

**MINUTES OF THE REGULAR BUSINESS MEETING OF THE
GRANTSVILLE CITY COUNCIL, AUGUST 18, 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 (7:10 p.m.)

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

Citizens and guests present: Mary Ruth Hammond (press), Bruce Clegg, Joe Cange, Sheryl & Shane Bartlett, and Patti Westenberg.

PUBLIC HEARINGS:

- a. Consideration of zone change from A-10 to RR-5 for Ruth Andersen-North Cooley Street, East Side: Mayor Anderson opened the public hearing to receive input on the proposed zone change. No comment being offered Mayor Anderson closed the public hearing at 7:03 p.m.
- b. Consideration of amending chapter 21.4.1 final plat process: Todd explained that proposed change requires the final plat for subdivisions to be reviewed by the Planning Commission and the City Council. A couple years ago the requirement for the final plat to be reviewed by the Planning Commission was removed. It is the recommendation from the Planning Commission that they review the final and preliminary plats prior to the final City Council approval. Mayor asked for any comment from the public. No comment being offered Mayor Anderson closed this public hearing at 7:05 p.m.

Paul Rupp arrived.

APPROVAL OF MINUTES OF PREVIOUS COUNCIL MEETING: Wayne questioned if Anderson Ranch could still have the option to install the ribbon curb rather than the high back curb and gutter. Recorder Palmer stated that if they wanted to go to the ribbon curb they would need to do the engineering work and get it approved by the City Engineer and Public Works Director. Todd stated that Anderson Ranch representative stated that he wanted to stay consistent with Phase I. The only change will be the width of the road to comply with the new street standard. Todd made the motion to approve the minutes of August 4, 2004. Robin seconded the motion. All voted in favor, motion carried.

BRUCE CLEGG- MINOR SUBDIVISION AT APPROXIMATELY 570 E. NYGREEN STREET- ONE LOT INTO 3 LOTS: Attorney Elton stated that the original plat showed a lot that was less than 10 acres. The Clegg's were to correct the plat to combine the smaller lot into the 132-acre parcel. Recorder Palmer confirmed that Mr. Clegg brought the new deeds into the Zoning Administrator. Todd made the motion to approve the minor subdivision at approximately 570 E. Nygreen for Bruce Clegg one lot into 3 lots. Wayne seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF MINOR SUBDIVISION FOR CLARK REALTY L.L.C. PICCADILLY AND NORTH COOLEY STREETS: Paul made the motion to approve the minor subdivision for Clark Realty L.L.C. one lot into 5 – 5 +-acre lots. Todd seconded the motion. Robin questioned if this minor subdivision is apart of the Palomino Ranch Subdivision. Mr. Cange stated that it is not. This property is north of the phase 3 of Palomino Ranch Subdivision. Robin asked if Mr. Cange has a master plan of all of the property he has remaining of the property on North Cooley? Mr. Cange presented a plat to the Council. Wayne asked Mr. Cange where these 5-acre lots are on the plat. Mr. Cange stated that they were not shown. Wayne clarified with Mr. Cange that Mr. Cange would be including 3 additional 5-acre lots to the south of the subdivision for a total of (8) 5-acre lots. Mr. Cange stated yes that was true. Robin asked Mr. Cange if the road that is west of Phase 3 Palomino Ranch would enter onto Piccadilly? Mr. Cange stated that yes it does. Mr. Cange stated that the road that will be west of Palomino Ranch Phase 3 would be a private access. Robin asked if the improvement of Piccadilly and Cooley streets should be required? Attorney Elton stated that the minor subdivision code does not have a requirement for street improvements. **All voted in favor, motion carried.**

CONSIDERATION OF PURCHASE OF ADDITIONAL PROPERTY ON WEST CLARK STREET: Recorder Palmer informed the Council that the result of the Appraisal was \$12,471.00. The asking price per acre is \$12,500 so the two figures are very close. Attorney Elton reviewed the purchase agreement with the Council in order to fill in the missing information. Mr. Cange stated that he was only willing to sell the 16.48 acres this year and then in January 2006 he would be willing to sell the remaining 20.47 acres. Attorney Elton stated that he would need to create two separate agreements addressing the terms and conditions for the 16.48 and the 20.47 acre parcels. Todd stated that he feels good about the water source connection trade for the land. Grantsville City requires developers to bring the water with them when they develop or individuals are required to pay an impact fee. The impact fee allows the city to purchase more water rights to add to our holdings. This trade will not significantly affect the current water rights owned by the City. Wayne made the motion to authorize the Mayor and Attorney Elton to amend the purchase agreement to exchange water source impact fees for land. One agreement would be for the 16.48 acres and the other agreement would be for the 20.47 acres. The 20.47 acres would close January 2006. Mayor and Attorney Elton are authorized to make any minor changes to the agreements that would not change the terms and conditions. A \$5000 donation will be accepted from Mr. Cange for the improvement of the J. Rueben Clark Property. Paul seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF SETTING A PUBLIC HEARING:

a. Amending chapter 21-4-9 and 21-9-1: Todd explained that the Planning Commission is recommending that the bonding procedure be returned to the way it was originally written. These sections were changed that would allow for improvements to be installed without bonding. The Planning Commission has now determined that the previous requirement to bond prior to allowing any improvements are performed for a subdivision need to be bonded for. Todd made the motion to set the public hearing for September 15, 2004. Robin seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF SALARY STEP INCREASE: Wayne asked Gale Hanson what his main responsibilities were. Mr. Hanson stated that he was over the cemetery, vehicle maintenance, Donner Reed Museum, J. Ruben Clark Farm and other duties as assigned. Public Works Director Joel Kertamus informed the Council and Mayor that he is proposing a new job description and grade change for Mr. Hanson. Mr. Kertamus stated that since Mr. Hanson has been working for the city his job duties have increased and his job description has not kept pace. When Mr. Hanson began working for the city he was over ground maintenance and now he is performing technical repairs of vehicles including oil changes as well as getting his certification for vehicle inspections. Mr. Hanson still performs ground maintenance for the Museum and J. Rueben Clark Property and Cemetery. Mayor and Council complimented Mr. Hanson on his good work in the cemetery and they complimented him on the pride he takes in his work. Paul made the motion to approve the new job description and grade change for Gale Hanson from Grade 9 step 5 to Grade 10 step 5. Wayne seconded the motion. All voted in favor, motion carried.

The Council asked Joel to talk with the contractor that is installing the Center Street waterline to work out a alternate work time at least for Monday the first day of School. Joel stated that he would talk with the contractor to see if they could work on a Saturday and not work Monday or wait to start later on Monday so they can advance beyond the Elementary School to ease the traffic issues.

CONSIDERATION OF WIDTH AND BOUNDARIES FOR SOUTH HALE STREET: Wayne reported that he has talked with some of the property owners on this portion of Hale Street as well as the Public Works Director and Engineer Craig Neeley. Wayne stated that he felt that the best answer is to have each side of the street give eight feet. Attorney Elton stated that the City might have to purchase the right of way width at such time as the city determines to widen the street. Todd stated that he will do whatever the Council decides but is it really fair that the east side of the street that has already given 50 feet give an additional 8 feet. Wayne stated that the houses on the west side of the road do not have enough front yard set back to give 16 feet. Kelly Williams who is

on the east side of the street would have only about 22 feet left for a front yard and the other homes on the street would still be able to maintain their setback requirements. Wayne stated that he received an email from Craig Neeley from Aqua Engineering and he was in concurrence with each side giving 8 feet. Todd stated that he hated to see Hale Street jog twice. It should go straight and then just jog the one time south of Justin Linares house. It was the consensus of the Council that the best solution would be to have each side of Hale Street give eight feet. Todd is to bring in a drawing of the jog issue so that it can be more clearly seen. Todd can go ahead and prepare his ribbon curb placement for his subdivision based on the consensus.

CONSIDERATION OF HEADSTONE WIDTH: Mayor asked JoAnn Hanson the sexton of the cemetery what her perspective was on this issue. JoAnn explained that the ordinance does not include a width limit for a headstone and in the new part of the cemetery there is just inches in between each space. There was a request for a headstone to be 5 feet in width and 5 feet high. It was determined at that time that the headstone could not be placed because it was too high but it was discovered that a width limit was not set out in the city ordinance. Mrs. Hanson recommended 36" in width. Mrs. Hanson stated that that width of the headstone of 36" and the width of the mow strip that is required would end up being 42" total. This width would allow for digging of graves on each side without affecting the headstone. Attorney Elton was directed to draft an ordinance in compliance with the 36 inch width, and place on the next agenda.

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

OTHER BUSINESS: Mayor Anderson told the Council that he had the opportunity to meet with the Wal-Mart Distribution Manager. He has just moved into town. Mayor invited him and his family to attend the Stinger Baseball Game on Friday with the employees and he will take him around and introduce him. His name is Willie Swaggart. Mayor stated that he talked with Willie about the landscaping issue that Grantsville City would like to see trees planted. Mr. Swaggart stated that he would push to get that accomplished. Mayor explained to the Council that he would be out of town on the September 1st City Council meeting.

Wayne informed the Council that the Engineers did the final walk through of the sewer line project. They are running a camera through the system to see if there is any infiltration areas of ground water. The electrical should be in by the end of the week.

Todd stated that Don and Arnie Hunt were present at the Planning Commission meeting concerning the complaints about the cars parked in front on their wrecking yard. The Hunt's explained that many of the cars that are out in front of their business are not theirs. People bring their cars and drop them off without keys or titles. There are State Laws about what you can do with these cars and it takes a lot of time before they can claim the cars and put them in the back and part the cars out. The Police Department is going to run plates on the abandoned cars to see if they can help the situation.

Robin stated that they have given the plan for the snack bar to Adam Geldmacher to draw up the plans for construction. Robin asked Recorder Palmer to send a bill to Tooele County Recreation District for the \$40,000 grant allotment.

Ron Elton stated that he has talked with DeAnn Christiansen concerning the title report on the Dennis McBride Property. DeAnn is going to reject all of the bidders and wait until Dennis gets the property squared away.

Ron stated that he talked with Doug White, the Attorney for Mr. Anderson, who wants the city to adopt an open range or fencing law for any annexed property. This would require these property owners to fence out cattle and any damage that is done to his cattle would be the responsibility of the offending party and not the cattle owners. It was the consensus of the Mayor and Council that when an annexation issue is brought forward the fencing law may be considered.

ADJOURN: Robin made the motion to adjourn at 9:00 p.m. Wayne seconded the motion. All voted in favor, motion carried.

Wendy Palmer, City Recorder

Byron Anderson, Mayor