

**MINUTES OF THE REGULAR BUSINESS MEETING OF THE
GRANTSVILLE CITY COUNCIL JUNE 16, 2004. HELD AT GRANTSVILLE
CITY HALL, 429 E. MAIN, GRANTSVILLE, UT 84029**

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, Public Works Director Joel Kertamus, Accountant Tom Randle.

Citizens and guests present: Mr. & Mrs. Takos, Robert Hicks, Gary Giles, Joe Cange, Tom Eason, Derek and Neil Johnson, Scott Rolling, Scott & Jody Knew, Alan Johnson, Jay Weyland, Mark Davidson (sunrise engineering)

Mayor Anderson complimented our Police Department and how extremely well they coordinated and handled the situations surrounding the shooting of a young girl at the AA Hometown Laundry Mat. Our Police Officers worked well with the County and Tooele City units and we should be proud of their performance. All of the City Council echoed the Mayor's compliment. Wayne stated that he works with the father of the girl that was shot. She is improving and it is hoped that she will make a full recovery.

PUBIC HEARINGS:

a. Zone change request for southwest area of Grantsville from a-10 to R1-21 for 335 acres: Mayor Anderson opened the public hearing at 7:00 p.m. Joe Cange, Clark Venture, L.L.C. addressed the Council requesting a favorable consideration for the zone change request. This property is South of Durfee Street and West of West Street. Mr. Cange stated that the rezoning is in concert with the General Plan guidelines for this area, ½ to 1 acre per residence density. The rezoning is in concert with the General Plan goal to encourage "development with areas of the city where required infrastructure already exists". Mr. Cange stated that the road, power, telephone, gas, water and sewer are adjacent to the property. The rezoning is in concert with the general plan goal stating, "As a guide, higher residential densities will be generally provided with the Main Street Corridor." Densities generally decreasing as the distance from the Main Street Corridor increases." Since the contiguous land to the east is currently zoned Rm-7, there will be the following decreasing densities going from east to west: 7,000 sf lots; 21,780 sf lots; and 43,560 sf lots. Additionally, Mr. Cange proclaimed that the General Plan designation for a portion of this land and the contiguous land to the north is medium density or 3 units per acre and the land ¼ mile north (recent apartment zoning case) is 15 units per acre. Therefore, going from north to south you have 15 units per acre, 3 units per acre, and 1.45 units per acre on this property. Mr. Cange claimed that this is in harmony with the General Plan goal to decrease density as the distance from the Main Street Corridor increases. Mr. Cange continued by stating that the following reasons support the rezoning request:

1. Property is only ½ mile south of Main Street which is closer to Main Street than Bell Estates or Middle Plaza Estates
2. Property location on West Street is a natural extension of City Growth. The property is across the street from Heckert Cottages which is 6.14 units per acre. The property east of the proposed zone change is 350 feet from Bell Estates which is 3.71 units per acre. Mr. Cange stated that he felt that going to the R1-21 density of 1.45 units per acre is a reasonable and compatible density for the area.
3. Mr. Cange stated that because of poor topsoil and lack of irrigation infrastructure the property is not suited for agricultural use and is, therefore, suited for development.
4. Mr. Cange stated that the total taxable value of the 415 acres is currently \$1985 with a resultant tax of \$28 compared to a taxable value of one developed lot in Palomino Ranch of \$44,762 and a resultant tax of \$627. This development could convert what is a non-productive asset into a productive asset for the community.
5. Developing this property will reduce pressure on development of valuable farmland.
6. Property has a very good gravel base, which is desirable for development.

7. Topography lends itself to tremendous views, which are desirable for development.
8. The majority of the core area has already been developed or the owners are not selling, therefore, there is no place else for development to go.
9. Mr. Cange stated that the current zoning map of the area from Clark to Durfee and from West Street to 800 East clearly shows that the majority of this area is currently zoned RM=7 and R1-8 and is, therefore, not going to develop as low density single-family.
10. The existing higher density zoning of the core, coupled with the existing helter-skelter development patterns, does not lend itself to the development of higher quality single-family subdivision because there is a high level of uncertainty related to retaining the value of a new home. It is improbable, therefore, that this area will see much high quality single-family development.
11. The zoning of larger parcels into planned communities' leads to better and higher quality neighborhoods.
12. Provide a variety of residential development is desirable because it creates competition and choices which help make lots more affordable and lets Grantsville appeal to all segments of the market. This project with views, low density, and clustering is unlike any existing or proposes residential development in Grantsville.
13. This property will access West Street. Mr. Cange stated that it will not negatively affect other residential areas.
14. Mr. Cange believes that the Wal-Mart warehouse will produce a need for new single-family development. Mr. Cange stated that his development will improve quality of life for our residents.
15. The proposed development will be 1.45 units per acre. Development will be proposed under a PUD cluster housing.
16. This requested zone change has been favorably recommended from the Planning Commission.
17. Zoning is only a first step to establish the density so that a master plan can be developed and the development proceeds.

James Morris – Mr. Morris addressed the Council stating that in the beginning he was against this zone change. But in rethinking the effects of this possible development he stated that he is now in favor of the zone change. This zone change may positively effect landowners that have not had access to their property.

Gary Giles - Mr. Giles addressed the Council to state that he is in favor of this zone change. Mr. Giles stated that he owns 57 acres to the north of the proposed zone change. This property is land locked and has no access to it for more than one person. If there is development to the south and east he may be able to obtain an access to his 57 acres. Mr. Giles is in favor of the zone change.

Ray Giles – Mr. Giles stated that he was in favor of the zone change. He stated that his Dad's property is land locked and any development may help gain access this property and he and his siblings could build their homes. Mr. Giles stated that one acre lots and larger only attract junkers and trash. Smaller lots look nicer.

Mayor asked for any further comments? No further comments being offered Mayor Anderson closed the public hearing at 7:30 p.m.

- b. **Zone change request for 80 acres from a-10 to RR-1 in the south west area of Grantsville City:** Mayor Anderson opened the public hearing to receive comment on the proposed zone change from A-10 to RR-1. Mr. Cange stated that the same reasoning applies to this zone change request as does the previous zone change request only this change is to 1-acre lots. Mayor asked for any further comment. No comment being offered Mayor Anderson closed the public hearing at 7:32 p.m.
- c. **Subdivision amendment request for Castlewood Cove subdivision by adding property to lots 118 and 119.** Mayor Anderson opened the public hearing to receive comments of the proposed addition of property to lots in Castlewood Cove.

Robert Hicks: Mr. Hicks informed the Council that these two lots in Castlewood Cove and two lots in Eastmoor Subdivision wanted to add more land to their lots.

Originally it was thought that this could be accomplished by doing a lot line adjustment. The Tooele County Recorder would not recorder the change unless amendments to the subdivisions were completed.

Mayor Anderson asked for any further comment? No comment being offered Mayor Anderson closed the public hearing at 7:35 p.m.

- d. Subdivision amendment to Eastmoor Subdivision plat B by adding property to lots 201 & 203.** Mr. Hicks stated that his comments previous apply to this amendment as well. Mayor Anderson asked for any further comments. No comments being offered the Mayor closed the public hearing at 7:36 p.m.
- e. 2003-2004 final amended budget:** Mayor Anderson opened the public hearing to receive comment on the final amended budget. No public comment being offered. Mayor Anderson closed the public hearing at 7:37 p.m.
- f. 2004-2005 budget and tax levy:** Mayor Anderson opened the public hearing to received input on the proposed budget for the 2004-2005 fiscal year and set tax levy. Recorder Palmer reminded those present that due to the deadlines for the Counties and State cities adopt the current years tax rate and then once the County completes their analysis the city will amend the tax levy to match the certified tax rate that will generate the same amount of revenue for the city plus growth. Mayor Anderson asked for any further comment? No comments being offered the Mayor closed the public hearing at 7:38 p.m.
- g. Consideration of salaries for Elected and Statutory Officers:** Mayor Anderson opened the public hearing to receive comment on the proposed salaries for 2004-05 fiscal year. No comment being offered the Mayor closed the public hearing at 7:39 p.m.

APPROVAL OF MINUTES: Wayne made the motion to approve the minutes of 6-1-04 City Council meeting. Paul seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF PHASE 3 PALOMINO RANCH SUBDIVISION FINAL PLAT: Mr. Cange presented his final place for Palomino Ranch Phase 3. Robin asked why Mr. Cange was skipping Phase 2? Mr. Cange stated that Wrathall Circle was complete and he would not have to install any further roads. Phase 3 is directly across Wrathall Circle from Phase 1. Mr. Cange stated that he intends to install sewer line to the rear of the lots and connect phase 3 to the sewer except for lots 301 as discussed previously with the Council. Mr. Cange informed the Council that 11 of the 14 lots are sold in phase one. This is the most horse friendly development with 1.5 acre lots and restrictions on the 1st three lots that are not permitted to have horses in the Conditions, Covenants and Restrictions (CC&R's) Robin asked Mr. Cange where the sewer line and storm detention swales were in reference to the horse trail. Mr. Cange stated that the sewer line, trail and storm detention swale were all included in the same 40' easement along the rear of Phase 3 lots. Robin was concerned that the City would not be able to access the rear of the lots to assure the swales are maintained. Mr. Cange stated that the property has a no build restriction for the rear 50 feet of the property in phase. Mr. Cange addressed James concerns about completion or improvement of Cooley Street. Mr. Cange stated that no lot faces Cooley Street so there is not any impact to Cooley Street outside of the current pavement. The road should not be improved wider than it is currently because we would not want to destroy the beautiful canopy of trees. To widen the road to the standards would ruin the lane atmosphere that is enjoyed by joggers, walkers, and horse riders. Council was concerned that they were not able to see the whole development plan for all of the land at Palomino Ranch. Paul stated that Mr. Cange promotes a complete development plan on the west side of town and on this property Mr. Cange is doing a "helter skelter" development in by piece meal development. Council requested Mr. Cange bring in the master plan proposal for the complete development of the land he owns around Palomino Ranch. The Council expressed their concern about approving development without full disclosure of the intent of the developer. Robin asked Mr. Cange about his intent to complete the temporary access road to Cooley Street. Mr. Cange stated that he received the letter and understood that he needed to do a hard pack gravel surface and minimize the drop-off from Wrathall Circle. Robin reminded Mr. Cange that he only had 15 more days to get the temporary road up to standards. Mr. Cange stated that he would get it done. Robin made the

motion to approve the final plat for phase three Palomino Ranch Subdivision contingent upon the temporary access from Wrathall Circle to Cooley Street to the standard required by the Planning Commission and the City Council when phase one Palomino Ranch was approved. Mayor and Joel are given authorization to review and approve offsite improvement bond. James seconded the motion. All voted in favor, motion carried.

Mr. Cange stated that he is extending the sewer line up from Vegas Street to Piccadilly. The sewer line he is required to extend will be 8 inch. If the city wants to participate in upsizing the line and pay for the addition in pipe size this would be advantageous to both parties. James made the motion to authorize Joel and the Mayor to make the recommendation for the upsize of sewer line on North Cooley. Seconded by Robin. All voted in favor, motion carried.

CONSIDERATION OF NEW BUSINESS LICENSES:

Dirk Johnson- 57 W. Cherry: Todd made the motion to approve the business license for Hang ‘em High Boom Truck rental business. Wayne seconded the motion. All voted in favor motion carried.

Frank Elsholz- 72 N. Kearl Street: Todd made the motion to approve the Business license for Tennis Lessons business. Paul seconded the motion. All voted in favor, motion carried.

Frank Elsholz- 72 N. Kearl Street: Todd made the motion to approve the internet sale of sports equipment. Paul seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF ORDINANCES/RESOLUTIONS:

- a. **2003-2004 final budget amendment:** Paul made the motion to adopt the ordinance approving the final amended budget for 2003-04 fiscal year. Wayne seconded the motion. All voted in favor, motion carried.
- b. **2004-05 budget and tax levy:** Wayne made the motion to approve the 2004-05 budget and tax levy of .003398. James seconded the motion. All voted in favor, motion carried.
- c. **Consideration of salaries for elected and statutory officers:** James stated that he feels that the previous and current Council have brought the Mayor’s salary to an appropriate level of compensation. When the budget is considered for the next fiscal year the regular COLA should be considered. Until the Council determines if the city needs a full time Mayor. James made the motion to approve 5% COLA for Statuary and Elected Officials, Mayor to receive \$5000 increase. Wayne seconded the motion. All voted in favor, motion carried.

SET PUBLIC HEARING: Todd made the motion to set the public hearing for consideration of zone designation for the annexed property in the southern area of Grantsville City for July 7th, 2004. Wayne seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF STREET LIGHT POLICY: Recorder Palmer stated that this subject is a result of two separate requests for street lights to be installed. One request for street lights in the Anderson Ranch Subdivision. The other request was for streetlights along Richard Street and West Street. Recorder Palmer needs direction from the Mayor and Council concerning placement of streetlights. Address any concerns of light pollution verses safety. Mayor Anderson stated that he has seen many studies showing that streetlights do not reduce crime. The most effective safety lighting is for individuals to place porch lights with movement sensors on their homes. This way it would light up the area only when someone is present. Paul suggested street lamps that were closer to the ground that would have a sensor on it so when people are walking at night it would light their way. Downward facing lighting was discussed that would help eliminate the light pollution issue. Mayor directed Todd to present street light policy to the Planning Commission for their input.

CONSIDERATION OF IMPACT FEES TO INCLUDE SUBDIVISIONS: Todd has already presented it to the Planning Commission.

SOUTH HALE STREET: Todd explained the situation with the actual dedicated size of Hale Street South of Durfee Street. Todd stated that beginning from Durfee Street to the bend, which is approximately 400 S. Hale Street is 66 feet wide. The bend that goes east and west is 66 feet. As Hale Street continues South of the bend it drops to 50 feet. There is an unidentified 16-foot easement on Richard Butler property. And Delaun Blake will be required to give adequate footage to maintain 66 feet along his development. Ferris Williams Subdivision, that Todd is the representative for, gave 50 feet and that is the total width of Hale Street at this time. Alan Johnson has agreed to dedicate 33 feet of his property at the furthest south section of Hale Street and South Willow Ranches. Todd stated that he felt that the majority of Hale Street is taken from the east side of the road and in all fairness the west side property owners need to give their portion. The problem is there are homes constructed and there isn't 33 feet available in the front on the homes to give. Wayne stated that he and Joel would take a look at the situation and come back with some recommendations.

PAUL RUPP-CONSIDERATION OF CONTRACT FOR FENCE AT J. RUEBEN CLARK FARM: Paul explained to the Mayor and Council that he received a couple of bids for construction of the fence in front of the J. Rueben Clark Property. Paul stated that the High School has the best bid because it includes not only making the fence but the installation of the fence. The High School has also included in their proposal a decorative arch that would span the entrance to the J. Rueben Clark Property. There was some discussion as to the height of the decorative arch. The entrance would need to accommodate the rodeo stock semi trailers if the rodeo grounds are going to be moved to this location. Paul stated that the construction of the fence would be round stock ½ inch in diameter. Fence is to be 48 inches in height. Mayor Anderson presented Paul with the pamphlets from the actual manufacturer of this fence. Mayor informed Paul that in order for the fence to be authentic to the time the stock would need to be square stock and there is a special line post and corner post that fit in between each section. Mayor stated that the manufacturer will powder coat the metal so that the durability of the paint is almost lifetime. Paul stated that he would check this company out prior to signing a contract. James made the motion to designate Paul to evaluate the bids and sign a contract with the best option. Robin seconded the motion. All voted in favor, motion carried. Paul stated that the Maintenance department is going to pour a mow strip under the fence.

Jay Weyland who is a property neighbor to the west of this property inquired as to a fence line agreement that he entered into with the Clark Family in order to agree to a boundary adjustment. Recorder Palmer was requested to review the documents of the Clark Property and report back to the Mayor and Council.

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

OTHER BUSINESS: Mayor Anderson reported that George Miller is pushing to get the waterline out to I-80 where he is hoping to construction a truck stop. Mayor stated that this special improvement district would need to run through Tooele County. Project Titan is afraid that Wal-Mart will compete for the same employees so they are looking somewhere else to locate.

James asked the Council if the city would consider donating to the Tooele County Livestock show. Recorder Palmer stated that the city has donated \$250.00 each year in support of the livestock show. James stated that he would let Kirk Matthews know.

Wayne reported on the Wal-Mart Sewer line and they are still pushing to complete the project July 1, 2004. Wayne stated that dewatering has been a real challenge. Burmester Road and North Street chip seal projects are done. Wayne announced that Larry Sandberg was chosen to be the High School Basketball Coach for Grantsville High School. Wayne asked if Robin had a concept plan for the concession stand. Robin stated that he is waiting for suggestions from Travis McCluskey and Wayne. Wayne informed the Mayor and Council that LaNae Williams has called him concerning the horses to the West of her home on Apple Street. Wayne stated that he understands that the Planning Commission has held a hearing and determined that two horses are permitted under a "Grandfather Clause". Wayne wondered if the city could require the neighbors to keep

the horses corralled 100 feet from any neighbors. Mayor suggested that Wayne have Ordinance Officer Hansen review the situation.

Paul reported that he would like to go out for bids to put an automatic sprinkler in at the J. Rueben Clark Farm. Paul stated that Jerry Hurst suggested that the city hire Paul Hulet to be the caretaker for the J. Rueben Clark Farm. Paul was to come up with a scope of work at the farm and then bring it back to the City Council for review.

Todd handed the four different concept plans for the proposed park area in South Willow Estates. The Council informally discussed concept #1. The Council expressed their concern about how much money would this concept actually cost to construct. How much of this park would Mountain Vista Fund? How much money would we require from an adjoining development?

Robin questioned if the if a subdivision that is proposed has never had secondary water do they have to provide irrigation shares, or drill their own well. Attorney Elton stated that the development is required to purchase adequate shares of underground water to transfer to the city's culinary system and this development would use culinary water to water their yards. Robin asked if each subdivision has a master meter for irrigation water? Todd and Wayne stated that each home has an individual meter and there is a master meter at the beginning of the development. Robin mentioned that the City Council has be all be on the same page when a development comes in and asked to maintain their water shares or whether to turn the water shares over to the city. We need to follow the ordinances and be consistent.

ADJOURN: James made the motion to adjourn at 10:05 p.m. Seconded by Todd. All voted in favor, motion carried.

Wendy Palmer, City Recorder

Byron Anderson, Mayor