

MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL HELD NOVEMBER 5, 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, Todd Castagno Planning Member, Firemen Present: Perry and Tony Skaug, Leon Hadley, Brent Marshall, Colin Marshal, Robbie Critchlow, Kirk Gibson, Warren Painter, Niel Critchlow, Paul Seekins, Accountant Tom Randle, Public Works Director Joel Kertamus and City Attorney Ronald Elton

Citizens and Guests: Barbara Grygierczyk, Mike Kimber, Gary Pinkham, Patty Hicks, Randy Runt, Gary Christley, Robin Baird, and a representative from Envision Utah.

PUBLIC HEARING:

- a. Envision Utah/Tooele Valley Regional Plan for inclusion into Grantsville City General Plan.** Mayor Anderson opened the public hearing to receive comment on the proposed Tooele Valley Regional Plan for inclusion into Grantsville City General Plan. No comment being offered the Mayor closed the public hearing at 7:05 p.m.
- b. Considerations of zone change from A-10 to RR-1 at approximately 600 S. Hale Street.** Mayor Anderson opened the public hearing to receive input concerning the proposed zone change for 15 + acres at approximately 600 S. Hale Street. No comment being offered the Mayor closed the public hearing at 7:06 p.m.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS: Kevin made the motion to approve the minutes of the Special City Council meeting held 9-24-03. Craig seconded the motion. All voted in favor, motion carried.

Craig made the motion to approve the City Council minutes of October 15th, 2003. Paul seconded the motion. All voted in favor, motion carried.

GARY CHRISTLEY-REQUEST CONSIDERATION OF COMMERCIAL DEVELOPMENT FEE WAIVERS: Gary informed the Council that he is constructing 2 buildings that will be 2500 square feet in size in the industrial zoned area. Gary stated that in the past he has received consideration for waiver of partial building fees due to creation of additional business in our community. Mr. Christley stated that he would like the same consideration at this time. Craig made the motion to approve the waiver of the city's portion of the Building permit and plan check fees for the new construction of commercial/industrial businesses. Kevin seconded the motion. All voted in favor, motion carried. Gary thanked the Council for any consideration that they give to small businesses to help them get started.

JOEL KERTAMUS-PURCHASE OF TRUCK FOR WATER DEPARTMENT: Kevin made the motion to approve the truck purchase with utility bed from Butterfield Ford for \$24,452.00. This item was budgeted in the capital facilities plan. Craig seconded the motion. All voted in favor, motion carried.

JOEL KERTAMUS BID POLICY FOR GENERAL FUND: Joel informed the Council that he did some research concerning Utah State Law requirements for purchasing of equipment. Joel stated that the State requirement does not require competitive bidding for anything under \$40,000. The Council can change the purchasing policy that was set in the City Council minutes at will. It was requested that the Recorder and Attorney come up with a purchasing policy to present to the Council at the next meeting. James made the motion to approve the construction of the lunchroom office facility as bid by Christley Concrete for \$25000 to include roof, walls, floor, 2 doors 7 window, 40' x 32'. Kevin seconded the motion. All voted in favor, motion carried.

Joel asked the Council for their wishes on running the power underground for the street light at the entrance of the industrial park along Burmester Road. Joel stated that to run the power underground would cost about \$1000 more that running it overhead. Justin

stated that the city must comply with its own ordinance if we expect our citizens to comply. It was discussed if the ordinance was suppose to mean “all” electrical extension or whether the ordinance was meant to apply to new major subdivisions only. James stated that the Planning Commission stated that they intended the ordinance to apply to only new major subdivisions. This item was to be placed on the next agenda.

CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

- a. Chapter 7 Cemetery Amendment:** Justin made the motion to approve the ordinance-amending Chapter 7, Cemetery by deleting the fees from the Ordinance deleting the fees from the Ordinance so they can be set by resolution. Cemetery Ordinance was also amended to delete the ability to bury babies between spaces in the new section of cemetery. Kevin seconded the motion. All voted in favor, motion carried.
- b. Consideration of Resolution to adopt new cemetery fees:** Justin made the motion to approve the Resolution setting the cemetery fees. Kevin seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF PROPERTY PURCHASE AT 378 W. CLARK STREET:

Kevin presented the letter for purchase of approximately 3 acres of the J. Rueben Clark Farm. This included 4000 square foot house barns and other outbuilding. This also included the requirement for a 66-foot easement request from Mr. Cange in order to access the 66 acres to the north for the price of \$210,000. Kevin asked Attorney Elton if the money is borrowed from the capital improvement accounts could there be a written document drawn up to state the method of payback and the interest rate so that as the hats change on the council no one forgets to reimburse these accounts. Attorney Elton stated that in the past the city council has made the motion in the minutes of the meetings and that has been sufficient. Attorney Elton stated that he could draw up a resolution that would state the amount of the funds borrowed the interest rate charged and the terms of the pay back. Attorney Elton asked what interest rate would the Council set? Typically, the interest rate has been the same as what the funds would have made if they were in the savings account. The Council determined that the interest rate would be what eve the PTIF account is paying until the loan is paid back. **James made the motion to approve the purchase of the approximately 3 acres from Clark Reality, Joe Cange, for \$210,000 to be borrowed from the Capital Improvement Accounts. The land configuration would be option 2 that Mr. Cange presented with the easement to the east edge of the property.** Mr. Hadley asked why the city would purchase this property. James stated that many communities throughout the state have found it important to preserve significant items of the past that define their community’s past for future generations. Justin explained that the Council has not come to this decision lightly this has been discussed for 4 years. There has been a great deal of thought and discussion held over this very matter. The Council has a concern that there are many other needs in our city but those needs will be there forever this property will not. The citizens have expressed regrets that the city did not purchase the old Opera House and the 1st ward church and now the Opera House is torn down and the 1st ward church is owned by a private individual. We don't want this property divided up and the buildings torn down. Craig stated that he is opposed to purchasing this property because the he has not seen a plan of use for the property. Craig was concerned that the current city park and recreation budget could not support the improvement and maintenance of the facility. It was suggested that a percentage of the utility tax could go toward this property to promote, upgrade and maintain it. Mayor suggested that if the library is moved to the house the house would be eligible for grants because of the library status. Kevin stated that when Jack Smith had the vision to fix up the Benson Grist Mill everyone thought he was crazy. The Benson Grist Mill is now one of the most visited historic places in Tooele County. Fire Chief Critchlow stated his support for the Council's Purchase of the J. Ruben Clark Property. Vote is as follows: In favor: Kevin, Paul, Justin, James. Opposed Craig. Motion carried.

CONSIDERATION OF MINOR SUBDIVISION APPROVAL: James made the motion to table this issue until the next Council meeting. Justin seconded the motion.

LIBRARY ISSUES: Mayor Anderson informed the Council that Commissioner Lawrence has contacted him and Recorder Palmer to explain that the Tooele County Library Board and Tooele County Commissioners have decided to cease funding of employees to keep the Bookmobile Depository open as a library in Grantsville and Stansbury Park. The Mayor wanted to inform the Council that a letter is to be forthcoming from Commissioner explaining their stand. Library Board Member Barbara Grygierczyk expressed to the Council that Stansbury Park has been given a closing date of December 31st unless they pick up the financing in Stansbury Park. Mrs. Grygierczyk stated that the books and the computer equipment belong to the depository and these items will be moved to the Grantsville Headquarter. It was determined to have Commissioner Lawrence be present at the next meeting to explain the County's position and any negotiation that could be done.

CONSIDERATION OF MINOR SUBDIVISION FOR JOE CANGE- 1 LOT INTO 5- 378 W. CLARK: James made the motion to table this item due to the configuration of the subdivision not complying with the agenda item. Justin seconded with the motion. All voted in favor, motion carried.

FIRE STATION: James stated that he has been talking with the Firemen and the property owners Gesele Rydalch and Connie Perhson the owners of the property adjacent to the East of the Fire Station. James stated that both these owners are interested in selling their property. James suggested that the Fire Station could be built east of the current station and then once the new station is complete the old fire station could be torn down. This way Academy Square Park remains a park for the community and the Fire Station is still built within the centroid location that Aqua Engineering did for the city. Craig expressed his frustration with the fact that he had not been told anything about this new plan to build a fire station and purchase property to the east of the current location. Craig stated that he doesn't feel that the old fire station should be torn down. The firemen themselves constructed the old station some 40 years ago. The building has historical and emotional interest for our community. I believe that the city could retrofit the current station for seismic standards and the current station could be used as a training office facility and then build a new building to house the trucks and equipment to the east of the current building. Craig expressed his concern that the city could build and retrofit for allot less money than to construct a brand new building. James stated that those things could be done but do we build for today or do we build our community with a 30-year horizon. James made the motion to authorize the Mayor to negotiate with the property owner Gesele Rydalch and Connie Perhson for the purchase of land for construction of a fire/public safety building. The funds are to come from the public safety impact fee fund. Justin seconded the motion. Vote is as follows: In favor: Kevin, Paul, Justin, James. Opposed Craig. Motion carried. Mayor asked James if he would take the lead on the negotiations and he would back him up. James accepted the Mayor's appointment.

WINTER CARNIVAL: Fire Chief Critchlow informed the Mayor and Council that the Fire Department and Youth City Council are planning to provide more activities in the Recreation Center during Santa Claus visit on November 29th. Chief Critchlow requested that the Mayor and Council should come and participate in running the games and parade.

CONSIDERATION OF PROPERTY AGREEMENT WITH INDUSTRIAL PARK OWNERS AND GRANTSVILLE CITY: Attorney Elton explained that he could send notice to the property owner of Lot 8 that has not constructed a building. The Council stated that they have received many complaints about the debris from this lot blowing across all of the properties. This property is being kept in a most unsightly manner the other property owners feel that this detracts from their properties. Kevin made the motion to instruct Attorney Elton to send a letter to the owner of Lot 8 Max Coon giving Mr. Coon 180 days to erect a building on the property and to clean up the debris on his property within 15 days as stated by ordinance. James seconded the motion. All voted in favor, motion carried.

Randy Hunt was present to discuss an issue that he has with the deed criteria. Mr. Hunt stated that the way the deed is written the city could repossess the property if a business ceases to be operated on the property. Randy stated that he couldn't sell his property because no other businesses want to operate under this cloud. It was decided to put this item on the next agenda to develop criteria that the Council could use to release a business from the continual operation clause in their deeds.

CONSIDERATION OF NEW BUSINESS LICENSES: James made the motion to approve the business Josh Roeling, Plaster Foundation business at 137 Worthington Street. Kevin seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF SALARY STEP INCREASE: Kevin made the motion to approve Gloria Kerby for her salary step increase. Paul seconded the motion. Kevin and Mayor stated that Gloria is doing a good job for the city. All voted in favor, motion carried.

CONSIDERATION OF SPECIAL MEETING TO CANVAS THE ELECTION RESULTS: James made the motion to set Monday, November 10th at 6:00 p.m. to canvas the general election results. Craig seconded the motion. All voted in favor, motion carried.

EMPLOYEE CHRISTMAS: Recorder Palmer asked the Council if they wanted to stick to tradition and have the employee party on the second Wednesday. Council agreed and authorized the employees to receive a \$25.00 gift certificate from Soelberg's.

REPAIR OF MUSEUM ROOF: Paul stated that he has received a bid from Bart Hamatake Construction for one half of the price from the previous contractor. Recorder Palmer informed the Council that Brent Marshall who is on the Room Tax Board that gives out grants for tourism stated that if the city has a need we could put in an application for grant funds to do all of the work that the museum needs. Paul made the motion to approve the bid for \$5500 to Hamatake Construction for the repair of the Museum. Craig seconded the motion. All voted in favor, motion carried.

APPROVAL OF BILLS: Justin made the motion to approve the bills as presented. To include the \$2100 from B & D title for the title work on the north sewer line. Paul seconded the motion. All voted in favor, motion carried.

FINANCIAL REPORT: Tom Randle informed the council that they overspent 2-1 in July and the amount of money being deposited into the sewer capital improvement fund is still showing up as too much. Tom wanted to wait another 3 months before to see if the figures remain consistent. James and Justin asked Tom where the budget shows that the city overspent? Tom had no resolve for them. Recorder Palmer stated that the General fund has Road Bond, City Hall, Liability Insurance payments that could account for that ratio. These items have reserve funds to cover their expenses, except for the liability insurance. Recorder stated that without actually seeing Tom's report she could not be sure where the expenditures were.

OTHER BUSINESS: Mayor reported that Jason Burningham might be able to find financing for the Wal-Mart Sewer project at 1%.

Justin informed the Mayor and Council that the final portion Enterprise zones package zone was completed and to Mr. Wilkerson at the state this week.

ADJOURN: Paul made the motion to adjourn this City Council meeting at 9:55 p.m. James seconded the motion. All in favor, motion carried.

Wendy Palmer, City Recorder

Byron Anderson, Mayor