

Approved

MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL HELD ON MAY 6, 2009 AT THE GRANTSVILLE CITY HALL, 429 EAST MAIN STREET, GRANTSVILLE, UTAH. THE MEETING BEGAN AT 7:00 P.M.

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

Appointed Officers and Employees Present: Susan Gustin, Danny Johnson, Richard Broadbent, Joel Kertamus, Shauna Kertamus, Mike Haycock, Ron Griffin, Robin Hensley, Fred Howard, Jolene Sturzenegger, Brenda Loveless, Jeremy Walker and City Recorder Rachel Wright.

Citizens and Guests Present: Mike Colson, Preston Miller, and Vern Loveless.

AGENDA:

1. Summary Action Items

- a. Approval of Minutes of the April 15, 2009 City Council Meeting.
- b. Approval of Business Licenses for Dr. Watson Computer Support, Fireman Fire Equipment, Blonde Imagination, and 24-7 Mobile Repair Service.
- c. Approval of Bills dated May 6, 2008 in the sum of \$86,207.87.
- d. Personnel Matters (none).

Motion: Councilman Castagno made a motion to approve the summary action items. Councilman Marshall seconded the motion. All voted in favor with the exception of Councilman Rupp who voted in favor of all of the items with the exception of the minutes, which he asked to abstain from voting on. The Motion Carried.

2. Reconsideration of amended concept plan for Country Village. (M-5 Development LLC Application).

Preston Miller was present representing M-5 Development and asked the Council to consider approving the previous concept plan with a change in the setback requirements and with other clarifications to the plan. The new plan proposes building setback requirements of 8 and 12 feet for side yards, 20 feet for the rear yard setback and 25 feet for the front yard setbacks. Councilman Marshall stated he thought a decision was made to turn the developed City park over to the City at the start of Phase F and be completed at the end of Phase E. Mr. Miller stated he doesn't see what difference it would make. Councilman Johnson stated that in the PUD application, it states that in the event that the phases are not done in order, the park shall be constructed when at least 133 lots are completed. Mr. Miller stated that they placed this wording in the PUD so the City will have the Park even if they don't complete Phase F. Councilman Marshall asked if they understood that they have to have a second entrance once they have 30 homes. Mr. Miller stated they do understand they will need a second exit as the development grows and they will have a permanent exit out to Hale Street as the project nears completion. Mr. Miller stated he understands this is part of the fire code requirement.

Mayor Anderson stated that the developer will need to enter into a development agreement with the City as a part of the development approval process. Mr. Miller requested that if the development agreement typically lasts only one or two years he would like to request a longer term for the development agreement. He stated with the size of the development he does not want to short circuit the development. He stated that with the number of lots there needs to be a development agreement that will survive the current economic climate. Councilman Marshall stated he does not see that as a problem and stated the council realizes Mr. Miller

has a fairly substantial project. Mayor Anderson asked Mr. Miller if the City Attorney saw any legal issues. Mr. Miller stated that he did not think so. Councilman Castagno stated he thought the development agreement followed the project through its entire duration. He stated that he feels the development agreement should continue until the last house is built. Mr. Miller stated he also feels it should, he stated it should be a whole overview of the project. Councilman Marshall stated he believes that in the past as long as the project was being worked on that the development agreement stayed in place. Mr. Miller stated their needs to be some allowance for slow times. He asked for the Council to allow him the right to talk to the City Attorney about a longer agreement than the standard. He stated it needs to be able to survive the economy. He also asked that they be grandfathered in if rules are changed. Councilman Marshall stated they want them to complete the project. Mr. Miller agreed. Zoning Administrator Kertamus asked that the development agreement be drafted in conjunction with the preliminary plat approval. Mr. Miller stated he would like it to be completed as a part of the final plat approval.

Councilman Tripp stated his concerns with the project. He stated that his first concern is that the item is up for reconsideration without any material changes. He stated that he is concerned about the lot sizes. He stated that the Council approved a half acre zone even after having protests from local residents and neighboring owners that would like to maintain at least an acre zoning designation. He stated the plan now goes from a half acre situation to a quarter acre situation. He stated one could argue that the open space gives it the appearance of a half acre lot and stated he is sensitive to that argument. He stated a large number of lots on the edge of the development and at the start of the development do not back up to pocket parks and are truly just quarter acre lots. He stated there is a legitimate concern that the subdivision has quarter acre lots on more than half of the subdivision. He stated that he thinks that a good number of lots that are backed onto the pocket parks will fence in their yards which will create an ally looking affair unless there is some homeowner conditions not allowing fencing of the backyards. He stated he also had a question regarding the Zoning Administrator's notes about the width of the road. He stated the Zoning Administrator identifies that the PUD states the drivable surface width is identical to the standard street section when in fact it is the rural road section. He stated he thinks this needs clarification. He stated he prefers the subdivision have the full interior street width. He stated with the number of homes and their proximity he favors wider roads. He stated he also has a problem with the sidewalks only on one side of the street. He stated when he visits his neighbor he likes to go to their front doors, not their back doors. He stated he prefers concrete to asphalt on the trails. He stated that the PUD requirements states the plan should show driveways and walkways throughout the development. Mayor Anderson stated this can be addressed in the development agreement. Mr. Miller stated asphalt is a good medium for bikes and roller blades.

Councilman Tripp stated that another concern he had was the setbacks from side to side, but the lots will still be restricted to buildings that are 20% of the maximum size of the lot according to the half acre zoning code, so unless the home is wide and skinny the side to side setbacks will not mean anything. He stated this does raise one more issue that it will be a starter home development. He stated looking at the sizes of houses he does not see why even have the reduced setbacks. Mr. Miller stated they followed the City ordinances very closely. Mr. Miller stated the ordinance allows 252 lots under the density allowed in the R-1-21 zone. Mr. Miller stated that if he understands the PUD request correctly, the lots are not going to be restricted to a 20% building coverage restriction, but will be restricted to the setbacks set forth in the PUD statement which is 8 feet/12 feet for the side yards, 20 feet for the rear yards, and 25 feet for the front yards. He stated he understands that the building footprint is a

part of the PUD waiver requests and with these setbacks it would allow a much larger home than the 20% restrictions. Councilman Tripp stated he does not believe Mr. Miller has properly requested a variance to the 20% buildable space. Zoning Administrator Kertamus stated that there is a maximum lot coverage and for the half acre zone there is a 20% maximum building coverage. She stated Mr. Miller could ask for a waiver as a part of the PUD process.

Councilman Tripp stated he feels that the council is granting PUD requests on almost every development that asks for one. He stated he wonders why the City has standards if the Council is going to allow variances on every single item. Mayor Anderson stated that the reason is to obtain a trade off with the developer for some other amenity favorable to the City. Councilman Tripp stated that he thinks if people want to live in a cramped development there are areas for that, but that is not the vision he has for Grantsville City.

Councilman Rupp stated that he agrees with Councilman Tripp's last statement that he pictures other developments taking off in the same direction because they will figure they can get away with it. He stated the open space is going to look insignificant when there is a large number of homes in such close proximity. He stated that everyone he talks too wants a rural community. He stated he would be happier if there was a mixture of lot sizes.

Councilman Marshall stated he spent a lot of time with Mr. Miller debating a lot of the same issues. He stated this plan is by far a better plan than others. He stated he believes all landowners have some rights to develop their property. He stated that the M-5 Group's subdivision falls within the allowable density on the ground and is definitely a different concept plan than the council has looked at before. He stated that it is going to be up to the Miller's to sell the plan. He stated the parks are going to be an asset to the community. He stated he thinks they have hit some middle ground.

Councilman Johnson stated he likes the plan, he likes people to have options and he thinks there will be some affordable housing. He stated there are a lot of people that do not want large lots. He stated he likes the walkways and likes the availability for people to have a choice.

Motion: Councilman Marshall made a motion to approve the concept plan for Country Village contingent on a development agreement to be approved as a part of the development process. Councilman Johnson seconded the motion. Councilman Johnson, Marshall, and Castagno voted in favor of the motion. Councilman Rupp and Tripp voted against the motion. The motion carried.

3. Employee Health Benefit Presentation. (Richard Droubay).

Richard Droubay was present representing Benefit Management Services, Inc. Mr. Droubay stated he prepared a benefit bid comparison for the City. He stated the City has been with the Public Employee Health Plan (PEHP) for the last ten years. He stated there are some problems in obtaining good rates when the plans take into consideration the health of the City employees and the number of serious health conditions. He stated many companies declined to bid due to the health conditions of the employees and their dependents. He stated the City employees have always been a high utilization group as far as number of claims and costs of claims. He stated the conditions within the group is what caused some of the groups to decline bidding. He stated the cost is affected by the health conditions as well as the size of the group.

Mr. Droubay reviewed with the Council the changes that are being proposed with the PEHP plan. He stated one of the major changes is that the out of pocket maximum is going to double for the employee. He stated another major change is there will be an employee assistant program offered. He stated it is a short term counseling model program that will allow the employee and dependents 7 to 10 visits for any particular problem. He stated the premiums went up 6.8% from last year. He stated that it is proposed that the City's contribution will be based on the least expensive plan which is the Summit Care Plan, with employees being required to pay the additional expense for the more costly plans if they chose one of them.

Councilman Tripp asked if the employees are put into a pool. Mr. Droubay stated that PEHP has different pools. They have one for all State employees, one for Salt Lake City employees, one for Salt Lake County employees and a general municipality pool for all the Cities. He stated that when PEHP determines rates they do not take the number of claims and divide them by the total number of people, with the option to look at individual groups. He stated that 80% of the rate is determined by the pool and about 20% is determined by the individual municipality.

4. Consideration of Resolution No. 2009-09 approving a worksite learning employer agreement with State of Utah (Summer Internship Program).

Treasurer Susan Gustin stated that the Department of Workforce Services has received stimulus money to help with finding employment for people in the age group of 18-24. She stated they have money for thirty one (31) new hires for the Tooele County area. She stated there are some restrictions beside the age limit. She stated there are limits on household income. She stated that 18-21 year olds are required to count their parent's wages. She stated that the Department of Workforce Services will pay 80% of what the City would pay for the employee. She stated there will be no out of pocket costs for the City. She stated the City does not pay wages or for uniforms. She stated the City will interview and select the candidates. She stated the chore will be finding eligible candidates.

Motion: Councilman Johnson made motion to approve Resolution No. 2009-09, a resolution approving a work site learning employer agreement with the State of Utah workforce services for the WIA summer stimulus internship program. Councilman Rupp seconded the motion. All voted in favor and the motion carried.

5. Adoption of tentative 2009-2010 Grantsville City Budget.

Mayor Anderson stated that the City must adopt a tentative budget. He stated he would like to set up a work meeting to get into the details of the budget.

Finance Director Walker stated that it has been a very productive month. He stated that the department heads have picked the budget apart. He stated that things that have been done wrong in the past which have been identified. He stated that the department heads are suggesting a reduction in benefits. He stated that the department heads will be in attendance at the meetings to answer questions. Councilman Marshall stated he is concerned that each department will still be able to function and keep the City running. Mayor Anderson stated the department heads feel the budget has been cut as far as it can without hindering services to the public.

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Councilman Tripp stated that the State Auditor's office has certain requirements for the budget. He suggested the Finance Director look at the requirements and make the budget conform to those requirements.

Motion: Councilman Castagno made a motion to adopt the tentative 2009-2010 Grantsville City Budget with changes to meet the required State Auditor's format. Councilman Marshall seconded the motion. All voted in favor and the motion carried.

Motion: Councilman Marshall made a motion to hold a special budget work meeting on Wednesday, May 13, 2009 at 6:00 p.m. Councilman Johnson seconded the motion. All voted in favor and the motion carried.

6. Award bid for Durfee Street Paving Project.

Public Works Director Joel Kertamus stated that Kilgore Paving was the low bidder for this project at \$97,890.00. Councilman Marshall suggested that the project scope be amended to include an area by Center Street and Durfee Street to allow the buses a better turning radius.

Motion: Councilman Tripp made a motion to award to the bid for the Durfee Street Paving Project to Kilgore Paving and Maintenance. Councilman Rupp seconded the motion. All voted in favor and the motion carried.

7. Approval of specifications and authorization to obtain bids for Wastewater Treatment Plant Upgrade Project.

Public Works Director Kertamus stated that the project is still the same as it has been presented in the past that the approval of specifications is a formality. He stated the bid closing date will be June 8th.

Motion: Councilman Johnson made a motion to approve the plans and specifications for the Wastewater Treatment Plant and to authorize the project to be bid out. Councilman Marshall seconded the motion. All voted in favor and the motion carried.

8. Consideration of Resolution No. 2009-10 increasing development fees.

Zoning Administrator Kertamus the development fees have not been raised since 1997. She stated the City has to be able to substantiate the fees and she stated she feels she could if they were challenged. She stated that subdivisions fees need to cover the costs of development so the taxpayers do not supplement the costs. The council had some questions that they wanted to discuss with the City attorney.

Motion: Councilman Tripp made a motion to table for further consideration and to consult with the City attorney. Councilman Johnson seconded the motion. All voted in favor and the motion carried.

9. Consideration of providing sewer line to Tooele County.

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Mayor Anderson stated that Tooele County has a distribution company being built near the Miller Sports Park and it is in need of sewer service. He stated the County would like to work with the City to provide sewer services for the Miller Sports Park area as development happens. He stated they currently have sewer with Tooele City for the Miller Sports Park but are having difficulties working with Tooele City. Mayor Anderson stated Tooele County representatives have met with the City Public Works Director Joel Kertamus and the City Engineer Craig Neeley. They both said it would be feasible. He stated an agreement with the County would have to be drafted. Mayor Anderson stated the item is for preliminary discussion only and as it progresses the Council will be able to decide.

Motion: Councilman Marshall made a motion to explore providing sewer service to Tooele County for the property along Sheep Lane. Councilman Johnson seconded the motion. All voted in favor and the motion carried.

10. Council Information Updates.

Mayor Anderson stated that Jason Burningham is working on an annexation study. Mayor Anderson stated the study could be conducted for the entire circle around Grantsville but would be costly. He asked the Council if they would like to work on a study for the area east of Grantsville. All council members agreed to work on a study to annex to the east of Grantsville City.

Councilman Marshall stated they are starting to work on the Christmas lighting ceremony. He stated they are going to make the lighting ceremony in conjunction with the Santa Parade. He stated the Memorial Day ceremony is being planned.

Councilman Marshall stated that meeting with the Grantsville Irrigation Company went well. He stated they are going to work on the issues that were presented. He stated they have a meeting on May 27th and invited the City to attend.

Councilman Tripp suggested a policy for use of the City Hall. Recorder Wright stated a policy is being looked at. She stated that the building is not being allowed to be used at this time until a policy is put in place. Councilman Tripp stated the website has been down. Finance Director Walker stated he would look into.

Councilman Rupp stated that the Fourth of July is coming upon us. He suggested recommending people to have a patriotic theme to the parade. He stated it is becoming an advertisement parade and not a parade about patriotism.

Councilman Johnson stated the concession stand is 90% complete.

11. Adjourn.

Motion: Councilman Marshall made a motion to adjourn. Councilman Rupp seconded the motion. All voted in favor and the meeting officially adjourned at 9:10 p.m.