

**MINUTES OF THE REGULAR MEETING OF THE
GRANTSVILLE CITY COUNCIL
MAY 5TH, 2004**

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

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

Citizens and guests present: Mary Ruth Hammond (press), Gary Pinkham, Joe Cange, Gary Christley, Alan Johnson, Derek Ellis, Boy Scout Troop 278, Barbara Grygierczyk, Randy Runt, Jerry Hill, Janet Cook.

PUBLIC HEARING: Mayor Anderson opened the public hearing to receive comment on the proposed zone change from A-10 to MD on North Burmester Road. Mayor verified that this public hearing was to notify the public that 105 acres were being requested in the zone change. Previous public notices were only for 15 acres. Mayor asked for any comments. No comments being offered the Mayor Closed the public hearing at 7:05 p.m.

APPROVAL OF MINUTES: James made the motion to approve the minutes with grammatical corrections and Todd's correction that he abstained from voting on the approval of the minutes for 4-7-04 minutes because he was not present at the previous meeting in order to approve those minutes. Todd clarified that he did not make the motion to approve the minutes. Wayne stated he made the motion to approve the minutes and James stated that he seconded the motion to approve the minutes of the 4-7-04 minutes. Wayne seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF PRELIMINARY PLAT FOR PALOMINO RANCH

SUBDIVISION-JOE CANGE: Todd and Attorney Elton stated that this Phase III was approved by the Planning Commission with septic tanks. Attorney Elton questioned Mr. Cange if phase II has been approve. Mr. Cange stated that the Planning Commission has approved only Phase 1 and Phase III. James questioned Mr. Cange if the temporary road was complete as required in approval of Phase One Palomino Ranch Subdivision. James asked if there is access to Cooley from Wrathall Circle. Mr. Cange stated that there is a dirt road to Cooley Street. James asked Todd if the Planning Commission discussed the offsite improvement to Cooley Street and Piccadilly? Todd stated that the Planning Commission did not discuss street improvements. James asked Mr. Cange what his intentions for improvement of Cooley Street and Piccadilly are? Mr. Cange stated that the lots in Phase 3 do not front on Cooley Street or Piccadilly. James stated that even so when this subdivision was approved without requiring Cooley Street to be improved this development was to only have 14 lots. Now Mr. Cange is requesting to increase the number of lots to 70 lots without improving Cooley or Piccadilly, I ask who is paying for the impact on these streets. We need to make sure that development pays its way and we need to make sure that development improves Cooley and Piccadilly to a minimum standard 30 feet of asphalt. These 70 lots would create a significant amount of traffic on Cooley and Piccadilly. To not improve Cooley would be a big mistake. Wayne asked where the asphalt ends at the end of Phase I where the temporary road should enter on to Cooley. James recommendation is to extend the asphalt at 30 wide from then of asphalt on Cooley Street to Piccadilly. James asked Mr. Cange if the lots on Piccadilly and the private road are planned to access Piccadilly. Mr. Cange stated that they would access Piccadilly at the time of that phase improvement. It was clarified that the lots in phase 3 that are directly West of Phase 1. Attorney Elton stated that the question could be is Cooley Street adequate to handle the traffic for Phases 1 & 3 of Palomino Ranch. Recorder Palmer expressed her concern about the temporary road that is connecting Wrathall Circle to Cooley Street is being made into a cul-de-sac. This may create an illegal length of road to end in a cul-de-sac. James stated that currently the temporary road is not accessible to use because there is a 5-foot drop off at the end of asphalt. There is only dirt and you can visualize a road but it really isn't a usable access. Attorney Elton stated that it is an issue to consider if Mr. Cange has complied with the requirements of Phase 1 of Palomino Ranch. Attorney Elton asked Mr. Cange to clarify why he is

proceeding with Phase 3 of Palomino Ranch prior to Phase 2. Mr. Cange stated that he acquired the Clark Land after he proposed Palomino Ranch Phases 1 & 2. Mr. Cange stated that he has the road improvement in and it makes sense to him to build the homes directly across from Phase 1 to utilize the existing improvements. Todd stated that Mr. Cange received a recommendation from the Planning Commission to approve the Phase 3 preliminary plat with all lots to be on septic tanks. Todd stated that Mr. Cange is proposing that Phase 3 be sewer. Attorney Elton stated that the Grantsville Ordinance requires development to sewer their project if it is within one half mile from an existing sewer line. Mr. Cange stated that this development is more than one half mile from the proposed sewer line. Attorney stated that if you are within 300 feet of the sewer an individual home must hook to the sewer. Ron and Mr. Cange explained that if they sewer all but lot 301 then the domino effect will not take place for the lots in Phase 1 to have to abandon their new septic systems and connect to sewer. James asked if the sewer mainline would be in a street right of way? Mr. Cange stated that he plans to install the sewer within the 40-foot equestrian trail at the rear of the lots. The current lots that are on the east side of Wrathall Circle are planned to sewer to Cooley Street. Paul stated that we approve phase 1 with septic tanks because there was not sewer available. James asked the Council if they see the future of this million-dollar sewer line not requiring Cooley Street to be connected? Or do we hook everyone up to the sewer? Todd asked if the State Code gives a time limit to connect. Attorney Elton stated that the State Code states within a reasonable amount of time. Todd asked who defines that time frame. Recorder Palmer stated that in the past when a sewer line is installed in an area that has septic tanks the city has granted a 3 year period of time to pay the impact fees and connect to the sewer. Robin asked if the citizens can pay a monthly payment to pay the fees or do they have to pay it up front. Recorder Palmer stated that the city has sent out a special billing after a promissory note has been signed to remind citizens to pay. The impact fee currently is \$1175. The citizens would also need to bear the cost of installation of the sewer lateral to their homes. They would need to contract with a private contractor for this service. Robin asked if are we approving an amendment to an original subdivision? Attorney Elton stated that this is a phase of the whole concept. Robin stated that the last Council meeting we were pretty stern that we want this phase to be set up on the sewer system. Robin asked at what point of time are we going to require Cooley Street to connect? If we push, Cooley will have to connect. Wayne asked who pays for it? Robin stated that each citizen will pay for their own. James asked how many septic tanks are completed in Palomino Ranch? Mr. Cange stated 8 septic tanks have been installed. Todd asked how many residents are on Cooley Street north of Clark Street. Mr. Cange stated that there are 17 homes. Attorney brought up that when this subdivision was originally approved the secondary water was under the control of the Homeowners Association. Since that time the city has a new ordinance that requires that the secondary water be turned over to the city. There was discussion concerning what about the water that is under the control of the Homeowners Association and the remaining lots that would be required to turn over their water to the city. Attorney Elton's question to the Council is do you want all the water in Palomino Ranch in the same ownership or divided? Robin stated that he would like to stay consistent with the previous Council Members recommendations that the secondary water be turned over to the city just like anyone else. Todd feels that the secondary water issue should be all or nothing. James stated that he has dilemma on the sewer to trigger the domino effect on existing homes with septic tanks. It makes sense that we should hook Cooley Street to the sewer for the long-term effects. On the short-term side of things the effect or causing burden on people on Cooley Street the expense of hooking up and those that just paid \$3500 to hook up. Paul stated he think that we approved the septic tanks for phase 1. In phase 3 he doesn't really have to hook the sewer up. I think we have a better situation with the sewer being connected and just leave out the one home. In order that we not put undo burden on the homeowners and we give them a time frame of 10years for all homes in phase one. The question is how is Grantsville City going to put the main line on Cooley Street. Wayne wanted to know what the policy in the past? Paul asked if we could have Palomino Ranch install the sewer line in Cooley. Paul stated that we are still better off to have all but one of the lots sewer and then require the rest to connect within 10 years. Wayne stated that he likes the idea to have the sewer line on the west side and reduce the impact on Cooley Street and Phase 1. Cooley Street needs to be brought up to a better standard with the added traffic. Robin stated that he was ok with the sewer proposal for phase 3. Robin stated that he just doesn't feel good about amending the ordinance for just one

development. The previous Council adopted this ordinance and we should go by it. James stated that this proposal still meets the ordinances. James made the motion to approve the preliminary plat for phase 3 of palomino Ranch assuming that all lots save 301 be sewerred. Cooley Street be improved to the minimum road standard of 30 feet on all property contiguous to phase 1 and phase 3 for property that goes beyond current asphalt. When the next phases are done will be required for all property whether or not the lots face the streets. The secondary water shares are to be deeded to the city and the city collect the assessment. The temporary access is to be completed to Cooley Street on the north end of phase 1. Todd requested that water issue be stricken from this motion. James agreed to strike the secondary water issue. Todd seconded the motion. Robin asked about the other lots connecting to the sewer. All voted in favor, motion carried

CONSIDERATION OF RELEASE OF LOT 23 OF LITTLE RENO SUBDIVISION PROPERTY BOND – Randy Hunt requested the release of the lot as approved by Joel Kertamus, Public Works Director, that sufficient amount of improvements have been completed to allow for the release for the lot. Recorder Palmer stated that the only concern left is that Mr. Hunt has not paid his property taxes on any of the lots that the City is holding for completion of his offsite improvements. Recorder Palmer stated that Mr. Hunt needs to assure the city that the property taxes will be paid. Mr. Hunt has written a letter that he will pay the property taxes for all of the lots with the proceeds of the sale of lot 23. He will bring the receipt for property taxes paid to the City Recorder by the 10th of May. Todd made the motion to release lot 23 for Little Reno Subdivision Bond with the stipulation that the property taxes be paid by May 10th and a receipt give to the City Recorder on that day. Paul seconded the motion. All voted in favor, motion carried.

EMERGENCY ITEM: Mayor Anderson explained that South Willow Estates has been trying to get their item on the agenda but it was getting confused with South Willow Ranches issues. Mayor asked that the City Council allow South Willow Estates-Derek Ellis to be placed on the agenda to consider his request to proceed with phases 3 & 4 of South Willow Estates. Todd made the motion to place South Willow Estates on the agenda as an emergency item to consider allowing phases 3 & 4 to proceed. James seconded the motion. All voted in favor, motion carried.

Derek Ellis representing Mountain Vista Homes the developer of South Willow Estates Subdivision requested that they be given the waiver of having 50% of the lots in phase 2B sold prior to proceeding with phases 3 & 4. Mr. Ellis stated that all of the lots in 2A are sold and they have 33% of phase 2b sold. Mr. Ellis stated that the interest in lots in South Willow Estates has increased and they want to have phases 3 & 4 ready to go this summer in order to meet the lot demand. James made the motion to allow John Laing Homes/Mountain Vista Homes proceed with phases 3 & 4 of South Willow Estates. Engineering and Planning Items must be approved through the requirements of the Zoning Ordinance. Wayne seconded the motion. All voted in favor, motion carried.

Mayor Anderson stated that Recorder Palmer has requested the city Water Attorney Craig Smith to make a legal decision if the Development Agreement overrides the city's new ordinance requiring that secondary water shares are to be turned over to the city or if they are allowed to maintain the ownership with the Homeowners Association.

CONSIDERATION OF NEW BUSINESS LICENSE: James made the motion to approve the business license for Shay Penney for Mister Maintenance Landscaping Business at 849 E. Durfee Street Wayne seconded the motion. All voted in favor, motion carried.

Todd made the motion to approve the business license to Jeremy Ostley, 32 N. 375 E. for Mobile car Detailing business. Robin seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF ORDINANCES AND RESOLUTIONS: James made the motion to approve the zone change from A-10 to MD for Gary Christley & Burmester LLC. Wayne seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF BUDGET ITEMS:

- A. Financial Report:** Accountant Tom Randle gave the Council a 9 month review of the revenue and expenses. Mr. Randle stated that the revenues are looking good and the expenses are running in line with the time frame of the fiscal year. It was suggested that the city need to look at some of the bonds and see if paying them off early would be financially beneficial. Tom will review the bonds and give a report to the Council.
- B. Approval of preliminary budget for 2004-2005:** Todd made the motion to approve the current year's budget as the preliminary budget for the 2004-2005 fiscal year. Robin seconded the motion. All voted in favor, motion carried.
- C. Set Budget work meeting:** Work meeting to be May 18th at 7:00 p.m.

SET LIBRARY TRANSITION TEAM: Recorder Palmer stated that she would like to have a member of the City Council support her with the transition of the Library Personnel and other pertinent items from Tooele County to Grantsville City. Recorder Palmer stated that Barbara Grygierczyk who was the Chairman of the Tooele County Library Board has agreed to help in behalf of Grantsville City, Arlyn Proctor the Bookmobile Librarian, Two members of the Tooele County Library Board Char & Steve Warner. Robin agreed to volunteer for the Library Transition Team.

TODD CASTAGNO – STRUCTURE OF SUBDIVISION FEE SCHEDULE:

Todd stated that he was not ready with this item yet.

PAUL RUPP-REPORT ON J. RUEBEN CLARK FARM MEETING AND

DISCUSSION OF USES: Paul stated that a group of about 10 people were present at a meeting at the J. Rueben Clark farm about one week ago. Paul stated that he tried to get a cross section of the community to be present at this meeting to provide input. Chris Williams, Jerry Hurst, Mark & Susan May, Marnel Arbon, Wendy Palmer, Chris Sullivan, Joe Cange, Dave & Judy Anderson and himself were there for a couple of hours reviewing the site and brainstorming ideas. There were many suggestions from stage area to botanical gardens, rodeo grounds, racetrack, farmers market etc. Paul stated that when he talked with one of the members of the Daughters of the Utah Pioneers they stated that the Mayor and put them in charge of determining the use for the home. Mayor stated that was not true. Mayor stated that he allowed them to use the home for a meeting and asked for their input. Paul was concerned if the city was going to require that any reservations for use of the home was going to be scheduled through the city hall or was it going to be through the DUP? It was determined that the home is really not ready for public use and after this meeting for the DUP no further public use of the home will be permitted until it is brought up to proper occupancy standards.

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

OTHER BUSINESS: Mayor stated that he will try and get a water board meeting scheduled as soon as possible to discuss the secondary water assignment to Grantsville City. Mayor informed the Council that a new company with the code name "Project Titan" is looking to locate across the street from Wal-Mart Distribution Center. There are other sites in the running for this company. Tooele County Planner Nicole Cline is working hard to help it locate in Tooele County and it is very hopeful that they will pick Grantsville.

James stated that he obtained additional bids for the cement wall between the trailer park and Lincoln Highway Park. This will cost the city around \$40 to \$125 per lineal foot. After the minor subdivision is complete to divide the park from the trailer park which should be on the next City Council Agenda.

Todd reported that the overwhelming wish of the residents in South Willow Estates is that the city use \$100,000 to build a park on the city property in South Willow Estates. The residents were willing to let the city spend \$20,000 on any discretionary park/trail project. Determination of distribution of park fees to be on the next agenda for the Council's consideration.

Robin stated that he wanted to extend “kudos” to the City Maintenance Department for doing such a good job at the Cherry Street Park. Robin announced that he was able to obtain \$40,000 grant from the Tooele County Recreation Board to construct a new concession stand. Adam Geldmacher will be contacted to start the drawings.

Ron Elton reviewed the documents between Watt Homes and Alan Johnson. Ron recommended that the Engineer review the contracts and recommendation for the feasibility of out phasing of 5 & 6 of South Willow Estates.

ADJOURN: James made the motion to adjourn at 9:50 p.m. Robin seconded the motion. All voted in favor, motion carried.

Wendy Palmer, City Recorder

Byron Anderson, Mayor