

MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL HELD ON OCTOBER 07, 2009 AT THE GRANTSVILLE CITY HALL, 429 EAST MAIN STREET, GRANTSVILLE, UTAH. THE MEETING BEGAN AT 7:00 P.M.

PUBLIC HEARINGS:

- a. **Two lot minor subdivision (Halifax Land Minor Subdivision) of 12.501 acres in the CS zoning district at approximately 185 South SR112 (Jay R and Camille Didericksen Application).**

Mayor Anderson opened the public hearing at 7:00 p.m. to receive comments on the proposed minor subdivision. All of the City Council Members with the exception of Tom Tripp were present for the public hearing. No comments were offered and the Mayor closed the public hearing at 7:01 p.m.

- b. **Planned Unit Development for a new Mortuary in the CS zoning district at approximately 185 South SR112. (Jay R. and Camille Didericksen Application).**

Mayor Anderson opened the public hearing at 7:01 p.m. to receive comments on the proposed planned unit development. No comments were offered and the Mayor closed the public hearing at 7:02 p.m.

- c. **Amendment to the Planned Unit Development Plan and Phase One Plat for Country Haven Condominium Project by deleting two residential units. (Jeff Killpack Application).**

Mayor Anderson opened the public hearing at 7:02 p.m. to receive comments on the proposed amendment to the planned unit development for Jeff Killpack.

Cliff Hanes on Orchard Lane spoke. He asked if the proposal would affect the Orchard Lane Subdivision. Attorney Elton stated that the proposal is to reduce the number of platted units and it should not affect the Orchard Lane subdivision.

Mayor Anderson asked for any further comment. No other comments were offered and he closed the public hearing at 7:04 p.m.

- d. **Vacation of a "County Road" shown on the Tooele County Assessor's plat found in Book 1, page 68, which lies in the northwest quarter of Section 36, Township 2 South, Range 6 West, Salt Lake Base and Meridian, running northwesterly from Clark Street in Grantsville to the west line of Section 36, most of which is located within property owned by Gary Christley.**

Mayor Anderson opened the public hearing at 7:04 p.m. to receive comments on the proposed vacation of a county road. No comments were offered and the Mayor closed the public hearing at 7:05 p.m.

AGENDA:

1. **Roll Call - Mayor and Council Members:** Mayor Byron Anderson and Council Members Brent Marshall, Paul Rupp, Todd Castagno, and Mike Johnson. Councilman Tripp arrived at 8:30 p.m. and began voting on agenda item number 12.

Appointed Officers and Employees Present: Attorney Ron Elton, Building Inspector Mike Haycock and City Recorder Rachel Wright.

Citizens and Guests Present: Missy Thompson, Jill Thomas, Modi Millen, Lynn Taylor, Becky Taylor, Jay Didericksen, Camille Didericksen, Colleen Brunson, Glenn Terry, and Vern Loveless.

2. Summary Action Items

- a. Approval of Minutes of the September 16, 2009 City Council meeting.
- b. Approval of Business Licenses for Deseret Computer Solutions, Nani's Treasurers, Sorensen's Handyman, Organized Operational Requirements Planning, LLC.
- c. Approval of Bills dated October 06, 2009 in the sum of \$1,086,962.48.
- d. Personnel Matters (none).

Motion: Councilman Castagno made a motion to approve the summary action items. Councilman Johnson seconded the motion. All voted in favor and the motion carried.

3. Presentation from the PTA.

Casey Jorgensen president of the PTA was present. She stated the PTA asked to be placed on the agenda to address their safety concerns at Willow Elementary. She stated they are concerned with the conditions for children walking to and from the elementary school. She stated they are looking for some possible solutions to the safety issues. She stated they would like to work with the City as well as the school district to come up with some solutions. She stated that currently a white line is painted on Willow Street for the children to use to walk on but it would not protect a child if a vehicle loses control and some drivers do not pay attention to it. She stated that Willow Street and Pear Street are safety concerns for walking children. She stated that the parking on Willow and Pear Streets create visibility issues. She stated there have been suggestions of putting barricades where the white lines are or making the street one way.

Councilman Marshall asked if they wanted to address issues with Willow or Pear Street first. Mrs. Jorgensen stated some feel Willow should be looked at first and others feel Pear Street is a concern. She stated the crossing guard sees Pear Street as being the most important area to address. Councilman Marshall stated that Pear Street would be easier to remediate because Willow Street has some retention basins that need to be maintained. Mrs. Jorgensen stated if Pear Street would be easier then she requested that the City work on it first and then address Willow Street.

Councilman Castagno stated that his observation is that there appears to be more of a traffic issue than a pedestrian issue. He asked how many children walk to school. Mrs. Jorgensen stated around 30 to 40 students. Councilman Rupp stated that he has noticed that many parents are driving by themselves. He suggested carpooling. Mrs. Jorgensen stated that the PTA will try to encourage carpooling.

Becky Taylor the crossing guard was present. She stated she sees Pear Street as being the biggest problem area. She stated people are parking at an angle where they should be parallel parking. She stated the number one problem that she notices is the school buses. She stated if they would go from Willow to Durfee instead of Pear Street to get to Quirk Street it would help with the safety issues. She suggested having the children walk on the north side of Pear Street. Councilman Marshall stated the Public Works Department could mow the weeds and lay down some gravel on the north side of Pear Street to Lacey Lane. She suggested that the best solution would be to make Pear Street a one way street, at least when school gets out. Councilman Johnson stated that one way streets create problems and would be difficult to implement and administer. Councilman Marshall asked Karen Nelson to talk to the Board of Education about having the busses go down Willow Street to Durfee Street and not use Pear Street. The Principal of Willow Elementary asked about placing the crosswalk on the north side of the area where the buses come out. Mrs. Taylor stated that the crosswalk on Pear Street needs to be moved at least five feet back in order to align it with the stop sign. She also suggested a line painted on Willow Street on the opposite corner of Pear Street so drivers know where to stop. The Council stated they will look more into the safety issues.

4. Consideration of waiver of fees for Gordon Fields commercial project.

Gordon Fields was present. He asked the Council for some relief on the City fees associated with his project on Main Street. He stated that with the economy he is unable to pay the requested fees and put in his proposed commercial development. He stated that before he built the strip malls on the east side of the City, his taxes on that property were around \$400.00 and now they are roughly \$16,000.00. He stated that if the City waives the fees that they will receive additional property taxes. He stated his proposal is for two buildings. Attorney Elton stated that impact fees cannot be waived without the City making the same up out of the general fund. He stated currently the City does not have a policy for waiving fees for commercial developments. Mr. Fields stated that he will be unable to complete his project if some of the fees are not waived. He stated he has Virg's Restaurant wanting to rent one of the areas. He stated his project will be a benefit to the community. Councilman Castagno asked if the waiving of fees had been done in the past for commercial development. Attorney Elton stated the only thing that Grantsville has considered in the past is tax increment financing through the City's redevelopment agency, which generally has been large projects like the Wal-Mart Distribution Center. Councilman Marshall asked the attorney if any other cities have a policy for waiving fees for commercial developments. Attorney Elton stated that he would research the matter and report back. Vern Loveless, County Engineer was asked what incentives the County has used. Mr. Loveless stated that generally if a business couldn't stand on their own they shouldn't be standing. Councilman Castagno suggested looking into a policy. He stated the tax revenue would go up. Mr. Fields stated he would like to know as soon as possible. He stated he has already waited for two years.

Motion: Councilman Johnson made a motion to table the request pending research regarding possible incentives for commercial activities. Councilman Rupp seconded the motion. All voted in favor and the motion carried.

5. Request to exchange underground water right for outdoor water impact fee. (Steve Burgess).

Attorney Elton stated that he has drafted an agreement with Mr. Burgess to allow him to connect to the City's culinary water system. The agreement would only allow indoor use of the City's culinary water. Mr. Burgess is now asking the City to consider exchanging his underground water right for the ability to use the City water for outdoor use. He stated the City could then waive the outdoor impact fee. Attorney Elton had referred this matter to the City's Water Rights attorney and they indicated that Mr. Burgess's proposal was feasible but that Mr. Burgess would need to pay approximately \$1,000.00 to transfer the water to the City and Mr. Burgess would also need to pay for title insurance. Mr. Burgess stated he did not want to pay the fees indicated and that he could sell the water rights for more. Mr. Burgess indicated that he would like to continue with the original agreement for indoor water only.

6. Consideration of an amendment to the Planned Unit Development Plan and Phase One Plat for Country Haven Condominium Project by deleting two residential units. (Jeff Killpack Application).

Jeff Killpack was present. He stated his proposal is to reduce the number of units in the development by two by amending two of the triplexes into duplexes. He stated the Home Owners Association is in favor of the proposal. He stated that single level units are more marketable than the ones originally approved.

Motion: Councilman Marshall made motion to approve the requested amendment to the Planned Unit Development and Phase One Plat for Country Haven Condominiums. Councilman Castagno seconded the motion. All voted in favor and the motion carried.

7. Consideration of assignment of janitorial contract.

Attorney Elton stated that Milva Bolinder is asking that her janitorial contract to be assigned to her grandson due to illness. He stated that her grandson, Colton Sackett, is currently performing most of the duties under the agreement under the direction of Milva Bolinder. He stated that Colton is willing to submit to a criminal background check.

Motion: Councilman Castagno made a motion to approve the assignment of the current janitorial contract to Colton Sackett upon condition that he passes a criminal background check. Councilman Marshall seconded the motion. All voted in favor and the motion carried.

8. Consideration of taking official position regarding the Mona to Oquirrh Transmission Line Project.

Attorney Elton stated Tooele County, Toole City and citizen groups have been meeting regarding the Mona to Oquirrh Transmission Line project and they have drafted a letter dated September 21, 2009 that presents a comprehensive counter-proposal for the placement of the transmission lines in Tooele Valley. Glen Terry was present. He stated he has been a part of a citizen group that has been representing Grantsville City along with James Vera and Liberty Yates. He stated the group has been holding meetings to come to a consensus on the location of the facilities that will have the least negative impact to the Tooele Valley. He stated after several meetings the letter was drafted and edited with input from all parties. Tooele County Engineer Vern Loveless was present and gave the Council an overview of the Rocky Mountain proposed routes. He stated that they are proposing a 500 kv line to the south west area of Tooele Valley with a large substation to be located there. Then a line will run west of Grantsville and the other will go east to Tooele City. He stated the proposal is to have the large 500 kv line continue north to the I-80 corridor with a substation located there and then have two lines go east to Tooele City and the Salt Lake Valley. He stated the proposed letter comes before the Council after many meetings and discussions with a proposal to limit the impacts to the Tooele Valley. He stated he would meet with the Council members if they would like more detailed information.

Motion: Councilman Marshall made a motion to support the position of Tooele City, Tooele County and the citizens groups to reroute the Mona to Oquirrh Transmission lines in Tooele Valley as presented and to authorize the Mayor to sign the letter dated September 21, 2009 to the Bureau of Land Management and other interested agencies. Councilman Johnson seconded the motion. All voted in favor and the motion carried.

9. Consideration of awarding IT contract.

Attorney Elton stated that the Tooele County IT department looked over the proposals that had been submitted and made recommendations. He stated that the original rating system was used and not the amended rating requested by the Council at the September 16th City Council meeting. Councilman Marshall stated it would be nice to have some additional time to look over the bids.

Motion: Councilman Johnson made a motion to reject the bids and rebid this contract with a revised RFP. Councilman Marshall seconded the motion. All voted in favor and the motion carried.

10. Appointment of election judges.

Attorney Elton stated Tooele County has presented a master list of election judges that will need to be approved by the City Council in order for them to be used in the upcoming municipal election.

Motion: Councilman Castagno made a motion to approve the persons on the list presented by the County Recorder, with the exception of any candidates running for municipal office. Councilman Johnson seconded the motion. All voted in favor and the motion carried.

11. Annexation Policy Plan amendment.

Attorney Elton stated that the City previously entered into an agreement with Lewis, Young, Robertson and Burningham to update the City annexation policy plan. The agreement was for approximately \$13,000.00. He stated that he contacted Jason Burningham about the contract and was told there would not be a problem with terminating the contract with reimbursement for work done to date. He stated that the City has received two invoices for services that have been performed under the agreement. Attorney Elton stated he is proposing that the City terminate the agreement with Young, Robertson and Burningham and that his office draft a new annexation policy plan which would include the Burmester Road and Burmester Townsite area and the corridor west along State Road 138 in addition to the areas east of Grantville that were covered under the earlier agreement. Mr. Elton suggested that the total cost of the expanded plan probably would exceed \$30,000.00 if contracted out. He stated he is asking for authorization to terminate the current contract and to authorize the City Attorney's office to hire a part time secretary at four hours per day with no benefits, which would allow his office to complete the new annexation policy plan. Attorney Elton stated that Tooele County is interested in Grantsville annexing the area included in the Deseret Peak Service District which includes the Miller Sports Park and the new distribution center as a part of the proposed contract to provide sewer and water services to the area. Todd indicated that the proposal could save the City funds in the long run and could bring in needed tax dollars for the City.

Motion: Councilman Johnson made a motion to approve the proposal of the City Attorney to terminate the agreement with Lewis, Young, Robertson and Burningham to amend the City's annexation policy plan, to authorize the City Attorney to hire a part time, 4 hour per day employee with no benefits and to authorize the City Attorney to begin work on amending the City's Annexation Policy Plan. Councilman Tripp seconded the motion all voted in favor and the motion carried.

12. Amendment of Impact Fees.

Attorney Elton indicated that the City would probably need to create a separate impact fee district for the Deseret Peak Service District if it was annexed. He, however, suggested that the City table this work until such time as an agreement with Tooele County is entered into.

Motion: Councilman Castagno made a motion to table this item until a later date. Councilman Marshall seconded the motion. All voted in favor and the motion carried.

13. Consideration of obtaining engineering services for impact fee analysis and evaluation of contract with Tooele County.

Attorney Elton indicated that in the City's discussion with Tooele County to provide sewer and water services to the County Service District, Tooele County wants an analysis of the City impact fees that they would be required to pay if the City provided water and sewer services to their Service District and what credits the County could receive if they turned over their culinary water system running from Grantsville City to the Deseret Peak Complex. They also need a methodology to assist in reimbursing the company that installed the sewer collection system. In order to accomplish these tasks Attorney Elton requested the City be authorized to obtain these studies from Aqua Engineering.

Approved

Motion: Councilman Tripp made a motion to authorize the Mayor to obtain a study from Aqua Engineering that is necessary in order to proceed with the contract to provide sewer and water services to Tooele County's Deseret Peak Service District, provided that the fee does not exceed \$10,000.00. Councilman Rupp seconded the motion. All voted in favor and the motion carried.

14. Council Information Updates.

Councilman Tripp stated that in November a corporate management training company will be training truck drivers. He stated the City may want to pass that information along.

15. Adjourn.

Motion: Councilman Rupp made a motion to adjourn. Councilman Castagno seconded the motion. All voted in favor and the meeting officially adjourned at 9:00 p.m.

Rachel Wright
City Recorder

C. Byron Anderson
Mayor