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MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL HELD ON JUNE 17, 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 Byron Anderson and Council Members Brent Marshall, Paul Rupp, Todd Castagno Tom Tripp and Mike Johnson were present.

Appointed Officers and Employees Present: Ron Elton, Jeremy Walker, Susan Gustin, Rachel Wright, Mike Haycock, and Robin Hensley.

Citizens and Guests Present: Colleen Brunson, Grant Brunson, Shawn Bennett, Ashley Erickson, Tyson Erickson, Jennifer Castagno, Missy Thompson, and Jennifer Kelley.

PUBLIC HEARINGS:

- a. **General Plan amendment for 7.46 acres at 526 North Hale Street, from an “Industrial” land use category to a “Rural Residential-1” land use category (residential densities of 1 unit per 1 acre to 1 unit per 10 acres). (Dale Erickson Application).**

Mayor Anderson opened the public hearing at 7:00 p.m. to receive comments on the proposed General Plan amendment for Dale Erickson.

Colleen Brunson spoke in opposition to the proposed general plan amendment. She presented and read a letter to the council. The letter is attached to these minutes.

Mayor Anderson asked to receive any further comments. No other comments were offered. The Mayor closed the public hearing at 7:06 p.m.

- b. **Proposed amendment to the City’s Land Use Management and Development Code (Section 21.2.2) to provide additional time between the approval of a final development plat and the recording of the final development plat.**

Mayor Anderson opened the public hearing at 7:06 p.m. to receive comments on the proposed amendment to Section 21.2.2 of the City’s Land Use Management and Development Code. No comments were offered and the Mayor closed the public hearing at 7:07 p.m.

- c. **Proposed telecommunication license tax pursuant to Utah Code 10-1-401 et seq.**

Mayor Anderson opened the public hearing at 7:07 p.m. to receive comments on the proposed telecommunication license tax. No comments were offered and the Mayor closed the public hearing at 7:08 p.m.

- d. **Proposed reductions to the compensation of the elected, statutory and appointed offices.**

Mayor Anderson opened the public hearing at 7:08 p.m. to receive comments on the proposed reductions to the compensation of the elected, statutory and appointed offices. No comments were offered and the Mayor closed the public hearing at 7:09 p.m.

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e. Proposed 2008-2009 final budget adjustments.

Mayor Anderson opened the public hearing at 7:09 p.m. to receive comments on the proposed budget adjustments. No comments were offered and the Mayor closed the public hearing at 7:10 p.m.

AGENDA:

1. Summary Action Items

- a. Approval of Minutes of the May 20, 2009, May 27, 2009 and June 3, 2009 City Council meetings.
- b. Approval of Business Licenses for J and J Trailer Park and A-Plus Pest Control.
- c. Approval of Bills dated June 17, 2009 in the sum of \$98,273.07
- d. Personnel Matters: salary step increase for Carl Peterson to go from a Grade 13, Step 1 to a Grade 13, Step 2.

Councilman Castagno asked Jennifer Castagno representing A-Plus Pest Control, how much pest control product will be stored. Jennifer Castagno stated that there will only be four small containers on concentrate. She stated they will perform commercial and residential pest control. Recorder Wright stated A-Plus Pest Control needs to obtain a conditional use permit because it is a home occupation.

Motion: Councilman Castagno made a motion to approve the summary action items with the issuance of the business license for A-Plus Pest Control being contingent upon obtaining a conditional use permit for a home occupation. Councilman Johnson seconded the motion. All voted in favor and the motion carried.

2. Consideration of additional PUD waiver for Country Village (Maximum Building Coverage – M-5 Group, LLC).

Mayor Anderson stated that Preston Miller representing the M-5 Group thought that the setback waiver they had obtained also covered the maximum building coverage. M-5 is asking that the 20% building coverage on the lots be increased to 35%. Mayor Anderson stated he talked to the City Planner Nicole Cline and she stated the maximum building coverage was written in the ordinance for drainage issues. He stated the idea is to not have a lot full of buildings with nowhere for the water to flow. Councilman Johnson stated the ordinance should read opposite in his eyes. He stated that an RM-7 zone allows for 35% maximum buildable coverage whereas the R-1-21 allows only 20%. He stated in his opinion a larger house should be allowed to be built on the larger lot. Councilman Tripp stated he doesn't see why the Council should do anything different than what is written in the ordinance. Councilman Tripp stated instead of a 2200 square foot home the 35% would allow a 3850 square foot home on a 11,000 square foot lot. Attorney Elton suggested tabling the item until Preston Miller could be in attendance.

Motion: Councilman Rupp made a motion to table the agenda item to allow a representative from the M-5 Group to give comment on the proposed requested waiver. Councilman Marshall seconded the motion. All voted in favor and the motion carried.

3. Consideration of awarding bid for independent auditor.

Finance Director Walker stated that he was hoping to have at least five bids and he received seven. He stated that his concern with some of the bids was the number of hours projected to complete the work. He stated that the City's previous auditors submitted a bid with 350 hours. He stated he feels they would have a good understanding of how many hours it would take. He stated he called the firms that were the low bidders to reconsider the number of hours they bid the audit at. He stated that they felt confident in their bids and they stated they could perform the audit in the hours projected. He stated that he recommended Jensen and Keddington for the audit based on the bid amount and projected amount of hours. Councilman Tripp asked if the bids were a hard dollar bid. Finance Director Walker stated they were. Councilman Marshall asked why the bid from Pinnock, Robbins, Posey and Richins was so much less than the audit cost last year. Finance Director Walker stated because they had previously charged by the hour. He stated there was no incentive to be efficient. Councilman Marshall stated if the low bid is a hard number then why not take the lowest bid. Finance Director Walker stated he felt that the experience and resources of Jensen and Keddington is better. Mayor Anderson stated that there is the worry of the auditor not doing a thorough job. Councilman Rupp asked if Jensen and Keddington audit Tooele Federal Credit Union. Finance Director Walker stated they do. Councilman Marshall stated he does not know why they do not go with Wood Richards for \$10,550.00 versus Jensen and Keddington at \$15,000.00. Finance Director Walker stated he is concerned with the number of hours they bid the project at. Councilman Castagno stated that at 350 hours that is two auditors for twenty one days. He asked shouldn't the number of hours decrease from the previous years. Finance Director Walker stated that he had the audit fully ready last year and the number of hours the auditors worked last year should be accurate for the amount of hours needed. Finance Director Walker stated that he is hesitant to use low bid because he worries they will do the audit the first year find out it will take more hours and quit. Councilman Marshall stated the State of Utah reviews all of the audits. He stated that if an auditor continues to have bad marks then the State would investigate them. He stated he would like to take the low bid.

Motion: Councilman Tripp made a motion to award the bid for auditing services to Jensen and Keddington. Councilman Johnson seconded the motion. Council Members Tripp, Johnson, Castagno, and Rupp voted in favor of the motion. Councilman Marshall voted against the motion. The motion carried.

4. Consideration of Resolution No. 2009-13, amending the 2008-2009 Budget.

Finance Director Walker stated that there have been two midyear amendments to the budget. He stated the current amendments are to avoid having departments exceed areas in their budget.

Motion: Councilman Marshall made a motion to approve Resolution No. 2009-13, a resolution amending the 2008-2009 Grantsville City Budgets. Councilman Castagno seconded the motion. All voted in favor and the motion carried.

5. Consideration or Ordinance No. 2009-11, enacting a new telecommunication license tax.

Councilman Tripp asked if Tooele County can also issue a telecommunication tax. Attorney Elton stated they could but it would only tax those in the County and would not apply to the incorporated areas. Councilman Johnson stated that the telecommunication tax is good in that

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it won't affect the older generation as much. Councilman Tripp stated he is opposed to hidden taxes but also understands the City needs revenue sources. Councilman Castagno questioned whether it is better to have just one increase than two. Finance Director Walker stated the telecommunication tax will be collected monthly whereas the property tax is collected once a year.

Motion: Councilman Johnson made a motion to approve Ordinance No. 2009-11, an ordinance enacting a new telecommunication license tax. Councilman Tripp seconded the motion. All voted in favor and the motion carried.

6. Consideration of Resolution No. 2009-11, approving an agreement with the Utah State Tax Commission to collect the communication license tax.

Motion: Councilman Tripp made a motion to approve Resolution No. 2009-11, a resolution approving an agreement with the Utah State Tax Commission in order to implement and collect a telecommunications license tax for Grantsville, Utah. Councilman Rupp seconded the motion. All voted in favor and the motion carried.

7. Consideration of Ordinance No. 2009-14 amending the compensation of the elective, statutory and appointed officers for the 2009-2010 fiscal year.

Mayor Anderson stated the ordinance generally deletes the City's contribution to the employees' 401K program. Attorney Elton stated the actual salaries stayed the same. Councilman Tripp asked if the Council wanted to consider a \$50.00 a month reduction. Councilman Marshall stated at some point in time some of the 401K benefit needs to be restored to the employees.

Motion: Councilman Marshall made a motion to approve Ordinance No. 2009-14, an ordinance establishing the compensation for elective, statutory and appointed officers of Grantsville City, Utah for the 2009-2010 fiscal year. Paul Rupp seconded the motion. All voted in favor and the motion carried.

8. Consideration of Resolution No. 2009-15 freezing all employee step raises, cost of living increases and deleting the City's contribution to the employee 401K program during the 2009-2010 fiscal year.

Motion: Councilman Tripp made a motion to approve Resolution No. 2009-15, a resolution freezing all employee step raises, cost of living increases and deleting the City's contribution to employees' 401(K) program as of the commencement of the 2009-2010 City fiscal year. Councilman Rupp seconded the motion. All voted in favor and the motion carried.

9. Consideration of Resolution No. 2009-14, adopting an operating budget for the 2009-2010 fiscal year pending a "Truth in Taxation Hearing".

Mayor Anderson stated the budget was balanced based on the budget work meetings. Councilman Tripp stated the council still needs to consider all the options. He stated he wants to listen to the public comments and there may need to be other options than a property tax increase. He stated they have six weeks to think about it and look the budget over.

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Motion: Councilman Marshall made a motion to approve Resolution No. 2009-14, a resolution adopting an operating budget for the 2009-2010 fiscal year budget pending the adoption of a final tax rate and budget. Councilman Johnson seconded the motion. All voted in favor and the motion carried.

10. Council Information Updates.

Mayor Anderson stated Delores Hansen and Leslie Chadwick are retiring and a retirement party will be held June 30, 2009 at 5:00 p.m. He stated Jolene Sturzenegger and Jeri Bolinder have filled the two Court clerk positions.

Mayor Anderson asked if the council would like to continue to support the RPO program. He stated the County contributes \$5,000.00 and the cities contribute \$2,000.00. The Councilman all agreed to continue contributing to the program as a result of the benefits that it has provided to the community.

Councilman Rupp stated the Fourth of July flag ceremony will be at 8:00 a.m.

Councilman Tripp stated that many homes were flooded in South Willow Estates. He stated he doesn't know if the cutoff canal is working. He stated that we need to be careful not to close off natural ravines.

Councilman Tripp stated that the mosquito abatement is back to normal procedures for at least two more years.

Councilman Castagno stated that he and Councilman Johnson attended a meeting with UDOT regarding the closure of 800 East Main Street. He stated they will widen SR-112 and give full turning access if 800 East is closed. He stated they see it as a safety hazard and being in too close of proximity to Durfee Street. Councilman Johnson stated they are going to be widening SR 112 this year. Councilman Marshall asked if they discussed putting in a stop light at Durfee Street. Councilman Johnson stated it was not brought up.

Finance Director asked the Council where they would like to hold the Truth in Taxation meeting. Mayor Anderson stated he will talk to Grantsville High School about using the auditorium.

11. Adjourn.

Motion: Councilman Marshall made a motion to adjourn. Councilman Johnson seconded the motion. All voted in favor and the motion carried. The motion was officially adjourned at 8:32 p.m.