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**MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL HELD ON AUGUST 20, 2008 AT THE GRANTSVILLE CITY HALL, 429 EAST MAIN STREET, GRANTSVILLE, UTAH. THE MEETING BEGAN AT 7:00 P.M.**

**Roll Call:** Mayor C. Byron Anderson and Council Members Brent Marshall, Tom Tripp, Mike Johnson, Todd Castagno and Paul Rupp were present.

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

**Citizens and Guests Present:** Colleen Brunson, Jen Kelley, Dawn Burton, Alan Johnson, Arnie Hunt, Don Hunt, Todd Stewart, Teresa Reed, and Nadine Hunt.

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

**AGENDA:**

**1. Summary Action Items**

- a. Approval of Minutes of the City Council meeting held August 6, 2008.
- b. Approval of Bills dated August 15, 2008 in the sum of \$96,410.62
- c. Personnel Matters: salary step increases for Jeri Bolinder to go from a Grade 7, Step 1 to a Grade 7, Step 2 and Adrienne Palmer to go from a Grade 7, Step 1 to a Grade 7, Step 2.

**Motion:** Councilman Tripp made a motion to approve the summary action items. Councilman Castagno seconded the motion, all voted in favor and the motion carried.

**2. Consideration of approval of a three lot subdivision at 248 West Clark Street. (Lloyd Farr Application).**

Councilman Johnson stated he is concerned about the rights of animal owners who abut this type of subdivision. He stated he would like to see protection for landowners that currently have animals on their properties. He stated that the City ordinances do not permit animals closer than 100 feet to a residential dwelling. Councilman Johnson stated that a neighbor of Lloyd Farr, Carol Haddock, is opposed to the minor subdivision because she is concerned she will not be able to have animals on her property because of the 100 foot rule. She is also concerned the subdivision will decrease the property values for the neighbors because their property will not be able to be listed as having animal usage. Attorney Elton suggested amending the regulations protect landowners with animals or to prohibit these type of subdivisions in the future.

Councilman Marshall stated he is concerned about the safety of these types of subdivisions. He stated that Clark Street and Durfee Street have properties with deep lots. He stated that if the Council allows subdivisions behind homes with private driveways then it could create a law enforcement and fire department nightmare in locating and getting access to these lots. He stated the Farrell Johnson property has a private driveway and the fire department would be unable to get a fire truck to the houses located behind the main residence. Councilman Johnson stated Lloyd Farr's property would have a 30 feet paved driveway to allow access for the emergency vehicles.

Councilman Marshall stated he is concerned with the lot at the north end of the property regarding sewer service and the possibility of a lift station. He stated that it is not appropriate to have citizens pay for a pumping station for one home. Councilman Castagno stated they would have to put in a private home lift station.

Attorney Elton stated the minor subdivision meets the current city ordinances. Councilmen Johnson, Marshall, and Tripp stated they would like to take some time and look at the safety issues and see if there is a way to protect animal owner rights.

**Motion:** Councilman Johnson made a motion to table the proposed minor subdivision for Lloyd Farr to allow the council to look at the current animal ordinances and look into the safety concerns. Councilman Tripp seconded the motion, all voted in favor and the motion carried.

**3. Consideration of Ordinance No. 2008-33 amending the official zoning map of Grantsville City by rezoning property located south of State Road 138 at approximately 519 West from an A-10 designation to a CS or a CD zoning designation. (West Side Auto Application).**

Attorney Elton stated there is currently two proposals for the property to either rezone the property to a CS or CD zone. The Planning Commission recommended that the property be rezoned CS which is what the Hunt's are asking for. He stated the adjoin property that West Side Auto owns is also zoned CS. Arnie Hunt stated the property in question is approximately 1500 square feet. Councilman Johnson stated West Side Auto is a viable business in the community.

**Motion:** Councilman Johnson made a motion to approve Ordinance 2008-33, an ordinance amending the official zoning map by rezoning property located south of State Road 138 at approximately 519 West from an A-10 designation to a CS zoning designation with authorization to allow the Mayor to revise the legal description to include all of the property if needed. Councilman Marshall seconded the motion, all voted in favor and the motion carried.

**4. Consideration of Ordinance No. 2008-34 amending the subdivision improvement guarantee provisions of the Grantsville City Land Use Management and Development Code to bring these sections into compliance with Senate Bill 196.**

Attorney Elton stated the Utah Legislature passed a law that states a municipality can only require a one year subdivision improvement bond in most circumstances and sets out inspection standards. He stated the proposed ordinance incorporates language taken from the Utah Code. He stated the municipality can extend the improvement bond to two years for good cause.

**Motion:** Councilman Castagno made a motion to approve Ordinance 2008-34, an ordinance amending the subdivision improvement guarantee and inspection provisions of the City's Land Use Management and Development Code. Councilman Rupp seconded the motion, all voted in favor and the motion carried.

**5. Consideration of Ordinance No. 2008-35 amending Sections 3.11 and 3.18 of the Grantsville City Land Use Management and Development Code by limiting repetitive applications to amend the General Plan or Zoning Map.**

Attorney Elton stated that during the last general revision of the Grantsville Land Use Management and Development Code the section limiting repetitive applications was unintentionally omitted. Councilman Marshall stated he asked the attorney to make a few changes to include the word substantial. Attorney Elton stated that the zoning administrator will initially determine what a substantial change is to implement the ordinance.

Councilman Castagno stated he feels the intent is good, but the proposed two year limitation is too long of a time to restrict applications. He stated he would like to see the limitation on applications set at one year. He stated two years in a business or commercial setting can really tie the hands of the City and prevent needed changes.

Councilman Tripp stated the Mayor or the City Council would be able to initiate changes as an exception to the ordinance if such a change was in the best interest of the City. He stated he feels two year limitation is a good timeframe, because the Council typically changes every two years.

Councilman Marshall stated he feels the ordinance would limit applications that are not completely thought out. He stated that often developers will submit a plan hoping it will pass and will keep submitting ideas until the Council finally will accept one of the plans. He stated he feels the ordinance will require developers to have a well thought out plan in the beginning.

**Motion:** Councilman Marshall made a motion to approve ordinance 2008-35, an ordinance amending Sections 3.11 and 3.18 of the Grantsville City Land Use Management and Development Code. Councilman Rupp seconded the motion. Council Members Marshall, Tripp, Johnson, and Rupp voted in favor of the motion. Councilman Castagno voted against the motion and the motion carried.

**6. Requests for extensions on pending developments/subdivisions**

**a. Heritage Grove Phase 1B and Phase 2 Final Plat approval (Alan Johnson).**

Alan Johnson was present and stated Quirk Street is nearly finished. He stated he is waiting for the public works department to inspect the street. Attorney Elton stated the City needs to obtain an escrow account to complete the required trail to Durfee Street that currently cannot be completed because of landowner encroachments. Alan Johnson stated he would like to propose that once the public works director obtains the information needed by the City that he be allowed to get a new bond and extend the bond to include the trail and the warranty period. Councilman Rupp suggested allowing the public works department 60 days to be able to get all of their needed documentation and then to extend Heritage Grove for 6 months. Councilman Tripp suggested extending the recordation of the final plats for the pending Heritage Grove subdivision to May 1, 2009.

**Motion:** Councilman Tripp made a motion to authorize the developer until May 1, 2009 to record the Heritage Grove Phase 1B and Phase 2 final plats and provided the work on Quirk Street is timely completed. Councilman Rupp seconded the motion, all voted in favor and the motion carried.

**7. Consideration of annexation petition of Nadine and Randy Hunt and set final public hearing.**

Attorney Elton stated the no protests to the proposed annexation were received by the City or the County Boundary Commission. Attorney Elton suggested setting a final public hearing to consider this matter.

**Motion:** Councilman Marshall made a motion to set a final public hearing for the proposed annexation on September 3, 2008 at 7:00 p.m. Councilman Johnson seconded the motion, all voted in favor and the motion carried.

**8. Review of proposed revisions to building standards and new provision regarding boarding of unsecured buildings.**

Attorney Elton presented a proposed revision to the City Building Standards which was in consultation with the City's Building Official Mike Haycock. Mr. Haycock has requested a new Chapter regarding the boarding of unsecure buildings.

Councilman Tripp asked about the requirement for house numbers. Attorney Elton stated it is a safety issue. Councilman Marshall stated that as subdivision is being built the developer is also required to have temporary signs so that emergency vehicle can locate the property.

Councilman Marshall stated he does not feel that an individual should be required to obtain a permit to board unsecured buildings and the other council members agreed. Attorney Elton suggested changing the language to have delete the permitting provisions and only require a property owner to board an unsecure building after having received a notice from the building official. The Council indicated its desire to place Title 5, Chapter 1 (Building Standards) on an agenda for final consideration and that Title 5, Chapter 2 (Boarding Unsecured Buildings) be revised and placed on an agenda for further review.

**9. Authorization to fund regional transportation planning with Wasatch Front Regional Council.**

Mayor Anderson stated that the Utah Department of Transportation has requested matching funds to help fund the Wasatch Front Regional Council (WFRC) to provide technical assistance for the Tooele Valley Rural Planning Organization (RPO). The proposal would require Grantsville City to fund the RPO \$1,000.00 for the period from July 1, 2008 through June 30, 2009. Mayor Anderson stated that the WFRC and RPO are very valuable to Grantsville City's interests. He stated the funding assist in the planning process for new roads.

**Motion:** Councilman Tripp made a motion to authorize funding of \$1,000.00 to the Wasatch Fund Regional Council for the Tooele Valley Rural Planning Organization and to authorize the Mayor to execute Amendment III to the Bylaws of the RPO which sets out the funding of each participating entity. Councilman Johnson seconded the motion, all voted in favor and the motion carried.

**10. Discussion of possible solid waste collection rate increase due to increase in contractor fees.**

Councilman Marshall stated he had a discussion with the Finance Director Jeremy Walker regarding a possible rate increase. He stated that Tooele City's rate is \$11.00 and with the proposed increase for Grantsville City the fee would be \$14.00 a month. He stated he would like to know what the County rate is and why the rate for Tooele City is less than Grantsville City's rate from Ace Disposal. He stated he would like to see verification or justification for the rate increase. He also stated the City may want to have the garbage disposal contract bid out again to ensure the City is receiving the best possible rate.

Councilman Castagno questioned the effectiveness of the bulk pick-up service. He stated that he has noticed several locations placing materials on the curb and that it does not get picked up. He stated that is one the biggest factors for using Ace Disposal. He stated the bulk pick-up is more restricted than he thought it would be. Councilman Rupp stated he feels the bulk pick-up is more complicated than having one day dedicated to a City cleanup.

Mayor Anderson stated he would ask the finance director to attend the next council meeting to explain the proposed collection rate increase.

**11. Council Information Updates.**

Councilman Marshall stated he was asked if the West Desert Firefighters Association could locate a paper recycle bin at the fire station. He stated the money collected would be used to support the West

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Desert Firefighters Association. He also stated that the 2009 trucks are starting to come on the market and the 2008 vehicles will be disappearing rapidly. He asked if the fire department can order the budget for rescue truck and pick it up in January. He stated the City would not need to pay for the truck until it was delivered. Attorney Elton suggested placing the subject on the next agenda to approve the specifications.

Councilman Tripp stated he has noticed many advertisement signs around the City, which may be illegal. Mayor Anderson stated he will ask the public works department to clean them up. Councilman Tripp stated he would like to see the City continue controlling expenditures to meet revenues.

Councilman Castagno announced the Taste of Grantsville will be held September 17, 2008 located in the Soelberg's parking lot. Councilman Marshall stated at the room tax meeting they spoke highly of the taste of home that was held in Grantsville City. Councilman Castagno stated that last year there were 500 tickets and they had about 550 people show up.

Mayor Anderson stated a few meetings are coming up regarding the City. He stated he and the attorney have a meeting with the State Ombudsman regarding the Pacific West Communities lawsuit. He stated Rocky Mountain Power is going to hold a meeting regarding a transmission line project being proposed to run along the Tooele Valley.

## 12. 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.

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Rachel Wright  
Recorder

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C. Byron Anderson  
Mayor