

Approved

**MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL HELD ON DECEMBER 3, 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 Tom Tripp, Todd Castagno, Brent Marshall, Paul Rupp and Mike Johnson.

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

**Citizens and Guests Present:** Preston Miller, Dean Cox, Bob Miller, Jacob Anderegg, Susan Henwood, Joshua Henwood, Roger Hale, Jana Hale, Colleen Brunson, and Jennifer Kelley.

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

Dan Tuttle a representative of US Magnesium presented a check to Lori Sandoval for the Tooele County Community Action Program.

**PUBLIC HEARINGS:**

- a. **Proposed concept plan for a 226 lot Planned Unit Development Subdivision (Country Village P.U.D.) covering 166.48 acres located between 600 and 800 South between Quirk and Hale Streets (M5 Development LLC application).**

Mayor Anderson opened the public hearing at 7:05 to receive public comment on the proposed concept plan for the M5 Development group.

Justin Linares spoke, stating that he agreed with the initial application proposed by the M5 Group. He stated he liked the meandering roads proposed in the original application. He stated the new request is to make the lots smaller than was originally proposed. He stated that the developer had earlier represented that they would put in all of the infrastructure at the beginning of the development. He stated he would like the Council to continue with that plan. He also recommended looking at the streets to make sure they meet the standard size for subdivisions. He also stated that the subdivision will be placing more vehicles on Quirk Street which is substandard and suggested that the developer address the additional usage on Quirk Street.

Mayor Anderson asked for any further comments and none were offered. The Mayor closed the public hearing at 7:07 p.m.

- b. **Proposed revised concept plan for Subdivision/Development located at approximately 400 South State Road 112, covering 91 acres, including 288 multi-family units, 99 single family lots and a proposed 32.7 acre commercial site (Jacob Anderegg and Hewn Development LLC).**

Mayor Anderson opened the public hearing at 7:07 p.m. to receive comments on the proposed amended concept plan for Hewn Development. No comments were offered and the Mayor closed the public hearing at 7:08 p.m.

- c. **Proposed amendment to the definition of Private Street in Chapter 2 of the City's Land Use Management and Development Code to require private streets to be identified with streets signs together with specifications for the signs.**

Mayor Anderson opened the public hearing at 7:08 p.m. to receive comments on the proposed amendment to Chapter 2 of the City's Land Use Management and Development Code to provide specifications for signs on private streets. No comments were offered and the Mayor closed the public hearing at 7:09 p.m.

**AGENDA:**

**1. Summary Action Items**

- a. Approval of Minutes of the City Council Meeting held November 19, 2008.
- b. Approval of Business License for Zoolanders, LLC.
- c. Approval of Bills dated December 3, 2008 in the sum of \$71,084.91
- d. Personnel Matters (none).

Councilman Marshall asked if there was a representative for the business Zoolanders present. Susan Henwood was present. He asked if they were planning on having an arcade at the business. She stated they were not going to have an arcade in the business that it was going to strictly be a restaurant.

Approved

**Motion:** Councilman Marshall made a motion to approve the summary action items with the issuance of the business license for Zoolanders, LLC (Susan Henwood) to be contingent upon the owner first allowing the City Building Inspector access to the premise for an inspection and that the owner obtain a building permit if it is determined necessary; and that reimbursement of City collected fees (to be paid to the Grantsville High School as a result of waivers granted at the last meeting) be added to the bills for payment. Councilman Rupp seconded the amended motion. All voted in favor and the motion carried.

**2. Consideration of Ordinance No. 2008-42, an ordinance amending Chapter 14 Use Table to delete the setback requirements for pastures and to provide new setback requirements for accessory buildings for Rural Residential Districts to protect these uses from new dwellings on adjoining parcels.**

Attorney Elton stated the proposed amendment was requested because of the recent requests for flag lots and the effect that they could have on adjacent properties with animals. Attorney Elton stated that he had drafted two different ordinances for the Council's consideration. He stated the Planning Commission had recommended deleting the wording "pastures" from the use table, along with grandfathering accessory buildings. He stated the problem with this is that there would not be any regulations to keep animals 100 feet away from preexisting dwellings on adjacent parcels. He stated the second proposed ordinance leaves pastures in the ordinance and would prevent a pasture (or animals) from being allowed within 100 feet of a preexisting dwelling on an adjacent parcel.

Councilman Marshall stated that the main intent of these revisions was to protect the homeowners with animals that were there first. He suggested tabling Ordinance No. 2008-42 and the related Ordinance No. 2008-43 to allow time for the Council to give more thought to these amendments.

**Motion:** Councilman Tripp made a motion to table Ordinance No. 2008-42 and No. 2008-43 to allow the council more time to study the ordinances in depth. Councilman Johnson seconded the motion. All voted in favor and the motion carried.

**3. Consideration of Ordinance No. 2008-43, an ordinance amending Chapter 15 Use Table and Section 7.17(2) to delete the setback requirements for animals and family food production from new dwellings on adjoining parcels in the R-1-12, R-1-21, and the RM-7 zoning districts.**

This item was tabled by motion as a part of the previous agenda item.

**4. Consideration of Ordinance No. 2008-45, an ordinance amending Chapter 20 Sign Ordinance to authorize all regulated signs to be approved by the zoning administrator.**

Attorney Elton stated that Section 20.17 and Section 20.18 are new sections included in the proposed revision that were generally referenced with the public hearing information, but were not drafted at that time. He stated the purpose of the revision is to allow the zoning administrator to review and approve most regulated signs. He stated that the proposed Section 20.17 allows the zoning administrator the authority to transfer a specific application for a sign to the Planning Commission for a decision. Section 20.18 provides an appeal procedure for any party that is not satisfied with a decision on a sign application. Councilman Castagno stated the ordinance is only changing how the ordinance is administered and does not change any of the current sign regulations. Mayor Anderson stated that this ordinance should reduce the number of agenda items that are placed on the Planning Commission agenda.

**Motion:** Councilman Johnson made a motion to approve Ordinance No. 2008-45, an ordinance amending Chapter 20 of the Grantsville Land Use Management and Development Code by providing that most sign permits be reviewed and approved by the Zoning Administrator, providing that the Planning Commission may be asked to make decisions on certain signs and by providing an appeal procedure. Councilman Marshall seconded the motion. All voted in favor and the motion carried.

**5. Consideration of Resolution No. 2008-11, adopting a pre-disaster mitigation plan.**

Attorney Elton stated that Resolution 2008-11 approves a pre-disaster mitigation plan promulgated by the Wasatch Front Regional Council. The federal government requires cities to adopt such a plan in order to qualify for funding in the case of a disaster. Mayor Anderson stated that the City will need to work on implementing the plan in concert with Tooele County.

**Motion:** Councilman Marshall made a motion to approve Resolution No. 2008-11, a resolution adopting the natural hazard pre-disaster mitigation plan as required by the Federal Disaster Mitigation and Cost Reduction Act of 2000. Councilman Castagno seconded the motion. All voted in favor and the motion carried.

**6. Consideration of Change Order No. 01 to Willow Street Sidewalk Project.**

Attorney Elton stated the proposed change order is for additional work requested by the Public Works Director Joel Kertamus for the Willow Street Sidewalk Project. He stated that most of the work in the change order is to assist the property owners to deal with the change of grade that the new sidewalk has created.

**Motion:** Councilman Marshall made a motion to approve Change Order No. 01 to the Willow Street Sidewalk Project and to authorize as a part of the approval of the bills to pay Hale Construction the amount of the Change Order, with any retainage being withheld as recommended by the City Engineer. Councilman Johnson seconded the amended motion. All voted in favor and the motion carried.

**7. Council Information Updates.**

Mayor Anderson stated that a large proposed commercial development slated just north of the City limits and named "Project Cannonball" is still viable. He stated the one big obstacle to this project is the lack of sufficient electrical power to the area, but that proposals are being considered in order to supply the needed power.

Councilman Marshall asked if handrails on steps could be added to the Willow Street Project. Recorder Wright stated she would talk with the Public Works Director to see if handrails could be installed and if they would be funded by the CDBG grant. Councilman Marshall also stated that he had spoken with the County Commissioners about getting a plan together to address potential flooding in the South Willow Canyon area as a result of recent wildland fires. He stated that a contingency plan needs to be in place. He also stated that the City Christmas party would be held this Friday at the Fireman Museum and he asked for help to roast a pig.

Councilman Tripp stated that the Mosquito Abatement District is planning a 75% tax increase. He indicated that the proposal would increase the taxes on an average home approximately \$10.00 a year. He said a public hearing on the proposed increase would be held on December 9<sup>th</sup> at Lakepoint. He stated his second item of concern is that Tooele County has a Redevelopment Agency that is asking the Mosquito Abatement District to waive all of the taxes that would be generated from a proposed Distribution Facility near the Deseret Peak Complex and a grocery store in the Stansbury Park area. These taxes would be used to pay for infrastructure and other inducements to locate these facilities in Tooele County. He stated that as Grantsville City's representative on the Mosquito Abatement District that he is considering opposing the tax increase. He stated the last tax increase was ten years ago. He reported that this is the last year the District can increase taxes without a vote of the taxpayers. Councilman Castagno said that one of the problems with the District is that Tooele City does not participate in the District and it is receiving benefits without making a financial contribution. Councilman Tripp stated that if the Council is thinking of addressing the high costs of the employee's health insurance that the City should start looking into various options now, because in June 2008 when the budget was adopted the Council was not able to review the insurance because a contract had already been negotiated. Mayor Anderson stated that he would like to timely consider all options that are available.

Councilman Rupp stated he had been advised by the City Finance Director that the proposed J. Reuben Clark lean too will not have enough funds to be completed. He stated that there was plenty of money budgeted or carried over to finish the lean too and the barn. He indicated that he had contacted Cheryl Adams with Tooele County, about the \$10,000.00 grant for the farm and he was advised that the grant funds had already been sent to Grantsville City. Councilman Marshall stated there were also funds allocated for the Clark Farm that had not been spent in previous years that should have been carried forward and available. Mayor Anderson stated he will review these budgets with the Finance Director.

Councilman Castagno stated that Santa Claus was in town Saturday, November 29<sup>th</sup>. He stated the Christmas lighting ceremony at the park was well received and that the parade was a success. Councilman Marshall stated the planning for the Christmas decorations and lighting had started last April. He reported that there are over 40,000 lights on display. He said that the police department has agreed to watch over the decorations in order to try preventing vandalism.

Approved

**8. Adjourn.**

**Motion:** Councilman Marshall made a motion to adjourn. Councilman Rupp seconded the motion. All voted in favor and the meeting was officially adjourned at 8:05 p.m.

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Rachel Wright  
City Recorder

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C. Byron Anderson  
Mayor