking. Kevin stated that the best solution would be to remove the curb, gutter and sidewalk and widen Kearl Street to its original width. Kevin stated that with the congestion of SR36 more people are using Burmester Road to access the freeway. As a result this is putting more traffic on Kearl Street. The Mayor and Council instructed the Attorney to draft an Ordinance that would prohibit off street parking on Kearl Street between Main and Clark Streets. Recorder Palmer stated that Kearl Street resident Karla Hammond called and stated her support for Kevin's proposal. Mayor stated that this is just a band-aid solution and the Council really needs to look into the removal of the curb, gutter and sidewalk. Kearl Street is a designated emergency evacuation route for Grantsville City. Mayor was to present to the Council of Governments that Tooele County negotiate to have the State of Utah take control of Burmester Road. Karen suggested that the removal of the curb, gutter and sidewalk be added to the capital facilities plan.

**CRAIG HUNT:** Craig Hunt arrived and asked about the waiver of building fees for an agricultural building in an R1-21 zone? Mayor stated that the State Law and City Ordinance does not give the Council any choice in the matter. Craig Hunt stated that the property is in the green belt and used for agriculture. Craig Anderson stated that the R1-21 zone allowed him to subdivide his property into one acre lots for him to sell now this same R1-21 zone will require that he pay for a building permit for an agricultural building.

Justin arrived at 8:45 p.m.

**APPROVAL OF BILLS:** Byron explained that the two I-beams are for the dug outs on the softball field. The fencing is for the little league field. The fencing funds are coming from Park Impact fees. Karen asked if Joel is reviewing the Butler Builders purchases? Recorder Palmer stated that he is. Byron made the motion to pay the bills. Seconded by Craig. All voted in favor, motion carried.

**OTHER BUSINESS:** Mayor stated that the Utah League of Cities and Towns Conference was better than they have been in the past. Mayor stated that he enjoyed the discussion from a Judge who gave conflicting statistics to the Department of Corrections stating that crime is up. Mayor stated that this Judge was concerned about how many times he sentenced a criminal to prison and the prison would call back and tell him that they were unable to accommodate that prisoner. Mayor stated that Sheep Lane would be closed June 8-9-10, 2000 for the Boy Scouts of America Jamboree being held at the Deseret Peak Complex. Mayor stated that there is a ribbon cutting ceremony for Tooele City Hall opening May 3<sup>rd</sup>, 2000.

Justin informed the Council about the meeting with the State Economic Development people. The Mayor and Justin were excited that this group will be able to actually help Grantsville City build an economic commercial base. It is estimated to cost the city \$1000 per year. Karen offered some demographic maps to Justin for his use.

Karen informed the Council that the first meeting organizing the July 4<sup>th</sup> celebration was held tonight.

Craig stated that he would like to see the Water Advisory Board meeting is scheduled soon so that the subdivision moratorium can be lifted for minor subdivisions hopefully by the end of May.

Mayor stated that the city needs a procedure for the conversion of private well rights to be turned over to the city in exchange for the impact fee.

**ADJOURN:** Byron made the motion to adjourn this City Council meeting at 9:25 p.m. Seconded by Craig. All voted in favor, motion carried.

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Wendy Palmer, City Recorder

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Merle E. Cole, Mayor