

**MINUTES OF THE REGULAR BUSINESS MEETING OF THE
GRANTSVILLE CITY COUNCIL, APRIL 6. 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, Kyle Matthews and Paul Rupp.

Appointed Officers and Employees Present: City Recorder Wendy Palmer, Attorney Ronald Elton, and Gary Pinkham Planning Commission Member. Firemen: Richard Broadband, Tony Skaug, Perry Skaug, Police Officer Steve Barrett, Eric Hadley, Stephanie Riddle, Kendell Anderson, Nicolas Broadbent, and Public Works Director Joel Kertamus.

Citizens and guests present: Mary Ruth Hammond (press), Bruce Clegg, Emily Christensen, Laura Reed, Heather Hughes, Christie Roberts, Tom Camp, Cindy Broadbent, Laramie Dunn.

PUBLIC HEARINGS:

- a. **Amending Chapter 6 Parking:** Todd explained that City Planner Nicole Cline reviewed many different cities within Utah and outside of Utah to determine if Grantsville City Parking Ordinance is in line with other communities. Todd stated that Planner Cline found that Grantsville City Parking ordinance was quite prohibitive and did not have the newer parking issues addressed as in shared parking. This new parking ordinance proposal reducing the parking requirements for many types of businesses and residential complexes. Mayor asked for any further comment. No further comment being offered, Mayor Anderson closed the public hearing at 7:04 p.m.
- b. **Amendment to the Grantsville City Street Standards:** Todd explained that the Planning Commission in review of the Zoning Ordinance found a discrepancy in the sidewalk width requirement. Portions of the Ordinance required 4-foot sidewalks and other sections required 5-foot sidewalks. In order to accommodate the new sidewalk width and the need to widen the planter strip to 6 feet from 4 feet the Planning Commission recommends the width be taken from the paved portion of the street. Mayor asked for any further comments. No comment being offered, Mayor Anderson closed the public hearing at 7:08 p.m.

PRESENTATION OF FIREFIGHTER I CERTIFICATES AND FIRE DEPARTMENT QUARTERLY REPORT:

Fire Chief Perry Skaug addressed the Mayor and Council to thank them for all of their support this past year and to report on the amount of calls and training that has taken place over the last year. Chief Skaug stated that the Department has obtained a grant for a new compressor and trailer that the department will match with the funds in their budget. Currently the Department has applied for a 5% matching grant for a new pumper truck. They will hear if they receive the grant by June of 2005. Chief Skaug stated that three other Firemen have gone through Fire Officer Training and they are continuing with firefighter II certifications and Haz-Mat Training. Presentation of firefighter I certificates was made to Eric Hadley, Stephanie Riddle, Kendell Anderson, Nicolas Broadbent, and Richard Broadbent. Todd commended the Fire Department for their commitment to our community. They do a fantastic job.

CONSIDERATION OF LOT EXCHANGE FOR LITTLE RENO ESTATES-

RANDY HUNT: Randy Hunt presented a request to exchange lots 7,8, and 18 belonging to Blaze West, LLC for lots 4,12, and 16 belonging to Grantsville City. Todd made the motion to approve the lot exchange of 7,8, and 18 for lots 4,12,16 of Little Reno Estates. Robin seconded the motion. Robin cautioned Randy not to sell lots that the city owns prior to the deeds being recorded. It is disconcerting to have building permit applications on city owned property presented for approval. All voted in favor, motion carried.

CONSIDERATION OF STORM WATER PLAN FOR QUIRK AND MAIN STREET:

Public Works Director Joel Kertamus was present to discuss the issue of the storm water run off from Quirk Street at Main Street. Joel stated that the water has historically drained onto the property on the north side of the street. This property was an irrigated field prior to Soelberg's Grocery Store Construction in the 1990's. The Store

was built and the run off has been running on a portion of the land and an attempt was made to get the water to flow to the west to connect to Kearn Street. It was thought that there might be an irrigation easement on this property but the Irrigation Company never filed an easement. This attempt to divert the water has been marginally successful. The drain under Main Street has continued to fill with silt and the outlet is now higher than the water level. Joel asked the Council for approval to begin design work and meet with Utah Department of Transportation to see when they would have funds to facilitate this storm drain work. Joel stated that the city will most likely need to purchase easements to move the water from Main Street to Clark Street. Once the water is on Clark Street the city can use the street easement to move the water to Burmester Road. Once on Burmester Road then the city will most likely need to create some drainage detention basins to allow the water to dissipate. Joel stated that the pipe size would need to be about 24" around. Kyle made the motion to proceed with the Storm Water Study and preliminary design work for the area of Quirk and Main Streets. Todd seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF JOE CANGE REQUEST FOR WAIVER OF PLANNING COMMISSION CONDITIONS FOR PROPOSED PUD SUBDIVISION ON NYGREEN STREET:

Mr. Cange, Bruce Clegg and Laramie Dun addressed the Council to give their explanation on why this subdivision should not have to pave Worthington Street and not install ribbon curb within the interior streets. Ms. Dunn read a statement prepared by Joe Cange stating that The paving of Nygreen Street coupled with the two accesses to the west will provide more than adequate access for 80 lots. South Willow Estates, for example, was allowed to develop 243 lots before a second access on Quirk Street was required. Worthington will be paved in conjunction with the development of the land to the north. Development of the land to the north will create a need for Worthington Street improvement; our development will not create the need. The General Plan frames this argument when it states, "The Plan requires that new development be fiscally responsible and that new growth pay for the facilities and services necessary to support the needs of new residents..." If Worthington Street were paved prior to the development of the land to the north, the paved street would be destroyed during that development with the placement of water mains, water services, sewer services, gas lines, gas services, underground power lines and power services. The reason put forward by the Planning Commission justifying the paving of Worthington"... that the owners within Village Green may request that Grantsville City pave Worthington" is not a valid reason to require paving since the city is under no obligation to pave any street. Since Worthington is not needed for this development, there is no need for it to be paved by us or the city. If this is a concern, we will place language in the CC&Rs stating, "Neither Grantsville City nor the developer is paving Worthington Street. Worthington Street will remain unpaved until the land to the north is developed. All buyers are hereby notified that if you are concerned about the paving of Worthington Street, you should acquire a lot elsewhere." Rural development cannot occur if the city requires urban improvements on rural development. The placement of urban standards on rural development will guarantee that no rural development occurs—which is in direct conflict with the General Plan goal of encouraging and promoting rural lots for the keeping of animals. The required street improvements in the RR-5 zone are 1) street grading and 2) street base. There is no requirement for the upgrade to asphalt that we are proposing. There is no logic in penalizing development because it is placing improvements beyond what is required. The GLUMDC section 14.2 further states, "The purposes of providing a rural residential district are to promote and preserve in appropriate areas conditions favorable to large-lot family life, maintain a rural atmosphere...and reduced requirements for public utilities, services and infrastructure." Curbs are an urban improvement and are not in concert with the ordinance or with rural development. Craig Neeley, the city engineer, stated that 24-foot wide strip paving was adequate. We had proposed 22 feet but agreed to add the extra 2 feet to protect the edges from traffic. The placement of ribbon curbs is not needed in this low-intensive traffic situation. In the proposed development of 80 lots on 384 acres we have followed the Grantsville City philosophy that development should pay its own way by providing public water, public sewer, gas, paved street, underground electric and telephone. In the final analysis, this development would be the most rural development in the entire city but it can only occur if the development standards are rural and reasonable. If the City Council denies the appeal we will submit the final plat on phase 1 as required by the letter dated August 4, 2004 and therefore, would request that

the City Council not consider the RR-5 zoning under tonight's agenda item 7b. Kyle stated that he liked the original 200 lots per 200 acres plan. Kyle wanted to see that Worthington Street is paved. Kyle stated that sewer manholes would make a dirt or gravel road impossible to maintain. Recorder Palmer was asked to talk with Public Works Director to see what issues he would have to place the utilities at edge of road instead of in the middle. Recorder Palmer reported back that the Public Works Director did not have a problem with moving the utilities to edge of road. Wayne stated that there is 3/8 of a mile to Willow Street from the entrance to this subdivision. Wayne stated that the residents would want to travel up Worthington Street when coming from the east. Todd declared that he is building a home on Nygreen Street currently and is not in favor of waiving the pavement requirement for Worthington Street. Maybe a compromise could be considered by waiving the ribbon curbs within the development and requiring the pavement on Worthington Street. Wayne stated that in the 5-acre subdivision in Erda there is not ribbon curb. Wayne made the motion to waive the ribbon curb requirement within the 80-lot subdivision of Village Green. Kyle seconded the motion. Robin asked why the Planning Commission wanted to require the ribbon curb. Todd stated that the discussion revolved around horse trailers entering and exiting the roads and breaking off the edge of asphalt. All voted in favor, motion carried.

Paving of Worthington Street: Kyle stated that he doesn't like 5-acre lots because they are brown. He said that he did feel that most people had a use for 5-acres. Kyle was concerned about the water demand that 5-acre lots put on the water systems. Robin made the motion to uphold the Planning Commission recommendation that Village Green will need to pave Worthington Street to the existing pavement at South Street. Wayne seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF SALARY INCREASE: Todd made the motion to approve the grade increase for Steve Barrett from Grade 14 to Grade 15 Step 11 per recommendation from Police Chief Johnson. Kyle seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF NEW BUSINESS LICENSES: Todd made the motion to approve the home occupation business license for Elizabeth Wayman at 163 E. Durfee Street for Online retail resale. Kyle seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF ORDINANCES/RESOLUTIONS:

- a. **Consideration of proposed street name changes (Hale Street at 500 South and South of 500 South to city limits.):** Wayne asked what prevents us from leaving Hale Street the way it is right now? Recorder Palmer stated that it is completely up to the Council to decide. Attorney Elton stated that Emergency Service requested that the street name be changed due to the Blake Subdivision extending (Hale Street) straight south. Todd stated that he can see both sides and can understand the concerns of the residents. Todd stated that the mortgage business is tied to the street address. Attorney Elton stated that it is based on legal description. Todd stated that the safety concern in the future when more people move and serve our city the chance of missing the right street is an issue. Kyle stated that at first he thought we should change the street. Now we don't need to change this name at this time. After the subdivision comes in and we should have the subdivision a different name. Todd suggested that the entrance to South Willow Estates has a significant change in the entrance to make people aware of a change. Wayne made the motion to leave the name of Hale Street as it is currently configured. Kyle seconded the motion. All voted in favor, motion carried.
- b. **Consideration of zone change from A-10 to RR-5- Grantsville Development company for 404 Acres south of Nygreen Street (700 South):** Wayne stated that he liked the idea of the outskirts keeping it as rural as possible. I prefer the A-10 but the RR-5 is a compromise based on the 2001 proposal. Todd asked if the zoning ordinance only pertain to the zone and the Planned Unit Development (PUD) allows for smaller lots but the zone requirements are still adhered to for setbacks. Ron stated that the PUD they are able to achieve an average of 5 acre lots. Wayne asked if the Council could require that no lots to be less than 5 acres. Robin stated that the Council has required this before. Robin stated that we should require that they are all

5-acre lots. Attorney Elton stated that if you are not going to approve the PUD, I would not approve this. Todd talked about creating a RR-2.5 zone. The zone from RR-5 to RR-1 zone is a large transition if there was a 2.5 acre zone that would be a smoother transition. Kyle made the motion to approve the RR-5 Zone request by Joe Cange with the stipulation that no lots under a PUD may be created smaller than 3 acres. Robin seconded the motion. All voted in favor, motion carried.

- c. **Consideration of zone change from A-10 to RR-1 zone on Clark and Race Street:** Kyle made the motion to approve the zone change from A-10 to RR-1 along the north side of Clark at 420 East to Race Street. Todd seconded the motion. All voted in favor, motion carried.
- d. **Consideration of Resolution amending the Personnel Policies and Procedure Manual as it relates to the FLSA:** Wayne made the motion to approve the resolution amending the Personnel Policies and Procedure Manual as it relates to the FLSA. Kyle seconded the motion. All voted in favor, motion carried.

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

COUNCIL INFORMATION AND UPDATES: Mayor informed the Council that HB60 created a great deal of changes in the zoning laws and the way that city deal with different issues. Mayor stated that he needs to get a meeting set up between the Council and Planning Commission for training. Nicole Cline stated that she would conduct the meeting. George Miller is searching for water tank in order to complete the planning package for his complex by I-80. Mayor stated that he and Kyle met with the County to discuss the possibilities of hooking parts of Erda to Grantsville City water. The expense at this time makes this project impossible.

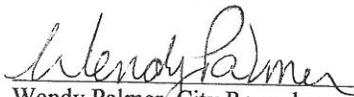
Kyle stated that he noticed crushing going on in the Gravel Pit. He was informed that Joe Cange was removing some of the Gravel from our pit. Mayor stated that he would talk with Joel. Kyle suggested that instead of the city council and irrigation board meeting together the office staff of both these entities should meet together to determine what the issues and suggest fixes. Recorder Palmer stated that she has already talked with Karen and when a time is right for everyone to be present the meeting will be set.

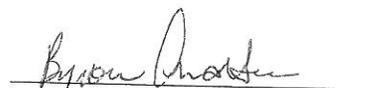
Wayne reminded everyone that the green clean is April 30th.

Todd stated that he had a meeting with the Chamber of Commerce. They are considering organizing a meeting with Grantsville Businesses only. The Grantsville High School FBLA club will be hosting a business expo for the County. The plan to fill the slots with Grantsville businesses first and then allow others to enter from the County. This will be held June 11th at the Grantsville High School Auditorium.

Robin stated that the plans for the Snack Shack has been delivered to the Public Works Director, Building Inspectors. The inspector has returned the plans to him for corrections which he will give to the builder.

ADJOURN: Kyle made the motion to adjourn at 9:25 p.m. Wayne seconded the motion. All voted in favor, motion carried.


Wendy Palmer, City Recorder


Byron Anderson, Mayor