

**MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY
COUNCIL HELD WEDNESDAY, MAY 5, 2001.**

Mayor and Council Present: Mayor Merle Cole. Council Members: Byron Anderson, Craig Anderson, Kevin Hall (8:25p.m.), Justin Linares, and Karen Watson.

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

Citizens and Guests: Robyn & Rueben Quarnberg, Ray and Melanie Silva, Mr. & Mrs. Farnsworth, Kyle Matthews.

APPROVAL OF MINUTES: Justin made the motion to approve the minutes of the previous meeting with the correction recommended by the Mayor concerning the road width of Matthews Lane from 24 feet to 30 feet. Craig seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF MINOR SUBDIVISION FOR KYLE MATTHEWS: Kyle Matthews was present to request a minor subdivision creating two lots out of one parcel of ground. Craig asked Kyle if he would be willing to add to his deed one half of the portion of Matthews Lane that is needed to widen the existing 30 foot right-of-way to a 60 foot right-of-way? Each of the property owners that front on each portion of Matthews Lane would be required to give one-half of the needed footage. Mayor stated that the minor subdivision map shows that Matthews Lane is 33 feet wide. This would require that each property owner on Matthews Lane provide 14 ½ feet of right of way. Kyle asked the Council if they would require the same 14 ½-feet on the east side of the street? Kyle asked why did the city make all of the mistakes on the Cook property across the street and now because he wants to put one house on his property, the city wants the easements from him? Craig and the Mayor stated that one mistake was made and the city does not want to make another mistake. Karen asked Kyle if he would feel better is the city told the Cook's that they have to give up 14 ½ feet of their front yard? Kyle stated yes. Karen discussed making Matthews Lane a private road. Craig stated that the easement would be required for only the parcel of land that is being requested for development. Kyle stated that he would give his fair share of land for Matthews Lane as long as the city requires the same from the all of the other property owners. Craig made the motion to approve the minor subdivision for Kyle Matthews with the addition of the 14-½ foot of easement to the property descriptions. Byron seconded the motion. All voted in favor, motion carried. Karen asked Recorder Palmer to add to the minutes that the Matthews will be treated fairly, and that 14.5 feet will be required from landowners on the east side of Matthews Lane when the city deems necessary.

WESTSIDE AUTO WRECKING COMPLIANCE WITH FENCING

REQUIREMENT: Arnie and Don Hunt requested a 6-month extension for the completion of the slating of the chain link fence. The slat work is all done on the front and east side, 65 feet along the back side. Byron made the motion to approve the 6-month extension for the completion of the slat work on the fence. Craig seconded the motion. All voted in favor except for Karen, who abstained, motion carried.

ROBYN QUARNBERG CONSIDERATION OF AMENDMENT TO

INDUSTRIAL PARK OWNERSHIP AGREEMENT: Robyn Quarnberg and Melanie Silva were present to seek approval to the Development Agreement amendment for the Grantsville Industrial Park. Attorney Elton stated that he amended the Development Agreement for the Grantsville Industrial Park. The amendment is specific to the deed restriction language. The road has to be completed within 5 years. If it is not complete within the 5 years, the developer can place the estimated cost of their portion of the road improvement into an escrow account approved by the city. Those funds will be held until it is completed, and if the road cost more to complete each developer is still required to pay any additional funds as needed. Justin made the motion to adopt the proposed amendment. Craig seconded the motion. All voted in favor, motion carried.

STONE RIDGE FINAL PLAT CONSIDERATIONS: Attorney Elton stated that the title report lists deeds of trust holders that have not been named on the final plat. All of the deeds of trust holders need to sign off on the plat. Craig made the motion to approve the final plat for Stone Ridge Subdivision phase with the following conditions:

- a. All entities and person listed on the title report be added to the final plat for sign off.
- b. All variances for the approval of the PUD are recorded on the plat.
- c. Mayor was authorized to approve the subdivision bond after review of the city engineer if filed within 90 days from today, May 5, 2001.
- d. Addresses to be recorded on each lot.

Byron seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF AMENDMENT TO TOOELE COUNTY JAIL

CONTRACT: Mayor explained that Tooele County sent a new Jail Contract to be signed by Grantsville City. Mayor stated that we wanted to wait and see if Tooele City would team up with us to work through our concerns about the medical care of prisoners. Mayor stated that the contract is ok except that they took out the provision about notifying us when medical treatment is given or needed for prisoners. Attorney Elton suggested that the Council approve the Jail Contract with the provision that Tooele County adds the notification clause for medical services in the contract. Mayor stated that the fee for inmates would increase from \$28.00 to \$30.00 per day. Justin seconded the motion. All voted in favor, motion carried. Mayor asked Attorney Elton to write the letter to the Tooele County Commissioners expressing the city's concerns.

CONSIDERATION OF MODULAR HOME PLACEMENT STANDARDS: Mayor explained that he asked Shauna the Zoning Administrator to review the Building Inspector's recommendation for standards for placement of modular homes in Grantsville City. Byron stated that this subject began with "are we charging too much for building inspections for modular homes?" Mayor stated that the standards were something that Jack wanted the Council to consider since the Modular Home subject was brought up. Karen stated that she felt it has been a good thing to review the standards. It protects our citizens and the looks of our community. Justin stated that we did find out that other cities charge more than we do for modular home permits. Attorney Elton reminded the Council that any regulations that we adopt must apply to stick built homes as well as modular homes. Mayor stated that Jack and Shauna went through Jack's recommendations and removed those that were in the Zoning Book or in conflict with the Zoning Regulations. Justin stated that the regulation for footings, foundation for modular homes is the only one that the city has a leg to stand on. The minimum square footage was discussed in relation to raising it from 704 square feet to 900 square feet. Karen stated that she felt that we should not raise the square feet because it might eliminate some people from being able to afford a home. Justin made the motion to recommend the implementation of a standard for footing foundation for modular home placement to the Planning Commission for their consideration. Craig seconded the motion. Karen suggested that the Planning Commission should look at all of the issues. Karen stated that Shauna wrote this and she knows all of the items that are on this page. The rest of the Council only wanted the footing foundation to be considered. All voted in favor, motion carried. Mayor stated that we still have the fee issue to resolve on the next agenda. Attorney Elton stated that the city could recommend any number less than 100% and the modular homebuyers will probably be satisfied. Mayor stated that what he feels Jack is saying that there is a process to get a home in Grantsville. Whether it is a mansion or a manufactured home you ought to pay the same.

RECOVERY RIGHT ORDINANCE: Engineer Craig Neeley who has been evaluating a recovery right request precipitated this item. His point is that we shouldn't allow recovery rights from excess capacity. We should calculate the recovery rights from cost. Mayor gave an example of subdivision where the requirement of the city and state is a 6-inch water line although a two-inch water line would service the subdivision. There really isn't any excess capacity in that 6-inch line. The 6-inch line is the minimum size required for a water line. If the City required an 8" line size installed, then the additional cost to install an 8" water line would be eligible for recovery rights. Justin asked for clarification stating that in the example if someone hooked on the end of the 6-inch line there would not be any recovery right. Byron stated that the standard is set to provide for

growth within the State Requirement. Byron stated that if Karen needs a 2-inch line the state standard is 6-inch line and the city standard is 8", there is no excess capacity. Justin was curious why all of the utility companies choose to use a different model. Justin's philosophy is that there should be a recovery right for the person who has just provided the resource. It is not fair to the person providing the resource to not be able to recoup some of his investment when another person benefits from his resource. Craig stated that the 6-inch standard for water line is for fire flow requirements.

Kevin Hall arrived at 8:25 p.m.

CONSIDERATION OF AMENDING THE CEMETERY ORDINANCE: Mayor stated that it was suggested to him that the resident definition should be expanded to extended family that has lived in Grantsville or has family living in Grantsville. Mayor informed the Council that the fee for burial lot purchase has not been updated since 1979. Mayor stated that his recommendation would be to raise the fee from \$100 for the lot and \$45.00 for the perpetual care to - \$190.00 for the lot and \$100 for perpetual care for residents. Non-resident lot purchase price the Mayor recommended increase from \$150.00 for the lot and \$45.00 for the perpetual care to \$300 for the space and \$100.00 for the perpetual care. Byron suggested leaving the resident rates alone and only increase the non-resident rates if what we want to do is discourage non-residents. Attorney Elton stated that you could use the rationale those residents or past residents contributed taxes toward the cemetery while they lived in Grantsville. Attorney suggested that the cost for burial space for current or past residents could be the same. Attorney Elton stated that he needs to provide the City Council with an Ordinance for the perpetual care amendment and a resolution for the burial fees. Justin stated that if the reason for raising the fee is because the perpetual care fund is not growing to keep up with improvements then all of the increase should go to the perpetual care fund. Kevin stated he agreed with Justin. Byron stated that he felt that we should leave the resident fee as it is and increase the non-resident fee. The cemetery lot sales are not covering expenses in the cemetery anyway; the general fund is covering the expense let's just raise the price on the non-residents. Karen stated that we should raise the fee for non-residents to \$500.00 and leave the resident fee alone. **Karen made the motion to table this issue until the next meeting.** Kevin stated that the automation of the sprinkling system would be a substantial amount of money. Mayor stated that the expansion of the cemetery would be expensive as well. Byron stated that if we need the money then that is fine to raise the fees. Justin suggested that the city raise the fees on a 2 or five-year plan. Kevin stated that he did not want to see us double the fees all at once. I do agree with the Mayor that we do have some substantial cost coming up we need to increase the rates some to cover that. Kevin stated that we need to send Danielle Estrada a copy of the Cemetery Ordinance that prohibits a private park. Byron stated that the Council was led to believe that Mrs. Estrada was only going to install a bench and a few trees. Mrs. Estrada has expanded on the original approval. Mayor stated that he is sticking by his original recommendation to raise the rates for residents to \$290.00 and non-residents to \$400.00. Council directed the Recorder to send Mrs. Estrada a copy of the ordinance and the City Council minutes and instruct her to stop her park improvement within the cemetery. Recorder Palmer stated that she would have JoAnn send her a letter. Byron stated that we were going to discuss landscaping in the cemetery. Byron stated that he visited 5 cemeteries over the weekend and none of the cemeteries had trees planted in the middle of the grass area. The trees were only along the borders. All of the trees were conifer trees.

4th OF JULY: Karen stated that she has been talking with the Chairman Teresa Dumus and they are moving forward. They are hoping to set a date for a committee meeting soon. Justin stated that he is bringing a recruit to replace him.

CONSIDERATION OF TOOELE COUNTY SCHOOL DISTRICT WAIVER REQUEST: Craig stated that the water fee could be adjusted based on the size of line since they are required to have a 6 inch line they shouldn't have to pay an impact fee for a 6 inch line. Mayor thought the fire flow line is separate from the supply line for the school. Craig stated that if the school pays for the crossing guards then we could waive the public safety fee. Otherwise, I think they should pay the public safety fee. Mayor stated that the city provides an officer for Grantsville, but Tooele School pays for their

officer. The sewer impact fee is calculated on the water line size and this could cost them about \$47000. The Mayor stated that the city provides for parking at the elementary school, baseball field for the high school and tennis court, and police officer. Then the school makes us pay for the sociable or anything we need to use their facility for. Karen stated that we need to negotiate this request. Mayor stated that what we should do is say that this money comes from the tax payers and we won't charge for the impact fees but the school should agree to do the same thing. Mayor was given the direction to meet with the school district to negotiate an agreement.

CONSIDERATION OF SETTING A PUBLIC HEARING FOR AMENDING THE ACCESSORY BUILDING SETBACK FOR CORNER LOTS: Craig made the motion to send this item back the Planning Commission for clarification and come up with a unified recommendation for all zones. Kevin seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF PRELIMINARY 2001-2002 BUDGET: Mayor stated that he has not had enough time to work with the City Recorder to present a new budget proposal for 2001-2001 fiscal year. Mayor stated that he has reviewed the 9-month actual expenditures and revenue. Mayor stated that he does not believe that there is not going to a great deal of change from last year. Mayor recommended to the Council to adopt the 2000-2001 budget as the tentative budget for 2001-2002 as a starting point. Byron made the motion to accept the Mayor's recommendation for the preliminary budget numbers to be the same as the 2000-2001 fiscal year as a starting point. Karen seconded the motion. All voted in favor, motion carried. Karen made the motion to set May 23rd @ 7:00 p.m. for the budget work meeting 2001-2002 and set the public hearing for June 6th @ 7:00 p.m. for the public hearing for final budget. Craig seconded the motion. All voted in favor, motion carried.

APPROVAL OF BILLS: Byron made the motion to pay the bills as presented. Justin seconded the motion. All voted in favor, motion carried.

OTHER BUSINESS: Mayor informed the Council that we have hired Sunrise Engineering for the safe sidewalk grant.

Karen stated that the museum needs some cleaning supplies and she is going to purchase some. Karen stated that she has recruited 10 volunteers to provide tours of the museum. Mayor suggested that the city purchases lunch for the volunteers and has Ruth Matthews speak about the museum. Karen agreed to put a plan together per the Mayor's request. Karen asked if we had a set time each Saturday to open the museum for tours could we pay them for their time? Mayor stated that he does not object to paying someone to have the museum open. The problem is people come during the week and they are in city hall wanting a tour of the museum right now. Karen wanted to have parking on the north side of the museum. Council and Mayor explained that there is a storm drain problem on that corner. Karen stated that the home on the corner of Clark and Cooley looks good. Karen stated that this house might make a CJC home.

Craig stated that the green clean was held last Saturday and it went well.

Mayor discussed personnel matters. Mayor discussed the Chamber of Commerce and the lack of participation of the Grantsville Businesses. Mayor suggested that the city have their own luncheon or dinner to sit down and talk with the local businesses and see what we need to do to help each other. Mayor stated that he had a chance to talk with Julia Holt from the Tooele County School Board to explain Grantsville City's side of the lawsuit. Mayor stated he felt good about their conversation.

ADJOURN: Karen made the motion to adjourn this meeting at 10:35 p.m. Kevin seconded the motion. All voted in favor, motion carried.

Wendy Palmer, City Recorder

Merle E. Cole, Mayor