

MINUTES OF THE CITY COUNCIL MEETING HELD MAY 14, 2003

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: City Recorder Wendy Palmer, Attorney Ronald Elton, and Planning Commission Member Gary Fawson, Tree Board members: Emily Christensen, Roberta Peterson, and Jeff Goodsell.

Citizens and Guests: Mary Ruth Hammond (press), Craig & Heath Bleazard, Jeff & Mike Diderickson, Deanna Linares, Jerry Edwards, Gwen and Charlie Johnson, RJ Reynolds, Rhett butler, Calvin Hirsch, Jason Duhon, Denise Cox, Ernie Matthews, Darrell Yates.

PUBLIC HEARINGS:

- a. Consideration of proposed Tree Ordinance:** Gary Fawson gave a presentation to those present on his vision of the tree ordinance and its possible effects on Grantsville City. Some of the positive effects for our city would be moderate climate and reduce pollution. Mr. Fawson stated that there is economic effects because it would cost less to cool our buildings and there is community aesthetics as well.

Jason Duhon stated that he purchased two of the trees that the Tree Board offered this last week and he thought that the Tree Board was doing a great thing by encouraging the planting of trees. Jason stated that he felt that to encourage residents to plant trees is a good thing. But when you begin to require trees to be planted then you are making our whole town comply by CC&R's. Jason stated that if he wanted to live in a subdivision with covenant, conditions and restrictions he would have moved into South Willow Estates or Anderson Ranch subdivisions. Jason stated his concern about who is liable and responsible for cutting the trees and who pays for the maintenance.

James Christensen stated that he is disheartened that the perception is that this ordinance pertains to trees on private property. James stated that this ordinance only pertains to trees on the city property parks and park strips along the roads. Unless the tree on private property were diseased and a threat to the rest of the trees in the city.

Deanna Linares stated that she wanted to know if the city was paying for the water and the sprinkling system? Deanna stated that she and her neighbors asked to have the curb next to the sidewalk and not have a parking strip due to the vandalism others had experienced when trying to beautify their parking strips. Now you are saying that you would not want to live in this type of neighborhood. I think our area is as nice as any.

Jeff Goodsell was asked if the city would require that trees that are not on the list of preferred trees would they be cut down. The answer was no. Only the trees on the list would be encouraged to be planted in the future.

The questions of having to hire a certified prune to be able to take care of the trees. Gary Fawson explained that the ordinance is meant to pertain to only businesses not individuals trimming their own trees. Jason and Jerry stated that the ordinance is not written as the tree board is interpreting it. This should be clearer to say what is should and not leave it as written. There is already an ordinance to obtain a business license for conducting business within the city.

Jerry Edwards stated that with all of bankruptcies and foreclosures of houses we are asking these families to choose between trees and furniture. Jerry related to his friends that live on Willow Street when Watt Homes was planting trees along the street to tie into the existing tree lined areas. His friend did not want the trees planted in front of their property because the trees would block their view of the mountains. Jerry stated that if we require everyone plant a tree aren't we taking away our rights to choose? Jerry stated that if the committee is saying that the intent of the ordinance is not as it is written, then the ordinance needs to be written to reflect their intentions. I have learned through years of negotiating with the unions that if it doesn't say exactly what you mean, the meaning changes with every new person. Jerry stated that he felt the Tree Board should not be able to make up it own rules without approval from the Council. Mr. Fawson stated that he felt that the Council approval was written in the Ordinance. This portion of the ordinance was read and the Ordinance states that the Council "may" review the tree boards actions. The audience did not feel that statement would hold the Tree Board to Council approval. Mr. Edward's stated that he did not agree with the ordinance. Mr. Edward's asked who will decide if my sewer line will be affected by a tree being planted. If I have a tree in front of my property and the city decides to run a sewer line in this area, will I have to cut my tree down at my expense or will the city do it? Mr. Edwards suggested to the Council that they really look at the accountability and the liability of this ordinance that makes the city responsible for all trees. I don't want my tax dollars spent paying lawyer fees to defend the city against this tree ordinance.

Reno Reynolds