

**MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY
COUNCIL HELD WEDNESDAY, AUGUST 1, 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, Police Chief Danny Johnson, Police Officer David Aagard.

Citizens and Guests: Mary Ruth Hammond (press), Jerry Edwards, and Brian Wittwere.

PUBLIC HEARING: Consideration of amending the Property Tax Mill Levy for 2001-2002 fiscal year. Mayor explained that Tooele County Auditors do not prepare the proper information in order for cities to adopt the proper mill levy until the end of July. So in order to complete our budget information in June we adopt the same property tax mill levy as the previous year and then amend the property tax just one time. Mayor asked for any further comment. No comment being offered the Mayor closed the public hearing at 7:08 p.m.

APPROVAL OF MINUTES: Justin made the motion to approve the minutes as grammatically corrected. Craig seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

- a. **Resolution amending the property tax mill levy.** Byron made the motion adopt the property tax mill levy for fiscal year 2002 at .003359. Craig seconded the motion. All voted in favor, motion carried.
- b. **Consideration of ordinance amending Chapter 16 Section 14 of the Grantsville City Ordinance for the consideration of implementation of a daytime curfew:** Chief Johnson and Officer Aagard presented the proposed ordinance that would permit the officers to ticket any school aged children not in school without a legitimate excuse. Officer Aagard stated that the parents of the children would be held accountable as well for the truancy of their children. Craig stated that he did not want to see Grantsville become like a police state in order to enforce the States compulsory education law. Officer Aagard stated that any school-aged child with a note or on an expelled list would not be ticketed. Home school children will also not be ticketed. Officer Aagard informed those present that the police do not have any authority to ticket the kids that are out of school with the current laws. The Officers can only return them to school. The problem is never solved. The Officers are returning the same kids day after day and the parents don't seem to care. If the Officers could issue tickets then the parent would have a financial obligation that may encourage them to get involved in the attendance problems. Craig stated that he would like to hold a public hearing on this issue before it is passed. Byron made a motion to hold a public hearing on August 15, 2001. Kevin seconded the motion. All voted in favor, motion carried.

4TH OF JULY – Recorder Palmer explained that 4th of July Chairman Teresa Dumas was unable to attend due to illness. Recorder Palmer presented an accounting of revenues and expenditures. Karen asked the Mayor and Council if they wanted to continue to provide this celebration for the community or did they want to make it into a money-making event? Mayor and Council wanted to fund this activity for the benefit of the citizens.

GRANT WRITER: Mayor Cole asked the Council to submit names and ideas for the purpose of obtaining grants for the city.

**CONSIDERATION OF ORDINANCE TO AMEND THE LAND USE
MANAGEMENT CODE AS IT RELATES TO SECONDARY WATER
REQUIREMENTS AND ADOPT A FORMULA FOR FIGURING THE**

AVERAGE IRRIGATED ACRE: Byron requested that this item be postponed until the next agenda. Byron stated that he has been working on his own formula and it is not quite finished. Byron made the motion to table items 5 & 6 until August 15, 2001 City Council agenda. Karen seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF CHALLENGE TO CONDITIONAL USE PERMIT FOR WILLOW ELEMENTARY SCHOOL PROGRESS REPORT TRAFFIC/SAFETY STUDY. Mayor Cole stated that he does not have the data back from the engineers.

ELECTRIC SIGN: Mayor stated that the city received donations of \$5000 from Safety Kleen and \$3000 from Enviro-Care. With commitments from each of two more annual donations of equal those amounts. Mayor stated that the Sign Company has been contacted for a final bid. Karen made the motion to approve the installation of a new electric sign for city hall. Craig seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF RECOVERY RIGHTS ORDINANCE: Discussion concerning the different philosophies of excess capacity. The Engineer, Craig Neeley expressed one philosophy: “ If the requirement for an extension of water or sewer lines is 8 inch water line and a 10 inch sewer line and there is no option for a smaller line then there really isn’t any excess capacity and the developer does not have any recovery rights. Craig and Justin expressed their philosophy that if the first developer didn’t install the extension of utilities the next development would not have been possible and it isn’t right to allow the next developer to benefit from the previous developer without helping with the expenses. Justin made the motion to leave the current ordinance and add the 5% developer administration fee if justified, and recommend this to be forwarded to the Planning Commission for their recommendation. Craig seconded the motion. All voted in favor, motion carried.

STREETS AND PUBLIC RIGHT OF WAY ISSUES:

- a. **Consideration of forest service access road: (Mack Canyon)** Mayor stated that there is a proposed gravel pit west of our city limits that would use the Mack Canyon forest service access road. This road is used to access homes on Taylor Road as well. If the city upgraded this road and billed the homeowners a proportionate share of the upgrade and then that would give the city the leverage we need to try manage the impact this gravel pit would have on our city. Mayor Cole informed the Council that he has sent Zoning Administrator Shauna Kertamus to the Tooele County Planning Commission meeting with a letter from him requesting that the Tooele County Planning Commission allow Grantsville time to provide input.
- b. **Considerations of personal use of public right of ways:** Mayor Cole requested input from the Council about his concerns about citizens using the public right of way for personal uses. Mayor listed items like gardens, fencing, pavement of drive approaches, and mailboxes. Mayor directed Attorney Elton to tighten the ordinance to provide that the city must inspect and approve any personal use of a private right of way. Mayor stated that you can drive around and find citizens dumping their grass clippings across the street from their homes. These kinds of things make our town look bad.

CONSIDERATION OF ANNEXATION ISSUES AND PROCEDURES: Mayor stated those issues like the proposed gravel pit and SunValley Estates along the eastern boundary of the city should be annexed into our city. Mayor stated that he asked Attorney Elton about the procedure and possibility of annexation of these two items. Attorney Elton explained that a “hostile” annexation can only take place if the City provides the majority of the services and borders 2/3rds of property boundary. Neither is the case for the gravel pit or Sun Valley Estates. It was decided to send the property owners in Sun Valley Estates to request their support for annexation into our city.

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

OTHER BUSINESS: Mayor stated that Recorder Palmer contacted the ISO inspector to inquire when the new rating will be issued. The inspector reported that the new rating will issued March of 2002. Mayor stated that he attended a Environmental Wetland Meeting today. Mayor stated that the Corps. Of Engineers has recommended a plan for northern Grantsville. It is required that if you remove a wetland you must replace it

within a logical distance. Mayor announced that Officer Steve Mondragon has accepted a position with Mount Pleasant Police Department. Chief Johnson has requested volunteers from the Council to assist in the interviewing. Byron and Craig stated that they would assist the Police Department.

Byron stated the he and the Mayor attended a Utah Industrial Depot update meeting today and Tooele City Economic Development Director Randy Sant gave the presentation which substantiated our case concerning the closing of Tooele Army Depot. Mayor stated that Tooele City Attorney has responded to our lawsuit by stating that it is not a class action lawsuit.

Byron stated that he has received some proposals for construction of the pavilion in the parks and cemetery. Attorney Elton stated that the city needs to go out for bid prior to awarding a contract. Byron stated that he would have the bid documents for the next meeting.

Karen stated that she received a letter from Patrick Bates Land Company concerning the J. Reuben Clark Farm purchase. The letter reports that the Clark Family is asking \$800,000, which includes all of the buildings and 61 acres.

ADJOURN: Craig made the motion to adjourn this meeting at 9:50 p.m. Justin seconded the motion. All voted in favor, motion carried.

Wendy Palmer, City Recorder

Merle E. Cole, Mayor