

**MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY
COUNCIL HELD WEDNESDAY, SEPTEMBER 18, 2002.**

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

Appointed officers and employees present: Wendy Palmer, City Recorder, Attorney Ron Elton, Public Works Director Joel Kertamus, Firemen Brent Marshall & David Hammond.

Citizens and Guests: Mary Ruth Hammond (press), DeAnn Christiansen, Jay Weyland and Scout Troop 166, Jannette Price and Scout Troop 107, Craig Hunt, Matt Miller, Gary Durfee, Jerry Edwards, John Clay, Jerry Hill, George Parkinson, Morley Cook.

PUBLIC HEARINGS:

- a. Consideration of amending the Land Use Management Code Use Table to allow Kennels in all residential zones except for the R1-8 zone and some Commercial Zones:** James explained that the Planning Commission recommended that a kennel could be appropriate in smaller zoning districts if the property owner had enough property to house the dogs and only considered as a conditional use permit.

Jerry Edwards: Mr. Edwards informed the Council that he could see no problem in approving the change. Mayor asked for any further comment? No further comment being offered Mayor Anderson closed the public hearing at 7:04 p.m.

- b. Consideration of amending the Personnel Policy and Procedure Manual by allowing the Chief of Police to participate in the Non-Contributory Utah State Public Safety Retirement System.** Attorney Elton explained to those present that this amendment will allow the Chief of Police to participate in the Non-Contributory portion of the Public Safety Retirement system. This option is currently only open to the Chief of Police. The Non-Contributory system is cheaper for the city and allows better benefits to the Chief of Police. One of those benefits is that the Chief can retire in 20 years but remain employed. Mayor asked for any further comments? No further comments being offered, Mayor Anderson closed the public hearing at 7:07 p.m.

FIRE DEPARTMENT BUSINESS: Brent Marshall & David Hammond were present to invite the Mayor and City Council to the Fire Museum Memorial and Unveiling of the new statute. Brent asked the Mayor and Council if the Fire Department could get with them sometime soon to go over ideas to construct a public safety building. Mayor stated that he was meeting with Jason Burningham next week to go over several issues and this is one of the subjects. Brent asked that he be invited to attend. Mayor stated that he would let him know.

APPROVAL OF MINUTES: Kevin made the motion to approve the minutes of September 4, 2002. Craig seconded the motion. All voted in favor, motion carried.

APPOINTMENT OF PLANNING COMMISSION MEMBERS: Mayor asked that this item be tabled for the time being. Kevin made the motion to table this item. Paul seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF NEW BUSINESS LICENSES:

- a. Tina L. Estrada-336 E. Main- Crafts:** James explained that Ms. Estrada is going to be making crafts in her home to sell at boutiques and on the Internet. She would not be selling them directly from her residence. James made the motion to approve the business license for Tina Estrada-336 E. Main with the condition that she does not do direct sells from her house. Kevin seconded the motion. All voted in favor, motion carried.
- b. Craig Hunt- 560 S. Hale Street- Handy Man:** James explained that Mr. Hunt will be doing odd jobs for people that would not require a general contractors license. There will be no equipment stored on the property and there will be no on street parking.

- c. **Jason & Phebie Duhon – 537 E. Main Street – Day Care:** James explained that the Duhon's will be providing day care in their home not to exceed 6 children.

James made the motion to approve the business license for Craig Hunt and Jason and Phebie Duhon as per their conditional use permits. Kevin seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF WILLOW STREET PEDESTRIAN PATH: Craig discussed some of his ideas to help deal with the parking problems as well as the pedestrian traffic. Craig stated that close to the Willow Elementary School cars are parking in the pedestrian path blocking it completely. Craig suggested that we put jersey barriers just in these areas to keep cars out of the pedestrian path. Craig also suggested that when the no parking signs on the west side of Willow Street across the Elementary School are in place, we should provide parking along Pear Street. Craig continued by stating that the south side of Pear Street has enough area between the fence lines and the traveled area that the city could pave it up to the fence line then stripe it for reverse parallel parking. Reverse parallel parking would mean that the cars back into the parking space in order for them to be able to pull out forward onto Pear Street. Craig stated that by having the parking on Pear Street the pedestrians would be more likely to use the crosswalk to cross Willow Street. Mayor stated that he talked with Joel Kertamus the Public Works Director about the parking situation. Mayor stated that it was Joel's suggestion that we paint pedestrian path and the symbol within the walking path to help keep cars out of the area. Kevin suggested putting a drop off zone on the south side of Pear Street. Kevin asked if any of the landscaping could be removed to allow parking on the school property. James stated that the landscaping is needed to provide for retention for the storm water. Joel arrived at 7:25 and informed the Mayor and Council that he is waiting for the cost estimates for the school zone lights from Utah Power. Once he has those costs, he will come to the Council for approval.

CONSIDERATION OF SUBDIVISION BOND RELEASE FOR CHERRY GROVE SUBDIVISION: Public Works Director, Joel Kertamus informed the Mayor and City Council that this developments has installed 1244 lineal feet of sidewalk for a value of \$9952.00. Joel recommended reducing the subdivision surety bond by \$9952.00. Craig made the motion to reduce the subdivision improvement bond for Cherry Grove Subdivision in the amount of \$9952.00. James seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF ORDINANCES/RESOLUTIONS: Parking restriction for Hale and Durfee Streets: Public Works Director, Joel Kertamus informed the Mayor and Council his findings for parking requirements and safety around the Middle School at Durfee Street and Hale Street. Joel stated that he has been observing the situation and cannot see that there is any real problem in this area. Joel stated that his only recommendation would be to talk with the school and have them designate 10-12 parking spaces that parents could use to pick up their children. Joel informed the Mayor and Council that when the kids get out of school they are not using the crosswalk. The children cross Durfee and Hale Street at random. Mayor stated that he would contact the principal at Grantsville Middle School to try to get some cooperation in using 10 parking spaces within their parking lot for parents to pick up children.

CDBG ISSUES: Recorder Palmer informed the Council that she met with Tooele County Housing Authority Director DeAnn Christiansen, Wasatch Front Regional Council AOG Lane Nielson, and Mayor Anderson to discuss the issues for using the \$50,000 project income that would come from the sale of the homes that were built in Middle Plaza Estates. The main issue at this time is that as long as there is a chance that people will be displaced in the Conway Trailer Court, the CDBG funds cannot be used for the park improvements. The money can be made available to individuals in the Trailer Park for moving trailers to their new location. This would be a target low/moderate income (LMI) qualification. After all of the trailers are relocated then CDBG money can be used to offer a low interest loan to Mr. Conway for trailer court improvements. DeAnn Christiansen, Housing Director suggested that she contact each of the trailer owners except for the trailers owned by Mr. Conway and inform them of their options for alternative housing such as the first step program that the Utah Housing

Authority offers. This program allows LMI families to move into a brand new manufactured home for a reduced payment rent to own program. The Utah Housing Authority is a dealer for the HUD manufactured homes and would bring the home in and place it in the trailer court. We could use the CDBG money to dispose of the old trailer. Recorder Palmer stated that one of the issues we talked about in the previous meeting was if the City wanted to disburse these funds based on tiered interest rate or granting the funds. DeAnn stated that her office would be happy to managed the funds and perform the qualifying test for those people applying for the money. DeAnn stated that her office would provide a quarterly report on who has used the funds and what the funds paid for. DeAnn stated that she envisioned that the Housing Authority would contract with a contractor to move all of the qualifying trailers. This would net a better price for the moving of trailers. It was suggested that DeAnn ask the Utah Housing Authority to place a trailer in the park to use as a temporary living space for those people that are moving their trailers and waiting for the set up to be complete. It was determined that those trailers that are being moved with CDBG funds can be held to additional standards than the usual set up inspections. DeAnn asked Attorney Elton if there is a liability issue concerning moving a trailer and it falls apart. Attorney Elton stated that he would draw up a hold harmless release for the trailer owners to sign. James made the motion to have DeAnn draw up a policy proposal and bring back to the October 2, 2002 meeting for Council review. Recorder Palmer was asked to get an ordinance from Salt Lake City concerning trailer parks and their regulations. Kevin seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF BUILDING WIDTH FOR DWELLINGS: Attorney Elton explained the situation that has arisen with and application for a building permit. The application is seeking the ability to place a single wide modular home that is 14 feet wide by 70 feet long, with a 10-foot by 32 feet long addition. The Land Use Management Code requires that no dwelling shall be allowed that is less than 22 feet wide for 32 feet in length. The question that is presented is – does the 10' X 32' addition to a 14'X70' modular bring the modular into compliance for placement on real property. James asked if the Attorney felt that our code was clear enough to state that the addition would not bring the single wide into compliance. Kevin expressed his concern that Mr. Clay, who has made the building permit application, was led to believe that the addition would bring the single wide into compliance. Mr. Clay asked the advice of the city prior to making application for the building permit. Kevin stated that he felt that Mr. Clay has acted in good faith and made his investment based on the advice given to him from the city. Kevin asked the Building Official if he gave his approval for this option to bring the single wide modular into compliance? The Building Official stated that he had reservations about the project from the start. The Building Official stated that he did not care if the Council approves the permit. He just wanted their blessing prior to the permit being issued. Kevin made the motion to approve the single wide modular with the addition in compliance with the Zoning Administrators original interpretation of the Land Use Management Code. Craig seconded the motion. All voted in favor, motion carried. Mayor asked the Building Official to make any recommendations for change to the Council for consideration. Attorney Elton stated that based on the HUD regulations in the State Code the city really can not be any more restrictive than it has already.

CONSIDERATION OF BILLS: James made the motion to approve the bills. Craig seconded the motion. All voted in favor, motion carried.

REPORT ON FUND TO FUND LOAN: Recorder Palmer informed the Mayor and Council that through her investigation into the cash flow and the areas that are causing problems she has discovered three areas:

1. Garbage fund charges \$65.00 for each new can placed. This fee is for the purchase of replacement cans. Currently the full \$65.00 is being transferred into the savings account and only \$55.00 should have been transferred. The other \$10.00 is an administrative fee to reimburse for personnel, construction of cans and equipment to deliver replacement of garbage cans.

2. Water fund: Recorder Palmer handed out a cash requirement analysis. Recorder Palmer explained that the operation and maintenance (O&M) expenses equal to \$14.57 per unit. This amount includes salaries, benefits, General Fund transfer, supplies material & services, water meter change out program, professional & technical expense, bond pmt. The water bill minimum that is set up to cover O&M is \$15.00.

When the water rates were increased in 1995 from \$10.00 every two months to \$15.00 per month the monthly O&M stayed at \$3.75 per unit and the remaining \$11.75 was transferred into water capital improvement. This has not changed since 1995. It should have been re-evaluated to see if the addition of new water well and facilities was being properly funded. When the South Willow Well and Tank were put online this also affects O&M. Currently the monthly transfer into the water capital improvement account is \$24,111- from that amount we subtract \$5,179 to deposit into the water bond payment account.

3. Sewer Fund has the same situation. The new sewer plant was built 1995 and the sewer rates were raised to cover the cost of that. The old sewer fees were \$10.00 every two months. In 1995 the sewer user fees were raised to \$20.00 every month. The O&M was \$5.00 per unit and \$5.00 was transferred into sewer capital improvement account from 1972 to 1995. This analysis has not been reviewed to verify if it is adequate.

Currently the O&M is still \$5.00 per unit and \$15.00 per month is transferred to capital improvement minus \$17,000 per month that is deposited into a sewer bond reserve account to pay for the sewer bond. The current O&M cost is \$20.86 per month based on the 2003 budget. This includes salaries, benefits, general fund transfer, supplies, materials and services, professional services, insurance, pond maintenance. The depreciation budget is really the amount that goes into capital improvement. That equates to \$9.00 per unit.

Recorder Palmer recommended that we cease the current fiscal year transfer to capital improvement accounts until the final analysis can be done. At this point, it appears that the General Fund is actually subsidizing the Water and Sewer Capital Improvement transfers. This appears to be the reason for the cash flow shortfall on a monthly basis. James suggested that the Council sits down this month and get it figured out. Craig made the motion to cease the water and sewer capital improvement transfers until a complete analysis can be done. Motion dies for a lack of a second. Kevin stated that he would rather the loan that was approved be used until the final analysis can be completed. Mayor stated that he would meet with Jason Burningham for assistance. Craig suggested that we have an engineer review the water and sewer rates as well, to see if they are adequate to cover expenses.

OTHER BUSINESS: Mayor Anderson informed the Council that Rick Covello would like to use the park on Cherry Street to host a car sale in Grantsville. Mayor asked the Council what their ideas or concerns might be. The council stated that if the lawn is wet from a rainstorm that he must move the sale to the paved areas of the park. Recorder Palmer recommended that he obtains a temporary sales tax license that would name Grantsville City as the direct point of sale so that the sales tax income could come directly to Grantsville City. Council recommended a \$1000 deposit to take care of any damage that may occur.

APPOINTMENT OF PLANNING COMMISSION MEMBERS: Craig made the motion to place this item back on the agenda for discussion. Kevin seconded the motion. Mayor Anderson recommended Gary Fawson for appointment to the Planning Commission. James made the motion to accept the Mayor's appointment of Gary Fawson to the Planning Commission to fill the unexpired term of Diane Hunsaker. Craig seconded the motion. All voted in favor, motion carried.

Kevin wanted the Mayor and Council opinion on what he should do to be able to close the property that the City is purchasing from John Clay. Mr. Buhler who we have a boundary adjustment agreement has not gone to his bank to get the bank to release the lien on the city's portion of the five acres. The Council asked that Attorney Elton contact Mr. Buhler and get a final decision on Mr. Buhler's position on this property, and report to the Council for an action plan.

James thanked the city for the flowers that were sent for the birth of his baby. James stated that he was riding on the flats and is noticing the amount of trash that is building up in the gullies. Attorney Elton stated that the best way to help the problem is to go through the trash and find address and turn it in to the Police Department for prosecution.

ADJOURN: Craig made the motion to adjourn this Council Meeting at 10:12 p.m. James seconded the motion. All voted in favor, motion carried.

Wendy Palmer, City Recorder

Byron Anderson, Mayor