

**MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY
COUNCIL HELD WEDNESDAY, MAY 1, 2002.**

Mayor and Council Present: Mayor Byron Anderson. Council Members: Craig Anderson, James Christensen, Kevin Hall, Justin Linares, and Paul Rupp.

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

Citizens and Guests: Jason Duhon, Joe Cange, Jr. Christensen, David Christensen, Tom Tripp, Richard Brockbank, Alan Neeves, Dan Tuttle, Jim Hansen, John Clay, Robert and Jesten Clay, Dar Butcher, and Mary Ruth Hammond (press).

Meeting called to order at 6:20 p.m.

Jim Hansen briefed the Mayor and Council of a cooperative multi agency project that his company Biomass is proposing. Mr. Hansen stated that his company is interested in developing some property northwest of Grantsville City along SR138. Mr. Hansen stated that in order for their project to be able to provide the needed water, power, and communications facilities they are considering purchasing a water right on the south border of Tooele County line and pipe the water north through Tooele and then west through Grantsville. Mr. Hansen stated that he would use the same trench to carry communication and gas utilities in as well to save money. This could bring high speed Internet accesses to Grantsville City. Mr. Hansen stated that it is their hope to partner with MagCorp for the ability to provide the power for this project as well as the ability to service Grantsville City facilities. This power would be sold at a 43% of the current price of Utah Power. Grantsville City could also use the power discount as an incentive to businesses that may want to locate here.

James and Craig were concerned about the exposure risks to Grantsville City. Mr. Hansen stated that the revenue from the utility sales would cover the cost of the bonding. Craig asked why they are not asking Tooele County to do the bonding. Mr. Hansen stated that the city has more bonding capabilities than a county agency. Paul asked if Biomass has any other activities like this for the City to contact for a reference. Mr. Hansen stated that Hurricane UT, and Moroni, UT. There is also partnership like this in Arkansas and Idaho.

Mayor and Council thanked Mr. Hansen and Company for their presentation asked that Biomass bring a more detailed proposal that can be reviewed by our financial consulting people.

14 AND 4 B-CONSIDERATION OF CONTRACT TO PURCHASE PROPERTY AND BUSINESS LICENSE APPROVAL FOR JOHN CLAY: Mayor rearranged the agenda to accommodate citizens that are present.

14- Consideration of contract to purchase property: Kevin explained that he has negotiated with Mr. Clay for the purchase price of \$18,934.12 for 5.002 acres of property directly north of the current Grantsville Rodeo Grounds. Attorney Elton stated that the contract has an error on it that states that the city is purchasing 5 acres even. John and Robert Clay agreed to the amendment to the contract to show the purchase of 5.002 acres and agreed to initial the amendment. Kevin made the motion to approve the real estate contract between Grantsville City and John and Robert Clay for the purchase of 5.002 acres for the amount of \$18,934.12. Paul seconded the motion. All voted in favor, motion carried. Contract was signed and changes initialed that related to the amount of property to be 5.002 acres.

4b- James made the motion to approve the business license in compliance with the approved conditional use permit for John & Glenda Clay for a trucking business at 425 E. Clark Street. Kevin seconded the motion. All voted in favor, motion carried.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS:

Kevin made the motion to approve the minutes of April 17, 2002. Craig seconded the motion. All voted in favor, motion carried.

Kevin made the motion to approve the minutes of the special meeting of April 24th, 2002. Craig seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF WAIVER OF ENGINEER FEES FOR TRAILER COURT IMPROVEMENT FOR JOHN CONWAY:

Recorder Palmer explained that Mr. Conway asked the Zoning Administrator to place him on this agenda to ask for this waiver. Mr. Conway originally agreed to pay for the engineering fees and now feels that he is not obligated to pay for the expense. Attorney Elton stated that the conditional use permit fees include a base fee and the requirement of any additional cost incurred by the city. Kevin made the motion to require Mr. Conway to pay the engineering fees associated with the improvement of his mobile home park. Craig seconded the motion. All voted in favor, motion carried. Recorder Palmer was requested to write a letter to Mr. Conway informing him of the ordinance and fee structure along a copy of the ordinance and minutes.

CONSIDERATION OF RESOLUTIONS AND ORDINANCES:

- a. **Resolution approving the water purchase agreement with J.L. Homes:** Kevin made the motion to approve Resolution 02-04 authorizing the Mayor to sign the water purchase agreement with JL Homes for 130.5 acre feet of water. Craig seconded the motion. All voted in favor, motion carried.
- b. **Consideration of ordinance increasing the Zoning Administrators conditional use permit approval authority:** Kevin made the motion to approve ordinance 02-06 increasing the Zoning Administrators Conditional permit approval authority. Justin seconded the motion. All voted in favor, motion carried.
- c. **Considering proclamation declaring May 11, 2002 as Letter Carriers Food Drive Day.** Mayor read the proclamation, James made the motion to approve proclamation declaring May 11, 2002 as Letter Carriers Food Drive Day. Justin seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF NEW BUSINESS LICENSES:

- a. **Janice Nelson/Sheila Matthews:** Window washing service 340 S. Park Street.
- b. **Shay Penny-Lawn Care service-**321 S. Saddle Rd.
- c. **Phyllis Castagno-Trucking –** 617 N. SR 138.

James made the motion to approve the above business licenses in compliance with their approved conditional use permits. Kevin seconded the motion all voted in favor, motion carried.

CONSIDERATION OF SALARY STEP INCREASE: Craig made the motion to approve the salary step increase for Jerry Allan Barney from \$8.79 per hour to \$9.06 per hour. Kevin seconded the motion. All voted in favor.

CONSIDERATION OF GOVERNOR LEAVITT’S WATER CONSERVATION PLAN: Mayor Anderson asked the Council how they would feel about this proposed ordinance by the Governor. Kevin stated that he felt that the city would not be able to comply with the watering restrictions and did not feel that we could impose it on our citizens. It was suggested to that as a city we should educate and encourage voluntary conservation. Kevin stated that he would get the draw down amounts on our city wells from Joel so we can use that information for an article in the paper.

CONSIDERATION OF LITTLE RENO SUBDIVISION IMPROVEMENT BOND UPDATE: Randy Hunt developer of Little Reno Estates informed the Mayor and Council that he is in the process of extending the sewer main line and installing manholes. Mr. Hunt stated that he thought that this would be complete by the 10th of May. Mr. Hunt informed the Mayor and Council that he intends to install the storm drain system and water lines. Randy stated that he would like to be able to finish the improvements and not talk to the property owners that are in the undeveloped phase of the development. Randy stated that he is looking at discounting the lots and trying a different marketing strategy. Mayor and Council encouraged Mr. Hunt to continue to

complete his improvement as quickly as possible. Mayor and Council reminded Mr. Hunt that he is one year past his deadline and if a resident presses the issue of completion the city will foreclose on the remaining lots in order to fund the city completing the subdivision improvements.

DISCUSSION OF DEBRIS AND CITY CLEAN UP: Craig informed the Mayor and Council that the Green Clean was rained out by 2:00 p.m. and the gate was closed. The next clean up day is May 11, 2002.

CONSIDERATION OF WATER SOURCE IMPACT FEE ISSUES: Recorder Palmer reported to the Mayor and Council about secondary water issue that has come up. A resident used a Grantsville Irrigation Company Share to offset the Outdoor Water Source Impact fee when applying for a building permit. Water Master of Grantsville Irrigation Company informed Recorder Palmer that these same people lost their water share to the Irrigation Company due to non-payment of the annual assessment April 2002. Recorder Palmer questioned what appropriate action should the city take to handle this situation?

- 1- Does this resident owe the city the outdoor water source impact fee?
- 2- Do we police the home to verify that no city water is used outside & how do we police the outdoor water use if they do not pay the outdoor water source impact fee?

Recorder Palmer presented a question from a resident that paid the outdoor water source impact fee one year ago. This resident is drilling a well and would like to get a refund of his outdoor water source impact fee. Recorder Palmer informed the Mayor and Council that she asked the office staff of problems they felt would arise with the possible refund of impact fees. These issues are:

1. Water has already been purchased with the fee paid. (Watt Homes)
2. Time frame for refund- how many years can they ask for the refund?
3. Verification of payment-require verification of payment and verification of water right attached to property.

Attorney Elton stated that the impact fee could not be refunded by city ordinance.

Recorder Palmer was instructed to talk with the water attorney John Davis and get his opinion on these issues.

CONSIDERATION OF CITY HALL FLAG SIGN ENGRAVING EXPENSE:

Recorder Palmer explained to the Mayor and Council that maintaining the brass letters on this sign has not been successful. There seems to be a demand for the letters and the sign is constantly missing letters, which detracts from the sign. Recorder Palmer stated that she has talked with the Mayor to see if engraving the sign would be a consideration. With the Mayors support I got a bid of \$500 - \$800. The reason for the range of the bid is because the sign is made out of cement. Craig made the motion request that the Recorder pursue additional avenues to improve the lettering on the sign Justin seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF ADOPTION OF PRELIMINARY BUDGET FOR 2002-2003 FISCAL YEAR: James made the motion to adopt the preliminary budget for 2002-2003 fiscal year. Kevin seconded the motion. All voted in favor, motion carried. Budget work meeting was set for May 8, 2002 @ 6:00 p.m.

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

OTHER BUSINESS: Justin suggested that the city get with Jason Burningham to see if he can help us find out what really happened to the proposed distribution center. Mayor stated that he would contact Jason Burningham tomorrow. Justin asked what is happening with the industrial park owners that haven't complied with the requirements of their contract and including paying for the road pavement. James made the motion to instruct Attorney Elton to write a demand for payment letter to Randy Hunt and Max Coon for the road improvement expense. Kevin seconded the motion. All voted in favor, motion carried.

Kevin suggested that Appointment to Water Board on the next agenda for replace the Mayor Anderson who was a Council Representative to this board.

Rosemary Anderson informed the Council that the Youth City Council will sponsor the last day of school water carnival and also place veterans flags in the cemetery for Memorial Day.

ADJOURN: Craig made the motion to adjourn the meeting at 9:47 p.m. James seconded the motion. All voted in favor, motion carried.

Wendy Palmer, City Recorder

Byron Anderson, Mayor