

**MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY
COUNCIL HELD WEDNESDAY, FEBRUARY 19, 2003.**

Mayor and Council Present: Mayor Byron Anderson; Council Members: Craig Anderson, James Christensen, Kevin Hall (7:45 p.m.), Justin Linares, and Paul Rupp.

Appointed officers and employees present: Wendy Palmer, City Recorder, Attorney Ron Elton, and Public Works Director Joel Kertamus.

Citizens and Guests: Mary Ruth Hammond (press), Robin Cohen, Joseph Cange, Delaun Blake, Niel Blackburn, Craig Neeley, Debbie Nelson.

PUBLIC HEARINGS:

- a. Trails Master Plan:** Robin Cohen from SWCA explained the process of developing this Trail Master Plan from inception to present date. An appointed ad-hoc committee developed the original plan. The committee was comprised of a cross section of the Grantsville Community that had many different ideas of what a Master Plan Trail System should serve. After the ad-hoc committee came up with a draft plan, it was presented to the Planning Commission. The Planning Commission held two public hearings, which in turn amended the plan to what you see here today. Robin complimented Grantsville for their great sense of community identity. Grantsville has a slower pace and is very beautiful. The Trail Master Plan provides for different types of trails, multi-purpose trails that allow for walking, biking and equestrian uses, there are trails for equestrian only and trails for walking/biking only. The overall purpose of the Trail Plan was to connect where we work with where we play including to the Deseret Peak Recreation Complex to the East and the Canyons on the West. The best part about this plan is that as development happens within Grantsville you can require that the proposed trail routes be incorporated into a development plan. Many different surfaces are incorporated into the different trail types, the multi-purpose would be a paved surface, equestrian would be gravel and the bike/walking trails could be paved or dustless hard surface. The next step would be for the City Council to adopt the plan by ordinance. Then the hard work begins, finding funding for the trails. Robin explained that the plan is divided into three priority sections.
1. Top priority has a 0-3 year construction priority. This encompasses Durfee, Willow, Clark, South City Greenway, Quirk Street, Anderson Ranch and Cherry Street Connector.
 2. 3-6 year- Main Street Pedestrian/bicycle, Quirk Street and Hale Street South of Durfee, and the Cherry Street
 3. 0-10 year- Main Street, West Street, SR112, Burmester Road.

Funding for these projects need to be applied for from some of the Utah State agencies like TEA-21- Utah Division of State parks and recreation.

Joe Cange complimented the Mayor and Council for their leadership in brining a pedestrian trail system to Grantsville. The trail system plan is commence this year so that the residents can realize the benefits and the momentum that has been created is not lost. A trail master plan is of little use if the trail is not constructed. Mayor asked for any further comments on the Trail Master Plan. Councilman Anderson expressed some of the concerns that he has been made aware of from the public No further comments were offered and the Mayor closed the public hearing at 7:25 p.m.

- b. General plan future land use map.** James explained that the proposal would place a transition zone that would ease the housing densities from the RR1- to the A-10 area. Mr. Parker, the Planner that advises the Planning Commission recommends that the Planning Commission should consider each General Plan amendment application on a case by case basis to continue to provide the opportunity for a rural lifestyle. Mr. Parker respectfully recommended that the Planning Commission transmit a negative recommendation to the City Council on the proposed General Plan amendment to identify a strip of Rural Residential - 1 between all Rural Residential - 2 and Low Density Residential areas with the finding that such amendment is not in the best

interests of the City. This recommendation is also based in the recognition that amendments to the General Plan to identify additional areas of Rural Residential - 1 are more appropriately considered by the City on a property by property basis, with a complete understanding of all relevant property and locational issues, rather than by such a blanket approach. Mayor asked for any further comment? No further comment being offered the Mayor closed the public hearing at 7:31 p.m.

- c. **Amendment for section 4.27 relating to the required width of dwellings:** James explained that the Planning Commission found that the original wording for the minimum width of homes located within Grantsville of 22 feet did not clarify that Modular or Manufactured homes must be 22 feet wide and 32 feet long prior to their placement. The proposed amendment would require the minimum width and length prior to placement and not allow an addition once placed to meet the width or length requirements. Mayor asked for any further comment. No comment being offered, the Mayor closed the public hearing at 7:33 p.m.

BEST OF THE STATE AWARD RECOMMENDATIONS: Mayor informed those present that Mrs. Watson was not able to attend this meeting and asked that if the Council had any comments to contact her personally.

CONSIDERATION OF RECOVERY RIGHT AGREEMENT WITH JOHN LAING HOMES: This was discussion concerning the impact area for the impact fee. Neil Blackburn representing John Laing Homes stated that the current development of South Willow Estates would not be included in the recovery right. Only the areas north and east of the development will be considered in the recovery right area of impact. There is some property to the West of the development that was included in the original master plan of South Willow Estates. Mr. Blackburn stated that if John Laing Homes does not develop that property it should be considered in the recovery right as well.

Kevin arrives at 7:45 p.m.

Justin questioned how the recovery right would work in respect to new connections paying the current impact fee and then would pay an additional impact fee in this impact zone. Craig Neeley, the city's contract engineer explained that those homes constructed in the impact zone of this recovery right would not pay an additional impact fee. How it would work is the homebuilder would pay the current impact fees. From those impact fees, Grantsville City would subtract the dollar amounts approved to be reimbursed to John Laing Homes. Attorney Elton pointed out in the current proposed recovery right agreement that Grantsville City would be required to amend the Grantsville City impact fee ordinance to provide for the additional impact area within 45 days from the date of approval. Attorney Elton stated that this would suggest that John Laing Homes' recovery right would become an additional expense to homebuilders on top of the Grantsville City impact fees. Engineer Neeley commented that he felt that the current impact fee analysis included this area and improvements currently and there is no need to add anything to the impact fee structure. Attorney Elton stated that this portion of the agreement would need to be deleted. Kevin asked Engineer Neeley how the sewer system could have any recovery right if there is a known deficiency in the sewer line? Engineer Neeley stated that in the analysis John Laing Homes has deducted the cost of the sewer line replacement from the total prior to figuring the Equivalent Residential Connection (ERC). Kevin was concerned that by not fixing the problem today the cost that was deducted for the sewer line repair would not cover the cost in the future when it is fixed. Engineer Neeley and Mr. Blackburn concurred that the cost that was subtracted for the repair of the sewer line is much higher than what it would actually cost at today's rates. This was done as an attempt to hedge against inflation. Engineer Neeley stated that when that his feeling about the repair of the sewer line should be done only when it is necessary. Engineer Neeley explained that as this area of town grows additional sewer lines might be installed that would route the sewer down another street or add a parallel sewer line. This actual line may not ever need to be fixed. Kevin was concerned about the recovery rights on the construction of Willow Street. There is not an impact fee for streets currently in our ordinances. Engineer Neeley stated that the recovery right for road improvement has in the past been handled strictly under the recovery right ordinance. Kevin asked if Grantsville City would receive an administrative fee for the management of the recovery right. Attorney Elton stated that there is an administrative

fee within the recovery right ordinance. There is not an administrative fee in the impact fee ordinance. Mr. Blackburn offered a comment that John Laing Homes will never receive full compensation for the proposed recovery. The recovery right is only valid for 15 years. James made the motion to approve the recovery right agreement and authorize the Mayor to sign after the following changes have been made:

- a. Deletion of the section that calls for an additional impact fee withing the area of impact.
- b. Redesignating roads as a recovery right not an impact fee
- c. Include Aqua Engineering excess capacity schedule.

Justin seconded the motion. All voted in favor except for Kevin who was opposed. Motion carried. Craig expressed his regret that Mr. Blackburn will not be able to see the completion of the project to the end. Mr. Blackburn expressed the same sentiment.

TOOELE COUNTY HOUSING AUTHORITY: DeAnn Christiansen, Director for the Tooele County Housing Authority requested that the City Council consider waiving the zone change application fee and the applicable impact fees for a proposed 20-unit affordable housing unit. The Mayor and Council asked where the proposed 20-unit housing development was planned. DeAnn stated that she has an option on a parcel of property at approximately 270 W. Main Street. Mayor asked if any other parcel of property was being considered. DeAnn stated that she had looked at the Jimbo's property and the owners did not want to separate the land from the restaurant. The cost of demolition adds too much money to the project to make it feasible. DeAnn stated that she also looked at the property on the corner of West and Main Street. The person who owns this property wants too much money for the property. The property is smaller and has too much street exposure to make this an attractive parcel. DeAnn stated that she was open to any parcel that the Mayor and Council wanted to suggest but would continue on this path until she hears otherwise because she needs to have her application for funding in to Rural Development by the end of next week. DeAnn presented architectural drawings of the proposed development showing how it will look and fit on the lot. DeAnn stated that she has limited her property search to areas that are designated in the Grantsville City General Plan. DeAnn also stated that she is trying to meet the need of the community Affordable housing study completed by Jim Wood. The Council asked if the project would be tax exempt. DeAnn stated that she is planning to apply for property tax exemption. Craig made the motion to approve the zone change application fees for Tooele County Housing Authority based on the fact that the City has an interest and partnership in this proposed project. James seconded the motion. All voted in favor, motion carried.

Craig made the motion to approve Tooele County Housing Authority's request for waiver of applicable Impact fees for their proposed 20-unit affordable housing project contingent on approved zone change and approve project and scope. This waiver would be based on the interest and partnership that Grantsville City has in this project. Kevin seconded the motion. All voted in favor, motion carried.

DeAnn asked the Mayor and Council to consider approving purchase for this property. This item will be on the March 19th agenda for further consideration.

APPROVAL OF MINUTES: Kevin made the motion to approve the minutes of February 5, 2003. Paul seconded the motion. All voted in favor, motion carried.

ROBERT HICKS-REQUEST FOR RELEASE OF LIEN: Robert Hicks requested from the Mayor and Council the release of lot 5 of Trakside subdivision. Recorder Palmer and Public Works Director Joel Kertamus verified that Mr. Hicks has satisfied all of his requirements for the subdivision and is entitled to the release of lien. Kevin made the motion to release Lot 5 of Trakside subdivision. Craig seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF MINOR SUBDIVISION FOR DELAUN BLAKE: Kevin asked Mr. Blake if he would consider putting off this approval for one month to see if the City could find out if the Church will be building on Hale Street just below this development. The reason for the delay is to figure utility improvement cost sharing. Mr. Blake stated that he was fine with waiting a month. Kevin made the motion to table Mr. Blake's minor subdivision approval. Craig seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF COSTS ASSOCIATED WITH PARTICIPATION IN NORTH COOLEY AND SOUTH HALE STREET WATER LINES: Public Works Director Joel Kertamus approached the Mayor and Council for approval to fund design and bid Documents for North Cooley Street waterline. James stated that the cost share percentage needs to be adjusted with Mr. Cange. James stated his reason for this is because Mr. Cange has presented to the Planning Commission an increase in the amount of lots in his development on North Cooley from 14 lots to 38 lots. Attorney Elton stated that the additional homes would have to pay the impact fee and that would reimburse the city for their expenses. Craig Anderson made the motion to authorize Aqua Engineering to proceed with project design, creation of bid documents and construction management for the North Cooley Waterline. Kevin seconded the motion. All vote in favor, motion carried. South Hale Street Waterline project will be tabled until further information is available on the LDS Church construction.

CONSIDERATION OF SALARY STEP INCREASES: Craig made a motion to approve the salary step increases for Detective Dan Chamberlain from Grade 14 step 7 to Grade 14 step 9 for his outstanding performance of his duties as a patrolman and detective. Chief Johnson's letter compliments Detective Chamberlain's dedication to the department and the city by essentially working two jobs at the same time one as patrolman and the other as the Department Detective. Chief Johnson with the concurrence of the City Council feels that Detective Chamberlain is one of the top investigators in the state and an asset to our city. Kevin seconded the motion. All voted in favor, motion carried.

Craig made the motion to approve the salary step increase for Patrolman Darrin Yates from grade 13 step 2 to grad 13 step 3. Chief Johnson with the concurrence of the City Council feels that Darrin is learning his job and becoming an excellent officer. Kevin seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF APPROVAL OF NEW BUSINESS LICENSES: James made the motion to approve the business licenses for Sharon Bottleberghe-31 E. Cherry Street- Eye evaluation business – Vern Loveless-164 & 168 S. 800 East-construction/contract office, and a Class A Kennel Permit for Richard Dillard at 721 N. Old Lincoln Highway. Justin seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF QUARTERLY NEWSLETTER: Recorder Palmer informed the Mayor and Council that Asst. Court Clerk Sabrina Fawson has agreed to work with the Council in preparing this newsletter and updating the web site. Council determined that they would try to produce a newsletter by the end of April and wait to see what the citizen response it to the newsletter to decide if future editions would be published. James made the motion to authorize up to \$800 this fiscal year for production and distribution of a City Newsletter. Justin seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF SETTING PUBLIC HEARING FOR ANNEXATION MASTER PLAN: Craig made a motion to asset the public for annexation master plan for March 19, 2003 at 7:00 p.m. James seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF WATER & SEWER COST OF SERVICE STUDY: James suggested that the city wait until after we have done the ground work for the water & sewer survey of information before we have Lewis & Young come in to perform their analysis. James felt that the City could save money by gathering the information and performing some preliminary work.

CONSIDERATION OF GARBAGE CONTRACTS: Recorder Palmer informed the Mayor and Council that the current garbage collection contract with BFI is due to expire in May of this year. Recorder Palmer explained that the only raises that taken place is the cost of living increases that occur in July of each year. Recorder Palmer informed the Council that Ace Disposal and Waste Management have an interest in bidding on our city's service. Kevin made the motion to extend the Garbage Contract with BFI for another 5 years with the same terms. James seconded the motion. All voted in favor, motion carried.

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

OTHER BUSINESS:

Mayor Anderson informed the Council that Tooele City is going to work on fighting Tooele County and their Jail and dispatch fees on the basis of double taxation. Attorney Elton stated that there has already been a supreme court decision that counties provide a level of service for all areas of the county and individual cities require more service than that they must reimburse the county for additional expenses that the county incurs to man dispatch and jails. Mayor Anderson stated that Tooele City is seeking support from the other cities in Tooele County.

Paul asked the Mayor and Council if they would like to continue the City's historical promotion ad in the Tooele County map that Tooele Transcript publishes. It was the consensus of the Mayor and Council that they would like to continue the ad for the map.

Kevin informed the Mayor and Council that he and Joel Kertamus were in Salt Lake today looking at a new/used dump truck. Kevin stated that he would have this item on the next agenda to discuss further.

Attorney Elton explained that he had gotten the information for the ability to allow the School to enforce school rules on City property and he would have to draw up a resolution to accommodate the issue.

ADJOURN: James made the motion to adjourn this City Council meeting at 10:02 p.m. Craig seconded the motion. All voted in favor, motion carried.

Wendy Palmer, City Recorder

Byron Anderson, Mayor