

**MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY  
COUNCIL HELD WEDNESDAY, AUGUST 7, 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, and Planning Commission Member Todd Castagno.

**Citizens and Guests:** Morley & Janet Cook, Chris Williams, Joe Cange, Wallace & Chleo Boyer, Jason Duhon, JoAnn Orr, Gary Christley, Shauna Bleazard.

**PUBLIC HEARINGS:** Mayor Anderson opened the public hearings at 7:00 p.m.

- a. Consideration of amending the general plan for Palomino Ranch by changing from an agricultural use to a residential use on North Cooley Street.** James explained to those present that this proposed amendment would increase the residential buffer for the agriculture designations. James stated that the Planning Commission felt that this request would comply with the general plan in expanding growth from the center of the City outward. The proposed change would encompass all of the Palomino Ranch property.

Janet Cook addressed the Mayor and Council stating that the general plan that was just adopted in December of 2001, less than eight months ago. At that time, the Council expressed that they envisioned this property to remain agricultural. Why now in eight months time do you see it differently? In the general plan, page 5, second bullet #1- The General Plan states that the City in determining the appropriate Residential Zoning District to implement the General Plan will be guided by, and will find, from the Rezone Application and other materials and the facts presented that;

1. The character of the surrounding area and uses will not be negatively affected. Janet stated that she and her neighbors would be negatively affected. I hope that the one person who has been at your doors and in your kitchens and has lots of money hasn't made up your minds for you.
2. The proposed Zoning District is compatible with existing uses and Zoning District(s). Janet stated that RR-1 is not compatible with the Agriculture uses. Janet asked the Mayor and Council who will protect her agriculture rights against the residents of the housing project. This city needs to adopt an agriculture protection ordinance to protect the residents of this city who want to farm. Janet stated that she is tired of hearing that because agriculture does not make any money that this city isn't going to protect those rights. Janet stated that Morley Cook has put a lot of beef in people's freezers from his farm. We live on property that was our forebears.
3. The location, topography and configuration of the property are suitable for the proposed zoning district and proposed uses. Janet stated that the property is not suitable for housing development. The property is plagued with high ground water, sink holes.
4. The property can be adequately and efficiently serviced by necessary and required infrastructure and services. Janet stated that there is no sewer, and they are proposing septic tanks, which have a potential to contaminate our water source.
5. The City and other service providers, have the ability to provide the required infrastructure and services. Janet stated that the city would have to provide many more services to this area because of the proposed increase of population.
6. The proposed zoning district will not negatively effect the community health, welfare and safety. Janet commented that it would negatively effect her area.
7. The general plan will be implemented and community will benefit from the proposed zoning district and the proposed uses and activities. Janet stated that in her opinion there is not one point that is favorable for the zone change and general plan amendment.

Joe Cange countered Mrs. Cook's comments stating that the mission for the General Plan of Grantsville City is to secure future growth and quality of life and rural feeling of mixed residential uses. Community Charm states that its purpose is to maintain Grantsville small western and rural town image through appropriate land uses density and site design. Palomino Ranch is the most rural designed subdivision proposed within Grantsville City. Mr. Cange stated that the utilities are present. There are electricity, gas, and water. All of the homes in this area are using septic systems and there is no reason that his proposed 14 homes could not do it as well. Mr. Cange stated that there are no sinkholes on this property. The Planning Commission has recommended this change to the City Council for approval.

Morley Cook stated that he felt that the residents and property owners should be the ones making the decisions on matters like this. Morley handed out pictures of sinkage on some of the neighboring properties and two petitions stating that they were not in favor of the zone change and general plan amendment. Mr. Cook stated that in the years past when the floodwater was run down Cooley Street and the water would end up on this property. Where is the "city fathers" going to run this water in the future?

Mayor asked for any further comment. No further comment being offered the Mayor closed the public hearing at 7:30 p.m.

**b. Consideration to change the zone on North Cooley from Rm-7 and A-10 to RR-1:**

Janet Cook stated that she would like her previous comments to be considered on this issue. Mrs. Cook stated that she does not feel well treated and stated that the Mayor and Council are not protecting her rights to live the life she wants too. Janet stated that there needs to be an ordinance to protect us and our agricultural rights.

Morley Cook stated that he is concerned about not requiring enough water for these properties. The development is proposed to have the corrals facing Cooley Street and he does not want to look at the rear end of a horse. One-acre lots are not sufficient for the keeping of more than one horse.

Joe Cange stated that section 14-2 of the Land Use Management Code stated that the purpose of the RR-1 is to preserve large family lots and keeping of limited animals and reduces the requirement of infrastructure. I believe that the neighbors are not negatively affected I am proposing a development that matches what is already existing in this area. I have a permit from Tooele County Health Department for the septic tanks.

JoAnn Orr stated that her great uncle farmed this property and she feels that this property should be preserved for the generations to come as a park. To see this property change to a housing development is a shame.

Mayor asked for any further comment. No further comment being offered the Mayor closed the public hearing at 7:42 p.m.

**c. Consideration of amending Chapter 15.1 & 14.1 and Chapter 2 of Land Use Management Code to facilitate established agricultural uses in residential zones:**

James explained that the Planning Commission recommended this to help facilitate agricultural operations that exist in a residential zoning designation. The properties must have at least 10 acres for this amendment to apply to the property. This change would allow a farm hand to have a separate living quarters on a farm. There was concern about agriculture uses with an underlying zone of RR-1 versus A-10. The RR-1 zone being able to house two dwellings per 10 acre only one dwelling. James stated that it was because the underlying zone only allows for 1 unit per 10 acres. Mayor asked for any further comment? No further, comment being offered. The public hearing was closed at 7:50 p.m.

- d. Consideration of amending the road standards by including “Rural Lane” standards and designation:** James explained that he and Brent Bunderson came up with virtually the same idea through their own individual efforts. James stated that the proposal for a rural lane standard is to do away with the wide street width and reduce the required 36 feet of asphalt pavement. James stated that he and Brent felt that the wider the streets are the higher the maintenance costs would be as well. Recorder Palmer asked what the difference was for the application of “Rural Lane” verses “Rural Road” Standards?  
Mayor asked for any further comments. No further comments being offered the Mayor closed the public hearing at 8:02 p.m.

#### **SPECIAL RECOGNITION-4<sup>TH</sup> OF JULY.**

Mayor Anderson introduced Jason Duhon. Mr. Duhon represented Grantsville this year as the 4<sup>th</sup> of July Chairman. Mayor and Council expressed to Mr. Duhon that they enjoyed this year’s celebration. Mayor read a letter of appreciation for the tremendous effort that Mr. Duhon put into this years 4<sup>th</sup> of July celebration. Mayor presented the letter and plaque to Mr. Duhon. Mr. Duhon presented the city with a copy of all of the work and ideas that he had this year for use as a template for future celebrations.

**APPROVAL OF MINUTES:** Kevin made the motion to approve the minutes of July 17, 2002 City Council meeting. Craig seconded the motion. All voted in favor, motion carried.

**ENVIROCARE PRESENTATION:** Mayor Anderson informed the Council that the officials from Envirocare could not be present tonight but he wanted to publicly acknowledge their final donation for the electric sign of \$6500.00.

**GARY CHRISTLEY- HERITAGE PLAY:** Gary Christley informed the Council that the play ended up making some money and turned out to be a very successful venture. Gary asked the Council if they would continue to support the annual production. Gary suggested to the Mayor and Council that this project should be turned over to a committee to see that things get up and running. It is too big of a job for just one person. Gary stated that Council gave their support. Gary stated that he would like the production to be done during the 24<sup>th</sup> of July. James made the motion to support he heritage play as an annual event and facilitate its production under the city’s umbrella. Kevin seconded the motion. All voted in favor, motion carried.

**WILLIAMS SUBDIVISION:** Craig made the motion to add Williams Subdivision Concept review to the City Council agenda as an emergency item. James seconded the motion. All voted in favor, motion carried. Todd Castagno who is representing the subdivision proposal addressed the Mayor and Council to inform them of the information that he has received. Mr. Castagno stated that he talked with Fire Chief Niel Critchlow and Chief Critchlow has no problem with safety concerns for an 1180-foot cul-de-sac. Mr. Castagno stated that he talked with Mr. Alvin Matthews and was unable to get an answer as to his cooperation with running a water line across his property. Mayor Anderson stated that he tried to contact Mr. Matthews several times and was unsuccessful. Craig stated that Delaun Blake who owns the property to the north of the Williams property has already agreed to allow the city to run the water line on his property that runs from Hale Street to Quirk Street. There was a concern expressed that the Williams Subdivision was not planning to run the sewer for their development. Todd stated that Joel the Public Works Director approved septic tanks. Kevin informed those present that he talked with Joel today and Joel did approve septic systems for the Williams **Minor** Subdivision but, has not be approached about allowing septic systems for the major subdivision. Todd stated that the elevation of the sewer line would not facilitate the homes in the Williams Subdivision. Kevin suggested that Todd work with Delaun Blake and run the sewer line north through his property to the “S” curve in Hale Street. Todd asked how long he would be expected to wait for Mr. Blake to develop before he could go back to septic tanks if he is ready to build a home?

Craig stated that he did not believe that Mr. Castagno should have to install sewer line. I think it is good to allow septic systems if it is not financially practical for a development to install sewer system. If the Tooele County Health Department has approved septic systems in this area we should allow them. If we want to encourage larger lots on the edge of town we have to allow for septic systems.

Justin stated that just because the sewer system may not be feasible is not a reason to allow septic systems. We have to do what is right for the city as a whole. Justin stated that he wishes that he was on the sewer system and not on a septic system. What we end up doing as in the case of South Hale Street; the residents put in the septic tanks and then one or two years later we are required to abandon our septic tanks and that investment. We are required to invest in connecting to the city sewer because the sewer has come within 300 feet of our property.

Kevin asked Craig what number would be his magic number of homes before he would require sewer system to be installed? Craig stated that we need to look at its feasibility and can the developer make it happen.

Todd stated that he would talk with Mr. Blake and see if they can work something out. Todd asked the Council if they would consider allowing the variance for the temporary turn around and the length of the road? Attorney Elton suggested to the Mayor that he takes a straw poll of the Council in order to give Mr. Castagno direction. Craig stated that he was ok to allow the temporary turn around for 1100 feet of road. Craig stated that we would want to encourage that road in the future to go through to Quirk Street. Kevin stated that he would feel ok about the length of the road with a temporary turn around if the road width were maintained at 36 feet. And feels that the Council should consider changing the book to agree with this decision. Attorney Elton stated that this development is under a PUD and the road is an issue that can be change by the Council. Paul stated that he feels that it is a reasonable assumption that this road would go through to Quirk Street. Paul stated that he would approve the road length with the temporary turn around. Justin stated that he agrees with Kevin that if they keep the road width at 36 feet and the Council should change the ordinance to match what we are doing. Every time we make an exception to the ordinance it comes back to bite us. James stated that he was in favor of allowing the road to be 1100 feet long with a temporary turn around. James stated that he did not feel that we need to change the ordinance.

#### **CONSIDERATION OF ORDINANCES & RESOLUTIONS:**

**a. Consideration of amendment to the sign ordinance as it relates to home occupations:** James explained that the Planning Commission felt eliminating the ability for each lot to have a sign of 12 square feet over road the requirement in the home occupation ordinance to limit home occupation signs to 200 square inches. Recorder Palmer asked the Council what they thought of the alternate wording which allowed the 12 square feet sign size to remain but exclude the ability of home occupations to have that size. Recorder Palmer stated that by eliminating the 12 square foot sign this prohibited her from being able to put a "farm gate" sign over the entrance to her farm. Kevin stated that he already has that type of sign and felt that farm gate signs actually added to the rural western feel of the community. The Council asked Recorder Palmer to review the complete sign ordinance to determine if any other sign sizes would be contrary to this section. Kevin made the motion to table the consideration of sign ordinance amendment until the next meeting. James seconded the motion. All voted in favor, motion carried.

**CONSIDERATION OF NEW BUSINESS LICENSE:** James made the motion to approve the business license for Carla Snow- 20 N. Hunter Way for internet embroidery sales. Justin seconded the motion. All voted in favor, motion carried.

**CONSIDERATION OF BIDS FOR LEASING CITY PROPERTY:** The city received one bid from LaDawn Tracy for \$400 per month for placing a snow cone shack on the city property on Quirk Street adjacent to the tennis courts. Kevin stated that he had talked to the other snow cone operators and they pay rent of \$200 per month. Kevin wondered if this snow cone business could even afford that high of a rent each month. Kevin stated that he was concerned about hooking up to the city's water. Would they have to dig up the asphalt to install the water connection? Other questions to consider is will the shack be moved through the winter. Craig made the motion to table this issue until more information can be obtained. James seconded the motion. All voted in favor, motion carried.

**CONSIDERATION OF SETTING PUBLIC HEARING TO AMEND THE PUBLIC SAFETY RETIREMENT PLAN:** Attorney Elton explained that the public hearing must not be held any earlier than 30 days after notice is given to police officers. This change would allow the Chief of Police to convert his retirement to the non-contributory retirement plan. This plan would save the city money and increase the benefit to the Police Chief. The Chief will also be able to retire through the retirement system and continue on as Chief of Police. Kevin made the motion to set the public hearing for September 18, 2002. Craig seconded the motion. All voted in favor, motion carried.

**CONSIDERATION OF APPOINTMENT OF TWO COUNCIL MEMBERS TO THE EMPLOYEE APPEALS BOARD:** Recorder Palmer informed the Council that the Employee Policy and Procedure Manual requires that every two years two Council Members be appointed to sit on the Employee Appeals Board. The employees also elect three members from within the employees. Mayor nominated Kevin and Paul as the Council representatives to the Employee Appeals Board. James made the motion to accept the Mayor's nomination of Kevin and Paul to sit on the Employees Appeals Board. Craig seconded the motion. All voted in favor, motion carried.

**CONSIDERATION OF FENCING ON CLARK STREET PROPERTY:** James made the motion to authorize purchase of 182 feet of cross buck fencing for the Rodeo Grounds Parking along Clark Street up to \$1000. Paul seconded the motion. All voted in favor, motion carried.

**CONSIDERATION OF WATER IMPACT FEE ISSUES:** Recorder Palmer was instructed to contact the water Attorney John L. Davis and seek advice how the city can attach the secondary water right (Grantsville Irrigation Stock) to the property it was pledged so that it could not be moved without Grantsville City's knowledge.

**CONSIDERATION OF DECLARATION OF SURPLUS PROPERTY:** Recorder Palmer presented a list of items from each department within the city that is to be declared surplus property and sold at auction. Kevin stated that we needed to include the metal pavilions as well. The metal pavilion at the Cherry Street Park and the metal pavilion west of City Hall. Kevin stated that originally these pavilions were to go to the Rodeo Grounds but Mayor Anderson stated that he would rather see the city build more appropriate structures. Justin made the motion to approve the list of surplus property including the two metal pavilions as surplus property and to be disposed of either by sealed bid or auction. Craig seconded the motion all voted in favor, motion carried.

**CONSIDERATION OF APPROVAL OF BILLS:** Kevin made the motion to approve the bills as presented. Craig seconded the motion. All voted in favor, motion carried.

**COUNTY WATER PROJECT:** Mayor informed the Council that he had just received the information package from Aqua Engineering Craig Neeley. This information summarizes the proposed Tooele County Water project and how it will affect Grantsville City. In short the County will drill their well just north of the existing South Willow Storage Tank. The water from the well will be pumped into the city's storage facility and then a pipeline will deliver the water from Grantsville City's storage tank across Soil Conservation Ground east to the Desert Peak Complex. The County proposes to pay Grantsville City for any potable water usage but not for irrigation use of the water. Grantsville City will operate the well and pipeline and bill Tooele County for the

maintenance costs outside of a monthly fee. Tooele County will install two meters. One for the potable drinking water and the other for the water used on the lawns, racetracks, and arenas. Mayor asked the Council if they would consider this proposal and authorize him to negotiate the best deal for the city at a meeting on Friday. Mayor explained that Tooele County is under a tight timeline and needs to come to an agreement with Grantsville City pretty quickly. James made the motion the Mayor have the Water Attorney John Davis draw up the documents after their meeting of Friday and call a special meeting of the Council to review the documents for possible approval. The Council expressed their support for this project but wanted to be fully informed before approving a contract. Kevin seconded the motion. All voted in favor, motion carried.

**OTHER BUSINESS:** Mayor informed the Council that Diane Hunsaker has resigned her position with the Planning Commission. Diane stated in her letter that the demands from her family are to great at this time to continue to serve.

Mayor stated that Mr. Delaney approached him for a donation for the MDA run for life fundraiser. Mayor stated that he tentatively committed \$100. Recorder Palmer stated that a young lady had come to her today to ask for a donation from the city for this same event. Mayor and Council determined that the City would donate a total of \$100.00. This amount would be split between all that are participating in the Run for Life fundraiser.

James informed the Council of the outcome of the last meeting with the neighbors of the Indian Hills Trailer Court at 520 W. Clark. James stated that for the most part the neighbors want the trailer court removed. Even though the majority of the neighbors all built or bought their homes since the trailer court was constructed in the early to late 50's. Mayor stated that he talked with Lane Nielson from the Wasatch Front Regional Council to see if there were any funds available to help move some of these trailers. The people in this trailer court are low income and the estimated cost to move the trailers to their new location within the trailer court is estimated at \$2000 dollars. James talked with DeAnn Christiansen to see if the Tooele County Housing Authority could assist in these costs or find housing for those people who's trailers will not structurally make the move. DeAnn informed James that there is not any available funding or available housing at this time.

Justin asked if the Council wanted to continue our membership in the Utah Economic Development Corporation. Justin stated that we could not say that they have done anything for us but if we don't have our name in the pot we can be sure that nothing will ever happen. Justin made the motion to pay the \$1000 to Utah Economic Development Corporation. Craig seconded the motion. All voted in favor, motion carried.

Kevin asked the Council what they wanted to do with the wood chips that the city has gotten from the ground up limbs received from the annual clean up. Council suggested finding areas around the city to put it on before we offer it to the citizens.

Recorder Palmer informed the Council that the Grantsville Dance and Arts Company would like to renew their lease of the Recreation Center. Council OK'd the continued lease of the Recreation Center by the Grantsville Dance and Arts Company for an additional year.

**ADJOURN:**

Craig made the motion to adjourn this meeting of the City Council at 10:50 p.m. James seconded the motion. All voted in favor, motion carried.

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Wendy Palmer, City Recorder

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Byron Anderson, Mayor