

**MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY  
COUNCIL HELD WEDNESDAY, NOVEMBER 6, 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, Joel Kertamus, Public Works Director

**Citizens and Guests:** Joe Cange, Gary Buhler.

**TOOELE COUNTY WATER PROJECT:** Mayor Anderson reported that he has no new information on this subject.

**APPROVAL OF THE MINUTES OF THE PREVIOUS CITY COUNCIL MEETING:** Justin made the motion to approve the minutes as grammatically corrected. Kevin seconded the motion. All voted in favor, motion carried.

**CONSIDERATION OF UPGRADING WATER MAIN ON NORTH RACE STREET:** Bart Hamatake presented the option to the Mayor and Council to participate in a main water line extension on Race Street, north of Clark Street. Mr. Hamatake offered to dig the trench, provide the labor to install the water line and provide the water valve. Council asked Joel Kertamus if he thought that having an 8-inch water line on Race would be an advantage to the city? Joel stated that he thought it would be advantageous to the city to participate in upsizing the water line. James made the motion to approve the water line agreement with Bart Hamatake that the city would purchase the 8-inch pipe and Mr. Hamatake would install and provide the water valve. Grantsville City would pay for all materials for fire hydrants as deemed necessary. Paul seconded the motion. All voted in favor, motion carried.

Attorney Elton suggested to the Mayor and Council that the city could adopt an ordinance that would require all water line extensions not be less than 8-inches in diameter. This to be on the next agenda for consideration.

**SCADA ISSUES:** Public Works Director Joel Kertamus addressed this issue by explaining to the Mayor and Council about the failure to complete the work on the water and sewer water system scada for it to work. There is an issue of equipment taken from the city to repair that was never returned. Radios that were installed did not belong to Grantsville City. Key switches that the city paid for was never delivered. Joel had talked with Attorney Elton and it was determined that Joel would contact Wetco, Mark Mamba to see if the company would make good on the required work and equipment losses. Joel will report when further resolution is needed.

**ROAD EXCAVATION PERMIT ISSUES:** Kevin stated that he had estimates from asphalt companies that were willing to provide 5-day service to repair asphalt cuts. Kevin suggested that for all road excavations that are installing water, sewer, phone and gas laterals the city should require that flowable fill be used for the backfill. The flowable fill is small aggregate mixed with cement and sand. This product fills all of the small cracks around the pipe and the excavation area. This requirement will bring the cost of excavations up but will almost eliminate the trench sinking repairs that the city has had in the past. Justin asked, how long after the flowable fill is used can the asphalt be laid over it? Kevin stated that it only needs 4 hours to set up prior to asphalt being laid over the top. The new bonding procedure would require contractors to place cash in escrow with the city and then if their excavation repair were not completed in the proper amount of time, the city would use the cash to pay for the repairs. This item will be table until the specifications can be written and given to Attorney Elton for creation of a new ordinance.

**CONSIDERATION OF PROPERTY SURVEY:** Mayor Anderson with the Council reviewed the recent survey performed on the city property on the Mormon Trail. The purpose of the survey was to ascertain the boundary of the property in relation to the actual gravel extraction. The survey shows the city has excavated on to the Grantsville Soil Conservation property. There have been no new excavations since the Grantsville Soil Conservation traded the property with Clark Venture's Incorporated. Kevin stated that he feels that city should negotiate with Clark Venture's to take care of any encroachments that may exist and to work out an agreement concerning the entrance road to the property and the water pipes that exist along that frontage as well. Mayor stated that he would meet with Clark Venture's " Joseph P. Cange" to try and come to an agreement.

**CONSIDERATION OF RIGHT-OF-WAY ENCROACHMENTS:** Recorder Palmer explained the reason for this agenda item is due to a new fence that has been placed within the city's right-of-way on Pear Street. Recorder Palmer stated that she asked Public Work Director, Joel Kertamus to review the situation and try to determine if the fence construction was indeed within the city right-of-way. Joel took pictures show the old fence line and the new fence line. It appears that the fence has been constructed about 13 feet into the city right-of-way. There were also a fence/garden at 235 E. Durfee, a structure and rock wall on West Street, and a fence on 240 W. Durfee. The Mayor and Council instructed Recorder Palmer to compose two different letters to address the situations, have the Mayor and Attorney review, and approve prior to mailing them out.

**CONSIDERATION OF OLD LINCOLN HIGHWAY WATER LINE**

**AGREEMENT:** Mayor explained that Darrell Nielsen expressed to him at a previous meeting that he remembered an agreement with Grantsville City that granted him 20 water connections in exchange for his \$100,000 contribution to the Old Lincoln Water Line extension. The actual agreement does not state anything about connections. The water line agreement allows Mr. Nielson to use a portion of the water line to deliver water provided by him to the city. Mr. Buhler was present who represents Mr. Nielson and informed the City Council that he has read the agreement and informed his client that he does not have any connections coming from Grantsville City. Mr. Buhler stated that Mr. Nielson is not asking for any accommodations at this time.

**CONSIDERATION OF INTER-LOCAL AGREEMENT FOR UNDERGROUND WATER STUDY:**

Craig made the motion to sign the inter-local agreement between US Geological Survey, Tooele County, Tooele City, and Grantsville City to survey the underground water tables. Justin seconded the motion. All voted in favor, motion carried.

**CONSIDERATION OF NEW BUSINESS LICENSE:** James informed the Mayor and Council that Rocky Fonger at 479 N. Hale is planning to create training tools for the Government. The training tools would be like brief case tables or displays etc. James made the motion to approve the license for Rocky Fonger at 479 N. Hale Street in compliance with the one-year review of the Conditional Use Permit by the Planning Commission. Kevin seconded the motion. All voted in favor, motion carried.

**CONSIDERATION OF SALARY STEP INCREASE:** Recorder Palmer recommended Office Coordinator Gloria Kerby for her salary step increase from Grade 8 step 2 to Grade 8 step 3. Recorder Palmer complimented Gloria on the accuracy of her performance of her duties and dependability. Craig and Kevin stated that she does a good job. Kevin made the motion to approve the salary step increase for Office Coordinator, Gloria Kerby from Grade 8 step 2 to Grade 8 step 3. Paul seconded the motion. All voted in favor, motion carried.

Craig asked if Gloria is the only office staff member that is working a 5-8 schedule. Recorder Palmer stated yes she is. This position was advertised as a 5-8 during the hiring process and during interviews as well. Craig brought up an issue of the office staff working a 4-10 schedule asking if the community is being served well by this arrangement. Mayor Anderson stated that he has had a complaint that a citizen could not take care of zoning issues on Fridays. Recorder Palmer stated that she disagrees with that person because she handles zoning issues on Friday's as well as Human Resource. If the

person complaining refused to allow the Recorder to help, then that is there own fault. Recorder Palmer continued by stating that the best part about working the 4-10 schedule is that every week the staff is crossed trained on each job in the office. This is a huge benefit to the city if anyone is injured and unable to work for an extended period of time or if someone quits. The cross training is invaluable. This schedule allows for two hours per day of uninterrupted work time that the employees do not have to stop what they are doing to respond to citizens' calls.

#### **CONSIDERATION OF FINAL PLAT, CC&R'S, WATER TRANSFER**

**AGREEMENT FOR PALOMINO RANCH SUBDIVISION:** Kevin began the dialog stating that from the on set Palomino Ranch was presented as an animal friendly and contiguous with the surrounding area. I feel that at the eleventh hour Palomino Ranch has been changed to be against animals and that it is not suitable for this area. The fact that there are only 4 lots that allow for horses and will allow only two horses is not animal friendly. Why wouldn't we allow the ordinances to be used to determine the amount of animals on the property and change the CC & R's to allow animals on lots 5 through 14 leaving only the lots across from the Rm-7 zone have an animal restriction. James stated that Mr. Cange has a right to restrict whatever he wants to on his property. Mr. Cange stated that he is trying to create a balance for the neighborhood, keeping animals off of lots that front across from homes that does not have horses. By restricting the amount of horses allowed on the remaining lots keeps the transition from non-animal lots to animal lots to a minimum. Kevin stated that my not allowing the Grantsville City ordinances to take precedence, we are putting the other large property owners in jeopardy of not being able to use their property to its fullest extent under the ordinance. If it is an A-10 zone and the neighbor to the north of this development wants to start a pig farm those people in this development would more likely come out against it. I believe that because they are not animal friendly because of the restrictions in this development. Kevin stated that you can not determine that if a landowner can have 6 horses and decided to have the 6 horses they will be a bad neighbor. You have to give that landowner an opportunity to show that they can be a good neighbor first. **Craig made the motion to change the CC & R's for Palomino Ranch to allow animals by conditional use permits on lots 5-11 and to let the Grantsville City Ordinances determine the amount of animal permitted. James seconded the motion. All voted in favor, motion carried.**

**Final Plat:** Craig made the motion to approve the final plat and authorize the Mayor to sign the final Plat for Palomino Ranch once the off site improvement bond has been approved by Joel, Craig Neeley, and Mayor Anderson. And once the culinary water is transferred to the city, and the secondary water transferred into the homeowners association. James seconded the motion. Kevin asked the Council to consider having this development post an escrow payment for their portion of Cooley Street. Kevin stated that he does not think it is right for the taxpayers to pay for the improvement of this road that Palomino Ranch fronts along. Kevin stated that he feels that developers should be responsible for the roads that their development fronts on just as much as the new roads they create within their developments. James and Craig disagreed stating that the city does not have a specific time for North Cooley to be constructed and the developer should not have to have their money tied up if the city does not have a plan. Vote is as follows: In favor- Craig, James, Paul. Opposed: Justin and Kevin. Motion carried.

#### **CONSIDERATION OF SETTING PUBLIC HEARING FOR INCREASED C.U.P**

**NOTIFICATION AREA:** James explained that after his experience with the Conway Trailer Court improvement issue he felt that one of the biggest complaints from the citizens is that there was not enough notification. By increasing the notification from 85 feet to 300 feet this will help mitigate that situation. James made the motion to set the public hearing for December 4, 2002. Craig seconded the motion. All voted in favor, motion carried.

**CONSIDERATION OF USES ALLOWED IN THE MD ZONE:** James made the motion to request the Planning Commission review the uses in the MD & MG zone and incorporate any additional uses into the MD zone as a conditional use permit. Craig seconded the motion. All voted in favor, motion carried.

**CONSIDERATION OF SURPLUS PROPERTY:** Justin made the motion to approve the Police Department surplus property list. The list of items is to be transferred to other departments that want them the remainder to be sold at auction. Craig seconded the motion. All voted in favor, motion carried.

**APPROVAL OF BILLS:** Craig explained that the tub grinder from the County was billed at 6,000 dollars. Craig talked with them and reduced the payment to \$3000. Craig made the motion to pay the bills. Paul seconded the motion. All voted in favor, motion carried.

**OTHER BUSINESS:** Mayor asked the Council if December 17<sup>th</sup> would work for a combined meeting with Envision Utah, Planning Commission and the Council. All agreed to the 17<sup>th</sup> meeting. Mayor stated that he has had to put the finances on the back burner until the distribution center issues are settled.

James stated that the Main Street Steering committee is meeting at his house on Saturday. Anyone is invited to come. The new owners of the Blue Bird are very interested in complying with the intent of the committee and have begun some outside work on the building.

Mayor asked if Paul would serve on the Old Lincoln Highway Committee. Mayor informed the Council that Mr. Cange has purchased the J. Reuben Clark property and is offering it to the city for about \$250,000. This would include the home, barns, corrals and about 3 to 4 acres. Mayor suggested that the Home might be adequate for the library to move into. Council gave the Mayor the go ahead to continue to pursue a financing option for this property.

Justin asked why the city does not get recovery rights. Attorney Elton stated that the city collects Impact Fees and uses those fees to improve water & sewer lines. Justin asked if the Council would consider a ban on farmers applying chicken manure within the city limits.

Paul stated that he looked at the improvements to the Blue Bird and was originally worried about their siding, but now they are putting the decorative touches on it I think it will look all right.

Craig passed out the information sheet that he has authored. This sheet addresses issues for inspections for trailers moving within a park or the city. The concern that he has is how does the Council want to handle inspecting trailers that are coming in from other cities. Would we send our inspectors to the other city to inspect to assure compliance before the trailer gets here? It was discussed to put this on the next agenda. Attorney Elton stated that this issue needs to be reviewed by the Planning Commission prior to the Council considering it.

Recorder Palmer informed the Mayor and Council that the sale of the Ivy Garden has fallen through and the City Christmas Party has been moved from the Fire Museum to the Ivy Garden for December 11, 2002.

**ADJOURN:** Craig made the motion to adjourn this City Council Meeting at 10:35 p.m. Paul seconded the motion. All voted in favor, motion carried.

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Wendy Palmer, City Recorder

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Byron Anderson, Mayor