

Approved

MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL HELD OCTOBER 17, 2007 AT THE GRANTSVILLE CITY HALL, 429 EAST MAIN STREET, GRANTSVILLE, UT 84029. THE MEETING BEGAN AT 7:00 P.M.

Mayor and Council Members Present: Mayor Anderson; Council Members, Robin Baird, Paul Rupp, Brent Marshall, Todd Castagno, and Wayne Butler.

Appointed Official and Employees Present: Attorney Ronald Elton, Recorder Jeremy Walker, and Records Administrator Rachel Wright

Citizens and Guests Present: Dawn Eccles, Colleen Brunson, Cory Brunson, Neil Blackburn, Gary Snow, Shelley Snow, Mildred Russell, Kelley Russell, George Ann Erickson, Dale Erickson, Leta Sutton, John Sutton, Randy Sloan, Josh Henwood, Dolores Kyle, Jennifer Kelley, Tamara Beaumont, Justin Jones, AJ Reynolds, Tony Gonzalez, and Mike Colson.

PUBLIC HEARINGS:

- a. **Proposed amendment of the General Plan Future Land Use Map proposed by the Grantsville City Planning Commission to take the north line of the “Low Density Residential” zone, which is on the north side of town, to the south line of the “Industrial” zone, taking the line straight west and east to the Grantsville City boundaries:**

Mayor Anderson opened the public hearing at 7:00 p.m. to receive comments on the proposed General Plan Future Land Use Map amendment.

Mayor Anderson stated the Council has received several written comments from citizens concerning this matter as well as an analysis from Nicole Cline, the Grantsville City Planner. These documents will be included with these minutes.

Colleen Brunson residing at 512 N. Hale Street, spoke in opposition to the amendment. Ms. Brunson read a document stating her position as well as others located in or near the area that would be redesignated by the requested General Plan Amendment. She requested that her statement be attached and incorporated in these minutes.

Randy Sloan residing on North Hale Street spoke in opposition to the General Plan amendment. Mr. Sloan feels there are many issues to be concerned with including flooding, road improvements, water and sewer issues.

George Ann Erickson residing on North Hale Street spoke in opposition to the General Plan amendment. Ms. Erickson had a question regarding the current zoning and how it relates to the proposed general plan amendment. Ms. Erickson asked if a property owner can request both a zone change and a General Plan amendment at the same time. She also asked if a zone change is turned down can an individual ask to amend the General Plan. Mayor Anderson stated such requests may be made at the same time, but typically the general plan is first amended and then a zone change consistent with the general plan amendment is then made. Ms. Erickson asked if an individual went before the Planning Commission for a zone change and was denied, could they then come back for a general plan amendment. Attorney Elton stated if the zone change was denied because it was inconsistent with the General Plan, then their alternative would be to request that General Plan be amended so they could receive their zone change. Councilman Castagno stated there are not any restrictions on how many applications an individual can submit.

Rob Brown owns two different properties within the area of the requested General Plan amendment. Mr. Brown spoke in opposition to the General Plan amendment.

Dale Erickson residing on North Hale Street spoke in opposition to the General Plan amendment.

Mayor Anderson asked for any further comment. No other comments were offered. Mayor Anderson closed the public hearing at 7:23 p.m.

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The regular City Council Meeting was officially opened at 7:23 p.m. by Mayor Anderson.

AGENDA:

APPROVAL OF MINUTES:

Councilman Castagno requested one correction to the proposed minutes on page six, by changing the website proposed for Grantsville to read “grantsville.gov” not “grantsvillecity.gov”.

Councilman Castagno made a motion to approve the regular meeting minutes of the Grantsville City Council held on October 03, 2007 as amended. Councilman Marshall seconded the motion. Councilman Rupp abstained from voting. All others voted in favor and the motion carried.

CONSIDERATION OF NEW BUSINESS LICENSES:

One business license for David Jordan, for his business entitled “Order of the Pink Tutu,” which will offer firearm instruction classes was considered. Councilman Castagno stated that Mr. Jordan had obtained approval of the activity from the Zoning Commission and that he has obtained all the licenses needed to offer firearm training and instruction classes. Councilman Marshall moved to approve the business license for David Jordan’s, Order of the Pink Tutu. Councilman Castagno seconded the motion, all voted in favor and the motion carried.

CONSIDERATION OF ORDINANCES:

a. An ordinance adopting new City Records Access and Management Regulations and Fees:

Attorney Elton stated the city last adopted GRAMA regulations by a resolution in 1992. Attorney Elton and Recorder Walker recently attended a seminar on the GRAMA Act and it is recommended that the current regulations be updated. The current proposal for consideration is an Ordinance for inclusion in the City Code instead of a resolution. The proposed ordinance is consistent with State law and regulates how people gain access to city records. It was Attorney Elton’s recommendation that the City Council enact the proposed ordinance. Councilman Marshall questioned the proposed fees to research records and asked if they were adequate. Attorney Elton stated the fees should be adequate, since the work probably will be done by a Clerk 1, at the rate of \$10.00 per hour and with benefits the \$15.00 per hour proposal should compensate the City. Attorney Elton stated that most departments give records out without a charge and this is recommended under most circumstances.

Councilman Butler moved to approve the Ordinance adopting new city records access and management regulations to be included in the Grantsville City Code as Chapter 2A. Paul Rupp seconded the motion, all voted in favor and the motion carried.

b. An ordinance increasing public transit sales tax from .25% to .30% as a result of state law exempting food from the transit tax:

Justin Jones representing the UTA spoke about the recent amendment to State Law exempting non-prepared food from the transit tax. Mr. Jones stated that when the legislature removed transit sales tax from food they also decided to give UTA and other agencies the opportunity to become whole by allowing local governments to increase the sales tax rate from .25% to .30%. The local sales tax rate for transit currently is .25% and it would adjust to .30% if the City adopted the proposed ordinance. This change would maintain the level of service and the same level of funding that UTA currently receives from Grantsville City.

Councilman Baird asked what level of service UTA is providing to the Grantsville City area. Mr. Jones stated that Route 454 comes to Grantsville every weekday and travels to Salt Lake City. Grantsville also has a contracted shuttle service with Tooele County Senior Center to provide service to anyone for rides between Grantsville and Tooele.

Mr. Jones stated the UTA is looking at the service provided to the Tooele County valley. They have been looking at the efficiencies of the UTA service. Currently the UTA has operators who live in Grantsville City and Tooele City who drive into Salt Lake City, pick up a bus and drive back out to Tooele valley. The UTA sees the current operation as a waste of money for the operator and for UTA. UTA feels it can gain in efficiencies by storing some of the UTA buses in the Tooele valley at night. UTA figures there could be savings of about \$350,000.00 annually by finding a place in Tooele valley to store the

buses. The UTA is looking at storing the buses at the Deseret Peak Complex and having the Tooele County operators drive to the complex to pick up the busses, pick up their passengers, go to Salt Lake do some other work and bring them back at night. With the extra money the UTA is proposing a new style of service. The UTA would like public input on November 30, 2007 from 9:30 a.m. to 11:30 a.m. at the Tooele Chamber of Commerce to look at finding a new service for the Tooele County areas. The UTA is looking at a fixed bus route with the ability to go off the route to pick up persons at their homes when they call ahead. The bus would make a circular route throughout the Tooele valley. Councilman Marshall asked if UTA had significant savings by parking busses at Desert Peak Complex, why would a transit tax increase be needed.

Mr. Jones stated that there are two separate issues. The first issue is the adjustment to the sales tax caused by the deletion of the tax from food, which would result in the same revenues to maintain the current level of service provided to the Tooele County area. The other issue is that the UTA is looking into improvements that can be made to accommodate the Tooele County area by storing buses at the Deseret Peak Complex.

Councilman Castagno moved to approve the proposed ordinance increasing the transit sales tax within Grantsville City from .25% to .30%. Councilman Rupp seconded the motion and all voted in favor and the motion carried.

c. An ordinance amending Section 28-22 (water conservation regulations) of the Grantsville City Code by deleting the requirement that prohibits secondary water from being conveyed to the City for certain developments and listing all water requirements for developments:

Attorney Elton stated the proposed ordinance deletes the current requirement that prohibits a developer from conveying water to the City for outside use, if the property has been irrigated with a private water source within the past five years. The proposed ordinance also consolidates all of the City's current water requirements for development approval under one ordinance. There are no substantive changes other than the deletion of the requirement to use secondary water on the land if it has been used within the last five years. The City would gain by not having multiple small irrigation systems and the City would be able to control the water. The ordinance would give the developer the option of conveying water to the City for outside use or providing its own secondary water irrigation system under.

Councilman Butler moved to approve the ordinance amending Section 28-22 of the Grantsville City Code by deleting the requirement that secondary water not be conveyed to the City for certain developments and consolidating all of the water requirements for development in one code section. Councilman Castagno seconded the motion, all voted in favor and the motion carried.

d. An ordinance amending subdivision regulations by deleting limitations on the length of subdivision streets and limiting the length of dead-end streets to 650 feet:

Councilman Marshall stated the proposed ordinance was to correct an error in applying the NFPA and the current Fire Codes.

Councilman Castagno moved to approve an amendment to the subdivision regulations contained in the Grantsville City Land Use Management and Development Code by deleting the requirement limiting the length of roads in subdivisions and by adopting a new regulation limiting the length of dead end streets to 650 feet. Councilman Butler seconded the motion, all voted in favor and the motion carried.

e. An ordinance amending the zoning map by rezoning 20 acres at approximately 445 West 615 North from an A-10 to a RR-1 zoning district (Carolee Warr application):

Carolee Warr stated that she is asking for the zone change so that her daughter and eventually her son can build a home on her property. She does not ever want to develop a large subdivision. Councilman Butler asked what the zone is adjacent to the property. Councilman Marshall stated that the RR-1 zone is located on two sides of this property.

Councilman Castagno made a motion to approve an ordinance amending the official zoning map of Grantsville City by rezoning property located at approximately 445 West 650 North from an A-10 to an RR-1 zoning designation. Councilman Marshall seconded the motion, all voted in favor and the motion carried.

f. An ordinance annexing 187 acres along the Northwest city boundary (Worthington Petition):

Councilman Butler asked if the City had received any negative comments or opposition to the proposed annexation. Mayor Anderson stated there had not been any negative comments or opposition to this proposal. Councilman Marshall made a motion to approve an ordinance to annex into the corporate city limits 187 acres of property located adjacent to the northwest boundary of Grantsville City and to designate the property with a RR-2.5 zoning designation. No Council member seconded the motion and it failed.

Councilman Baird stated that in the four years he has been serving on the council developers have been welcome to seek annexation into the City, but the land has always come into the City with the zoning designation that it currently had and then the developer would need to go through the process of rezoning the property through an application to the Planning Commission. Councilman Rupp stated he would like to see the Council be consistent and ask L&S Developers to go through the same process as everyone else has been required to do. Councilman Butler stated he would like to see the property brought in with an A-10 zone at least a RR-5 zone.

Councilman Marshall made a motion to approve an Ordinance to annex into the corporate city limits 187 acres of property located adjacent to the northwest boundary of Grantsville City and to designate the property with an A-10 zone and authorize the Mayor and City Officers to take all steps necessary to implement the ordinance. Councilman Castagno seconded the motion, all voted in favor and the motion carried.

CONSIDERATION OF AMENDING THE WATER REQUIREMENTS FOR RANCH ROAD SUBDIVISION PHASES 1, 2, AND 3:

Attorney Elton stated the current approval of the Ranch Road Subdivision Phases 1 and 2 requires the developer to convey water to the City for outside use and also requires the developer to install a dry irrigation system for the property. The City Council earlier in the meeting amended Section 28-22 of the City Code by deleting the requirement that a developer use a private source of irrigation water on the property when it had been used on the same property within the previous five years. The request of Mountain Vista is to eliminate the requirement that a dry secondary water system be used on all three phases of the Ranch Road Subdivision, since it will be conveying water to the City for outdoor use.

Councilman Butler made a motion to delete the requirement that a dry irrigation system be installed for Ranch Road Subdivisions (Phases 1 through 3) on condition that the required culinary water be conveyed to the City to meet the outside irrigation requirements. Councilman Baird seconded the motion, all voted in favor and the motion carried.

APPROVE SPECS FOR UTILITY EQUIPMENT:

Councilman Baird made a motion to approve the general specifications that were presented to the City Council for a hot asphalt utility trailer by utilizing the Cate Equipment Company brochure with the exception that a bid will only need to meet 90% of the specifications of the Cate Equipment. Councilman Castagno seconded the motion, all voted in favor and the motion carried.

DISCUSSION REGARDING CLOSURE OF 800 EAST STREET AT SR112:

Attorney Elton stated that Joel Kertamus⁷ is proposing to block the entrance of 800 East Street at its intersection with SR 112. Mayor Anderson stated that if this proposal were approved that the City would need to make a hammerhead or cul de sac at the end so emergency vehicles can turn around. Attorney Elton stated if the Council would like to consider this proposed closure of 800 East Street the issue will need to be taken to the Planning Commission for a recommendation and then would be brought back to the City council for final approval.

Approved

Councilman Rupp made a motion to refer to the Planning Commission the proposed closure of 800 East at SR 112. Councilman Baird seconded the motion, all voted in favor and the motion carried.

AWARD CONTRACT FOR BURMESTER SEWER LINE COLLECTOR PROJECT:

Eight bids had been submitted to the City and reviewed by the City Engineer. One bid had been disqualified because it was nonresponsive. Noland & Sons was the lowest responsible bidder and had submitted a bid of \$208,530.00. Aqua Engineering had recommended that the City award the bid to Noland & Sons for the Burmester Sewer Line Collector Project.

Councilman Butler moved to award the contract for the Burmester Sewer Line Project extension to Noland & Sons Construction for the sum of \$208,530.00. Councilman Rupp seconded the motion, all voted in favor and the motion carried.

CONSIDERATION OF SALARY STEP INCREASES:

City employee Kristy Clark was up for a salary step increase. Councilman Marshall made a motion to award the step increase for Kristy Clark. Councilman Castagno seconded the motion, all voted in favor and the motion carried.

APPROVAL OF BILLS:

Councilman Marshall made a motion to approve the Grantsville City bills dated October 16, 2007 in the amount of \$140,543.60. Councilman Butler seconded the motion, all voted in favor and the motion carried.

COUNCIL INFORMATION UPDATES:

Mayor Anderson stated he and Attorney Elton had a discussion with Alan Johnson regarding Quirk Street. Mr. Johnson promised Attorney Elton a letter from his contractor when the work will be scheduled and when it will be completed. Mr. Johnson told Mayor Anderson and Attorney Elton that it would take 3-4 days to finish the project. Mr. Johnson said it would be up to the contractor to schedule the project and thought he could begin in a week. Councilman Castagno asked about the bond Mr. Johnson has on the project. Mayor Anderson stated that it would have to be put out for bid and by that time it would be too late to have the road finished this calendar year. Councilman Marshall recommended denial of any other projects for Alan Johnson until Quirk Street is finished.

Councilman Marshall has received complaints regarding the island on SR 112 located near Durfee Street. He said drivers were not aware of the island and were running into it. Councilman Marshall suggested painting the island for visibility or placing a reflector sign to indicate the island. Councilman Butler will send an email to UDOT and follow up with a phone call.

Councilman Butler commented the new street light is working well at SR 112 and SR 138.

Councilman Rupp commented that some footings have been put in at the J. Reuben Clark Farm. In addition two Eagle Scouts are going to do a combined project to put in a split rail fence, it will be about 700 feet long.

Councilman Castagno stated that the ribbon cutting went well for the strip mall located at 225 East Main Street that was held on Saturday October 13, 2007. Councilman Castagno stated Wade Sandberg and Mike Colson have both done a great job with the construction of the strip mall. Mike Colson stated there are four office spaces left and that ten spaces have been filled. Mr. Colson indicated that Anytime Fitness will be opening a business in the near future.

Councilman Castagno stated the Chamber of Commerce called regarding the Santa Parade. They were asking what day Grantsville would be having the parade. Councilman Castagno stated that traditionally it is held the Saturday after Thanksgiving. Councilman Castagno stated he would like to keep it the same, but would like to reverse the route and start at City Hall and end at the Fire Station. Councilman Castagno suggested holding the Santa Parade on November 24, 2007 the Saturday after Thanksgiving with reverse routing. The Mayor and all other council members were in favor.

Approved

Mayor Anderson stated he is still working on obtaining more office space for the city. He stated the appraisal for the Grantsville clinic was for \$265,000.00. Mayor Anderson stated he has also been looking at the old brine shrimp building. Mayor Anderson stated he is going to have the building inspector look at the old brine shrimp building for the library. Mayor Anderson is going to look at what it would take to buy or lease the building. MHTN Architects is looking into the building requirements of the City. Mayor Anderson stated the architects are getting input from all of the city departments regarding what each department sees as their need for future growth.

WORK SCHEDULE FOR PERSONNEL:

Mayor Anderson asked the council to read and think about the request submitted asking for the Planning and Zoning Administrator to be able to work four 10 hour shifts instead of five 8 hour shifts. Mayor Anderson stated to change the schedule would require council action.

ADJOURN:

Councilman Marshall made a motion to adjourn the City Council meeting at 9:03 p.m.
Councilman Baird seconded the motion, all voted in favor and the motion carried.

Jeremy A. Walker
Recorder

Byron Anderson
Mayor