

Approved

**MINUTES OF A SPECIAL AND REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL BOTH HELD ON JUNE 18, 2008 AT THE GRANTSVILLE CITY HALL, 429 EAST MAIN STREET, GRANTSVILLE, UTAH. THE SPECIAL MEETING BEGAN AT 6:30 P.M. AND THE REGULAR MEETING BEGAN AT 7:00 P.M.**

**Mayor and Council Members Present:** Mayor C. Byron Anderson; Council Members Mike Johnson, Brent Marshall, Tom Tripp, Todd Castagno and Paul Rupp arrived at 7:00 p.m.

**Appointed Officers and Employees Present:** Attorney Ron Elton, Recorder Jeremy Walker, Records Administrator Rachel Wright, Public Works Director Joel Kertamus, and Police Clerk Brenda Loveless.

**Citizens and Guests Present:** Vern Loveless, Mike Colson, Dolores Kyle, Susan Henwood, Terry Larsen, Lynn Ellison, Dawn Eccles, Colleen Brunson, Gary Pinkham, Teresa Reed, Cory Brunson, Julie Franklin, Kevin Edwards, and Kim Clausing.

Mayor Anderson officially called the special meeting to order at 6:30 p.m.

**6:30 P.M. SPECIAL MEETING:**

**AGENDA:**

**1. Briefing on State Road 138 and State Road 112 Study.**

Ryan Hales a contractor working with UDOT spoke to the Council about a safety study that was conducted for State Road 138 and State Road 112 in and near Grantsville. He stated the study looks at the management of the transportation corridors for SR 112 and SR 138. He stated that with Miller Motor Sports Park's increased traffic and the other growth in the area that planning for the future of these roads will be important. He indicated that minimizing conflicts in traffic should be the goal of the State and City. He stated that the average daily trips for SR 112 is currently 7,000 vehicles a day and that it is estimated to be 15,000 in 2030. He reported that SR 138 currently has 6,500 daily trips with an estimate of 17,000 in 2030. In light of these reports the State would like to contract with Grantsville City to plan traffic lights and access points to these State Roads. He presented proposed agreements for the City's consideration and left his power point presentation for consideration by the Planning Commission. Mayor Anderson suggested that the Planning Commission review the State report and compare it with the City's Street Master Plan and make recommendations to the City Council regarding appropriate amendments to the Street Master Plan.

**7:00 P.M. REGULAR MEETING:**

**PUBLIC HEARINGS:**

**A. Proposed amendment to the 2007-2008 Budget.**

Mayor Anderson opened this public hearing at 7:03 p.m. to receive comments on the proposed amendment to the 2007-2008 Budget. No comments were offered and the Mayor closed the public hearing at 7:04 p.m.

**B. Proposed 2008-2009 Budget.**

Mayor Anderson opened this public hearing at 7:04 p.m. to receive comments on the proposed 2008-2009 Budget. No comments were offered and the Mayor closed the public hearing at 7:05 p.m.

**C. Proposed amendments to the compensation for the elective, appointed and statutory City officers and employees.**

Mayor Anderson opened this public hearing at 7:05 p.m. to receive comments on the proposed amendments to the compensation for the elective, appointed and statutory City offices and employees. No comments were offered and the Mayor closed the public hearing at 7:06 p.m.

**REGULAR AGENDA:**

**1. Summary Action Items**

- a. Approval of Minutes dated June 4, 2008.
- b. Approval of Business Licenses for "J&J Auto – Heavy Equipment".
- c. Approval of Bills dated June 18, 2008 in the sum of \$101,989.36.
- d. Consideration of revised job descriptions for the Recorder, Treasurer/HR, Building Official/Ordinance Enforcement Officer and Clerk 2 position, together with a new description for Director of Finance.

**Motion:** Councilman Tripp made a motion to approve the summary action items, with the exception of other personnel matters, which was deferred until later in the meeting. Councilman Rupp seconded the motion, all voted in favor and the motion carried.

**2. Consideration of Ordinance 2008-26 amending the General Plan for approximately 129 acres located between North Hale and North Cooley Streets from its current Industrial and Rural Residential-2 categories to a Rural Residential-1 category. (Josh Henwood et al. application).**

Councilman Marshall stated that this is the third time this same issue has come before the council. He stated that new proposals for this area is on the next Planning Commission agenda involving a general amendment which could possibly remove the industrial designation from this neighborhood. He stated that the Planning Commission was not able to recommend approval of the current proposal. He wanted to see what the Planning Commission recommends for this area.

**Motion:** Councilman Marshall made a motion to deny the adoption of Ordinance 2008-26. Councilman Johnson seconded the motion, all voted in favor and the motion carried.

**3. Consideration of Ordinance 2008-27 amending the zoning designation for 16.4 acres located at approximately 600 North Cooley Street, from an A-10 zone to a RR-2.5 and RR-5 zoning designation (Patrick Hearty application).**

Patrick Hearty has not been able to obtain a legal description of the two zones proposed for his property. A discussion was had regarding the possible description. Mr. Hearty stated the property ends at Picadilly Street and runs about 190 feet to the South to include a parcel with 2.5 acres. Councilman Castagno stated he is worried the 2.5 acre parcel may not be in compliance with the Land Use Management and Development Code because it could possibly be three times longer than it is wide. Mr. Hearty agreed that he would need to provide the legal descriptions at a later date.

**Motion:** Councilman Castagno made a motion to table Ordinance 2008-27. Councilman Marshall seconded the motion, all voted in favor and the motion carried.

**4. Consideration of Ordinance No. 2008-28 separating the office of City Recorder into two positions (City Recorder and Director of Finance).**

Mayor Anderson stated the proposed ordinance divides the Recorder's Office into two different positions, that being a Finance Director and a Recorder.

Councilman Tripp stated that Director of Finance is a common position among cities. Mayor Anderson stated when he first appointed the City Recorder position he thought that one person could handle both the administrative and financial functions, but as time has gone by he has realized the job is bigger than he counted on.

**Motion:** Councilman Johnson made a motion to approve Ordinance 2008-28. Councilman Marshall seconded the motion, all voted in favor and the motion carried.

**Summary Action Item D (Personnel Matter):**

Mayor Anderson nominated Jeremy Walker as the new Finance Director and Rachel Wright as the City Recorder effective as of July 1, 2008.

**Motion:** Councilman Marshall made a motion to approve Jeremy Walker as the Finance Director and Rachel Wright as the City Recorder, effective as of July 1, 2008. Councilman Castagno seconded the motion, all voted in favor and the motion carried.

**5. Consideration of Resolution No. 2008-04, amending the 2007-2008 City Budget.**

Recorder Walker stated that the anticipated revenues from building permits is less than originally budgeted. He stated that the contracted attorney fees were also higher then were budgeted for. He stated that the proposed final year end budget amendment show actual revenues and expenditures and results in a balanced budget. Councilman Castagno asked why the animal licenses shows that the City received zero revenues. Recorder Walker stated these revenues were placed it in another line item under non-professional licenses.

**Motion:** Councilman Marshall made a motion to approve Resolution 2008-04. Councilman Castagno seconded the motion, all voted in favor and the motion carried.

**6. Consideration of Resolution No. 2008-05, adopting the 2008-2009 fiscal year budget and tax levy.**

Councilman Tripp stated he would like the City to look into a different system of compensation. He stated the Utah League of Cities and Towns suggests a performance base compensation system

instead of a step system. He stated that supervisors should have an option on how much an employee should receive for performance instead of everyone receiving the same compensation. He stated he is suggesting a position having a starting range and a final range that will adjust over time with cost of living increases. He stated such a system would be like steps, but the supervisor would assign a rate instead of having a set rate of compensation. Councilman Tripp stated he feels the benefits for the employees are generous. Councilman Tripp also suggested having departments watch the spending.

**Motion:** Councilman Tripp made a motion to approve Resolution 2008-05, Councilman Marshall seconded the motion. Council Members Marshall, Castagno, Rupp, and Johnson voted in favor of the motion, Council Member Tripp voted against the motion. The motion carried.

**7. Consideration of Ordinance No. 2008-29 establishing the compensation of the elective, statutory and appointed officers for the 2008-2009 fiscal year.**

Councilman Johnson asked if every year there is a step equivalent and cost of living raise for the elective, statutory and appointed officers. Mayor Anderson stated that there had been for at least the past five years. Councilman Tripp stated the Resolution includes a substantial raise for the Mayor. He stated that he feels the raise is appropriate because he actually has the duties of a City Manager. He stated the other compensation is fairly average with other cities. Councilman Rupp stated that in the past it was the plan for the compensation of the Mayor to be increased substantially each year in anticipation of having a full-time Mayor or City Manager.

Councilman Tripp asked for his Wage Comparison table to be entered into the minutes, which is attached hereto.

**Motion:** Councilman Castagno made a motion to approve Ordinance 2008-29. Councilman Johnson seconded the motion, all voted in favor and the motion carried.

**8. Consideration of Ordinance No. 2008-30 prohibiting the use of tobacco in City Parks and Recreation Areas.**

Councilman Marshall stated that during his visits to the City Parks, he has observed toddlers playing in areas where young men were chewing and spitting tobacco. He indicated that he had asked the City Attorney to draft an ordinance prohibiting both smoking and chewing tobacco. Attorney Elton stated that there were three draft ordinances for consideration. No. 2008-30A was the ordinance presented at the last meeting. No. 2008-30B excluded the exterior sidewalks of parks from the prohibition and No. 2008-30C was the same as 2008B and also included the prohibition of chewing tobacco.

Councilman Rupp reiterated his position that these ordinance are in conflict with individual freedoms and that he did not believe the findings in support of the ordinances could be factually supported.

Kim Clausing with Tooele County Health was present and indicated that there were studies to support the proposed findings included in the ordinances.

**Motion:** Councilman Marshall made a motion to approve Ordinance 2008-30C, Councilman Castagno seconded the motion. Council Members Marshall, Castagno, Tripp and Johnson voted in favor of the motion. Council Member Rupp voted against the motion. The motion carried.

**9. Consideration of Ordinance No. 2008-25 vacating the south 30 feet of Apple Street between Cooley and West Streets.**

Councilman Marshall asked Joel Kertamus' (Public Works Director) about his recommendations on this issue. Joel Kertamus indicated that he would recommend against any vacation but that if the street were to be vacated that he would like to not see more than 25 feet vacated in order to preserve street alignments. Councilman Marshall stated that even if the street was not vacated, that the owners could maintain the area between their property line and street. Joel Kertamus stated that City Ordinances require property owners to maintain the unpaved area in front of the property. Councilman Castagno stated that the City should look for grants in order to further develop Apple Street.

**Motion:** Councilman Marshall made a motion to deny the adoption of Ordinance 2008-25, Councilman Rupp seconded the motion, all voted in favor and the motion carried.

**10. Selection of engineer for wastewater treatment project and approval of professional services contract for engineering services.**

Approved

Attorney Elton stated last year the City solicited proposals for engineers to do the work on a wastewater treatment facility upgrade. The City only received one proposal and that was from Aqua Engineering. The City only selected Aqua to do the preliminary work on the project and in the meantime Aqua submitted a grant application and had secured federal funding for the project. The City still needs to make the final selection of an engineer to complete the project. The proposed work would upgrade the facility to handle 8-10 years of growth and would still allow the City the flexibility to participate in a regional facility if it comes to fruition.

**Motion:** Councilman Castagno made a motion to select Aqua Engineering to do the engineering/design, construction management, prepare an operations and maintenance manual and provide startup and operation training for the new wastewater treatment project and to approve the proposal of Aqua Engineering for its fees in the sum of \$150,450 for this work. Councilman Johnson seconded the motion, all voted in favor and the motion carried.

## 11. Council Information Updates.

Mayor Anderson stated that at the last City Council Meeting the Council had agreed that the City should put out an RFP for an independent auditor. He indicated that Jeremy Walker has asked that the City wait one more year before it obtains a new auditor. Mr. Walker indicated that the current auditor has been doing the audit for over ten years and has a great deal of the City's records and information that the City needs to obtain prior to obtaining a new auditor. All agreed that they do not have a problem waiting one year.

Mayor Anderson indicated that a resident has offered to sell water rights to the City. He indicated that the city has almost \$600,000.00 that will need to be used to purchase water rights. The Council agreed that the Mayor should explore such a purchase.

Mayor Anderson stated that the Maverik store will be opening this week and that the adjoin road has not yet been completed. He indicated that Maverik will be providing the City with a guarantee that the road will be completed within 90 days.

Councilman Marshall indicated that the Youth City Council will be preparing the City float for the Fourth of July Celebration and asked City staff to work with them to accomplish this project.

Councilman Tripp stated that he had received a request from Ken's Gymnastics to extend the lease to a two year term. He asked that this item be placed on an agenda for consideration. He also indicated that the Mosquito Abatement District had proposed a tax increase to support its operations. He stated that West Nile virus has been detected in the Tooele Valley, and is deadly to horses.

Councilman Castagno asked about the deed to the South Willow Estates Park. Attorney Elton indicated that the park parcel did not have a legal description and that he had provided the escrow agent with information that would hopefully result in a meets and bounds description being prepared and that the deed would be delivered as soon as the description was provided.

## 12. Adjourn

**Motion:** Councilman Marshall made a motion to adjourn the meeting. The motion was seconded by Councilman Rupp, all voted in favor and the motion carried.

The meeting was adjourned at 8:40 p.m.

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Jeremy A. Walker  
Recorder

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C. Byron Anderson  
Mayor