

**MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY  
COUNCIL HELD WEDNESDAY, SEPTEMBER 4, 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 Public Works Director Joel Kertamus, Zoning Administrator Shauna Kertamus.

**Citizens and Guests:** Grantsville City Engineer Craig Neeley, Mary Ruth Hammond (press), Joe Cange, Terry Linares, Chris Williams, DeAnn Christiansen, Lane Nelson, Gerald & Sheryl Webster.

**TOOELE COUNTY WATER PROJECT:** James asked if he could clarify what the benefit, this project would bring to Grantsville City. Engineer Neeley stated that the additional flow for the Grantsville Water System, knowing where the water is going that is being pumped out of our aquifer and has limited control of how far east the water extends. James expressed his concern that the excess capacity in the water tank would be gone and that excess capacity was paid for by the citizens of Grantsville City. James expressed that he feels that Tooele County should pay an impact for the loss of the excess capacity. Engineer Neeley stated that the County would use every bit of the water that they will pump during the irrigation months. During the irrigation months, Tooele County will also be paying the utility bills. Engineer Neeley explained that since Tooele County is using what they pump and they are paying the utility bills there is no impact to Grantsville City. There will be meters at the Well Site and Deseret Peak Facility (DPF) to show how much water is pumped and used. Tooele County agrees to pay impact fees if they do impact Grantsville City. The reason that Tooele County wants to pump water into our storage facility is for fire flow pressures. James asked if the County could just by-pass our storage tank and pipe the water directly to the DPF? Engineer Neeley stated yes they could, but I don't think that would be in the best interest of Grantsville City. James stated that he couldn't understand why Tooele County is willing to pay \$161,000 to Tooele County for reuse water and not willing to pay Grantsville City for our water. Engineer Neeley stated that it isn't Grantsville's water. The water shares belong to Tooele County. James stated that why is it different than the water park out on Burmester Road? Craig stated that the difference is that the water park idea was giving Grantsville City water rights to put into our existing water system to provide them the water they needed.

**APPROVAL OF MINUTES:** Kevin made the motion to approve the minutes. James seconded the motion. All voted in favor, motion carried.

**CHRIS WILLIAMS-GHS HOME CONSTRUCTION PROGRAM REQUEST OF FEE WAIVERS:** Principal Terri Linares and Teacher Chris Williams presented their request for building permit/impact fee waivers for the affordable housing construction project. Craig made the motion to waive all applicable fees as in the past in partnership with the school to provide affordable housing in compliance with HB 295, 1999 affordable housing plan. Paul seconded the motion. All voted in favor, motion carried.

**DEANN CHRISTIANSEN-REPORT ON TOOELE COUNTY HOUSING:** DeAnn thanked the Mayor for his attending the open house last Friday for the completion of the 2 homes in Middle Plaza. DeAnn explained for the Council Members who are new that Grantsville City received a grant of \$50,000 to purchase land for affordable housing. Grantsville City then deeded the land to Tooele County Housing Authority for construction of two homes. Once the homes are sold then the \$50,000 will be returned to Grantsville City to use for affordable housing. This could be accomplished by partnering to build more single family homes or multifamily apartments. DeAnn expressed interest in helping Grantsville City provide assistance to the trailer park at 520 W. Clark whether it be helping trailer owners move their trailers for the proposed improvements in this

trailer park or provide a loan to Mr. Conway the park owner for additional improvements. DeAnn suggested that the money could be used out of their existing fund until the funds are available and if Grantsville City would agree to partner for this CDBG grant cycle to obtain additional funds for land purchase to build housing in Grantsville. DeAnn stated that she talked with Rural Development who manages the Farmers Home Administration loans and they are very interested in assisting people to get into the new homes that have just been built. DeAnn stated that she knew of people in the trailer park that are going to apply for purchase of the new homes. Lane Nielson stated that the city needed to be careful on when they use the CDBG funds to assist the trailer court residents. The CDBG money cannot be used in projects that will displace people. If we make funds available for people to apply for a one on one basis and not use the funds for the trailer court, the city would not be penalized because the funds are for a single person target and not the whole trailer court. After the trailers are moved and everyone is settled then use the new CDBG money to loan to Mr. Conway. It was determined to set up a meeting with Tooele County Housing, Grantsville City, and other agencies that can help these people relocate or provide assistance.

**CONSIDERATION OF NEW BUSINESS LICENSE:** James made the motion to approve the business license for Travis and April Shores-332 S. Saddle Road-Cleaning Business. Kevin seconded the motion. All voted in favor, motion carried.

**CONSIDERATION OF RELEASE OF PROPERTY BOND FOR ANDERSON RANCH SUBDIVISION:** Kevin made the motion to approve the release of the improvement bond for Anderson Ranch Subdivision per the recommendation from the Public Works Director. Craig seconded the motion. All voted in favor, motion carried.

**CONSIDERATION OF PARKING ISSUES ON HALE AND DURFEE STREET:** The parking during school hours and during special events present the same issue for the Middle School as well as the Willow Elementary School. We have parents parking across the street and sending children across the road through traffic. It was discussed to have gravel placed along the west side of Hale Street to provide better parking along the street and put no parking signs along the east side of Hale Street the distance of the School property. The Public Works Director was asked to get the measurement and watch the area for his recommendations for the potential ordinance. It was also decided to consider the parking on the north side of Durfee Street. This item to be place on the next agenda.

**CONSIDERATION OF SUBDIVISION INSPECTION EQUIPMENT PURCHASES:** Public Works Director Joel Kertamus was present to request approve for purchase of inspection equipment needed for subdivision inspections. Joel presented bids for a truck that could be used for maintaining the equipment in. The truck bids were \$17,165, \$18,200, \$17,774. Kevin made the motion to purchase the F150-Ford truck for \$17168 to be paid for out of the 3% inspection fund. Craig seconded the motion. All voted in favor, motion carried.

**CONSIDERATION OF APPROVAL OF DESIGN & BID DOC FOR SAFE SIDEWALK PROJECT:** Justin made the motion to approve the design & bid documents for the proposed safe sidewalk project. Kevin seconded the motion. All voted in favor. Motion carried.

**CONSIDERATION OF AWARD OF BID FOR SAFE SIDEWALK PROJECT:** Kevin made the motion to award the bid to Jed Taylor Contracting for \$126,130. If Mr. Taylor declines the bid award to perform the work, then the award will go to the next lowest bidder, Cunningham Construction \$177,279. Craig seconded the motion. All voted in favor, motion carreid.

**CONSIDERATION OF CEMETERY FEES FOR CREMATIONS & INFANTS:** Recorder Palmer explained that the perpetual care fees were not increased for these lots in 2001 and was just bringing this item to their attention for any action as they see fit. Justin made the motion to leave the current fees for cremations & infants as they are. James seconded the motion. All voted in favor, motion carried.

**CONSIDERATION OF WASTEWATER TREATMENT PLANT:** Engineer Craig Neeley and Public Works Director Joel Kertamus presented a proposal to bring the Grantsville wastewater treatment plant in to compliance with the new ammonia standards set by EPA. Councilman Anderson stated that he and Mayor Anderson had the opportunity to talk with two other water attorneys'. Councilman Anderson stated that these attorneys suggested an alternative that the city could pursue. The alternative is to apply for a hardship, and possibly fight the requirements in court it might be cheaper. The plant was constructed 6 years ago and now we are looking at 1.5 million dollar improvements. They should give us enough time to get the new bond paid off. They approved our facilities and then changed the rules shortly after. Small cities like ours just can't afford it. Joel and Engineer Neeley stated that the EPA will not allow us to stall for very much longer. Even if we fight this in court, we still need to have a plan ready to go in case we lose. James made the motion to instruct Engineer Neeley and Joel Kertamus to meet with the EPA and begin working on a plan to handle the violation and possible improvements. Kevin seconded the motion. All voted in favor, motion carried.

**CONSIDERATION OF FINAL PLAT FOR PALOMINO RANCH:**

Zoning administrator Shauna Kertamus presented the final plat and discussed the checklist that she compiled of the action of the Planning Commission and City Council over the life of this application. James stated that Mr. Cange has agreed to pay for his portion of the 8 inch water main line based on the thirteen new lots being developed in Phase One and Grantsville City share will be based on 19 existing connections. This includes the main line connection on Clark Street at a 50% ratio. Palomino Ranch is to pay the entire cost of the line and connection from Cooley Street Main line into Palomino Ranch. Palomino Ranch is to pay a proportionate share of engineering cost based on their 13 lots.

Palomino Ranch will give three feet of property to help make Cooley Street 66 feet wide. The other side of the street will give 3 feet when they develop. Craig made the motion to approve that Palomino Ranch will dedicate 3 feet of property to Cooley Street and no improvements will be required to upgrade Cooley Street in front of the development. James seconded the motion. Vote is as follows: For- Paul, James, Craig. Opposed- Kevin, Justin. Motion carried.

Palomino Ranch will provide indoor and outdoor water rights for the development to include .45 acre fee of underground water right for the indoor requirement and two- (1/3-acre feet) shares of irrigation water for each lot. In accordance with City Ordinance 21-3-1 (2) (d).

Palomino Ranch will provide geo-technical data on soil conditions to each lot owner. Planning Commission recommended a temporary turnaround at the end of lot #11. Justin made the motion to require that Wrathall Circle be extended through to connect with Cooley Street. Wrathall Circle can be built as a temporary road within phase II of Palomino Ranch. An easement to all property owners' ability to use the road is to be provided as well. Paul seconded the motion. All voted in favor, except for Kevin. Motion carried. Kevin stated that he feels that the developer should put in escrow enough money to help pay for his portion of Cooley Street in front of his development. It is not fair to ask the taxpayers to cover that cost. Growth should pay its way.

Mr. Cange presented a CC&R package to James. James was quoting some information from this packet. Attorney Elton informed the Council that Mr. Cange made no mention of any CC & R's. The CC & R's must be approved by the Planning Commission prior to any further consideration of the final plat for Palomino Ranch. James made the motion to table the final plat for Palomino Ranch Subdivision until the CC&R's can be reviewed and approved by the Planning Commission. Craig seconded the motion. All voted in favor, motion carried.

**CONSIDERATION OF ORDINANCES AND RESOLUTIONS:**

- a. **Amendment to the General Plan for Palomino Ranch to change and area on North Cooley from an agricultural designation to a residential use.** This amendment will affect the 55 acres of the Proposed Palomino Ranch subdivision. James made the motion to approve the general plan amendment for 55 acres on North Cooley Street from an agriculture designation to a residential 1. Craig seconded the

motion. Kevin explained that in the beginning of the proposed Palomino Ranch development he thought that the original concept plan was the most rural plan he had ever seen. The homes all faced on Cooley Street and there was an agricultural easement that was to remain in perpetuity. Through the planning process there were some extensive studies done to verify the ground water level to allow septic systems and soil samples analyzed to verify if the ground was stable enough for homes. During this time the concept plan changed, we have lost the agriculture easement and there is now a road that the homes will be facing, the corrals will be along Cooley Street, and there isn't enough water to keep the backyards green. Kevin stated that he believes that the lots that have frontage on Cooley will someday be subdivided again and there will be homes built facing Cooley Street as well. If we could have stuck to the original concept plan for the development, I could support it. Craig and James addressed Kevin's concerns about the corrals facing Cooley Street. Craig stated that Trackside Circle was the first development to do that and would have been a good thing if Park Meadows Subdivision across the street had been made into the same type subdivision. James stated that Palomino Ranch would have a common fence in the whole subdivision. There will not be any structures within the first 50 feet of frontage only pastures. Kevin stated that there is not enough water going to be provided to keep that area green. Craig stated that as long as we require the property across the street to develop to the same standard the area would be harmonious. Craig stated that he supports the Planning Commission inside out approach that provides a band of larger lots in between the RM-7 and the A-10 zoning designations. Vote is as follows: For- Paul, James, Craig. Opposed- Justin & Kevin. Motion carried.

- b. **Considerations of zone change from RM-7 and A-10 to RR-1 on North Cooley.** James made the motion to approve the zone change from RM-7 and A-10 to RR-1 on North Cooley. Paul seconded the motion. Vote is as follows: For- Paul, James, Craig. Opposed- Justin & Kevin. Motion carried.
- c. **Consideration of Ordinance regulating Parking on Willow Street:** Craig made the motion to approve the parking regulation on Willow Street directly across from the Willow Elementary School. Kevin seconded the motion. All voted in favor, motion carried.

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

**REPORT ON FUND TO FUND LOAN:** Recorder Palmer reported that the general fund is holding its own right now. We have not needed to borrow yet. Recorder Palmer informed the Council and Mayor that she had the financial report in the Caselle Format if they wanted to review it. Recorder Palmer stated that the most poignant part of the financial report is that revenues are at 11% and the expenditures are at 16%. So little by little the reserves is being used to cover operating costs. The first property tax payment will come in December.

#### **OTHER BUSINESS:**

Mayor Anderson complimented the Council on their professional and civil way of handling their disagreements tonight. This was one of the best meetings where everyone expressed their disagreements in an intelligent and civil fashion. Mayor stated to the Council if the city needs to clarify some of its ordinances then let's do it. Kevin stated that one of the problems with the Palomino Ranch Subdivision is that it has gone on so long.

Justin asked Kevin what the status of the repairs on South Hale Street is? Kevin stated that he would follow up with Joel. Kevin stated that he has asked Joel and Larry make the contractors repair the excavations within 5 days and stated by our ordinances. Kevin stated that he is looking into changing the bonding regulations. We are going to ask for the cost of the excavation repairs up front. That way if they don't fix the road, Grantsville City will.

Kevin informed the Mayor and Council that the Jersey Barriers are still available from the State Surplus Property if we still want to buy them. To buy enough to go the distance of Willow Street it would cost \$15,000. Mayor stated that he hated to see us spend that kind of money on a temporary fix. Recorder Palmer informed the Mayor and Council that she had a conversation with the President of the PTA, Rachael Silva today. The PTA is bracing to take on the City Council and demand sidewalks. Recorder Palmer informed the Council that the membership is very concerned about the safety of the children walking to school. They feel that the City is not doing anything about the sidewalks. One of the issues brought up was the fact that the city purchased property for the rodeo ground expanded parking and is putting in a vinyl fence along the front. Recorder Palmer encouraged the PTA to help the City Council come up with ideas and funding. Craig and the Mayor stated that they would try and get a meeting set up with Ms. Silva and discuss the issues before the emotions get out of hand.

**ADJOURN:** Craig made the motion to adjourn at 11:50 p.m. Justin seconded the motion. All voted in favor, motion carried.

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Wendy Palmer, City Recorder

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Byron Anderson, Mayor