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MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL HELD ON JULY 16, 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: Council Members Todd Castagno, Tom Tripp, Mike Johnson, Paul Rupp, and Brent Marshall.

Appointed Officers and Employees Present: Recorder Rachel Wright and Attorney Ron Elton.

Citizens and Guests Present: Teresa Reed, Corey Gunderson, Clinton Gunderson, Cheri Gunderson, Jessica Gunderson, Max Gunderson, Christopher Gunderson, Alan Johnson, Dave Aagard, Colleen Brunson, Kelley Hansen, Nadine Hunt, and Rick Phelps.

Councilman Castagno made a motion for Paul Rupp to be the Mayor Pro Tempore in the absence of Mayor Anderson. Councilman Tripp seconded the motion, all voted in favor and the motion carried.

Mayor Pro Tempore Rupp officially called the meeting to order at 7:00 p.m.

AGENDA:

1. Summary Action Items

- a. Approval of Minutes of the June 11, 2008 and July 2, 2008 City Council Meetings.
- b. Approval of Business License for "Red Hot Golf".
- c. Approval of Bills dated July 16, 2008 in the sum of \$118,803.79.
- d. Personnel Matters: consideration of salary step increases for Ron Griffin to go from a Grade 13, Step 8 to a Grade 13, Step 9.

Councilman Marshall asked for the word large developments be taken out on page 3 of the City Council Minutes to be reworded to major subdivisions.

Motion: Councilman Castagno made a motion to approve the summary action items with an amendment to the minutes for large developments to be replaced with major subdivisions on page 3 of the July 2, 2008 Minutes. Councilman Johnson seconded the motion, all voted in favor and the motion carried.

2. Consideration of Eagle Scout Project for Cory Gunderson.

Cory Gunderson spoke to the council. Mr. Gunderson stated that he is working on an Eagle Scout project gathering Boy Scout merit badge books for the library. He stated he has had the books donated and is in need of funding for shelving to display the books in the library. He stated he has received some funding for the shelving, but is in need of approximately \$220.00 more. Councilman Tripp expressed concern with the dimensions of the shelving because the library space is limited. Mr. Gunderson stated he spoke to library staff and they said they could make room for shelving. Councilman Marshall stated the project is a great resource to the community and wanted to express his appreciation to Mr. Gunderson for his service.

Mr. Gunderson presented the books to the library and the council.

Motion: Councilman Marshall made a motion pending approval of the Mayor and the librarians to fund the shelving needs to display the merit badge books. Councilman Castagno seconded the motion, all voted in favor and the motion carried.

3. Consideration of Ordinance No. 2008-31 amending Chapter 16 of the Grantsville City Code making School District roads and parking areas subject to the State Traffic Code.

Attorney Elton stated that the Grantsville City Police Department requested this amendment. He stated that if the ordinance is passed then the police department can write tickets for all traffic violations on school district property located in Grantsville City. Officer Aagard stated he would send notification of the ordinance to the affected parties if the ordinance is passed.

Motion: Councilman Johnson made a motion to approve ordinance No. 2008-31 amending Chapter 16 of the Grantsville City Code to make School District roads and parking areas subject to the State Traffic Code. Councilman Marshall seconded the motion, all voted in favor and the motion carried.

4. Consideration of Ordinance No. 2008-32 amending the Animal Control regulations to include an increase in fees, new cruelty to animal provisions, technical amendments and renumbering.

Attorney Elton stated he is in the process of updating the Grantsville City Code. He stated the Chief of Police and the animal control officer have reviewed and approved the revisions to the animal

control ordinance. He stated the new licensing fees will not take effect until dogs are relicensed. Councilman Castagno asked if it would be better to make the consideration a resolution instead of an ordinance so it is easier to change the fees. Attorney Elton stated that a provision was placed in the ordinance to allow changes in the fees through a resolution.

Councilman Castagno asked who determines if animals are being a nuisance. Attorney Elton stated the Animal Control Officer, Police Department and Prosecuting Attorney make the determination. Randi Johnson, the animal control officer also stated the health department will assist in determining if there is a nuisance.

Councilman Tripp stated that Section 4-1-13 prohibits dogs from any establishment or place of business. He stated that service animals should be allowed and recommended adding such a provision to the ordinance. Councilman Tripp also inquired about Section 4-1-22. He asked if notice would be received in sufficient time before the animal is disposed of. Attorney Elton stated that notice will be given and a reasonable time will be allowed before an animal is disposed of. Councilman Tripp stated that Section 4-1-27 states that it is unlawful to purchase wild animals, but it does not state what a wild animal is. Attorney Elton stated that the code defines vicious animals and that this section could be amended to be consistent.

Motion: Councilman Tripp made a motion to approve Ordinance 2008-32 with an amendment to Section 4-1-13 to exclude service animals from its prohibition. Councilman Johnson seconded the motion, all voted in favor and the motion carried.

5. Consideration of Resolution No. 2008-06 amending the 2008-2009 tax rate for Grantsville City.

Ron Elton stated when the City adopted the tax rate as a part of the budget in June, the City had not received the certified tax rate from the county. The City has now received the certified rate and it is proposed to amend the tax rate to equal the certified rate.

Motion: Councilman Castagno made a motion a motion to approve Resolution No. 2008-06. Councilman Tripp seconded the motion, all voted in favor and the motion carried.

6. Consideration of final plat for the first phase of the Wells Crossing Subdivision PUD.

Attorney Elton stated that there were minor issues on the plat that the Planning Commission had requested to be corrected prior to recording. He stated that the Planning Commission and the City Engineer have approved the plat contingent upon these corrections. Kelley Hanson representing Wells Crossing stated the culinary water is in order and has been banked for Phase 1. He stated they will be using culinary water for outdoor use. Mr. Hanson stated the sewer easement has been recorded. He stated they would like to break ground in March 2009, but it will depend on market conditions.

Motion: Councilman Johnson made a motion to approve the final plat for Wells Crossing Phase 1, based upon the terms and conditions as specified by the Planning Commission, City Planner and City Engineer and subject to the development agreement and all other terms and conditions established by the Planning Commission and City Council, including the preliminary plat and engineering drawings. Councilman Marshall seconded the motion, all voted in favor and the motion carried.

7. Consideration of City Recorder's Notice of Certification of Annexation Petition filed by Nadine and Randy Hunt and authorization to provide legal notice of annexation.

Attorney Elton stated the Recorder had met with Tooele County officials regarding the annexation and had provided the City Council with a certification that the petition met the requirements of Utah Law.

Motion: Councilman Marshall made a motion to direct the City Recorder to continue with the annexation process and publish a notice of pending annexation in the newspaper and to all affected entities as required by law. Councilman Castagno seconded the motion, all voted in favor and the motion carried.

8. Consideration of extension or termination of Heritage Grove Phase 1B and Phase 2 Final Plats.

Attorney Elton stated that last fall the final plats for the Heritage Grove Subdivision were not given final approval until Quirk Street was finished as a part of the approval of South Willow Ranches subdivision that Alan Johnson was also a principal to. He stated the Public Works Director has submitted a report indicating that Quirk Street is 98% complete. Attorney Elton suggested giving a time limit to record the plat when the road is completed. Alan Johnson representing Heritage Grove Subdivision stated that 98% of the road is complete. He stated they had to wait for spring to complete

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the road. Councilman Marshall asked if the road could be completed by the end of the month. Mr. Johnson stated that it should be done in thirty days. Councilman Marshall stated the Council would allow 30 days and then suggested that Mr. Johnson could come back to the Council and ask for an extension to file the plats, provided all of the other terms and conditions for the final plats had been complied with including an easement for an alternate drainage basin.

Motion: Councilman Marshall made a motion to table this item until the August 20, 2008 City Council Meeting. Councilman Castagno seconded the motion, all voted in favor and the motion carried.

9. Consideration of Cooperative Corridor Preservation Agreement with UDOT.

Attorney Elton stated UDOT has asked for an agreement to plan for and limit access corridors along the east portion of State Road 138 within Grantsville City. He indicated that the City typically establishes future corridors through the General Plan process and the Street Master Plan. This item hadn't been reviewed by the Planning Commission and the City Council had not received any recommendations concerning UDOT's request. Councilman Castagno stated he did not like the fact that UDOT put together the agreement without the City's input. Councilman Marshall stated the agreement is frustrating because it binds the City in its planning processes.

Motion: Councilman Marshall made a motion to table until further notice and instructed the City Attorney to communicate the Council's concerns with UDOT. Councilman Johnson seconded the motion, all voted in favor and the motion carried.

10. Council Information Updates.

Councilman Tripp stated that he has become aware that the City has a cash on hand problem. He stated the City is down to \$50,000.00 in cash reserves in the general fund. He stated the City needs to be careful with spending. He stated the Mayor has asked the departments to watch their spending. Attorney Elton stated that many government entities borrow money because they do not receive their revenue until the end of the year. He stated that Tooele County has borrowed money to meet its cash needs until its regular revenues are received. He stated that Grantsville City has not had to borrow cash for some time, but with the downturn in the economy the City may be required to borrow from its restricted accounts in order to meet its cash needs until such time as all of the anticipated revenues are received. Councilman Marshall stated that when the City receives the property tax revenues the departments cannot go on spending sprees because it causes the City to be strapped for cash for the rest of the year.

Councilman Tripp stated that the Tooele Transcript Bulletin has had some articles in the paper regarding the South Willow Park. Councilman Marshall stated the article on the South Willow Park may have been to the Cities benefit because Attorney Elton has been contacted by Mountain Vista to have a meeting regarding the park. He stated that when parks are considered they should be completed during the initial phases of a project and as a condition of approval of the plat. Councilman Castagno stated that well written development agreements can prevent the same issues in the future.

Councilman Rupp asked to look into upgrading the power at the City Park for the Fourth of July events. He stated there are more and more concessions each year. Councilman Tripp stated that it may not be cost effective for the small amount of time needed.

Councilman Castagno stated that the ballpark does not have any lights in the restrooms. He stated the City may want to look into getting some lights for the restroom. He stated he heard a lot of good comments regarding the City fireworks for the July 4th celebration.

Councilman Johnson stated the sidewalk at the junior high is going well.

11. Adjourn

Motion: Councilman Marshall made a motion to adjourn. Councilman Johnson seconded the motion, all voted in favor and the meeting was officially adjourned at 8:25 p.m.

Rachel Wright
Recorder

C. Byron Anderson
Mayor