

**MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY
COUNCIL HELD WEDNESDAY, NOVEMBER 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, Attorney Ronald Elton. Fireman Paul Seekins, Kirk Gibson, Tony Skaug, Perry Skaug, Doug Anderson, Nile Critchlow, Kirk Gibson.

Citizens and Guests: Mary Ruth Hammond (press), James Christensen, Cory Brown, Neil Blackburn, Millie Russell, Jerry Edwards, Jerry Hill, Kelly Russell.

MAYOR COLE ADDRESS ISSUES OF ELECTION: Mayor Cole addressed the allegations of the election propaganda stated that the spears were aimed at him. Unfortunately the Black Cloud that was stated to be over his head also cast shadows across the City Council. After the letter came out Byron called and assured the Mayor that he was not apart of the group that published the letter. Mayor stated that Karen called that stated that she also did not have anything to do with the slanderous letter. Mayor Cole stated that he appreciated their phone calls. The Mayor stated that some of the issues that were represented in the slanderous letter are important and cast dispersions on the Council and the staff that is unnecessary. Mayor commented about the issue of the sale of his farm for the new elementary school. Mayor stated that the Tooele County School district purchased the amount of property that they wanted and for the price they wanted to pay. The Tooele County School District allowed him flexibility on how to handle the transaction. The School District wanted 10 acres of property with water and the Mayor sold 4 individual parcels with water to come up to the 10 acres. When I presented that plan to his tax advisor and the advisor complimented him on the way he structured the sell. The tax advisor offered the Mayor a job and the Mayor stated that he turned the job down because he thought he already had a job.

The infamous sewer manhole on the corner of Pear and Willow Streets, this manhole is needed to facilitate the future sewer line on Pear Street. It was fortunate that the school was built there because the school is built slab on grade. The school was able to run the sewer line fairly flat and was able to access that manhole but the rest of the property will have to connect to the sewer downhill from that manhole. The reason that there is no manhole on South and Nygreen Streets is because these streets will need to run downhill to Worthington Street. The city probably should have required another manhole on Hollywood Street

The water line out to the prison was an interesting experience to say the least. I worked this project with then Councilman Lynn Taylor. There was a lot of extenuating circumstances involved in this project. The price of pipe was going up and the availability of pipe was going down. The State Of Utah Department Of Correction did not change their deadline date for the prison. We were the first piece of the puzzle, the contractor for the prison was waiting on the city to install the first leg of the water line. I did negotiate with a land developer for \$100,000 participation in the project and I did receive the \$100,000 back from the State of Utah. Neither one of these entities are getting anything out of that line right now. I was accused of using taxpayer money to build that waterline and that is right. The good news about that is that the taxpayer only paid for 3/7th of the cost of that pipeline. And based on a recent meeting this water line may still be a viable improvement for development out in that area. This area of town now has fire protection that they never had before because of the fire hydrants that are installed along the way. We now have two connections on that water line. We put that water line in with water capital improvement moneys the same as the water line on West Street, Quirk Street and fire hydrants on Willow Street. Other than grants I don't know any other way to improve our water system than to use those funds we have set aside for that purpose.

Taxes: When I campaigned for Mayor I did speak to that and suggested that there would have to be a tax increase in Grantsville. I waited as long as I dare. Most of you set through a couple of those audits and they were pretty threatening. I did make that suggestion to implement the utility tax. It was probably the most gut wrenching thing I

have had to deal with in the last four years. But it did pass by the vote of the Council and it has provided us a positive cash flow and has made a significant difference. By having a positive cash flow we don't touch the saving account money and the saving account is there to do the improvements for our city.

Sign: Mayor stated that he got the credit for suggesting the sign. Mayor stated that he actually got the idea from Joel when they were having a conversation concerning the dangerous act of changing the sign. Mayor stated that he picked up on the suggestion that Joel had about getting an electric sign. Mayor stated that he had Shauna do the legwork on the sign and he still feels that the electric sign is a great idea and the Council has voted on it unanimously. I have been spending time with a public relations firm that is trying to promote the South Willow Estates Subdivision. One of their suggestions was that we should have a good will bag for the new residents that move into town and the other suggestion was communications from the city to the community. The whole intent of the sign is to inform our citizens. Mayor stated that we have donations that offset the cost of the sign and their maybe more donations as MagCorp gets financially fit and maybe even Tooele County might be willing to put in some money.

I don't think that there has not been an idea presented at this table that has been acted upon by this Council and former Council that has not been legitimate, honest and in the best interest of this community. It may not have been popular, like the utility tax, but was in the best interest of the community. I just compliment this Council, Previous Council Members and Staff for their integrity and honesty in dealing with the city. I think they have all done a great job and I think it is unfortunate that I would be blamed and that would carry over to the Council and the Staff. If have misspoken I would be willing to be corrected.

Karen stated that since she was not elected for the next four years that someone should approach MagCorp once they are solvent to donate money for the sign in exchange for Grantsville City giving their employees a place to park their vehicles. Karen apologized to the Mayor for the letter. I think the editorial by Mary Ruth was very good. Grantsville has never had this issue and I hope we never have this issue again. Karen stated that she commends the Mayor and reiterates that we go after the rest of the sign money. I support the sign 100%.

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

CONSIDERATION OF HERM HUGHES REQUEST FOR REDUCTION OF BULK WATER RATE: Kevin stated that he did some research and found that our bulk water rate is higher. Kevin stated that he felt that if we reduce the rate we should not do it retroactive. Mayor stated that he felt that when a contractor bids a project they are responsible to know the expenses that will be incurred as part of the bidding process. Kevin made a motion to deny the request of Herm Hughes Construction for reduced water rate for bulk water. Craig seconded the motion. All voted in favor, motion. Bulk water rates are to be placed on the next agenda to consider a resolution.

CONSIDERATION OF 90-DAY BOND REQUIREMENT FOR STONE RIDGE SUBDIVISION: No action.

CONSIDERATION OF FIRE DEPARTMENT BUSINESS: a. Fire Prevention presentation: Neil Critchlow fire prevention officer for the Grantsville Volunteer Fire Department showed a slide presentation that he had created for the fire prevention week. The slide show was in honor of the firemen and police officers that were killed and serving in New York after the September 11, 2001 terrorist attack. After the presentation the Mayor asked how much money was collected from the Old Lincoln Highway Association? Neil stated that it was \$257.00. Neil stated that this money as well as other money that was collected was sent back to New York for held the widow. Mayor stated that the terrorist attach will effect our lives forever. Mayor recollected the event of the assassination of President Robert F. Kennedy. Mayor stated that he remembers to this day exactly what he was doing when he heard Walter Cronkite announce that the President had been shot.

- a. Introduction of new officer and members:** Chief Doug Anderson announced the officers for the next year. Fire Chief - Neil Critchlow, 1st Assistant – Perry Skaug, 2nd Assistant – Kirk Gibson – Secretary – Paul Seekins. New Members: Cody Barney, Eric Walker, Scott Rowley, Jeremy Peacock, John Barlow, Brandon Kimber, Kimberley Nosek. Chief Anderson stated that this is the first time a female has ever been elected to become a firefighter with the Grantsville Department. Craig made the motion to approve the new officers and members. Karen seconded the motion. All voted in favor, motion carried. Mayor thanked Doug for his service over the past year stating that the department has been in good hands. Doug stated that he would like to thank the Staff, Mayor and Council for their support. Doug stated that he had never been afraid to fight fire until he became the Fire Chief. Doug stated that to have the responsibility of these firemen on his shoulders is an overwhelming experience. Neil stated that Doug has been instrumental in the improvement of the fire department during his tenure as training officer he introduced the firefighter I program. Neil expressed his gratitude to Doug for his service to this community. Neil invited the Mayor and Council to the Fire Department Christmas Party on December 7th, 2001 at 7:00 p.m.

CONSIDERATION OF NEW BUSINESS LICENSES:

- a. Michael Anderson – 58 N. Cooley- Advertising and Marketing:** Craig made the motion to approve the business license for Michael Anderson at 58 N. Cooley. Kevin seconded the motion. All voted in favor, motion carried.
- b. Bret Grow – 59 W. Durfee – Internet Sales:** Craig made the motion to approve the business license for Bret Grow – 59 W. Durfee. Kevin seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

- a. Zone change from RR-5 to RR-1 Nygreen and Willow Streets:** Craig made the motion to approve the zone change from RR-5 to RR-1 on the Corner of Nygreen and Willow Streets containing 5 acres. Kevin seconded the motion. All voted in favor, motion carried.
- b. Consideration of amending chapter 15 to allow the area of barns, stables, etc. to be included in total square footage of pasture:** Craig made the motion to adopt the ordinance amending Chapter 15 of the Land Use Management Code to allow the area of barns, stables etc. to be included in total square footage of pasture. Byron seconded the motion. All voted in favor, motion carried.
- c. Consideration of ordinance requiring corner lots to be a minimum of 10,000 square feet:** Craig made the motion to approve the ordinance requiring corner lots to be a minimum of 10,000 square feet. Justin seconded the motion. All voted in favor, motion carried.
- d. Rural Subdivision Ordinance:** Craig made the motion to approve the ordinance adopting a rural subdivision section in the Land Use Management Code. Kevin seconded the motion. All voted in favor, motion carried.
- e. Considerations 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.** Kevin stated that the water advisory boards last Tuesday, and sent a package from that meeting to the Irrigation Company. The Irrigation Company who did not receive the copy of the packet prior to their meeting and did not understand the proposal. Kevin made the motion to have one more work meeting with the Council and the Irrigation Company and table this item and **item F** until after the work meeting. I think there is some confusion about the figures and where we derived those numbers from we need to make sure that Judd Lawrence our engineer be present. Craig seconded the motion. All voted in favor, motion carried. Mayor Cole stated that the effort to have another work meeting is not justified. The Irrigation Company asked Grantsville City to set the standard and we have done that. Kevin stated that he agrees that we have set the standard but this meeting will be more of a public relations effort in behalf of the Irrigation Company. Mayor stated that the Irrigation Company can't agree and would try to change the standard. Byron stated that the meeting would be set the Irrigation Company straight on what the standard is. Justin stated that the point of this meeting is not to negotiate the water requirements it is only to explain where the Council is now. Byron stated that he understood that Lynn supports where the city is now.

f. Consideration of water impact fees. Tabled. Attorney Elton explained that before the Council can consider amending the Impact Fees they must hold a public hearing. Craig made the motion to set the public hearing for December 19,2001. Kevin seconded the motion. All voted in favor, motion carried. Craig thanked Mary Ruth for her job on publishing both side of this issue. This is a difficult issue to understand and I think she represented both sides well. The rest of the Council concurred with this statement. Ron stated that the moratorium above a certain level of the impact fees. As part of the moratorium the city reserved the right to collect the new rate if it is more that the moratorium rate. Mayor asked if we have to give any money back? Attorney Elton stated NO- The City does not have to do refund any fees. Attorney Elton stated that the Council has to decide if they are going to apply the ordinance retroactively.

CHRISTMAS EVENTS: Karen informed those present that this years Christmas Parade will have the Olympic Flags being carried by the Youth City Council. The band has agreed to march as well. Karen stated that Paul Seekins has come up with a wonderful idea for Santa Claus this year by creating an Ice Cave for Santa Claus to receive the children. Paul has spent \$1036.00 and is seek reimbursement for this project.

STATUS OF NORTH HALE STREET: Attorney Elton explained that the results of the title search shows that Grantsville City owns the property known as North Hale Street. Craig made a motion to have Attorney Elton send a letter to Ruth Anderson and demand that she remove the fences and debris that she has placed on the city's property. Karen seconded the motion. All voted in favor motion carried.

TRAFFIC STUDY FOR WILLOW ELEMENTARY: It was determined that the Council should ask an engineer firm to perform scenarios and give cost studies on each scenario..

CONSIDERATION OF WAIVER OF IMPACT FEES FOR WILLOW ELEMENTARY SCHOOL: Mayor recommended that the city not waive the impact fees for the Willow Elementary School. Use the impact fees to perform the improvements that the city will need to perform. Craig suggested that the school provides the safety features around the school and the city will waive the impact fees. Mayor stated that he would discuss this with the school board.

CONSIDERATION OF STREET MASTER PLAN: Craig made the motion to set the public hearing for the street master plan for December 19,2001. Seconded by Byron. All voted in favor, motion carried.

CONSIDERATION OF PURCHASING WATER RIGHTS: Mayor presented issues of consideration are: 1. How much impact fees may change. 2. Consideration of trading secondary water source for culinary source and cash payment. 3. Consideration of picking up the payment of bonds earlier for the South Willow Well Participation. Mayor Council gave their commitment for a final answer at the 19th December meeting.

NOTICE OF CLAIM: Mayor explained that Grantsville City has been served with legal papers stating an intent to sue for the Death of the littler girl killed one year ago on Main Street. Attorney Elton stated that the city does not have to respond. Recorder Palmer stated that she has forwarded the claim to the Insurance Company.

CONSIDERATION OF DECLARING PARK PAVILIONS AS SURPLUS PROPERTY: Craig made the motion to declare the cemetery and one pavilion at the cherry street park as surplus property and to receive sealed bids for disposition. Kevin asked what we were going to do with the directory at the cemetery? Byron stated that he would replace it. Kevin seconded the motion. All voted in favor, motion carried.

APPROVAL OF BILLS: Mayor asked that the \$1036 request for reimbursement by Paul Seekins and the \$1250.00 bill presented by the title company for the North Hale Street title search be considered with the bills. Kevin brought up the issue of a Fireman has charged a candy bar to the city. Kevin stated it is not the cost of the item it is the principle and it looks bad. Karen stated that she did not have a problem with a purchase

of a snicker bar. Craig stated that we should mention it to the department head that the purchase of personal items is not allowed. Karen asked about a range? Recorder Palmer stated that the fire department replaced a broken one in the firehouse. Byron made the motion to approve the bills including the \$1036 and the \$1250. Justin seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF BIDS FOR STORAGE BUILDINGS: A & D Construction \$43,881.00- Christley Construction- \$32,500 and \$22,000. Continental Engineering and Construction- \$64,210.00. Due to the large difference in the bids and prices Kevin will get with Joel to review and decide which bid most closely conforms to the specifications asked for. This item to be on the next agenda.

EMPLOYEE ISSUES (EXECUTIVE SESSIONS): Craig made the motion to go into an executive session at 10:03 p.m. Seconded by Bryon all voted in favor. Motion carried. Present: 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.

Karen made the motion to adjourn the executive session at 10:25 p.m. Craig seconded by Craig. All voted in favor, motion carried.

OTHER BUSINESS: Mayor stated that he has talked with Judge Saxon about concerns she has with the operation of the High School Peer Court. Mayor stated that the Police Department has also expressed concern as well.

Byron stated that Laverne Hunt approached him concerning the requirement to connect to the sewer line. Byron stated that he would like to be able to find a way to waive the impact fees or the requirement to connect. Kevin stated that he has had a conversation with Dennis Price as well.

Karen reminded the Council that the J. Reuben Clark property needs to be pursued.

ADJOURN: Karen made the motion to adjourn this meeting at 10:45 p.m. Kevin seconded the motion. All voted in favor, motion carried.

Wendy Palmer, City Recorder

Merle E. Cole, Mayor