

**MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY  
COUNCIL HELD JANUARY 21, 2004.**

**Mayor and Council Present:** Mayor Byron Anderson, Council Members: Robin Baird, Wayne Butler, Todd Castagno, James Christensen, and Paul Rupp.

**Appointed Officers and Employees Present:** City Recorder Wendy Palmer, Treasurer Susan Gustin, Planning Commission Member Gary Fawson, Fire Chief Kirk Gibson, Assistants Perry Skaug, Lance Marshall, Capt. Neil Critchlow, and Public Work Director Joel Kertamus.

**Citizens and guests present:** Gary Pinkham, Bob Childs, Heather Kiefer, Jerome Gourley, Mary Ruth Hammond (press), and Ed Hughes.

**APPROVAL OF MINUTES OF PREVIOUS MEETINGS:** Todd made the motion to approve the minutes of the 1-7-04 Council Meeting. James seconded the motion. Recorder Palmer and Attorney Elton explained that the State Law requires only the action of each item on the agenda to be recorded in the minutes. Recorder Palmer stated that the tape recording failed from this meeting so that was the only information available to type. All voted in favor, motion carried.

James made the motion to approve the minutes of the Special City Council meeting held 1-14-04. Wayne seconded the motion. All voted in favor, motion carried.

**CONSIDERATION OF MUTUAL AID AGREEMENT WITH NORTH TOOELE COUNTY FIRE DISTRICT:** Neil Critchlow former Fire Chief presented the issue of the necessity of the Mutual Aid Agreement with North Tooele County Fire District. Mr. Critchlow stated that if Grantsville City would have had this agreement in place during the ISO review our rating could have been reduced an additional point. This would reduce the fire insurance rates for our city. Council asked Capt. Critchlow to explain how the agreement would benefit Grantsville City. Capt. Critchlow explained that with this agreement in place each time there is a fire within Grantsville City Tooele County Dispatch would send one truck from North Tooele County Fire District to assist. Grantsville City Fire Department can turn the County truck back if they find that they do not need the assistance. When a fire truck is dispatched to the County within the North Tooele County Boundary a Grantsville Truck will also be dispatched. Todd made the motion to approve the Reciprocal and Automatic Aid agreement between North Tooele County Fire District and Grantsville Fire Department and Authorize the Mayor to sign. Robin seconded the motion. Robin challenged the Fire Department to certify four EMT's this year. All voted in favor, motion carried.

**RATIFICATION OF NEW OFFICERS FOR GRANTSVILLE FIRE**

**DEPARTMENT:** Neil Critchlow introduced the new officers for 2004. Chief is Kirk Gibson, first Assistant Chief is Perry Skaug, and second Assistant Chief is Lance Marshall. James made the motion to accept the officers of the Fire Department: Chief Kirk Gibson, first Assistant Chief is Perry Skaug; second Assistant Chief is Lance Marshall. Wayne seconded the motion. All voted in favor, motion carried. Council asked how many active fireman the Department had. Kirk stated that they are 45 active fireman including four women. There are also Senior Firefighters that respond to fires only when requested, Jr. Firefighters that do not respond to fires but they train with the department.

**CONSIDERATION OF APPOINTMENT TO THE PLANNING COMMISSION:**

Mayor stated that he has no names to put forward at this time.

**CITY RECORDER AND TREASURER APPOINTMENTS:** Mayor Anderson recommended Wendy Palmer for the office of City Recorder and Susan Gustin for the officer of City Treasurer for Grantsville City. Todd made the motion to approve the Mayors appointment of Wendy Palmer for the office of City Recorder and Susan Gustin for the officer of City Treasurer. Paul seconded the motion. All voted in favor, motion carried.

**T-MOBILE COMPANY-JEROME GOURLEY CONSIDERATIONS FOR PLACEMENT OF CELL TOWER AT CHERRY STREET PARK AND MITIGATION OF LANDSCAPE ISSUES:**

Mr. Gourley stated that he has reviewed the other city sites with Public Works Director Joel Kertamus and stated that the number 1 preferred site is the south boundary of the Cherry Street Park. The second choice would be the Football field at Grantsville High School. Third site would be the Grantsville Rodeo Grounds. James stated that he felt that the cell towers on Booth and Piccadilly would have room for T-Mobile to place their repeaters on. There is not a need to place a tower within the beauty of our City Park. Mr. Gourley stated that T-Mobile has placed towers within city parks and landscaped with pine trees to that grow 20-30 feet to help mask the effect of the tower. Mr. Gourley also stated that he was in error in quoting the \$800 per month for rental of the city park. His company will only authorize him to offer \$750 that amount is subject to negotiations. There is a possible ability for an additional four carriers that would have to negotiate an agreement with the city for co-location. Wayne stated that he has reviewed the sites that they have placed in Salt Lake, Utah County and at the Tooele High School. Wayne stated that when you view our park you see a beautiful park nice field and nice grass. The last thing we want as far as beautification is putting a pole in the middle. The option of putting the pole by the tennis courts is somewhat viable. Modify the existing structures like the one on Piccadilly. Mr. Gourley stated that Piccadilly is to far north. Mr. Gourley stated that their preference would be on the farthest south end of the Park. Wayne asked is T-mobile will fence the compound around the pole and landscape as required by the City Council. Todd asked if the pole is placed at the Baseball area of the park could this one pole and light be incorporated into a lighting system for the park. Mr. Gourley stated that they did that with another city and in the process of construction their company dug all the trenches, put in the electrical for the additional poles, and hung the lights on their pole. Joel Kertamus stated that the impact of the pole could be mitigated and the revenues sources that could be used for improvement to the park. Neil Critchlow stated that the Tooele County Emergency Management is always looking for places to place their alert system sirens and announcers. This site would also work well for that. James suggested that we couldn't use the revenue source for a reason to place this tower. A review of what cell phone carriers are left to place repeaters in Grantsville only revealed four or five that are left to locate anyway. These companies could locate on this tower or on the other two towers. James stated that he likes the way the conversation is going about locating the tower at the High School and lowering the height of the tower and giving the revenue to the school. Robin stated that he want to keep the money flowing to the City. Robin made the motion to table this issue until the next meeting February 4<sup>th</sup> to present a counter offer to T-Mobile. James seconded the motion. All voted in favor, motion carried.

**JOEL KERTAMUS-SEWER PLANT ISSUES:** Mayor stated that he has asked Public Works Director Joel Kertamus to bring the City Council up to speed on the sewer plant. Joel presented background on the construction of the plant in 1994-1996. The plant was certified by the State of Utah in 1999. The city bonded for 3.5 million dollars with the State of Utah as our financing source. Later in the 1999 the State Of Utah changed the allowable limits for ammonia nitrates that the city had to comply with. The city has a discharge permit for the sewer plant that allows the effluent to discharge into the Blue Lakes. Utah State is requiring that the city meet the new standards for TSS and Ammonia Nitrates, which we have not been able to do. To resolve the violation problems we have been able to store the discharge for three months and discharge for three months so that we only have discharge every other quarter of the year. Joel stated that he and the Engineering Firm that is helping the city at this time Aqua Engineering have probably the best wastewater people in the State. They have assisted the city in filing an appeal with the State of Utah for a hearing on the violations. Joel stated that he feels that the city has a good chance in getting the State of Utah to back off for a time to allow the city to pay off some of its debt and find appropriate solutions for our discharge issues. Joel stated that in order to convert our current evaporative wastewater plant to a mechanical wastewater plant would cost the city an additional 1.3 – 2 million dollars. The current plan was certified to manage .765 million gallons a day. The plants capacity at this time is .4 million gallons a day. Therefore, we are only using one-half of the plant capacity that the state certified just 4 years ago. Joel stated that he and Aqua Engineering both feel that the state needs to come up with some other criteria to monitor the Total Suspended Solid (TSS) because during summers like last year the algae grows

uncontrollably and the violations for TSS is because of the algae content in the sample. The sewer plant must have the algae to break down the solid waste so you cannot eliminate the algae. The TSS violations have no correlation to the ammonia nitrate violation and the State of Utah is tying the two violations together and they have nothing to do with each other, which isn't right. Joel stated that we have applied for a hearing with the State and he will let the Mayor and Council know when that date is.

Mayor stated that Kay Burton with the State School Trust Lands wants to trade grey water for wetland mitigation while developing School Trust Lands.

Wayne asked is there is a possibility to pipe and sell the water to Burmester residents for irrigation purposes? Joel stated that issue has been considered as well as piping the effluent to the Great Salt Lake. The cost is almost equal to a mechanical plant.

**CONSIDERATION OF ANNEXATION PETITION FOR 240 ACRES IN THE SOUTH EAST AREA OF GRANTSVILLE CITY:** Recorder Palmer explained that this annexation petition is south of the proposed Village Green development and East of the South Willow Estates Development. James made the motion to accept the petition and authorize the City Recorder to proceed with the legal requirements and send notice back to the Council to set the appropriate public hearings.

**CONSIDERATION OF REQUEST TO PURSUE DEVELOPMENT OF PROPOSED ANNEXATION PROPERTY DURING THE ANNEXATION PROCESS:** Attorney Elton explained to the Council that this request is appropriate but the developer is assuming considerable risk. The developer is putting out the expense for survey plats, and engineering for a development and the city may not approve the annexation. James made the motion to deny the developer request to proceed with the development approval process during the annexation process for 240 acres owned by James Childs, Joseph Cange and Lowell Hicks. Paul seconded the motion. All voted in favor motion carried.

**CONSIDERATION OF SETTING PUBLIC HEARINGS:** Motion by Paul to set the public hearings for Amending final plat for Orchard Lane, rezone request for 692 E. Main from RM-7, Amendment to second 4.32 regarding burial of utility lines for February 18<sup>th</sup>, 2004. James seconded the motion. All voted in favor, motion carried.

**CLARIFICATION AND INTENT OF TREE ORDINANCE IN RELATION TO ZONING CODE LANDSCAPE CHAPTER 9:** Attorney Elton explained that in the last year Grantsville City adopted an Ordinance encouraging our citizens to plant trees when constructing a new home. During the process the wording in the Tree Ordinance went from required to plant trees too, encouraged to plant trees. Chapter 9 of the Zoning Code has a provision for landscaping that requires landscaping for tri-plexes and up in housing density as well as commercial and industrial development. There is not a requirement for single family or duplex residential development to plant trees. Mr. Fawson felt like a portion of Chapter Nine required everyone to plant trees in park strips with curb and gutter. Attorney Elton stated that Mr. Fawson was interpreting the ordinance wrong. Todd made the motion to ask the Planning Commission to review the two ordinances and make their recommendations back to the City Council. Robin seconded the ordinance. All voted in favor, motion carried.

**JAMES CHRISTENSEN-WATER RATE STRUCTURE:** James stated that none of us wants to raise water rates and when the city raises water rates it should only be enough to take care of business. James handed out his worksheet and formula to have the City Council review and work the numbers to see if they can see any other alternatives. James stated that he would like to see the city build in a cost of living adjustment into the water rate so that the water rate keeps pace with expenses automatically. James stated that once the water rate is complete this same work sheet and formula should be run on the sewer rates to make sure they are keeping pace which we already know the general fund is subsidizing that department as well. James stated that the current water rate structure is not promoting conservation. We need to develop a graduated water rate to comply with the water conservation requirements that the State of Utah is requiring. James suggests the city should to begin with a base price that will pay for the Operations and

Maintenance of the water system and then charge per thousand gallons as used. The key to making this all work is to have a good list of assets. The current list of assets is not specific enough to give us the best information to base replacement cost for the lines and wells. We need a true cost analysis in order to determine the monthly capital improvement amount required within the water rate. James stated that it is probable that the water lines will not all be replaced in 30 years. It is more likely to be 40 to 60 years, so we need to change the amortization of the assets as well. It was determined to have Public Works Director review the asset list and determine if it is adequate or if he can refine it. If he cannot refine it then a new list needs to be created. Recorder Palmer will talk to Joel and see what would be quicker.

**YOUTH BASEBALL/SOFTBALL CLINIC FOR PLAYER AND COACHES-**

**WAYNE BUTLER:** Wayne suggested that the city sponsor a clinic for baseball and softball to try to spark more interest in these programs. Wayne stated that the kids participating in these sports are dwindling. Part of the reason is that there are many other sport choices. Robin stated that the softball coach has already scheduled a clinic and he would find out the date and time so that they could combine efforts. It was the consensus of the Council to have Wayne move forward with the clinic idea. The city would participate with allowing the city facilities to be used for the clinics.

**NO SALARY STEP INCREASES PRESENTED.**

**CONSIDERATION OF NEW BUSINESS LICENSE:** James made the motion to GDS Pilot Car Services. Paul seconded the motion. All voted in favor, motion carried.

Recorder Palmer explained why the Skyline Café Business License was on the agenda. Recorder Palmer stated that the Health Department required the Skyline Café to stock their freezers and refrigerators in order to be assured that this equipment would keep the food at the proper temperature. It was not for another two weeks before the next City Council Meeting, so Recorder Palmer asked the Mayor if he would authorize their operation until the next Council Meeting. However, due to unforeseen circumstances Recorder Palmer was not able to attend the next Council meeting to get the proper City Council Approval as required by policy. The Skyline has received their authorization to open by the Tooele County Health Department, Grantsville Building Inspector and Grantsville Fire Department. Recorder Palmer verified the required parking was provided. Council was concerned that we did not obtain a landscape plan from the Skyline prior to issuance of the Business License as required by the Casa Del Rey. Recorder Palmer stated that she would send them a letter to request a landscape plan. Robin asked if we require any proof of insurance? Recorder Palmer stated that the city does not require proof of insurance. James made the motion to approve the Business License for Skyline Restaurant. Wayne seconded the motion. All voted in favor, motion carried.

**APPROVAL OF BILLS:** James made the motion to approve the bills. Todd seconded the motion. All voted in favor, motion carried.

**OTHER BUSINESS:** Mayor stated that Big D Construction was awarded the contract for Wal-Mart Distribution Center. We will have the sewer proposal to advertise for bids in the next couple of weeks. Chris Robinson is close to signing the proposal for easement for the sewer line to run across his property after some negotiations. The finance packets have gone to the banks for bids on the financing of the sewer line.

James asked about an update on the Clark farm issue creating a volunteer committee to promote the farm. James stated that he talked with Kevin and he is not available to commit the kind of time this item needs. Mayor and Paul stated that they are on top of that issue and have some other people they are working on.

Wayne informed the Mayor and Council that there was a sewer back up on South Willow due to a contractor error. Originally the City had the affected parties contact the contractor that caused the problem to claim damages to their home. Wayne stated that Recorder Palmer has since learned that the city has a no fault clause in the liability insurance in which the city would not have to pay any deductible for damages caused by

sewer up to an amount of \$2500.00. Recorder Palmer stated that she would contact these homeowners and let them know they can file a claim with the city and the insurance company will counterclaim with the contractor.

Paul asked the council for their approval to continue with the matching grant application for \$3000 each and use the current budget of \$5,000 to cover the match. The consensus of the council was to go forward with the application for historical grants for the museum and nominations of historical sites.

It was determined to put the Watt Homes recreation use funds on the agenda for official authorization of what the funds will be used for so that Councilman Castagno could pursue the collection of the \$120,000.

Robin reported that he has been coming up to speed on the Small Urban Community Funding for Transportation to help build collector roads in Grantsville City. Robin stated that we are coming up for a funding cycle within two years. It was considered if Mack Canyon Road would qualify for this funding. It was determined to put it on the next agenda for discussion.

**ADJOURN:** Robin made the motion to adjourn at 10:40 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