

**MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY
COUNCIL HELD MARCH 3, 2004.**

Mayor and Council Present: Mayor Byron Anderson, Council Members: Robin Baird, Wayne Butler, Todd Castagno, and Paul Rupp (7:10 P.M.).

Appointed Officers and Employees Present: City Recorder Wendy Palmer, Attorney Ronald Elton, and Police Chief Dan Johnson and Officer Barrett.

Citizens and guests present: Mary Ruth Hammond (press), Jerome Gorley, Roger Hale with young men's church group, Gary Pinkham, Mr. Broadbent, Rueben & Robin Quarnberg, Joe Cange, Heather Kiefer, Bob Childs, Joe Cange, Jerome Gorley.

APPROVAL OF MINUTES OF PREVIOUS CITY COUNCIL MEETING: Todd made the motion to approve the minutes of the 2-18-04 Council meeting with corrections as to grammar and Attorney Elton comments. Wayne seconded the motion. All voted in favor, motion carried.

Paul arrived at 7:10 p.m.

T-MOBILE COMPANY-JEROME GOURLEY CONSIDERATION OF LEASE AGREEMENT FOR PLACEMENT OF CELL TOWER ON DURFEE AND WEST STREETS: Attorney Elton advised the Council that the actual lease agreement should not be signed until after the Planning Commission has reviewed the conditional use permit and it has received an approval. Mr. Gourley stated that his company wants to know that they have a landlord before they spend anymore funds on location in this site. Attorney Elton stated that the Mayor has signed an authorization for T-Mobile to go on the city's property and perform survey works and soils sampling etc that they need to. The Council stated that the lease shall state that it only allows one cell tower of may be placed on the site and any additional receivers must be reviewed and approved through the city. The Council wanted to include an annual increase for the rental payment and that the payment of \$750.00 is a monthly amount to be paid annually by a certain date. In addition, if the payment is not received on time a late fee is to be assessed. The City Council wants a 6-foot textured block wall to secure the structure area. The lease agreement was to delete the portion that Grantsville City Guarantee accesses 24 hours a day 7 days a week or a penalty of \$500 a day is assessed against the city. Wayne asked why Mr. Gourley wanted the tower so close to the road. Mr. Gourley stated that it provided better access. James made the motion to approve the lease agreement as amended above and only after the Planning Commission has reviewed and approved the Conditional use permit. Roving seconded the motion. All voted in favor, motion carried. Attorney Elton was charged with reviewing and amending the lease.

CONSIDERATION OF NEW POLICE VEHICLE- CHIEF JOHNSON: Police Chief Danny Johnson informed the Mayor and council that he has received \$25000 from the Tooele County School District to reimburse for the expense of having a police officer in the school. Chief Johnson stated that he did not include this revenue in this year's budget because he was not sure if the School District was going to pay. Chief Johnson stated that his department is in need of a new car because one of the older cars keeps breaking down. James made the motion to approve the expenditure of \$25,000 for new car and equipment for the Police Department. Todd seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

- a. **Rezone for Ed Hughes at 692 E. Main from Rm-7 to RM-15 zone:** Council discussed the issue of spot zoning. This zone change is constant with the General Plan and just across the street is a trailer park that has a higher density. Todd stated that he has many mixed emotions. Todd stated his concern about allowing our Main Street to be single-family homes that have been changed into duplexes instead of an actual development of multi housing. James stated that he did not understand the difference of how a single family home converted to a duplex and a multi-housing project affects our neighborhoods. In this case, it would be an upgrade from what the home is currently. This land has been cleaned up and

improved. Our General Plan states that this is the area that our city wants higher density housing and commercial activity. James made the motion to approve the rezone at 692 E. Main Street from RM-7 to RM-15 zone. Paul seconded the motion. Wayne Paul and James voted in favor. Todd and Robin opposed. Motion Carried.

- b. Zoning Commission's recommendation to amend section 4.32 regarding the burial of utility lines:** Attorney Elton stated that the original ordinance required that any change or repair to existing electrical connections must be run underground. This new ordinance would allow for repairs and alterations to existing power to continue overhead power if the property owner so chooses. It was questioned if a barn was built in the rear of the home would that power has to be run under ground. The Attorney stated only the main structure must have underground power from the street. The barn could be run overhead. Todd made the motion to approve the ordinance-amending chapter 4.32 of the Zoning Code. Paul seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF PROPERTY PURCHASE ON CLARK STREET

NORTH OF J. RUEBEN CLARK PROPERTY: Mayor Anderson refreshed the issues of the purchase of the property north of the current city owned J. Rueben Clark Farm. Current the City owns 3.5 acres of this property. Mr. Cange has offered that the city purchase 47 acres or 10 more. The Mayor explained that Mr. Cange is willing to accept partial cash payment and partial city water rights for the purchase of this property. The Council was concerned about the fact that the city has just purchased the water rights with the Water Source Impact fees if we need the water and should not bargain away our water rights. Todd made the motion to approve to borrow \$125,000 to purchase 10 acres of the J. Rueben Clark property to be borrowed from the Sewer Capital Improvement Account and repaid with franchise fees collected from the Wal-Mart Distribution Center. James seconded the motion. All voted in favor, motion carried. The Council was given until June 30th to determine if they want to purchase the additional 37 acres verbally at this meeting by Mr. Cange.

CONSIDERATION OF AMENDING THE FINAL PLAT FOR ORCHARD

LANE SUBDIVISION: Attorney Elton stated that this amendment to the Orchard Lane Subdivision will be subject to the same CC&R's as the current subdivision this becomes phase 3 of the Orchard Lane subdivision and it is determined that the current zone is Rm-7 and each lot must comply with that zoning. Phase three is only subject to the notification of existing corrals to the south and not the east of the project. Todd made the motion to approve the amendment to the Orchard Lane Subdivision. Wayne seconded the motion. All voted in favor, motion carried.

ITEM 8- AGREEMENT FOR BUILDING INSPECTIONS FOR WAL-MART HAS ALREADY BEEN TAKEN CARE OF.

CONSIDERATION OF DECLARATION OF SURPLUS PROPERTY: Recorder Palmer stated that the new computer system has been installed and she has 4 computers and screens to be declared as surplus property in order for her to dispose of the computers. Recorder Palmer stated that the maintenance department may want to trade one of their computers for one of the administrations replaced computers but either way there will be 4 computers to be declared surplus property. Todd made the motion to declare the Administration office replaced computers as surplus property and give each city department an opportunity to exchange or use them as they see fit. Any computers left will be donated to the Elementary Schools. James seconded the motion. All voted in favor, motion carried.

ROBIN BAIRD-CITY PARKS AND CONCESSION STAND: Robin explained that he had a meeting with some of the clubs that use the city park and concession stand. Robin explained to those that the city would like to proceed forward with replacing the existing concession stand. Robin stated that the consensus of that group was that the current location of the concession stand is ok. A new concession stand would be a double decker in order to have the announcers and score keepers upstairs for the large field. Robin would like to propose to make a committee to include the Grantsville Booster Club and the other entities that use the park. Apply for the

Recreation Grant as a unit and Grantsville City directs what happens at the park and regains our ownership. The Little League did not want to move their score and announcer booth so that will remain where it is. It was estimated to cost about \$60 per square foot to build the new concession stand and equip it with the appliances. Robin explained that Adam Geldmacher has offered to draw up the plans for the new concession stand. Robin asked the Mayor and Council for approval to expend up to \$500 for the plans. James made the motion to authorize Robin to apply for the Recreation Grant through Tooele County and spend up to \$500 for plans and specifications for the new concession stand. Wayne seconded the motion all voted in favor, motion carried.

CONSIDERATION OF TRAILER COURT PARK – TODD: Todd informed the Mayor and Council that the Planning Commission approved the amendment to the Conway Trailer Park at 520 W. Clark Street. The amendment allows for the first 87 by 513 feet be using as a park and allowing trailers to be placed in open space areas that were proposed in the original plan. There is a road that currently enters on to Clark Street and Todd would like to recommend that this road be cut off so the only entrance and exit from the Trailer Park would be on Old Lincoln Highway. Todd stated that Engineer Craig Neeley felt that with the gravel along the roadways that the storm water retention would still be adequate. Todd stated that one property owner to the north of the trailer court claims to have an easement on this roadway that is proposed to be closed off. Todd stated that he went to the Courthouse and made a copy of the deed to see if the easement had been recorded. Todd stated that on the Conway deed there is no mention of a right-of-way. Mr. Sutton who claims to own a deed to the right of way has yet to bring in the paperwork to prove it. Todd made the motion for James and Himself to proceed with getting the survey and apply for subdivision and development agreement with Mr. Conway and the Planning Commission for the park at 520 W. Clark. Paul seconded the motion. All voted in favor, motion carried. It was suggested to name the park the Old Lincoln Hwy. Park and put a replica of the Old Lincoln Hwy markers on the corner of Clark and Old Lincoln Hwy.

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

OTHER BUSINESS: Todd asked if the Mayor and Council were going to discuss the letter from the Grantsville Irrigation Company. Mayor stated that he needed to appoint another member to the Water Board and then set up a meeting with the Water Board to discuss the issues. Todd stated that he was uncomfortable giving up the city's voting rights.

Mayor asked the Council to all meet in at Attorney Campbell's office to discuss the litigation with Tooele City RDA. The meeting will be at 4:00 p.m. on the 23rd of March. Mayor will get the Councilmember's the address in Salt Lake prior to the meeting.

Mayor stated that ex Congressman Hansen will be in Tooele tomorrow at 3:30 at the County Commission Chambers. Mr. Hansen is running for Governor.

Mayor asked the City Council for their feelings on what to do if anything about Mack Canyon Road. Mayor stated that he has talked with Tooele County Engineer and still needs to talk with Commissioner White to see if Tooele County can help with their equipment. Mayor stated that for a bare minimum fix to the road the Public Works Director stated that it would cost around \$2000. Wayne stated that would cover the cost of the culverts. Mayor stated that if we could get the County to use their bulldozer to cut the drainage swales and Wayne suggested using the extra gravel from the Wal-Mart project. Mayor suggested asking Darrell Nielson if he would donate gravel from his pit. Recorder Palmer stated that in the past the city has required the property owners that benefits from the improvement to pay for it. We should be mindful to be consistent in this case as well.

Mayor stated that George Miller has a company ready to build a truck stop at the intersection of exit 87 SR138. Mayor stated that Nicole Cline has a grant application for Rural Development ready to submit in order to fund the installation of waterline to I 80. Mayor is asking for the Council's interest in going out that far with the City Water. It was the consensus of the Council that in order for annexation and additional industrial development a water line is the key.

James thanked Todd for getting the Trailer Park issue on the agenda for discussion. James stated that he has been working with DeAnn from Tooele County Housing in attempting to get the property owners to sell to the project on West Main Street. One property owner is willing to sell the property owner in the middle is unwilling to sell at this time.

Wayne updated the Council and Mayor on the progress of Wal-Mart. Wayne stated that the utility lines would be run underground. They are almost ready to pour footings and start laying their water and sewer lines. The project is ahead of schedule. Wayne stated that two different times SR138 will be closed down and all traffic diverted to Old Lincoln Hwy. We need to make sure this road can handle that much traffic.

Paul informed the Mayor and Council that he attended the Rural Water Users conference last week. Paul wondered if the Public Works Department of award of the vulnerability assessment that needs to be done and the emergency security plan that needs to be in place. Recorder Palmer stated that Joel has been working on these items. Paul stated that the new regulations that are going to be adopted will require that every water source is chlorinated in order to protect the water sources from being contaminated. Paul stated that the water survey that was handed out at this conference showed that the average monthly water billing was \$32.96 per month. 61% of Utah is still on a flat rate structure.

Todd stated that he just learned that Tooele City is now allowing stacking of caskets within their cemetery. A person would buy one lot, two people would be buried within the one lot by the first casket being deeper, and then the second casket placed on top. Todd stated that the first application for the Quality Growth Community is due April 30. Todd recommended that Grantsville City should apply even if we are missing one or two items. Todd stated that he sent the letter to John Laing Homes requesting \$120,000 for the trail from South Willow Estates to Durfee Street.

Robin stated that the first meeting of the County Board of Health is this week. He turned the Race Across the Country team down for any financial support from the city. Robin stated that the cars would only be in our city for a total of 30 minutes. Robin stated that he did not feel that the exposure would be worth the effort it would take to feed a group like this. The Council agreed with Robin.

James announced that Mike Anderson a local person was appointed to the job of Director the Tooele County Chamber of Commerce. Mr. Anderson worked for James at the "Dollar Tree" and gave his resignation this week. This will be a great thing for Grantsville having a local person at the helm of this organization.

ADJOURN: Todd made the motion to adjourn this City Council meeting at 9:50 p.m. Wayne seconded the motion. All voted in favor, motion carried.

Wendy Palmer, City Recorder

Byron Anderson, Mayor