

**MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY
COUNCIL HELD WEDNESDAY, JANUARY 3, 2001:**

Mayor and Council Present: Mayor Merle Cole. Council Members: Byron Anderson, Craig Anderson, Kevin Hall, Justin Linares and Karen Watson.

Appointed officers and employees present: Wendy Palmer, City Recorder, Attorney Ronald Elton.

Citizens and Guests: Mary Ruth Hammond (press), Joe Cange, Arnie Hunt, Laverne Hunt, and Don Hunt.

APPROVAL OF MINUTES OF THE PREVIOUS MEETINGS:

December 6, 2000: Byron made the motion, Seconded by Kevin to approve the minutes of 12-6-00 as amended. All voted in favor, motion carried.

December 20, 2000: Byron made the motion seconded by Kevin to approve the minutes of December 20, 2000 as amended. All voted in favor, motion carried.

FRANCIS WARNER REQUEST UNIT UTILITY CHARGE REDUCTION:

Recorder Palmer informed the Mayor and Council that Mr. Warner had asked that this issue be postponed. Mayor stated that maybe this issue should be addressed on a broad basis anyway. Many people go south for the winter and have that their services be reduced. It was the consensus of the Council that no changes are made.

APPEAL OF SIGN REMOVAL FOR JOE CANGE, PALOMINO RANCH:

Attorney Elton stated that there is no provision in the Zoning Ordinance for an appeal to the City Council on this issue. The Zoning Administrator referred Mr. Cange to the Council within the text of her letter to him requiring him to remove his sign. However, the Council has no jurisdiction. If Mr. Cange wants to appeal this decision, he would need to sue in District Court. The Mayor as the CEO of the City could meet with Mr. Cange and consider his issues. It was the consensus of the Council to have the Mayor review the issues of the sign removal with Mr. Cange and make a determination.

CONSIDERATION OF OPINION POLL FOR GENERAL PLAN: Attorney Elton stated that he has done some further research on this issue. In light of the legal ramification to pursue a mail in ballot vote. Ballots would be numbered. Karen stated that she suggests that we only have the people that live in this particular area vote only. Kevin stated that every citizen would be affected by what happens with this general plan. Mayor stated that we could produce 2000 ballots and mail to those with city services and let landowners know they can come to city hall and pick up a ballot if they don't have city services.

Craig stated that there are some misunderstandings about the process here. Craig asked the Attorney to explain a letter about the referendum vote. Attorney stated that in the beginning that he did not find any law against having a referendum vote. However, after the last meeting he discovered that you couldn't have an opinion election on zoning issues. There is language that allows for some opinion polls but the must be authorized by the legislature. My recommendation would be to hold it in a less official setting. The reason that opinion question only gets a few amount of voter turnout. Craig stated his concern is that this would be a straw poll. Leadership demand investigation and step up to the plate vote. Karen stated that we are elected officials to do our job. We have a decision to make and we decided to put the issue to the polls. I think just an opinion is good. So many people don't know or care what is going on. It is going to be the landowners and the builders put them against each other. Mayor stated that he disagreed with that statement. Mayor stated that he had a number of people that live all throughout the community who are just thrilled to be able to vote. Kevin stated that he had the same experience. Karen stated that the landowner that owns the majority of property wants his land in one or 1/2 acre zoning. Kevin stated that we have started this issue in motion and we should complete it. I still support doing it. Mayor stated that I don't see anything wrong with mailing a ballot out and get it back.

Byron stated that he had some reservations about the ballot and it is for the very reasons that Attorney Elton stated. The ballot is grossly oversimplified. Some one-sentence definition is inadequate. If there was some definition in the paper. Kevin asked if the general plan would help. Byron wanted a voter information pamphlet that states the pro's and con's. If you are not up on the issues are it is not fair to vote. Mayor stated it is amazing to him how many of the citizens are keeping up on the issues. Craig stated that he has people telling him that he was elected to do a job and he should do it. Craig stated that there is a great deal of compromise in it and I hate to see that thrown away and set aside. Justin stated that his experience is the same as the Mayors. Byron stated that we want to hear their opinions but as long as it is a well informed opinion. Kevin asked Byron if he is willing to preparing that information and going ahead. Byron stated that he would like to see it before it goes ahead. Byron does not want mis and dis information to be the basis of a decision. Craig stated that we agreed to consider this issue and the paper stated that we are going ahead with a referendum vote. Karen stated that we all agreed to go ahead with the referendum vote and Kevin stated that he understood the same thins. The minutes were reviewed, minutes talk about the referendum and the motion is to table until the next meeting. Kevin stated that he should have corrected the minutes. Kevin stated that he walked away from the meeting that we would have a vote. The Mayor and the Attorney would present how we would proceed. Kevin stated that was the intent of the motion. Mayor stated that the he and the Attorney have done what they were assigned to do. Craig stated that he found the 1-2 acre definition was in error. Is it a growth or no growth referendum? Byron stated that it would be great to get the input. Karen wants to make sure the people are educated. Justin nothing bad can come from us asking the public what is best for them. Byron stated by not telling them what they are deciding. Karen stated that the whole thing is making us look real bad. Justin I think we all agree that the General Plan document is written ok. Byron asked the Recorder what she thought would be a reasonable number of ballots to get back? Recorder stated that about 500 return. Justin asked if this is a good base to start with? Byron has an objection to the sentence concerning review before voting. Craig didn't believe that the citizens would be able to understand these issues in less than two weeks because the Planning Commission has worked it for over two years. Justin stated that many of the issues that were part of the discussion were eliminated or adopted. Mayor stated that we made the motion and Attorney Elton prepared the document, and my recommendation to the council to proceed with numbered ballots one ballot per household or utility user. Byron asked the press if we could put an editorial in the paper that would discuss both sides of the issues? Mary Ruth said that is fine. Recorder wanted more time to print the information and ballots. Landowners or residents not receiving a utility bill can request a ballot. Byron suggested that all of us write a pro's and con's and give to the Mayor to compile. Attorney Elton stated that we write one opinion on each side. Craig stated that the Planning Commission is divided about the same as the City Council. One per unit per acre for the rural residential should be 1 unit per acre or two-acre. Justin stated that the original map said two-acre zone but no less than one unit per two acre. Byron was concerned about sending the whole general plan map out and someone wants to discuss an issue in another area of town. We could just circle it. Kevin we need to change map to have the map and the ballot to reflect the wording to be the same. Wording for both maps "are" included. Justin stated that the map explains below what is to be returned with the ballots. Mayor stated that when the pros and cons are published the voting requirements for one per household and property owners not receiving a ballot may pick one up. Karen asked if voter only get ballots in the mail are we tell them to pick them up at city hall. Mayor stated yes. Mayor asked how are we going to write the pros and cons? Attorney suggested to the Mayor to call for volunteers. Mayor stated that the three in favor and three opposed. Craig what is the legality of three meeting together? Attorney stated that it is a problem. Mayor stated that you are not deciding anything you are only putting information together to present. Justin I think we all want to present the facts, Byron I don't think we want to argue. Karen asked if we go to ten-acre lots and a person owns a twelve-acre lot and he wants to build a barn can he. Craig stated that we are not changing any zoning. Karen stated that this is apart of the education process. A citizen thinks that he cannot build a barn and that is not true. Mayor state that they do it everyday. Those people who say they don't understand are doing it a lot. Kevin stated that if you are going to have a plan, you need to have a good reason to change that plan. Kevin stated that if someone wants to buy my property and put in a tire factory. I have a property right and I could do that. Mayor assigned Craig, Karen, Byron to write the 1-2

acre pro's and Kevin, Justin, and Mayor write the pro's the 5-10 acre map. Work meeting was set after UDOT meeting on January 12, 2001 at 1:00 p.m. Justin asked about doing the water issues too?

Justin made the motion to approve the ballot that has been submitted and the 2 land use maps and the general plan as amended and to be mailed out to utility users and will be available to all landowners and ballot will be numbered and each residence will be able to vote. Also to include we will form two groups to develop pros and cons and have a city work meeting on the 12 of January to review that and come up with a formal document to be included with the ballot and submitted to the paper. Include a statement that landowners can request ballots. Seconded by Kevin. All voted in favor except Craig who is opposed. Motion carried.

WEST SIDE AUTO WRECKING FENCING STATUS: Recorder Palmer stated that this was put on the agenda to address the 90-day requirement to have the slats completed. Mayor asked if the fence was done. Arnie stated that the fence is not all of the way done. The slats we need to wait until springtime because it is so cold they can only work for about an hour at a time. Byron made a motion to extend the completion of the fence and slats for West Side Auto wrecking for 120 days or report. Kevin seconded motion. Craig talked about an article about the City of Moab, to control growth they have a junkyard because it keeps people from moving to their city. All in favor, motion carried.

CONSIDERATION OF SETTING A PUBLIC HEARING FOR AN AMENDMENT TO THE LAND USE MANAGEMENT CODE CHAPTER 21: Attorney stated that our ordinance has everything flip-flopped in compliance with state code. Craig motions to set the public hearing for February 7, 2001. Seconded by Kevin. All voted in favor, motion carried.

APPROVAL OF BILLS: No bills were present due to a computer software malfunction.

LOCAL OFFICIALS DAY: Mayor stated that the Youth City council Mayor, Katherine Bitner is present to ask the council for help in funding their members to be able to attend this function. The cost for the Local Officials day amounts to about \$650.00 and this money would come out of the scholarship fund that they give to the graduating seniors each year. Karen stated that the council could give the money out of the public affairs budget. Katherine stated that she has really learned a lot in the last few years from her attendance. Karen made a motion that the City council donate one thousand dollars to the Youth City Council and they pay their own way to the Local Officials Day. Seconded by Byron. Mayor stated that they have money, they have earned a lot of money this year. Craig asked what the annual amount of support to the Youth City Council. I know we send them to the annual Camp William's day. Byron withdrew his second. Motion died for lack of a second. Karen made the motion to pay the registration fee motion was seconded by Craig. All voted in favor, motion carried. It was decided that the city would consider any further donations at the time of the scholarship time at the end of the year.

ARBOR DAY CELEBRATION: Byron presented a video of the Arbor Day Organization. Mayor stated that he would like to see the City team up with the Master Gardeners to hold an Arbor Day Celebration. Byron stated that this organization requires a \$2.00 per capita to belong. We can use our labor as an offset. We would recommend the Master Gardeners to try to get this program off the ground. We should look into a tree ordinance. Byron stated that he will following up on this issue and get it rolling

WELCOME BAGS - Karen stated that she found a company in Tooele that will print the bags. Karen asked the recorder to give her a copy of the business license holders in our city and put in her box. We could contact these business owners and ask that they donate items or purchase an advertisement on the bag to help make our new residents contact our businesses and know what services are available. Karen stated that Grantsville City should donate fly swatters. A screen print with red and white is the choice of the Council.

EMPLOYEE INCENTIVES: Karen stated that she would like to see the city provide incentives for the employees to work at a higher performance, or not use sick leave. Mayor stated that you need to be careful not to pick winners and make someone else a looser. Safety awards were considered.

DONNER REED MUSEUM: Mayor asked the Council to come up with some ideas of citizens that could provide tours through our museum. Discussion was held concerning a walking historical tour as well. We need to affiliate our community with the Lincoln Highway historical committee. We need to proceed with a clean up of the old service station on the corner of Center and Clark Street.

COURT RECORDS: Mayor announced that the Transcript has decided that it is important to publish the record of the Justice Court actions in the newspaper.

OTHER BUSINESS: Mayor announced that the part time building inspector Bret Clark has announced that he will be quitting on January 20, 2001. We need to consider what we need to do. Friday the 12th of January at 11:00 a.m., the meeting will be about the issues of storm drainage, signage and other issues that pertain to Grantsville City Ordinances.

Byron stated that he has found the landing mat that he has been looking for to lay down for the backhoe to drive on to prevent damaging the graves while they dig a new grave. Byron stated that the Maintenance crew is doing a good job on the new baseball field and dugouts.

Karen stated that she has received another complaint about the speed of traffic on 800 East Street. We need to put a sign for children at play to make people aware and hopefully slow down. Kevin and the Mayor stated that the sign won't make a difference. Kevin stated that he would talk with Chief Johnson and ask him about the traffic citations issued in that area.

Craig made the motion to adjourn this meeting at 10:25 p.m. Motion was seconded by Kevin. All voted in favor, motion carried.

Wendy Palmer, City Recorder

Merle E. Cole, Mayor