

**MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY  
COUNCIL HELD APRIL 7<sup>TH</sup>, 2004.**

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

**Appointed Officers and Employees Present:** City Recorder Wendy Palmer, Attorney Ronald Elton, and Public Works Director Joel Kertamus.

**Citizens and guests present:** Mary Ruth Hammond (press), Gary Pinkham, Gary Christley, Joe Cange, Russ Christensen, Jason Burningham, Brenda Petroff, Curtis Durfee, Kendell Sandberg with Boy Scout Troop 944., Joe Peterson with Scout Troop 1077, Mike Anderson (Tooele County Chamber), Dorothy & Claudia Lowder, Shirley and Anna Lynn Orr, Jason Duhon, Allan Johnson, Derek Ellis, Steven Whitehead, Vernon Knowlton, Lynn Pett & Mike Flint (EDCU), Bill & DeAnn Christiansen, Jerry Hill, Reid Peterson, Nial Wagner, Tonna Geldmacher, Kacie Hammond, John Doyle, and Darren Laub.

**PUBLIC HEARINGS:**

**Final public hearing for the 2004 CDBG project: Community Development Block Grant Public Hearing:** Mayor Anderson opened the second public hearing for the CDBG program. Mayor Anderson stated that this hearing is being called to allow all citizens to provide input concerning the project that was awarded under the 2004-05 grant year CDBG program. The city has selected this project that was included in the current year capital facilities plan. The mayor explained that the application was successful in the regional rating and ranking process and the Center Street Water Line Project was granted \$120,000. The Mayor asked Recorder Palmer to explain the project to those in attendance. The Mayor then asked for any comments, questions and concerns from the audience. No comments or questions were expressed. The public hearing was adjourned at 7:02 p.m.

**Amend Chapter 21 to include flow chart for subdivision reference:** Mayor Anderson opened the public hearing to receive comment on the proposed amendment: No comment being offered the Mayor closed the public hearing at 7:03 p.m.

**Amend Chapter 21.7.2 and Chapter 14.2 to require 50' frontage in RR-1 zone and on wedge shaped lots:** Mayor Anderson opened the public hearing to receive comment on the proposed amendment: No comment being offered the Mayor closed the public hearing at 7:04 p.m.

**Amend Chapter 21.7.5(2) to state 4' sidewalks required:** James explained that this amendment is to bring consistency to the book so the sidewalk size requirement is the same. Mayor Anderson opened the public hearing to receive comment on the proposed amendment: No comment being offered the Mayor closed the public hearing at 7:05 p.m.

**Amend Chapter 21.4.9 to allow no site work until final plat approval:** James stated that in the past we have had developers start site work prior to any approvals from the Planning Commission. Mayor Anderson opened the public hearing to receive comment on the proposed amendment: No comment being offered the Mayor closed the public hearing at 7:06 p.m.

**Consideration of deletion of 3.14(2) & (3):** Attorney Elton explained that it was discovered by a new Council Member that prior to any land purchase or sale the City Council needed to have a review from the Planning Commission. Attorney Elton explained that the Utah State Code has deleted that section and this proposal is to bring the City Code in compliance with State Code. Mayor Anderson opened the public hearing to receive comment on the proposed amendment: No comment being offered the Mayor closed the public hearing at 7:07 p.m.

**Considerations of zone change from RM-7 to RM-15 approximately the corner of Cooley and Main Streets:** Mayor Anderson opened the public hearing to receive comments on the proposed zone change.

Reid Peterson – Mr. Peterson stated that he is against the zoning change and he only lives one lot away from this proposed site. Mr. Peterson stated that the residents that live on Main Street have a hard time getting out onto Main Street now and to add 20 more cars to this area would make it even harder. Mr. Peterson stated that he felt that the land proposed is too small to build 20 units on the property. There will be no green space for the children to play. It is estimated that there will be 40 children added to this neighborhood.

Nial Wagner- Mr. Wagner stated that his property adjoins this parcel to the east. Mr. Wagner stated that he understands that there is some property line disputes after the survey was completed. Mr. Wagner stated that he understands that the master plan calls for the higher density housing in this area but this parcel is too small to put twenty units on. Right now the zone allows for 7 units per acre and this neighborhood should remain single family homes.

DeAnn Christiansen-Tooele County Housing Director: Mrs. Christiansen stated that she is in favor of this zone change. Mrs. Christiansen stated that she is here to speak for the voices that are not here tonight who are looking for affordable housing. DeAnn stated that she has been working with the city in order to help them comply with HB 295 that requires each city in the State of Utah to provide affordable housing. Grantsville City has an affordable housing plan that state that Grantsville City is in need of 20 units for LMI families. The Housing Authority does criminal background check and management the property with strict guidelines. DeAnn invited everyone to go to Tooele and check out the projects that the Housing Authority manages now.

John Doyle- Mr. Doyle borders the property to the West. Mr. Doyle stated that he bought property because it was rural and quiet. Mr. Doyle stated that everything sounds good on paper but from his experience things rarely are done to the specs proposed. I have good neighbors and piece and quiet. I am against this zone change proposal. No matter what they say it is going to go. The survey shows that the property lines are out of existing boundaries and they plan to put vinyl fencing. Mr. Doyle would like to suggest block fence that could not be broken and provide privacy.

Kacie Hammond- Kacie stated that she and her husband had just bought the home that is north of this project. Kacie agreed that there is a need in Grantsville for this type of housing. Kacie stated that she will consider selling her house if this project is built. Kacie stated that she likes the open fields that her kids can play in and the piece and quiet that is in this area now. If this project is built the residence will be able to watch her eat dinner because they can see right into her house. I would like the council to hear our voices from those of us that are here tonight. I hate to stereo type the kind of people that will live in this project but there is a reason that certain groups have a stereo type. Kacie expressed concern for the safety of the children and their travel to school. They will be walking on Main Street. I is not a matter of if one of those kids get hit it is a matter of when. I hope the Council thinks about that.

Claudia Lowder- Claudia stated that her property is to the west of the proposed zone change. Claudia stated that she feels that the density is to high and two cramped. You can't get twenty cars parked on the property let alone twenty houses.

Tonna Geldmacher stated that she lives in the neighborhood and she asked if all of the property on Main Street was being zoned the RM-15 or just this piece? Tonna stated that there is a need for this type of housing but this is not the place for it. We need to look at how Grantsville will look in 20 years from now. Is high density housing what we want our main street to look like? I am opposing the zone change. When you put that many people in one are you are bound to have problems.

James addressed Tonna's questions concerning the spot zoning. James stated that the general plan calls for denser housing in the middle of town. The General Plan calls for

the community to grow from the inside out. James compared this project to the Willow's Apartments that are on the corner of Main and Willow Street. James stated that the Willow's is 18 units per acre and this will be 15 units per acre. James encouraged those present to drive through the Willows and get a real feeling for the ability to place 20 units on 1.3 acres of property. James stated that there will be 2 million dollars invested to improve the property. Of course safety of our children in our community is a concern to us as a Council.

Darren Laub stated that he has just purchased a home in the neighborhood and stated that he felt that the zoning for the lot proposed is too dense to the size of the lot. I realize that there is a need for housing for people in this income range. I would hope the Council would consider the view of Main Street 20 years from now and decide if that is the vision the City Council wants to project when people drive through our town. Mr. Laub stated that the main attraction for him and his wife to buy on Main Street was how pretty it is.

Reid Peterson stood up and asked the Council to consider the fact that only one person is here in the audience that is in favor of this zone change and the rest that are here are against this proposal.

Jason Duhon stated that he has seen the projects in Tooele that is managed by DeAnn through the Tooele County Housing Authority. Mr. Duhon stated that the buildings and grounds are managed well. There are not wrecked cars or trash anywhere. The Housing Authority has strict guidelines that they have to follow to keep the grounds and building in good conditions. The front yards will be nicer than the Willows. You couldn't get a better person or organization to manage this project.

Anna Lynn Orr- Ms. Orr stated that she definitely agrees that we need low income housing. It is not in a large enough lot. I am nervous as far as neighbors and their kids staying out of our properties. We can't keep the kids out of our property now, if you add more children to the area we will have more problems. We have had things stolen from our property now. I don't agree with the zone change.

Curtis Durfee- Mr. Durfee stated that it seems like the problem really boils down to the location. The city has to grow and most of the problem seems to be locating this project on this location. I am sure the contractor will do a good job. I just found out about this today and I am against it.

Kacie Hammond- Mrs. Hammond commented that the people that build the high density apartments don't place them in their back yards. Why do we have to have them in our back yard.

DeAnn Christiansen stated that she did ask the property owners around her house if they would sell the land. The property owners would not sell.

Jason Duhon stated that 80% of senior citizens over 65 need low income housing. For every unit available there are 42 seniors waiting to move in. So the housing project may not be all filled with families and children.

James gave a little background about how the city decided on this property. After about one year or searching for suitable sites throughout our community. The city even advertised for property. The council looked at several offers and came to this site as the most suitable for this type of development. It fits the master plan and all of the services are present.

Mayor Anderson asked for any further comment on this public hearing. No further comment being offered the Mayor closed the public hearing at 7:40 p.m.

**LYNN PETT FOR ECONOMIC DEVELOPMENT CORPORATION OF UTAH (EDCU):** Mr. Pett introduced himself and complimented the citizens of Grantsville for participating in their government process. Mr. Pett stated that he was Mayor for 8 years in Murray City and understands the challenges facing cities. Mr. Pett informed those present that

EDCU is a private public partnership between cities, state started by business in our state to help increase jobs and business expansion in our state. EDCU does not tell a company where to locate in the state. A company contacts EDCU and lists their criteria for locating. EDCU then sends that information out to all of their members and lets each individual city put their own packets together and deals directly with the prospective company.

Robin asked Mr. Pett what do you use to promote Grantsville City? Mr. Pett stated that they do not promote any one city. The EDCU can help with job training programs and we can help your current businesses learn to attract more customer base.

James asked if Grantsville City should be doing anything specific to attract business to Grantsville or that may be ancillary to the Wal-Mart Distribution Center. Mr. Pett replied that having a current master plan and know what your citizens are willing to accept.

Robin asked what the current population is of Grantsville. Mike Flint analyst for the EDCU stated that the EDCU purchases information from the Census Bureau from the 2000 Census and are able to estimate growth out to year 2008. Mr. Flint stated that the EDCU recommends that cities spend their time helping current businesses grow. The EDCU has grant money available to help businesses attract and maintain their customer base. This way a 5-employee business can grow to a 20 or 100 employee business.

**MIKE ANDERSON-TOOELE COUNTY CHAMBER OF COMMERCE:** Mr. Anderson announced that he is new Executive Director of the Tooele County Chamber of Commerce. Mike stated that he is currently evaluating the past programs that the Chamber has been running and deciding if they are affective. Mike stated that he agreed that Grantsville City needs to spend their efforts in helping the business grow that are currently operating in Grantsville. Helping to get the Mom & Pop businesses out of homes and located downtown. Mr. Anderson stated that he would like to share more information from one city to another in order for the whole county to grow. Robin asked who from Grantsville is represented on the Chamber Board. Mr. Anderson stated that Tom Randle is currently representing Grantsville City. The membership also includes Arron Jefferies from Soelberg's and Linda Brown who lives in Grantsville and works for Key Bank in Tooele.

**APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING:** Wayne made the motion to approve the minutes of 3-17-04 City Council Meeting. James seconded the motion. All voted in favor, motion carried.

**CONSIDERATION OF SALARY STEP INCREASE:** James made the motion to approve the salary step increase for Steve Barrett from Grade 14 step 10 to Grade 14 step 11. Robin seconded the motion. All voted in favor, motion carried.

**CONSIDERATION OF NEW BUSINESS LICENSES:** James made the motion to approve the Taco Stand at Dead Dog Saloon 457 E. Main. Robin seconded the motion. All voted in favor, motion carried.

Robin made the motion to table Cassity Landscaping business license due to the applicant being his brother and there is not a quorum of the Council available to vote. James seconded the motion. All voted in favor, motion carried.

James made the motion to approve the business license for Diamond T Mobile Machinist – 494 E. Main Street. Work will be performed offsite and there will be no employees. Wayne seconded the motion. All voted in favor, motion carried.

**SOUTH WILLOW RANCHES-CONSIDERATION OF SOUTH WILLOW ESTATES DEVELOPMENT AGREEMENT TERMS AND CONDITIONS:**

Attorney Elton explained the situation with this agenda item.

- a. Mr. Johnson is requesting that he be allowed to develop phases 5 & 6 of South Willow Estates out of sequence. Currently South Willow Estates is working on Phase 2b. Mountain Vista Homes who currently has the development rights for South Willow Estates has no intention to begin phase 4. There has been mention of starting phase 3 of South Willow Estates.

- b. Current Zoning Code requires that before another phase may begin the prior phase must be at least 50% developed.
- c. Completion of LeGrande Street between phase 2b and phases 5 & 6.
- d. Availability of services including water, sewer, police, and fire, etc.
- e. Water designation for indoors and outdoors to comply with new Ordinance. (Secondary water shares to be transferred to Grantsville City not the Home Owners Association).
- f. Completion of Quirk Street to Durfee Street.
- g. Change the alignment of Quirk Street.
- h. Trails- Within the Subdivision and along Quirk Street.

Mr. Johnson stated that he has worked all of these issues out with Mountain Vista Homes and the City Engineer and Attorney Elton. Wayne and Robin asked to see the documentation showing the agreements. Wayne and Robin asked how many water shares will be turned over to the city. Alan stated that he has 150 water shares for 114 lots. Robin and Wayne stated that the new ordinance requires a minimum amount of water shares turned over to the city depending on the size of the lots. Mr. Johnson stated that Mountain Vista Homes is going to present a preliminary plat to the Planning Commission in June. Mr. Johnson stated that it is Mountain Vista's plan to change the configuration of Phase 3 & 4 so that 5 & 6 will attach concurrently.

Wayne proposed that Mr. Johnson obtain the needed documentation prior to the Council allowing him to proceed.

James asked what risk is it to the city to allow the separation of phases 5 & 6 from South Willow Estates. James made the motion to approve the consider phases 5 & 6 of South Willow Ranches out of phase sequence from South Willow Estates. Motion dies for lack of a second. Wayne & Robin instructed Mr. Johnson to provide agreements that the current water ordinance will be complied with, the sewer, roads and offsite improvements agreements are in place and clarification of trails and Quirk Street are defined. We need to be able to verify the legal and engineering aspects of the agreements prior to consideration.

#### **CONSIDERATION OF ORDINANCE/RESOLUTIONS:**

- a. **Terry Baird requests for zone change at 111 E. Main RM-7 to CG:** Robin made the motion to table this issue due to the fact that the requestor is his brother and there is not sufficient Councilman available for a vote. James seconded the motion. All voted in favor, motion carried.
- b. **Gary Christley & Burmester ETAL LLC- Zone change from a-10 to MD zone south of Industrial Park along Burmester Road:** James made the motion based on Mr. Christley request to table this issue until the complete parcel of 150 acres is advertised for public hearing. Wayne seconded the motion. All voted in favor, motion carried. The public notice only covered 15 acres.
- c. **Joe Cange and Grantsville Development L.L.C. North end of Cooley Street A-10 to RR-5 and RR-1:** Robin asked Mr. Cange how many acres will be changed? Mr. Cange replied by stating that 44.16 acres will be RR-5 and 24.01 will be RR-1. No motion was made to approve or deny the zone change. James made the motion to table this issue until the full quorum of the Council was present to review this zone change request on April 21<sup>st</sup>. Wayne seconded the motion. All voted in favor, motion carried.
- d. **Russ Christensen & Steven Walker – 445 W. Apple Street zone change request from A-10 to RM-15:** James made the motion to table this issue until the next meeting because the requestor is his brother and there are not sufficient Council members present to vote. Robin seconded the motion. All voted in favor, motion carried.
- e. **Consideration of final bond resolution authorizing the issuance of RDA Tax Increment Revenue Bonds, Series 2004 (taxable), and related matters:** Robin made the motion to approve the resolution. Wayne seconded the motion. All voted in favor, motion carried.

**ADJOURN CITY COUNCIL MEETING: James made the motion to adjourn this City Council meeting to hold an RDA Meeting at 9:10 p.m. Robin seconded the motion. All voted in favor, motion carried.**

James made the motion to call the special Grantsville Redevelopment Agency (RDA) meeting acknowledging that due notices was provided to the press, Board Member, Chairman and public. Robin seconded the motion. All voted in favor, motion carried.

James made the motion to approve the RDA Resolution 2004-02, of the Board of Directors of the Redevelopment Agency of Grantsville City, UT Authorizing the issuance and sale of the tax increment revenue bonds, series 2004 (taxable), of said agency in the principal amount of \$1,108,000 for the purpose of financing a portion of certain redevelopment costs, including in particular, a sewer transmission line and related sewer improvements to benefit and improve the property within the redevelopment project and paying certain costs associated therewith; authorizing the taking of all other action necessary to the consummation of the transaction contemplated hereby; and related matters. An amendment is required that the bond is taxable on page 2 section 3.b.iii of the bond purchase agreement. Seconded by Robin. All voted in favor, motion carried.

Robin made the motion to adjourn this special RDA meeting at 7:25 p.m. Seconded by Wayne. All voted in favor, motion carried.

**RECONVENE THE CITY COUNCIL MEETING OF 4-07-04:** James made the motion to reconvene the City Council Meeting of 4-7-04 at 7:25 p.m. Wayne seconded the motion. All voted in favor, motion carried.

**DISCUSSION OF RESTRUCTURE OF SUBDIVISION FEE SCALE:** Tabled until April 21<sup>st</sup> meeting due to Councilman Castagno's absence.

**DRAINAGE SWALES – TODD CASTAGNO:** Mayor Anderson informed those present that He and Todd met with the Home Owners Association, Mountain Vista Homes of South Willow Estates. They discussed the needs of South Willow Estates Subdivision and the use of the \$120,000 that was agreed upon in the Development Agreement with Watt Homes. This \$120,000 was to build a community pool or go toward recreation with Grantsville City. The South Willow Estates Home Owners feel that this money should be invested into their development and not outside of the development for a trail system from South Willow Estates to Durfee Street. The Home Owners are passing around a survey to see what the needs of the development are and then they will make their final recommendations to the City Council. The development Agreement does not require the Council to make improvements within the South Willow Estates. This money can be used for any recreation purpose the city deems appropriate. The Drainage Swales were also discussed but the Mayor would like to wait for Councilman Castagno to discuss this further. This item to be on the April 21<sup>st</sup> agenda.

**GREEN CLEAN APRIL 17<sup>TH</sup> AND GENERAL CLEAN MAY 15<sup>TH</sup>:** Public Works Director Joel Kertamus was present to discuss issues of the clean up activity for Grantsville City. Joel requested that during the green clean that no demolition of wooden sheds, corrals etc be accepted. The green clean would only accept tree trimmings and weed clean up. This way when they burn or mulch the product it is clean. Joel asked that during both the green clean and the general clean up that no dump trucks be allowed. The dump trucks hide items on the bottom that go unnoticed as well as some of the dump trucks are charging people for the clean up and then using the free dump to dispose of commercial waste. We do not want to take campers, trailers old cars or cylinder. We need to have people segregate their debris into the proper piles. Wayne made the motion to post the rules in the paper as recommended by Joel for the General Clean Up. Also only Grantsville City Residents will be allowed to use the clean up. There will be no charge for the clean up this year. Robin seconded the motion. All voted in favor, motion carried.

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

**OTHER BUSINESS:** Mayor informed those present that Craig Morgan from Carter Burgess was out attempting to get easements from property owners along SR138 in order to widen SR138 for the Wal-Mart distribution Center. Utah State Department of Transportation determined that there was not a need for additional easement after a survey. Mayor stated that another company is interested in locating across the street from Wal-Mart that would employ 1200 employees.

James stated that the park on Old Lincoln Highway needs to be on the agenda for next time. In addition, the Planning Commission Agenda for April. James stated that he would talk with the Zoning Administrator to get it on the agenda. James stated that before we invest any money on fences and improvements we should get the land into our name.

Wayne informed those present that the softball/baseball clinic went very well. Wayne asked if the City could reimburse the High School for the baseballs used. It was determined that the city would reimburse the baseballs used. Robin stated that there are 293 girls playing softball this year. Wayne stated that he has the letter for landscaping requests to Wal-Mart. Wayne queried who should he have sign the letter it was determined that the Mayor would sign the letter and Wayne would hand deliver the letter to the Construction Manager to present to Wal-Mart. Wayne stated that the Klick's who live across the street from the Distribution Center are really having a hard time and Wal-Mart is making every effort to try and mitigate the effects on them.

**CLOSED SESSION:** James made the motion to adjourn into a closed session to discuss pending litigation at 9:50 p.m. Wayne seconded the motion. All voted in favor, motion carried.

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

**Appointed Officers and Employees Present:** City Recorder Wendy Palmer, Attorney Ronald Elton.

James made the motion to come out of closed session and adjourn the City Council meeting at 10:05 p.m. Robin seconded the motion. All voted in favor, motion carried.

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Wendy Palmer, City Recorder

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Byron Anderson, Mayor