

Approved

MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL HELD ON APRIL 2, 2008 AT THE GRANTSVILLE CITY HALL, 429 EAST MAIN STREET, GRANTSVILLE, UTAH. THE MEETING BEGAN AT 7:00 P.M.

Mayor and Council Members Present: Mayor C. Byron Anderson; Council Members Todd Castagno, Mike Johnson, Tom Tripp, and Paul Rupp. Councilmember Brent Marshall was excused.

Appointed Officers and Employees Present: Attorney Ron Elton, Recorder Jeremy Walker, and Records Administrator Rachel Wright.

Citizens and Guests Present: Van Anderson, Catherine Anderson, Daniel Parish, Tammy Wright, Colleen Brunson, Jennifer Kelley, Angela Grant, Julie Black, Wayne Morris, Angela Jensen, Ardell Henderson, Mike Colson, John Palo and Charles Hansen.

Mayor Anderson called the meeting to order at 7:00 p.m.

Chief Danny Johnson and Detective Dan Chamberlain presented a plaque to Chelsea Spencer in recognition of her assistance in helping the police to apprehend a wanted person who had three outstanding felony warrants. Detective Chamberlain stated that Ms. Spencer followed the individual while talking to the police which led to an arrest. Detective Chamberlain stated the Grantsville City Police Department greatly appreciated her service.

PUBLIC HEARINGS:

A. Proposed minor subdivision for Carolee and Barry Warr located at 445 West 615 North to divide one lot into four:

Mayor Anderson opened the public hearing at 7:05 p.m. to receive comments on the proposed minor subdivision. No comments were offered and the Mayor closed the public hearing at 7:06 p.m.

B. Proposed minor subdivision for Van and Catherin Anderson located at 66 North Church Street to divide one lot into three:

Mayor Anderson opened the public hearing at 7:06 p.m. to receive comments on the proposed minor subdivision. No comments were offered and the Mayor closed the public hearing at 7:06 p.m.

C. Proposed amendment to Chapter 21, Section 6 (design standards for subdivisions) to require developments having 30 or more lots, residential units or commercial units to have more than one means of ingress and egress:

Mayor Anderson opened the public hearing at 7:07 p.m. to receive comments on the proposed amendment to Chapter 21. No comments were offered and the Mayor closed the public hearing at 7:08 p.m.

The regular meeting was officially called to order at 7:07 p.m. by Mayor Anderson.

AGENDA:

1. Summary Action Items:

- a. Approval of Minutes of the City Council Meeting held March 19, 2008
- b. Approval of Business Licenses for "Inwest Title Services, Inc", "Dead Shed Taxidermy and Fur", "Spectrum Eye Care, LLC", "Grant Peterson Remodeling and Construction", "The Wright Vinyl Sign", "Growing Paynes", and "ED&W Enterprises".
- c. Approval of Bills dated April 2, 2008 in the sum of \$69,725.53.

Motion: Councilman Castagno made a motion to approve the consent calendar with the exception of the "J&S Transportation, LLC" business license application. Councilman Johnson seconded the motion, all voted in favor and the motion carried.

Councilman Castagno stated at the last meeting Councilman Marshall was concerned with what materials would be stored in trucks at the city business location for J&S Transportation. Angela Jensen representing J&S Transportation stated there would not be any hazardous, flammable or explosive materials located at their business. She stated that the main items that would be hauled or stored in the trucks would be household items.

Motion: Councilman Castagno made a motion to approve the business license application for “J&S Transportation, LLC”. Councilman Johnson seconded the motion, all voted in favor and the motion carried.

2. Amendments to the Land Use Code:

a. Consideration of Ordinance No. 2008-09 to allow new applications to rezone property to a RM-7 zoning designation as specified in Section 15.4:

Attorney Elton stated the zoning designations of RM-7 and R-1-8 were frozen several years ago. He stated that the RM-7 zoning designation allows multiple family developments and the R-1-8 zoning designation is designed for single-family dwellings on lots of not less than 8000 square feet.

Councilman Castagno stated the issue is that applicants are requesting the RM-15 zoning designation because there isn't any other zoning designation for multiple family housing. He stated that currently the only zoning designation for multi-family dwellings is the RM-15 zoning designation. The rationale to reinstate the RM-7 zone is to provide an opportunity for developers to request less dense multiple family dwelling complexes, since RM-15 allows 15 units per acre, whereas the RM-7 zone only allows 7 units per acre. Councilman Castagno stated that opening the RM-7 zoning designation would also give more options for condominiums. He stated that some people do not want large lots nor do some people want to do maintenance on yards. He stated there needs to be some options for these people other than the RM-15 zoning designation.

Councilman Tripp stated he looked at lots with the RM-7 zoning designation and felt they are too small. He stated his opinion that these lots are starter home lots and that if an individual wants to own a boat or an RV that they will end up on the street because there isn't any room on their lot. Councilman Tripp stated there is not a lack of property in the RM-7 and R-1-8 zones. Councilman Tripp suggested looking into some other proposals other than the RM-7 and R-1-8 zoning designations.

Councilman Rupp stated his concern is that if the RM-7 and R-1-8 zoning designations are unfrozen that it would open up the possibility for higher density developments. He stated he is worried that higher density zoning designations will spread throughout the city. He stated he is also worried that if the zoning designations are unfrozen then more rezones will be allowed and higher densities sought after.

Motion: Councilman Tripp made a motion to table the consideration of Ordinance 2008-09, an ordinance amending Section 15.4 of the Grantsville Land Use Development and Management code by removing the restriction prohibiting the rezoning of property to a RM-7 zoning designation, in order for the council to obtain additional information. Councilman Rupp seconded the motion, all voted in favor and the motion carried.

b. Consideration of Ordinance No. 2008-10 to allow new applications to rezone property to a R-1-8 zoning designation as specified in Section 15.3:

Motion: Councilman Tripp made a motion to table the consideration of Ordinance 2008-10, an ordinance amending Section 15.4 of the Grantsville Land Use Development and Management code by removing the restriction prohibiting the rezoning of property to a RM-1-8 zoning designation in order for the council to obtain additional information. Councilman Rupp seconded the motion, all voted in favor and the motion carried.

c. Consideration of Ordinance No. 2008-11 to limit the total number of residential units or lots to what is allowed by the underlying zoning district in which a PUD development is proposed as specified in Chapter 12:

Councilman Castagno stated that currently a Planned Unit Development (PUD) allows a developer to request variances to all of the City development regulations. Attorney Elton stated that the proposed ordinance would still allow smaller lots to be requested, but not any more lots than would originally be allowed in the underlying zoning designation. Attorney Elton stated the ordinance would provide some density standards to the PUD process.

Councilman Rupp stated he liked the proposed ordinance because it would free up more open space and reduce city utilities. He stated that often the open space that is typically offered is not very large and he would like to see more open space that would benefit the city.

Councilman Tripp stated he would also like to see more open space to be used for parks. Mayor Anderson stated the ordinance is a planning commission recommendation. Mayor Anderson stated that a PUD is a give and take process between the city and a developer and

the PUD gives additional options to the city. Councilman Castagno stated he is concerned about the current ordinance because there needs to be some incentives for the developer to ask for a PUD and provide more open space. Attorney Elton stated the planning commission believes the incentive is smaller lots and more open space.

Motion: Councilman Castagno made a motion to table Ordinance No. 2008-11, an ordinance amending Section 12.2 of the Grantsville Land Use Development and Management Code by limiting the total number of units or lots in a planned unit development to what is allowed in the underlying zoning district, in order to allow the council members more time in order to obtain additional information. Councilman Johnson seconded the motion, all voted in favor and the motion carried.

3. Consideration of City Recorder's Certification of Annexation Petition filed by Grantsville LLC and AFC Inc., and authorization to provide legal notice of annexation:

Recorder Walker stated that he had met with Tooele County Officers and had determined that the Annexation Petition of Grantsville LLC and AFC Inc. met the legal requirements of the law. He stated he is seeking the Council's authorization to publish a Notice of Pending Annexation and to provide the same to each affected entity. He stated notice of the annexation will go in the paper once a week for three consecutive weeks notifying interested parties that the annexation may proceed unless they file an appropriate protest.

Motion: Councilman Johnson made a motion to direct Recorder Walker to provide the appropriate notices for this pending annexation. Councilman Tripp seconded the motion, all voted in favor and the motion carried.

4. Placement of Community Post Office Boxes on City Streets (Postmaster Roland Dalton request):

Attorney Elton stated that Postmaster Dalton had requested permission from Grantsville City to purchase, install, and maintain Postal Community Mail Boxes on City property streets and park strips. Attorney Elton stated that the Director of the Public Works Department Joel Kertamus was in favor of the request, but indicated that the Public Works Department should be allowed to approve the exact location that each box would be installed.

Motion: Councilman Rupp made a motion to authorize the post office to purchase, install, and maintain Postal Community Mail Boxes on City property, easements and park strips with the written approval from the Public Works Department for the exact location of each installation. Councilman Tripp seconded the motion, all voted in favor and the motion carried.

5. Appointment of Planning Commissioner:

Mayor Anderson nominated Mike Colson for appointment as a planning commissioner to fill the unexpired term of Garry Bolinder, with his term of office ending on June 30, 2011.

Motion: Councilman Tripp made a motion to approve the appointment of Mike Colson as a planning commissioner with his term of office ending on June 30, 2011. Councilman Castagno seconded the motion, all voted in favor and the motion carried.

6. Consideration of summer hires for the Public Works Department:

Councilman Johnson stated that Joel Kertamus, the Public Works Director, typically hires additional seasonal employees each summer. Councilman Johnson also stated that the hiring of these seasonal employees has been budgeted for.

Motion: Councilman Johnson made a motion to approve the hiring of four seasonal employees for the Public Works Department. Councilman Rupp seconded the motion, all voted in favor and the motion carried.

7. Consideration of hiring part time backup employee for City Library:

Recorder Walker stated that one of the library technicians is going to have surgery that will put her out of the office. He stated that the proposal is for a temporary part-time library technician to fill in for the current library technician during the time the employee is undergoing and recovering from surgery. Recorder Walker stated the additional cost would be approximately \$2,000.00 and would need to come from the current year budget.

Approved

Motion: Councilman Castagno made a motion to authorize the hiring of a temporary library technician as requested. Councilman Tripp seconded the motion, all voted in favor and the motion carried.

8. Consideration of giving consent for State of Utah to issue Canton City Restaurant a non-tavern beer license and consent to waive its proximity to Mountain View Baptist Church:

Ron Elton stated that the City Council had previously granted a beer license to Canon City, but in order for the State to finalize the process they would be required to waive the proximity of Canton City to a Baptist Church located in the same complex. The State is requesting the City's input regarding the issuance of a State Beer License and whether or not the City would consent to the State's waiver of the proximity requirement. Daniel Parish a representative of the Baptist Church was present and indicated that they didn't have sufficient time to get a formal response from their governing body, and even though they are against the use of alcohol, they would neither oppose nor speak in favor of the proposal and left the decision up to the City Council.

Motion: Councilman Castagno made a motion to give the City's consent to the issuance of a State Beer License for a non-tavern beer license for Canton City Restaurant and recommend that the proximity requirement be waived. Councilman Johnson seconded the motion. Councilman Tripp voted against the motion. Councilman Castagno, Johnson, and Rupp all voted in favor and the motion carried.

9. Pacific West Communities' Law Suit (Closed Session):

Mayor Anderson recommended that the City Council go into a closed session to conduct a strategy session to discuss the status of the Pacific West Communities' pending lawsuit. Mayor Anderson suggested that the closed session also include two representatives from the Orchard Lane Homeowners and two representatives from the Country Haven Condominium Homeowner's Association who were parties to the initial appeal filed with the City Council.

Councilman Castagno moved to go in a closed session to conduct a strategy session regarding pending litigation. Councilman Tripp seconded the motion. All voted in favor and the motion carried.

The Mayor adjourned the open session at 8:05 p.m.

Mayor Anderson reopened the public meeting at 8:25 p.m.

10. Council Information Updates:

Councilman Castagno stated the annual Easter Egg Hunt was successful. He stated that they also gave away a lot of good prizes.

Councilman Castagno asked if the South Willow Park had been deeded to the city. Attorney Elton stated it has not. He stated he has written two letters, but has not received a current response. Attorney Elton stated he will continue to pursue this matter.

Councilman Johnson stated he has received numerous complaints regarding the condition of the City streets. He stated he has been in contact with the Public Works Director and has made him aware of the concerns he has been receiving.

11. Adjourn:

Motion: Councilman Johnson made a motion to adjourn the City Council Meeting. Councilman Tripp seconded the motion, all voted in favor and the motion carried. The meeting was adjourned at 8:45 p.m.

Jeremy A. Walker
Recorder

C. Byron Anderson
Mayor