

**MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY
COUNCIL HELD WEDNESDAY, MAY 16, 2001**

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

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

Citizens and Guests: Mary Ruth Hammond, Joan Durfee, Miss Grantsville Ashley Durfee, Kary & Daryl Yates, Todd Schvaneveldt, Howard Clegg, Bruce Clegg, Joe Cange, Alan Johnson, Craig Neeley.

APPROVAL OF MINUTES: Motion was made by Karen to approve the minutes as grammatically corrected. Craig seconded the motion. All voted in favor, except for Kevin who abstained, motion carried.

MISS GRANTSVILLE ASHLEY DURFEE PRESENTATION: Ashley Durfee the reigning Miss Grantsville presented a proclamation for higher education week. Miss Durfee presented her plan to encourage all high school students to pursue a higher education. Her pamphlet contained encouragement, phone numbers and addresses of sources of funding and colleges. Craig made the motion to approve the proclamation and authorize the Mayor to sign the proclamation declaring the week of May 14 through 18th as Higher Education Week. Kevin seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF AMENDMENT TO TOOELE COUNTY JAIL

CONTRACT: Mayor Cole informed the Council that he has mailed the letter written by Attorney Elton concerning our desire to meet with the Tooele County Sheriff and Commissioners.

CONSIDERATION OF AMENDING THE CEMETERY ORDINANCE AS IT RELATES TO THE PURCHASE OF CEMETERY LOTS PRICE: Attorney Elton explained to the Mayor and Council that he created the amended ordinance to combine the perpetual care and the lot sale price as an ordinance. Previously the lot sale price was set up to be changed as a resolution. Attorney Elton stated that he felt that for ease of administrating the ordinance he would combine the fees as an ordinance. Byron stated that he still maintains that if we don't need to raise the rates on the resident fees for cemetery lot purchase, he doesn't want to. Kevin stated that he was concerned about the financial demands of the improvements needed in the cemetery. Mayor maintained his position that the fees need to be raised. Mayor recommended that residents pay \$100 for the space and \$190 for the perpetual care and non-residents pay \$300 for the space and \$200 for the perpetual care. Byron complimented the Attorney for his definition of resident to mean current residents, previous residents and property owners. Byron made the motion to approve Ordinance 2001-07 that changes the cemetery fees to require residents pay \$100 for the space and \$190 for perpetual care and non-residents pay \$300 for the space and \$200 for the perpetual care.

CONSIDERATION OF AMENDMENT TO THE NUISANCE ORDINANCE

CHAPTER 14. Attorney Elton passed out research information that he had collected concerning the collection of cost for clean up of private property by the City. Attorney Elton stated that he has reviewed Chapter 14 and 14a of the Grantsville City Ordinance Book. Our ordinances are in compliance with Utah State Code and we have the ability to attach fees for clean up of private property by the city.

CONSIDERATION OF FEE STRUCTURE CHARGED FOR PLACEMENT OF MODULAR HOMES: Byron made the motion to leave the modular home placement fees as they are currently being charged. Craig seconded motion. All voted in favor, motion carried.

CONSIDERATION OF TOOELE COUNTY SCHOOL DISTRICT WAIVER

REQUEST: Mayor stated that he and Byron met with the Superintendent Shumway, Board Member Carol Jefferies to discuss the request for fee waiver. Mayor and Byron reminded the School District that Grantsville City has been a good neighbor by providing

many things without charge for the school's use. Some of the examples were the property for the tennis courts, baseball facility, parking lot for elementary school on city property, police officer in the high school. Mayor stated that he and Byron reminded the school leadership that the school continues to charge the city for time and space for use of the schools for city events. The Mayor stated that he is waiting for a response from the school before making any further comments.

DARYL & CARY YATES REQUESTS:

A: Request for extension of time for Cherry Grove Subdivision phase II: Daryl & Cary asked the Mayor and Council to extend the requirement to begin phase II of the Cherry Grove Subdivision until they have been able to sell more of their lots in phase I. They have been granted one extension on 3-14-00. Mayor suggested that the Council discuss the recovery right request prior to discussing this issue any further.

B: Recovery Right for improvements outside of city services: Daryl and Cary Yates asked that the Council consider approving the total amount asked for in their letter in the amount of \$241,733.55. Engineer Craig Neeley was present and he was hired by the city to performed the analysis on the requested recovery right. Mr. Neeley stated that he had to disallow any cost that could not be substantiated with invoices that described quantities and location of work. Mr. Neeley stated that charges for time spent in meetings should not be considered for recovery rights. Engineer Neeley stated that due to the Ordinance being so general in its description of recovery rights he did do some interpretation of the ordinance and disallowed all expenses claimed for time spent in meeting with the various entities. Mr. Neeley stated that he also disallowed all expenses that were claimed for invoices that were not clear. Engineer Neeley stated that he could substantiate \$134,729.00 for the recovery right on the Main Street entrance. Karen made the motion to grant the extension for the financial agreement for Cherry Grove Subdivision until June 20, 2001. At that time the recovery rights and any further extension of time for Cherry Grove Subdivision will be discussed. Kevin seconded the motion. All voted in favor, motion carried.

CONSIDERATIONS OF HERITAGE GROVE SUBDIVISION:

a. Consideration of development agreement: Attorney Elton addressed the issues that he had a concern with:

1. Exhibit A is not attached to the development agreement and it needs to be reviewed before approval.
2. Paragraph 2 provides that the approved development standards for this PUD are those listed and identified in the preliminary plat and that the preliminary plat supersedes the City's development standards. We need to be very careful in identifying what the preliminary plat authorizes. Staff needs to review and provide written approval.
3. Paragraph 2C does not identify the variances authorized by this PUD. This provision indicates that whatever is identified with respect to density, land use and standards and guidelines in the development documents constitute approval and a waiver of the requirements of the code. Variances need to be attached.
4. Paragraph 6(2) specifies that all credits for impact fees are identified in Schedule 1. Schedule 1 is not attached to the document. Staff needs to review this before final approval.
5. Paragraph 2(2) outlines the secondary water requirements to be provided by the developer. It indicates that there will be one share of secondary water per lot, plus one share per one-third additional acre of irrigated area. The CC&R's provide that each lot is limited to 14,520 square feet of irrigated area. We may need to provide a definition of irrigated acreage. I would also suggest that the additional one share per one-third additional acre of irrigated acreage be provided for any portion of a third acre, above the original lot.
6. Paragraph 7 does not identify the quantity of culinary water to be transferred to the city. However, Section 9 on page 14 indicates that the culinary water rights are supposed to be identified in Schedule 3, which is not attached. We need to have the City Engineer review this proposal and advise us on the amount of culinary water proposed. Engineer Craig Neeley stated that the .45 acre-feet proposed is in compliance with state standards.

7. Paragraph 7(2)(f) proved that the preliminary plat and this agreement would govern the open space. The preliminary plat needs to specify the intended purposes for the open spaces. Staff should review the preliminary plat and make a written recommendation.
8. Paragraph 9 on page 10 provides that there will be no off-site improvement except those stated in the development agreement. The city engineer needs to carefully review what offside improvements may be required and review the documents to determine if they are identified therein.
9. Paragraph 8(3)(b) provides that there will be no impact fees for storm drainage.
10. Paragraph 8(3)(b) provides that all improvement with excess capacity is subject to recovery rights ordinance is described in schedule 2. No schedule 2 is included for our review. We need to have Schedule 2 and these improvements identified and approved.
11. With respect to paragraph 9 on page 14, we may want to add the city code requirement that the transfer of water rights will be coordinated with the city's water lawyer and the developer will pay all costs of this review and transfer.
12. Paragraph 9 on page 15 provides that all the non-public open space including the park, storm drainage and flood control will be transferred to the Home Owners Association. Are these areas specifically identified in the preliminary plat? Staff needs to review and make written comment.
13. All of the exhibits identified in the agreement need to be completed and attached to the agreement.

RESTRICTIVE COVENANTS, CONDITIONS AND RESTRICTIONS:

1. Paragraph 1 excludes Parcel A. Attorney Elton assumed that Parcel A is the church site, however it is not specifically identified. Section 6 provides setbacks for buildings. Staff needs to review and comment in writing to ensure they are not less restrictive than the City's Setback requirements.
2. Section 16 provides that each lot will be limited to 14,520 irrigated square feet. Does this leave non-irrigated acreage within the subdivision?

Shauna Kertamus the Zoning Administrator provided written comment on issues that she would like the Council to look into.

1. Page 4 "c"- Vesting of Zoning Rights: Requirement of immediate modification of the zoning map when approval is given. Shauna was concerned that the zoning map would have to be updated immediately. Attorney Elton stated that the ordinance amends the map when it is approved.
2. Page 6 "B"- Water Rights. Should the amount of water rights be spelled out completely? This was the same issue as the Attorney mentioned. Alan will amend the Development agreement to comply.
3. Page 9 (3) – Timing- This section needs to comply with our Land Use Management Code. Our code currently requires 70% of the lots are to be sold in one phase before a second phase is started.
4. Page 9 (4)- Extensions: The request for reasonable extensions leaves the city in a precarious situation. We do not want to allow a development to go in years later with improvements that are not up to what the current code might be. Shauna recommends the working be changed to allow one or two extensions, but beyond that does not serve our community well. Council determined that the extensions would comply with current ordinance.
5. Page 9 (5) Abandonment: Five years on a development with no actions is not a reasonable request to ask for, and again does not benefit the community. They should comply with current code requirements.

B. Final Plat Approval: Craig stated that he had some concerns with their final plat. Some of the horse trails don't appear to connect to anything. Craig recommended removing some of the horse trails. Craig stated that he was concerned with the horse lots on the West end that back on residential lots on to the west in South Willow Estates. Craig suggested that these horse lots be moved to adjoin lots that are horse lots in the adjoining subdivisions. Craig stated that he liked the change that puts the trails in the front yards. Craig suggested eliminating the horse trail that runs through the middle of the east animal lots to make those lots bigger. Craig made the motion to table the Final Plat, zone change and Development Agreement considerations until the requirements as stated by Attorney Elton's comments and Craig's changes are made. Changes need to include the transfer of all of the water right for the complete

subdivision. Byron seconded the motion. Kevin stated that he wanted to go on record that he has a problem with the density of this subdivision. Kevin told Mr. Johnson that he would like to see some larger lot added to this subdivision. It is not an ideal subdivision for this area of town. Kevin questioned the secondary water requirement stating that the water requirement has not officially been determined. Mr. Johnson stated that he is following the recommendations of the Grantsville Irrigation Company. Vote is as follows: In favor – Craig, Byron, and Karen. Opposed - Kevin. Motion carried.

HOWARD CLEGG-APPEAL OF PLANNING COMMISSION DENIAL OF CONCEPT PLAN FOR VILLAGE GREEN SUBDIVISION: Mayor and Craig explained that the Planning Commission denied the new concept plan. The Planning Commission gave their list of denials as follows:

- a. Density of 200 lots for 200 acres is too high. It was recommended that the density be 185 lots for the 200-acre development.
- b. Lot widths are too narrow. Lot width should be 125 feet.
- c. A large number of lots exceed a ration of 3 to 1 in length.
- d. Improvement of Worthington Street at a width of 24 feet instead of the required 47 feet.
- e. Develop requests a 10 year instead of a 2-year time period for concept & preliminary plat approval to remain valid.
- f. Sign for development identification that is larger that the ordinance allows.
- g. The lack of a plan to improve Nygreen Street.
- h. Not enough open space.
- i. Too many cul-de-sacs.

Bruce Clegg read a prepared speech concerning the history of the Village Green Subdivision. Relating to the denial issues.

- a. The subdivision density was reduced from 210 lot to 200 lot with the inclusion of 56 horse lots and 1.5 miles of trail. Stating that this density is not too dense in comparison to other properties in the area.
- b. The horse lots are deep and narrow to allow for the horses to be kept 100 feet from neighbors.
- c. Worthington Street not to city standards of 47 feet with curb and gutter. The 24-foot proposed roadway is more appropriate without curb & gutter. There is no reason to attach a 41-foot road to an existing 24-foot road. Bruce stated that a 24 roadway is the safest road citing an Engineer named Skip Hudson publication. Also stated that a 24-foot roadway makes for a better walkable community.
- d. 10 year project. Bruce read that this development would be completed over a ten-year period in 8 phases. This development will have upper end homes built in it. It will create more revenue per home.
- e. Sign larger that 48 square feet. The sign proposed is incorporated into a water fountain and set back off the street 80 feet. We want a nice sign like the one in Temple Square. A smaller sign would not meet our harmonious ideas for our development.
- f. No improvements to Nygreen Street. We were concerned with the impact of existing residents on Nygreen Street. We aligned our primary access with Worthington Street and our secondary access is to the west, Shelly Lane. We feel that Nygreen Street should be improved with those properties fronting Nygreen Street develop.
- g. Open Space, NRPA most recent publication states that neighborhood park when joined with the neighboring proposed church property is 5 acres. This should serve 5000 people and we feel that it will only serve 600 people.
- h. Cul-de-sacs – Cul-de-sac are the safest plan offers quiet and safe streets. The cul-de-sac promotes neighborhood communities.

Mayor asked how Village Green going to guarantee that there will be upper end houses in this development? Mr. Cange, the developer for Bruce and Howard Clegg, stated that because of the size of the lot it would attract the upper end homes. Mayor stated that one of the conferences that he attended was a spoof on Planning Commission actions. The one development that was highlighted was a subdivision just like yours that shows cul-de-sacs as what a city should not approve.

Karen stated that her daughter lives on a cul-de-sac and it is quiet and lovely.

Craig asked Engineer Neeley to comment on the cul-de-sacs. Engineer Neeley stated that you have to way the issues of the neighborhood with the safety and public works issues.

The more dead end streets that you have, you have to decide how to handle dead end water lines, snow removal, two modes of access to most residents, and public safety. Craig asked Engineer Neeley to comment on Worthington Street improvements and Nygreen Street. Engineer Neeley stated that he still stands behind the requirement of 30' minimum width road. Undoubtedly there will be cars parking off Worthington Street and people need the room and that is why I don't feel that anything less than 30 feet of pavement is acceptable. Engineer Neeley stated that his concern about Nygreen improvement is due to the sewer line that is planned on Nygreen. Karen asked about an issue that Shauna brought up concerning the number of lots that are longer than 1-3 ratio. Craig stated that the safety issue is the access problem for public safety to reach the back of a yard. Karen stated her concern was the possibility that a modular home can be placed. Attorney stated that you couldn't discriminate against the modular home. Karen stated that this appears to be a well-organized subdivision and better organized than Alan Johnson. Why did the Planning Commission approve Alan Johnson and not this one? Kevin stated that Village Green has proposed a new concept plan. The original concept plan there was 18 acres of agricultural open space that they have eliminated that. Craig stated that he does not try to influence the Planning Commission at their meeting and feels like the City Council meetings are where he needs to make his feelings known. Mayor asked Mr. Cange what was the reason they went from 40 acres to 10 acres of open space. Mr. Cange stated that the City Council did not like the amount of non-irrigated open space. So we just eliminated those areas. Karen discussed the differences in concept plans. The density is down 10 lots, the lot sizes did not change much, open space is minus 30 acres, the lot widths 104 feet. Mr. Clegg stated that the lot size comparisons prepared by Shauna Kertamus is not correct. Mayor asked if the flag lots are really a plus? What is the width of the lots in the cul-de-sacs? Mr. Cange stated 40 feet or more. Mr. Cange stated that the city code only requires 25 feet. Craig asked Attorney Elton stating that he would not like to do a blanket override on the Planning Commission's denial. I would like to send something back to them with direction as to our position on density. Karen stated that the Planning Commission feels the density is too high. Craig stated that the Planning Commission needs direction on that. We need to give them direction on the open space and the 3 to 1 ration on lots. Is there justification for those long narrow lot? We need to give direction on Worthington Street. I think we are going to adopt some rural road standards in conjunction with the General Plan. Karen stated that Worthington Street access is better than Nygreen. Kevin stated that when they want to go to the ball field they are going to use Nygreen because it gets them there faster. Craig compared Willow Street being 36 feet wide but narrows at the trees to 28 feet. I feel that 28 feet is a perfect width. Mayor stated that the narrow street does not include parking. Mr. Cange stated that there would be no parking on Worthington Street. Kevin stated that the potential for parking is always there. Mr. Cange stated that those property owners on Worthington Street should widen the road when they develop their property. Karen stated that she likes the horse trail in front and no driveways on the collector street. Mayor stated that comparing density to other subdivision is not a good argument. Craig stated that this process has been going on for three years and we as a Council have not given adequate direction. I think the time has come to take a vote and set some precedents. Is the density acceptable? There is two ways of looking at densities. If they did a cookie cutter subdivision they would get 185 lots with the improvement of streets etc. The Planned Unit Development process allows the developer to increase his density in exchange for providing the city with amenities like trail systems and parks. Craig stated that one PUD standards is that they can meet the zoning designation for that area. Their original density of 260 units and that density was unacceptable and the density is now is where it needs to be in my opinion. Byron asked Attorney Elton what the City Council options are? Attorney Elton stated that the Council can uphold the denial. You can reverse the Planning Commission and make recommendations back to the Planning Commission. You can go through each of the items the Planning Commission denied the concept plan on and make a recommendation on each one. Byron asked if the Council would make a motion on each item. Mayor stated that he feels that there hasn't been the opportunity for the Planning Commission to hear the Clegg's rebuttal to the Planning Commission's denial and really go through the negotiation process. Mayor stated his concern about the cul-de-sacs and the ability to really walk somewhere. Mayor Cole did not see that this design achieves that. Byron asked if the Council can go down the list and vote on what the City Council agree with the Planning Commission on? Kevin stated that he felt that action would be circumventing the process. Byron stated that the Planning Commission sent it to us. Kevin and the Mayor stated that the Clegg's brought this denial to the Council not the Planning Commission. The Planning Commission

denied this concept plan and these guys are appealing the Planning Commission denial. Mayor questioned that the Council send it back to the Planning Commission with a comment on each of the nine bullets? Byron stated that the comments would be to the Clegg Family and they can decide if they want to change the concept plan or not. If they need to change something they can make that decision. Craig questioned if the Council has that authority to do that? Attorney Elton stated that the Council could continue the denial subject to those stated reasons or approve the concept plan subject to conditions. Byron clarified that the Council can approve certain bullets and revise others. Karen questioned the subdivision on North Cooley and is it working out OK? Mr. Cange stated that he has not submitted a preliminary plat. Mr. Cange stated that the previous average lot sizes were 24391 square feet. The current concept plan the average lot size is 33330 square feet. Byron stated that the Planning Commission did not substantiate their denial with anything other than their opinion.

Kevin stated that his concern is that instead of the Planning Commission needs to be the one working this out. We all have our own personal biases and they conflict with what we do as a body. Kevin stated we need to let the Planning Commission work through their issues on this new concept plan. This is a different concept plan. I agree that this has gone on for three years but it is not a Council Member that has presented 5 concept plans. I don't feel responsible for that. I have heard it in public meetings that we need to work as a body and we need to look at the issues at the Planning Commission level until there is a deadlock at that level. I think you need to take this concept back to the Planning Commission if you are going to start changing the concept plan and then once it is a deadlock at that level then bring it back to the Council. Attorney Elton stated that the Council cannot look at the new concept plan that Village Green has attached to the old concept. The only issue on the table is what the Planning Commission has denied. Kevin stated that what Craig is proposing is to make changes in the planning process and we go through the list of denials and make recommendations on density, cul-de-sacs, open space. Why send it back to the Planning Commission? If we are going to circumvent the process lets just do it and be done with it. Craig stated that until this body makes the decision by vote that we are not going to accept natural open space and until the Council recommends that the density is OK at 200 lots. Attorney Elton reflected on the Mayor's concern that we should not discuss each issue tonight without time to study the whole picture, this list of denial items focuses our view to narrowly. Karen asked if the Council could approve the concept based on 200 lots and send it back and let the Planning Commission work out the layout and roads etc. Attorney Elton stated that the Planning Commission still needs direction from the Council for example the 3-1 ration of the length of lots. Karen stated that we should not approve something that is already against the ordinance. Yet, it makes sense to have the horse in the back yard away from your neighbors. Mayor stated that he would like time to study the book I don't feel prepared to make these decisions tonight. Byron stated that he would like a substantiated argument from the Planning on what their side was. Mayor stated that both are philosophies. Byron stated that some of the philosophies by the experts in the United States. Craig stated that the density issue is one that our city needs to determine. Mayor asked Engineer Neeley concerning the utilities; does the sewer system go to Willow Street? No the sewer system goes down Worthington. Byron asked Craig what he wants to do? Craig stated that he would like to go over each item bullet by bullet. Attorney Elton stated that if you approve all of the items then you may want to approve the concept if you do not approve the bullets then you may want to deny the concept plan. Craig made the motion to review each of the denial reasons from the Planning Commission. Karen seconded the motion. Vote was as follows: Byron, Craig and Karen in favor. Kevin opposed. Motion carried.

1 - Karen made the motion to approve the density of 200 lots for Village Green Subdivision. Byron seconded the motion. Kevin reminded the Council that the density is the only leverage for open space that the Planning Commission has. Craig stated that he is not comfortable with the density but I think where the General Plan has been amended to allow for RR designation the density would be ok. Mayor commented that the Planning Commission recommended 185 lots. Craig stated that several Commission members stated that the 185 lots were not an issue with them. Mayor read the minutes stating that all but one member wanted the 185 lots. Kevin stated that the 185 came from Craig. Vote is

as follows: Byron, Craig, and Karen in favor. Kevin opposed. Motion carried. Karen asked the question of Mr. Cange and the Clegg's, if the Planning Commission wants you to go back to 185 lots would you be willing to do that? Mr. Cange stated no. Kevin stated to Karen, "what good does it do to ask that question now? You have already given them what they want." Karen stated " I just wanted to ask, now I know how to vote next time."

2 – Lot widths less than 125 feet wide: Byron made the motion to approve lots widths less than 125 feet as proposed in the concept plan for Village Green. Craig seconded the motion. Vote is as follows: Craig and Byron in favor, Karen, Kevin and the Mayor opposed. Motion failed. Attorney Elton asked Recorder Palmer to read the RR-1 zone width. Recorder Palmer read from the zoning ordinance that the minimum lot width is 125 feet with the minimum frontage of 25 feet. Recorder Palmer explained that a flag lot could be created with a minimum frontage on a public street of 25 feet but, the home construction front yard would not begin until the lot reaches 125 feet. Once the lot width is 125 feet then the front yard set back is measured at that point for placement of the structure. On narrow lots the home may actually be placed right in the middle of the depth of the lot. Mr. Cange stated that Recorder is misinterpreting the ordinance quite frankly. Mr. Cange stated that the setback would begin when the home can meet the side yard requirements. Mayor stated that is not what the Ordinance says. Recorder Palmer is reading directly from the Ordinance book minimum width of lot at front and rear setback of the structure is required to be 125 feet. Attorney Elton stated that the Recorder is correct.

3- 3-1 ratio for horse lots: Byron made the motion to approve the 3-1 ratio on the horse lots. Craig seconded the motion. In favor --Craig and Byron. Opposed: Kevin, Karen, and the Mayor. Motion failed.

4- Street width for Worthington Street. Craig stated that the current standard is 41 feet curb back to curb back. Willow Street is 36 feet of pavement with no curb. We are looking at adopting some new rural road standards. Recorder Palmer stated that the minutes state that the pavement requirement is 47 feet of pavement. Byron made the motion to approve the street width of 24 feet of pavement for Worthington Street instead of city standard. Seconded by Craig. Kevin reminded the Council that our Public Works Director, City Engineer and Planning Commission do not recommend a 24 foot paved roadway. Mayor stated that the reasoning of the Clegg's to improve Worthington Street at 24 feet is because there is already 24 feet of pavement part way, so it should be 24 feet the rest of the way. Mayor stated that is not a good reason. Craig stated that we have not adopted any other standard and he is hesitant to support a 24 foot paved road. Vote is as follows: For – Byron. Against – Craig, Kevin and Karen. Motion failed.

5- Approval of 10-year approval of concept: Attorney Elton asked for clarification of what is the developer asking for? Attorney Elton stated that you have 2 years to install the off site improvements. Byron made the motion that we allow that the time frames be consistent with the ordinance. Karen seconded the motion. All voted in favor, motion carried.

6- Request for 120 square foot sign verses 48 square feet as in the Ordinance. Byron made the motion to authorize the variance of the ordinance to permit the 120 square foot sign as proposed. Karen seconded the motion. Vote is as follows: Craig, Byron, and Karen. Opposed – Kevin. Motion carried.

- 7- Improvement of Nygreen Street: Mr. Cange stated that this development has no use for Nygreen Street. Mayor and Kevin asked Mr. Cange how can you say that your development won't use Nygreen Street? Mr. Cange stated because the street will remain dirt. Kevin stated that these people will complain to the city because they can't use Nygreen and want the city to upgrade it. Byron made the motion to support the concept plan and not improve Nygreen Street. Karen seconded the motion. Vote is as follows: In favor – Karen, Byron. Opposed: Craig, Kevin and the Mayor. Motion failed.
- 8- Byron made the motion to accept the open space as shown in the concept plan. Karen seconded the motion. Mr. Cange stated that the total open space includes the parks, church and trails. Byron stated that there is open space all around this property that is Grantsville Soil Conservation Property. Craig stated that the Clegg's own that property now. Craig stated that he is in favor of natural open space and it can be maintained and not be a detriment. Even at the cost of the smaller lots being even smaller. Vote is as follows: In favor – Byron and Karen. Opposed - Kevin, Craig and Mayor. Motion failed.
- 9- Cul-de-sacs – Byron made the motion to approve the cul-de-sacs as presented in the concept plan. Karen seconded the motion. Kevin stated that this issue is something the Planning Commission should negotiate. Karen stated she agreed. Vote is as follows: In favor – Karen & Byron. Opposed – Craig, Kevin, and the Mayor.
- 10-Concept Plan - Craig made the motion to deny the proposed concept and based upon the specific items discussed and instructed the Clegg's to return this matter the Planning Commission with the recommendations of the City Council made at this meeting and to negotiate a new concept plan. Karen seconded the motion. All voted in favor, motion carried.

Mayor asked the Clegg's if they feel any obligation to improve Nygreen Street on your half of the street. Mr. Cange stated that they would support doing half of the street. Mayor stated that we need to negotiate that.

CONSIDERATION OF FINAL PLAT FOR SOUTH WILLOW ESTATES

UNDEVELOPED AREAS: Craig stated that the plat remains approved as it is currently approved. This division allows for segregation of phases for sale. The approvals do not change the current development agreements. Craig made the motion to approve the final plat for South Willow acquisition plat. Byron seconded the motion. All voted in favor, motion carried.

APPROVAL OF BILLS: Kevin questioned the harrow purchase for the Rodeo Grounds. Kevin felt that the harrows could have been purchased at a cheaper price in Salt Lake. Byron stated that he has had some Eagle Scouts doing projects that are on these bills. Byron made the motion to approve the bills as presented. Craig seconded the motion. All voted in favor, motion carried

Mayor brought to the Council's attention the new addition to the financial report. Mayor asked that Treasurer Gustin add when the bonds will be paid off.

4TH OF JULY CELEBRATION: Karen informed the Mayor and Council that there is a meeting tomorrow at 7:00 p.m. and would like to have all of the Council present.

CONSIDERATION OF PRELIMINARY 2001-2002 BUDGET: Mayor & Recorder handed out the preliminary working budget. Mayor asked that the Council be ready for the work meeting on May 23rd. Recorder Palmer stated that the final budget is going to be much smaller due to the combination of accounts as recommended by the Auditor.

OTHER BUSINESS:

Mayor stated that he met with the ISO representative Monday and had to improvise with the date that was on file. COG meeting was a bust because there was not enough people present to have the meeting. Mayor Robert's had a water meeting in Tooele on the Wasatch Front water issues. Tooele City is going into the water conservation mode.

Mayor stated that he is not ready to impose conservation requirements. Mayor suggested the city needs to implement a graduated water rate. Mayor stated that he has been working on the BI-pass road and he has been asked to sign a letter in support of the BI-pass road. Mayor stated that he is going to meet with UDOT concerning the Elementary School. Byron suggested the Mayor ask about a sign for the Museum. Mayor stated that the TEAD lawsuit has not been filed yet. Mayor stated that he is meeting with Judd Lawrence at the end of the week to discuss the modeling of the utilities.

Byron asked about summer hires this year. Mayor and Kevin stated that they hoped that with bringing the Straw boss on board the maintenance department could step up the level of service and not have to hire seasonal employees. Byron informed the Mayor and Council that the Old Lincoln Highway group is planning a rally this fall and Byron offered the city's hospitality to provide a luncheon for the group if they would come through Grantsville. Mayor and Council were very supportive of his offer. Mayor suggested we should really blow our horn and make this a big event.

Karen stated that she has the plaque for Leah Jones who donated the money for the flagpole in the cemetery. Mayor stated that he would ask Ray Drake to install the plaque.

Craig reminded those present that the general clean up is this Saturday.

Recorder Palmer requested a written list of names and number of Museum Volunteers that the City Hall can call to conduct tours. Karen stated that she would get that list Thursday.

ADJOURNMENT: Byron made the motion to adjourn at 11:35 p.m. Craig seconded the motion. All voted in favor, motion carried.

Wendy Palmer, City Recorder

Merle E. Cole, Mayor