

**MINUTES OF REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL
HELD WEDNESDAY, MARCH 21, 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, Ron Elton Attorney.

Citizens and guests present: Tooele County Sheriff Harry Shinton, Barbara Grygierczyk, Kristen Linares, and Celeste Killian, Annette Baird, Morley Cook.

PUBLIC HEARINGS:

- 1. Consideration of zone changes from A-10 to RR-1 for property adjoining the Northeast area of South Willow Estates Subdivision.** Mayor opened the public hearing at 7:10 p.m. Mayor asked for comment on this proposed zone change. No comment being offered Mayor Closed the public hearing.
- 2. Consideration of Communication tower ordinance.** Attorney addressed this issue that this ordinance is a model ordinance that Tooele City is using. The ordinance addressed the issue that the communication towers must be placed on public property first before the city considers allowing them on private property. This ordinance would be an addition to the Land Use Planning Code.

Barbara Grygierczyk stated that she would not want any towers placed in any residential areas to prevent the tower from falling on homes. Mayor asked that Mrs. Grygierczyk be given a copy of the ordinance for her to review.

CONSIDERATION OF APPROVAL OF MINUTES: Byron made the motion to table the minutes until the next meeting. Craig seconded the motion. All voted in favor, motion carried.

KRISTIN LINARES & CELESTE KILLIAN: Kristen presented some items to the Council for approval to purchase. Mrs. Linares stated that she and Mrs. Killian represent the Friends of the Library group that would like to promote the Library as a fun place for everyone to come. Kristen explained their idea to hand out bags to the children to carry their books home with and give them a reward if they bring the books back using the same bag. Kristen explained that they would like to purchase some picture frames to display artwork of the children. Kevin made the motion to donate \$200 to the Friends of the Library group. Craig seconded the motion. All voted in favor, except Justin who abstained due to being related to both Celeste and Kristen. Motion carried.

Barbara Grygierczyk objected to the donation due to the fact that the Library is officially the Tooele County Bookmobile Depository Headquarters.

HARRY SHINTON – TOOELE COUNTY SHERIFF’S OFFICE, EMERGENCY PREPAREDNESS: Deputy Shinton presented the Mayor and Council with emergency preparedness materials and explained the role that his department can play in helping Grantsville City prepare its leaders and citizens for emergencies. Deputy Shinton stated that he would be willing to meet in people’s homes, or at a larger meeting place. Deputy Shinton stated that he wants the Mayor and Council to know that his department is here to assist them in preparing a disaster plan for the community.

12a: Karen asked the Mayor is they could discuss the property at 298 W. Clark Street while Deputy Shinton was present. Karen asked Deputy Shinton if the fact that meth was manufactured on this property if this property would have to be cleaned up by hazardous waste standards? Deputy Shinton stated that to his knowledge meth was not manufactured at this address but is was sold from this house. Annette Baird who lives across the street from this home was concerned what was going to happen with this home. Mrs. Baird stated that she understood from the Court Records that the residents of this home were manufacturing meth. Annette stated that she did not want another drug dealer to move into this home. Deputy Shinton stated that the property has been posted and if she sees anyone on the property she should call the police department immediately.

Karen left at 8:10 p.m.

CONSIDERATION OF MINOR SUBDIVISION REQUEST FOR BECKY

WILLIAMSON – 573 E. CLARK: Craig made the motion to approve the minor subdivision for Becky Williamson at 573 E. Clark Street. Byron seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF RIGHT-TO-FARM ORDINANCE: Attorney Elton stated that the Council could consider amending the current nuisance ordinance to eliminate the farming activities from the nuisance complaints. Attorney Elton explained the farm protection zone. In order for a farm to achieve the status of protection from complaints by Utah State Law the Farmer would have to petition for his property to be placed in the zone. The City would need to determine the criteria for how many acres and what type of farming activities they would consider granting the protection zone. Each individual farmer can apply for his or her own protection zone. The protection zone protects the farmer from complaints unless they are violating health codes. Justin stated that he was concerned that existing farms may now be in a non-agricultural zone. Recorder Palmer gave the example of Ernie Matthews pig farm. It is currently in a RM-7 zone but the operation has not changed substantially since it began. Mayor suggested that the city should advertise that we are taking applications for agricultural protection zones. Justin stated that if we as a city let the citizens know that the council will be considering properties on a case by case basis, this should let people know that the Council supports agriculture. Byron stated that the general plan does make that statement. Question was presented on the removal of an agricultural protection zone. Attorney Elton read the state law and stated that it reads that the City must remove the protection zone if requested by the property owner. Byron made the motion to place this item on the next agenda to review the nuisance ordinance. Seconded by Craig. All voted in favor, motion carried.

WELL PURITY ORDINANCE: Byron made the motion to table this issue until the next agenda when Brian Slade from the Tooele County Health Department can be present. Seconded by Justin. All voted in favor, motion carried.

BUILDING PERMIT FEE FOR MODULAR HOME PLACEMENT: Jack Allred the Building Inspector for Grantsville City stated that he has called several cities concerning the fee for modular homes. Every city that he talked with did something different. Jack stated that he would like to see the city adopt some stricter standards for the footing and foundation for the modular homes. Jack suggested that the city increase the minimum square footage from 720 square feet to 1000 square foot. Also require a cement front entry or porch. Mayor stated that he doesn't have any heartburn about what the city has been charging now. Mayor and Council asked Jack to come back to the next City Council meeting with a written list of recommendations.

Karen returned.

CONSIDERATION OF SETTING PUBLIC HEARING FOR ZONE CHANGE

FROM A-10 TO R1-12: Craig explained the issues brought out in the Planning Commission meeting. Craig stated that the Matthews did not want to build on the frontage that attaches to Main Street because they believe that property is prime commercial property. Kevin addressed his concern about Matthews Lane width. The new general plan identifies this land as commercial. Unfortunately we did not look at the width of this road when the first home was built. Matthews Lane is currently only 24 feet. I think don't that it is fair to ask the Matthews to give all of the property in order to widen the street, but I think we need to do all we can to widen the street. Attorney Elton stated that we can tell the Matthews that the city will not rezone the property if they don't give enough land to make Matthews Lane wider. Kevin stated that I don't want to stop the zone change but we need to do think about these issues. Karen stated that if we need to widen the road we need to just do it. Craig stated that the zoning commission did not discuss the proposed general plan. Craig stated that they got approval for a minor subdivision. In the past when the city approves the subdivision the city has the leverage to get the necessary half of street from each property owner. In this case each side should give 18 feet. Attorney Elton stated that you wouldn't allow the increase development if you are not going to get the road width. With a minor subdivision on an existing road

you don't have the same leverage because that is not one of the subdivision issues. My suggestion is to get them to agree up front before you approve the zone change. Justin stated that you could see the problem if the minimum width is 60 feet and this road is only 24'. If the frontage is commercial you have a bigger problem getting 18-wheelers up and down that road. Craig made the motion to set the public hearing for April 11, 2001. Seconded by Byron. All voted in favor, motion carried.

CONSIDERATION OF TYPOGRAPHICAL ERROR IN LEGAL DESCRIPTION OF ORDINANCE 98-26: Byron made the motion to adopt ordinance 2001-02. Seconded by Justin. All voted in favor, motion carried.

CONSIDERATION OF SALARY STEP INCREASES: Kevin made the motion to approve the salary step increase for Robert Hatch. Seconded by Craig. All voted in favor, motion carried. Byron and Craig complimented Officer Hatch on a job well done.

Justin made the motion to approve the salary step increase for Steve Mondragon. Craig seconded the motion. Byron stated that he does an excellent job with the public. All voted in favor, motion carried.

Justin made the motion to approve the salary step increase for Sgt. Brent Rowley. Seconded by Craig. Byron stated that Brent does an excellent job as Sergeant. Brent also donates his time to our community by operating a little league-wrestling program. All voted in favor, motion carried.

Byron made the motion to postpone Alan Harris's salary step increase until the end of the agenda under a closed session. Kevin seconded the motion. All voted in favor, motion carried.

ARBOR DAY CELEBRATION: Mayor stated that Irene Seaquist is trying to work with the school to celebrate Arbor Day. Byron stated that trees could be planted on the west side of the tennis courts as part of this celebration.

EMPLOYEE INCENTIVES: Karen asked the Mayor and Council if they have come up with any incentives? Karen stated that she agreed not to do awards for safety. Kevin stated that even having safety meetings and provide a little treat during the meeting. Kevin stated that we need to be careful about the awards when some employees are presented with the opportunities and other employees are never given the opportunities. Mayor stated that sometimes when you recognize one employee everyone else becomes a loser. Karen asked if they wanted to proceed with any of the suggestions from Sue Gustin in reference to the use of sick leave. Sue stated in her letter that employees used 60% of the sick leave earned last year. Mayor stated that analysis could be looked at two ways. The employees don't use their sick leave or the employees use their sick leave. Justin suggested that employees be given 15 days of leave to use however they want. They can use it for sick days or vacation. Recorder Palmer stated that she felt that this would be a loss of benefit. Recorder Palmer stated that even though the city owns the sick leave it is a benefit that is currently included for all employees. Sick leave if saved up is like an insurance policy. The city provides no short-term disability program. The city does provide a long-term disability benefit. Recorder Palmer expressed her personal experience during her 19 years with the city the sick leave that she saved was used during a dangerous pregnancy, cancer treatment, and a back operation. Recorder Palmer stated that she now has saved her sick leave back up to over 300 hours. Council did not think that the sick leave idea would be fair because some employees could save the sick leave and get a bonus but might need to use 1000 hours within the next week after the bonus is given. It was determined that Department Heads, Mayor and Council will give special recognition for employees should their performance warrant such action. Mayor suggested making the Christmas bonus \$50.00. Mayor suggested that if there are any special awards that we give them out at a summer party. Recorder Palmer stated that the summer party would not be fun for the office staff if they are required to plan it. Mayor and Council stated that this party could be catered. Kevin suggested that a suggestion box be initiated for employees to write down their ideas. Kevin expressed that if we do recognition awards that we look for opportunities in every spectrum of the city operation from the maintenance crew to police, court and office staff. Byron stated that a letter of recognition is plenty. Justin suggested that the party be during work hours and close the

office for a couple of hours. Mayor stated that it could be called employee appreciation luncheon. Mayor stated that it is hard to differentiate between a good job and that it is your job to do a good job.

CITY CELEBRATIONS: Karen stated that Memorial Day celebration is being taken care of. We are getting a plaque.

The 4th of July does not have a Chairman yet. Karen would like each of the Council and Mayor to be responsible for different areas of the 4th of July to help organize a committee.

Christmas Light Purchase- Karen would like to purchase more street decorations for Christmas. Karen would like to get the same white lights and another over the road display. Karen asked Recorder Palmer if she has talked with Utah Power about the placement of additional lights on their poles. Recorder Palmer stated that she has been in contact with Tenney Clawson and he will meet with Joel to identify the poles that the lights could be hung on.

MUNICIPAL SALE AND USE TAX: Karen suggested to the Mayor and Council to remove this tax. Mayor stated that if we got rid of the tax we would not be able to pay for the Christmas Lights, 4th of July, and Memorial Day celebration. Byron stated that he read where another community was reaping a bonus from the tax because of the increase in utility costs. Karen presented figures from Tom Randle showing the income. Karen was concerned about the Senior Citizens and their utility bills have increased 40% plus the 6%. Karen stated that she has given each member of the Council a spreadsheet showing the auditors information showing we are in a surplus of unrestricted cash. Attorney stated that the auditors stated that the unrestricted reserves are too high. Mayor stated that there are over 200 cities in the same boat by definition only. Karen stated that if we as a city don't need the money why don't we get rid of this tax. Mayor stated that we are in positive cash flow position instead of a negative cash flow. Mayor stated if there was excess cash then go out and buy the J. Ruben Clark farm. Karen asked if we could? Mayor stated no, because there isn't really any cash there. Mayor explained that before we were waiting for the property tax payment. Now we get the property tax and we have 12 months to spend it. Justin stated that we are now able to do nice things for the city. Craig stated that he wished that we used the Municipal Tax for a dedicated use. Barbara Grygierczyk stated that she suggested a 3% increase. Karen stated that no one foresaw the utility bill increase. Karen stated that don't you think we should make an effort to reduce the burden on our citizens. Mayor stated not yet. Justin stated that we are not wasting this money. Mayor stated that we used this money to balance the budget. Karen asked why is excess money showing in the audit report. Attorney Elton asked Recorder Palmer to offer an explanation. Recorder Palmer stated that some of the money in the audit report is from general fund checking and savings. The remainder is probably from the water and sewer capital improvement accounts. These accounts are obligated by Council policy and not a bank note thus they are not considered restricted by auditors standards. In order to exclude the water and sewer capital improvement money from unrestricted capital the auditors have suggested that the city move these funds to actual improvement projects. Justin stated that Karen has a valid point but we are not there yet. The Mayor stated that he is looking at it and when we are ready to reduce tax I want to take it out of property tax not municipal sale tax. Recorder Palmer agreed because of the cash flow issues.

SAFE AT HOME PROGRAM: Karen stated that this was covered with Deputy Shinton.

GRANTSVILLE IRRIGATION WATER SHARES: Mayor informed the Council that the water shares for the cemetery and parks of the city will be billed at the "A" share rate. We were paying for 1 "A" share and 89 "B" share, \$150 for the "A" share and \$20.00 for the "B" share. This results in 31 shares being billed at \$150.00 per share for a total of \$4650.00, the remaining 59 shares the city could lease out. Byron stated that we should convert to city water when we put in the automatic system. Mayor thought we might want to evaluate the expense of pumping verses irrigation expense. Justin stated that if the Irrigation Company wanted to promote "A" Share this did not help their cause. Council gave the Mayor the authority to lease out the remaining unused share of 59.

CONSIDERATION OF DATE CHANGE FOR APRIL COUNCIL MEETINGS: Craig made the motion to change the City Council dates for April to April 11th and 25th. Seconded by Kevin. All voted in favor, motion carried.

SPECIAL MEETING WITH IRRIGATION COMPANY MARCH 29TH: Mayor reminded everyone to be there. The meeting will be at the Irrigation Company office.

DECLARATION OF SURPLUS PROPERTY: Kevin made the motion to declare the old TV/VCR used for training as surplus property. Seconded by Craig. All voted in favor, motion carried. To be sold by sealed bids just post it locally.

APPROVAL OF BILLS: Kevin made the motion to approve the bills. Byron seconded the motion. All voted in favor, motion carried.

OTHER BUSINESS: Mayor requested the Council to set capital facilities work meeting. It was determined to be Monday April 2, 2001 at 7:00 p.m. Mayor stated that he has approved for Envirocare to use the parking area at the cemetery. Mayor is hoping that the three companies parking in this area will donate funds to help put up the electronic sign.

Karen stated that she attended an economic development meeting. It gave information on grants. There is a section 108 that goes along with the CDBG money. Kevin announced that Neil Critchlow won the Nation Fire Fighters Association award for Fire Prevention. This was only the 3rd time in its history that the award was given west of the Mississippi. Kevin stated that we interviewed today for the working foreman do we get together tonight. Mayor stated that he would talk with Kevin tomorrow.

Recorder Palmer stated that the Watt Homes recovery right claim has been forwarded to the Insurance Company. The insurance Company wants all of the paper work on this case. Recorder Palmer wanted to know if she should gather all of the papers for that case.

EXECUTIVE SESSION: Craig made the motion at 11:17 p.m. to recess the regular City Council meeting to an executive session to discuss pending litigation and personnel. Kevin seconded the motion. All voted in favor, motion carried. Present for the executive session Mayor Merle Cole. Council Members: Byron Anderson, Craig Anderson, Kevin Hall, Justin Linares, and Karen Watson, Wendy Palmer, City Recorder, Ron Elton Attorney.

Motion was made by Byron to recess the executive session and return to the regular City Council meeting at 12:05 a.m. Craig seconded the motion. All voted in favor, motion carried.

Byron made the motion to approve the salary step increase for Grant Alan Harris. Karen seconded the motion. All voted in favor, motion carried.

Craig made the motion to adjourn this City Council meeting at 12:10 p.m. Justin seconded the motion. All voted in favor, motion carried.

Wendy Palmer, City Recorder

Merle E. Cole, Mayor