

MINUTES OF THE SPECIAL AND REGULAR MEETINGS OF THE GRANTSVILLE CITY COUNCIL, HELD ON APRIL 21, 2010 AT THE GRANTSVILLE CITY HALL, 429 EAST MAIN STREET, GRANTSVILLE, UTAH. THE SPECIAL MEETING BEGAN AT 6:00 P.M. AND THE REGULAR MEETING BEGAN AT 7:00 P.M.

ROLL CALL

Mayor and Council Members Present: Mayor Brent Marshall and Council Members Tom Tripp, Todd Castagno, James Vera, Mike Johnson and Mike Colson. Councilman Mike Johnson was excused at 8:40 p.m. after Agenda Item 7. Councilman Castagno was excused at 7:00 p.m. and returned during the discussion of and vote on Agenda Item 6.

Appointed Officers and Employees Present: Public Works Director Joel Kertamus, Finance Director Tom Hammond, City Attorney Ron Elton, Justice Court Judge Darold Butler, Court Clerk Jolene Sturzenegger, Treasurer Susan Gustin and Grantsville City Recorder Rachel Wright.

Citizens and Guests Present: Colleen Brunson, Missy Thompson, Jill Thomas, Greg Lund, Chris Lund, Lori Bodily, Elaine Genett, Sabrina Genett, Chelsie Bodily, Kathy Butler, Fred Stuckman, Kent Liddiard, LuAnn Nelson, Robyn Quarnberg, Jim Didericksen and Janet Paulich.

SPECIAL MEETING AGENDA:

1. Review of draft 2010-2011 budget.

Finance Director Tom Hammond stated that at previous budget sessions \$80,000.00 had been added to projected revenues. He stated that he had gone through all of the former spreadsheets and had added in all salaries wages and benefits, together with an increase in the cost of employee health insurance t of 15%. He stated that at the next budget meeting he should have all of the proposed expenses included in the proposed budget. He stated that if the trailers are eliminated it would be a cost saving of at least 10,000.00 for the new budget year. Mayor Marshall stated the leased storage container had been returned at a savings of \$80.00 per month. Finance Director Hammond stated that he was able to obtain a discounted rate for phone service from Qwest which equates to a \$300.00 per month savings. Finance Director Hammond stated that the police chief took out custodial services from the police budget, and the employees agreed to clean their own offices. He stated that the police chief was able to renegotiate their Department aircards to go from \$50.00 a month to \$40.00 a month. He stated that the only significant change is that dispatch and UCAN fees went up and the police chief is requesting to purchase one new police vehicle.

Public Works Director Joel Kertamus presented a proposed budget for his department including Capital Projects. He stated that most of the sewer treatment plant project should be completed during the current budget year. He stated that the City will hold back a one year retainage fee of approximately \$173,000.00 during the warranty period. He stated that he added in the proposed budget the Worthington Loop Waterline. He stated it will improve the fire supply to the east end of the City. He stated that he planned on making improvements at the Lincoln Park. He stated they needed to replace a 1996 1-ton truck and obtain some additional safety equipment. He stated he is working on a list of proposed Class C road projects. He stated that overall his budget is close to the amount for his department's current year budget.

Mayor Marshall stated that the building inspector feels the Plan Check Fees could be increased to \$40,000.00 instead of \$30,000.00 and that Building Permit Fees could be increased from \$65,000.00 to \$75,000.00. Councilman Colson stated that Federal funding is going to be ending in the next few months and does not feel comfortable with increasing both revenue sources by \$10,000.00. Councilman Johnson suggested increasing the projected revenues by half of that proposed or by \$5,000.00. All council members agreed.

Mayor Marshall stated that dispatch fees and UCAN fees will be increasing in the fire department's budget. He stated the increase will be \$6,700.00.

Councilman Johnson suggested looking into an incentive program for employees not enrolled in the City health insurance programs. He stated there may be employees that are double covered or could use the health insurance of their spouse. He stated it may be worth looking into an incentive program because it could save the City a significant amount of money. Attorney Elton stated this proposal has been discussed but never implemented. Treasurer Sue Gustin stated that there needs to be a certain percentage of employees that take health insurance in order to maintain the coverage. She stated that Tooele City offers \$1,000.00 for an employee not to enroll in their health insurance program. Mayor Marshall stated he will review the possibility of offering this incentive.

Mayor Marshall asked for any further comment, none were offered and he closed the special meeting at 6:43 p.m.

REGULAR MEETING AGENDA: MAYOR AND ALL COUNCIL MEMBERS WERE PRESENT WITH THE EXCEPTION OF TODD CASTAGNO.

1. Justice Court Report.

Grantsville City Justice Court Judge Dar Butcher was present as well as his mentor Judge Stoney. Judge Butcher stated that the Court has been diligently working on cases where persons had failed to appear on their citations. He stated that Attorney Elton's office has been helping to get Summons prepared and issued. He stated that in February 2011 the Caselle computer system currently being used will be replaced by a program called Coris. He stated that Coris was developed and is managed by Utah State. He stated that the Grantsville Court will have to be all caught up before the changeover date. He stated they are working hard on Finder's Fees. He stated that if a defendant cannot pay a warrant then they go into a finder's fee system where the fee is deducted from taxes.

Judge Butcher stated there has been some discussion on the viability of the Grantsville City Justice Court and whether or not it should be closed. He stated that the Court is a little behind budget for the collections earmarked in the budget. He stated that the Court does not have control of what can and cannot be collected. Mayor Marshall stated that the budget is starting to fall inline with the projected budget revenues. Councilman Tripp stated there is a \$60,000.00 difference between revenue and expenditures. He stated that in the past the closure of the City Court had been discussed. He stated that if the Courts were to close some of the revenues from fines would go to the County and some would remain with the City. Councilman Tripp stated the question is rather it is worth \$150,000.00 to have a City Justice Court.

Judge Stoney was present and gave the Council a handout regarding the issues regarding the maintenance of a City Justice Court. He stated that Grantsville has had a justice court for over 130 years and that it is a symbol of the City. He stated the level of service will go down if the court is closed and moved to the County. He stated that individuals will have to go to the County to have any issues or questions answered. He stated the City Prosecutor and police officers will also have to go the County costing time and money to the City. He stated that the prosecutor will be spending a majority of his time at the County, leaving less time to accomplish other City responsibilities. He stated that to dissolve a Court may take up to two years to accomplish. He stated that once a court is dissolved it is difficult to get another one. He stated that if the Council would like to look at revenue, that they need to look at what should be in the Court budget. He stated that the prosecutor should not be in the court's budget. He stated that if a Court is dissolved the City is still required to pay the Judge for the length of his term of office. Councilman Johnson inquired if Judge Stoney had ever been involved with a Court being dissolved. Judge Stoney stated yes. Councilman Vera inquired of the net result. Judge Stoney stated that it ended up costing money and time for the Cities. Councilman Tripp inquired if there was a database to be able to look at to find more information regarding these issues.

Judge Stoney stated that with the Coris computer program you can look at other courts. Mayor Marshall stated that Court is in session five days a week. He stated that regarding the revenue numbers they fluctuate from year to year, so it is hard to budget its revenues.

2. Summary Action Items

- a. Approval of Minutes of the March 31, 2010 City Council Meeting.
- b. Approval of Business License for Once Written Twice Read.
- c. Approval of Bills in the sum of \$165,634.63.
- d. Personnel Matters (none).

Mayor Marshall stated that a correction on page 3 of 4 of the minutes needs to be made to state pager instead of paper. Councilman Tripp asked that Jill Thomas be replaced with the Greater Than One group on page 4 of 4. Councilman Vera inquired about the Aqua bills. Recorder Wright and Public Works Director Kertamus stated the majority of these billings are for the sewer treatment plant and the Deseret Peak studies.

Motion: Councilman Johnson made motion to approve the summary action items with the requested corrections to the minutes. Councilman Vera seconded the motion. All voted in favor and the motion carried.

3. Consideration of extension of lease at Clark Farm for Karmas Kiddie Korner. (Janet Paulich).

Janet Paulich and Luann Nelson were present. Ms. Paulich asked to extend her rental agreement at the Clark Farm residence. Ms. Nelson suggested putting in a programmable thermostat for cost efficiency. Mayor Marshall stated he will have a programmable thermostat installed. Councilman Johnson verified that the extension proposed was for an additional one year term. Ms. Paulich stated that if they could they would like a longer lease agreement. Councilman Johnson stated he would like to see a year to year lease. Mayor Marshall stated that the Karma Kiddie's Korner has done a lot of upkeep on the building. He stated that they have kept the yard maintained, put in new tile and thoroughly cleaned the residence. Mayor Marshall stated for budget reasons it is best to continue with a year to year lease agreement.

Motion: Councilman Johnson made a motion to extend the Rental Agreement at the Clark Farm residence to Janet Paulich for an additional one year term. Councilman Colson seconded the motion. All voted in favor and the motion carried.

4. Rodeo Club presentation and Request.

Greg Lund was present representing the Rodeo Club. He presented a proposed Grantsville Rodeo Grounds Master Plan. The Master Plan is attached to these minutes. He stated that the Grantsville Arena has not been utilized for many years and is need of improvements and upgrades. He stated that a committee has been formed and any members of the community are invited to become involved. He stated that the committee would like to have events and fundraisers to raise money for the improvement of the rodeo grounds. He stated that money raised at events will be given to the City to be put back into the rodeo grounds. He stated that events at the rodeo grounds can create revenue for the City. He stated that sponsoring events will create tourism for the City and will benefit the local businesses. He stated they are going to have a webpage. He stated that the rodeo grounds is a community facility and money donated will be made public. Mayor Marshall stated there are some safety issues that need to be rectified. He stated that the announcer's stand is one of the concerns. Mr. Lund stated that the condition of the soil in the arena is one of their biggest concerns. Robyn Quarberg stated that the soil has been an issue for years and was one of the main reasons the Grantsville High School rodeo stopped using it. Troy Johansen stated that the dirt is right but needs to be worked. He stated that an arena groomer is needed. Mayor Marshall stated he would look into the cost of an arena groomer. The rodeo grounds committee stated they were willing to use

City equipment to do the upkeep, because they are aware of the limited manpower of the City staff. Mayor stated that it will need to be a joint effort. Mayor stated he appreciated the Rodeo Clubs interest in the rodeo grounds.

5. Consideration of Ordinance No. 2010-05 amending the zoning map for property located along West Peach Street from an RM-7 zoning designation to an RM-15 zoning designation for the purpose of constructing seven apartments/townhomes. (Applicant US General for Way Station).

Jim Didericksen was present representing the applicant. He stated he grew up in Grantsville. He has operated the Way Station on the adjoining property. He stated that two years ago he presented a concept plan to Planning Commission. He stated he was informed that the request to rezone the property fit the City's Master Plan. He stated that what facilitated the idea to rezone the property was that he has people come into the Way Station that would like an affordable place to live. He stated that over 3,000 people in Tooele County are waiting for affordable housing. He stated in order to afford \$700.00 per month in rent payments, an individual needs to make \$15.00 per hour. He stated that with the current economy, affordable housing is needed even more. He stated that the only objection heard was a concern for increased traffic. He stated that traffic will not be much of an issue. He stated he would love to improve Grantsville City with a good development and offer people an affordable place to live. He stated that Tooele County Affordable Housing Authority and the US Department of Agriculture both state that there is a large need for affordable housing in Tooele Valley. Councilman Vera stated that he did extensive research into the neighborhood surrounding the property proposed to be rezoned. He stated that he understands there is a need for affordable housing, but his concern was the proposed location. Councilman Johnson stated he is concerned with safety and the close of proximity of the property to the elementary school. Councilman Vera stated he is also concerned with the size of development on the relatively small parcel. Councilman Colson stated he is concerned with parking. Mr. Didericksen stated that there will be one car garages as well as additional parking. Councilman Johnson stated that the plan shows only four additional parking spaces above one parking space per apartment. Councilman Vera stated that isn't much additional parking, especially if a person has a get together.

Motion: Councilman Vera made a motion to deny Ordinance No. 2010-05, an ordinance amending the official zoning map of Grantsville City, Utah by rezoning property located along West Peach Street from a RM-7 to a RM-15 zoning designation since the proposed use is not compatible with the surrounding single family residential uses, is too small of a parcel for the proposed use, will cause negative impacts to the owners of adjoining single family dwellings and will add additional vehicular and pedestrian traffic to an already congested area in close proximity to an elementary school and to adopt the formal findings and decision that he presented. Councilman Johnson seconded the motion. All voted in favor and the motion carried.

6. Consideration of Ordinance No. 2010-06, adopting revised fire department regulations.

Councilman Vera stated he is concerned that an individual could get assessed for charges for an accident. Mayor Marshall stated that they will only be assessed charges if the fire was shown to be willful. Councilman Tripp inquired about Section 8-1-17 that the fire department can require by-standers to assist. Mayor Marshall stated that section was in the existing ordinance and even though it may be a little antiquated, that it still may be necessary.

Motion: Councilman Tripp made a motion to approve Ordinance No. 2010-06, an ordinance enacting a new Title 8, Chapter 1 of the Grantsville City Code which adopts new fire department regulations. Councilman Johnson seconded the motion. All voted in favor and the motion carried.

7. Approval of specifications and purchase of a tack trailer.

Public Works Director Joel Kertamus was present. He stated that the request is for a 500 Tack Kettle trailer. He stated it will be a great help on improving road patches. He stated that it can be purchased with Class C road funds. He stated the estimated cost is \$15,000.00.

Motion: Councilman Colson made a motion to approve the specifications as presented and to authorize the City to purchase a 500 Tack Kettle Trailer. Councilman Vera seconded the motion. All voted in favor and the motion carried.

8. Disposition of surplus weapons (Police Department Request).

Mayor Marshall stated that Lt. Steve Barrett is requesting that a Desert Eagle 44 Mag pistol and a Winchester 12 Gauge shotgun be declared surplus property and that the Police Department be authorized to trade these guns to a gun dealer for supplies for the Police Department.

Motion: Councilman Tripp made a motion to authorize the declaration of the specified guns as surplus property and to authorize the department to trade these items for supplies for the police department. Councilman Colson seconded the motion. All voted in favor and the motion carried.

9. Financial Quarterly Report.

Finance Director Tom Hammond presented the City's quarterly financial report. He stated that 75% of the year is over and the City is doing well according to the budget. He went over the revenues and expenditures for the past nine months. He stated that all licenses and permit revenues are higher than projected. He stated that overall revenues are at 78.8%. He stated that all departments have done well to keep their budgets inline. He stated that no department is over the 75% mark for expenditures. He stated that City staff has done an excellent job in maintaining services with a tight budget.

10. Consideration of rescheduling special budget sessions for City Council.

Mayor Marshall stated that a special budget session was scheduled for April 28th and he requested that it be rescheduled to April 26th.

Motion: Councilman Vera made a motion to reschedule the budget session scheduled for April 28, 2010 to April 26, 2010. Councilman Colson seconded the motion. All voted in favor and the motion carried.

11. Review of proposed amendment to City ordinance requiring water rights for development by deleting requirement for secondary shares to be submitted to the City.

Mayor Marshall stated the agenda item is for information only. Attorney Elton stated that the proposed amendment would not require developers to transfer secondary water shares to the City to ensure that the water would stay with the land that was developed. The proposal would require a developer to permanently attach secondary water to the property and that if the owner forfeited their secondary water shares through nonpayment of an assessment, that they could not use City culinary water upon their property for outside use. He stated that a provision could be added to allow property owners who had forfeited their secondary water shares to pay impact fees so they could use culinary water for outside use. He stated that the impact fees are currently low compared to the price of a water share. Mayor Marshall stated this proposal would be placed upon a future agenda for consideration.

12. Acquisition of new copy machine.

Mayor Marshall stated that last year the City looked at bringing the processing of utility bills back in house. He stated that with the purchase of a copy machine, inserter and the rental of a postage meter the savings and payoff would be 18 months. He stated that currently to have the utility bills outsourced is costing the city \$25,000.00 a year. He stated the current copy machine located in City Hall is ten years old and is becoming a maintenance problem. He stated the proposed copy machine copies colors and scans documents. He stated the machine will be able to track users by departments. He stated that currently the main office incurs the entire expense for copy supplies and fees. He stated that there is funding available from the water, garbage and sewer funds. Councilman Tripp asked about checking the proposed copier with Consumer Reports. He asked for the purchase to wait until Monday to have time to look into reviews on this brand of copy machine.

Motion: Councilman Vera made a motion to authorize the purchase of a copy machine after Monday, April 26th in order to allow time to check reviews on the copy machine proposed for purchase. Councilman Colson seconded the motion. All voted in favor and the motion carried.

13. Council Information Updates.

Mayor Marshall stated that a draft Memorandum of Understanding regarding the move of the Library is in the packets for review. He stated a public hearing and formal consideration will be placed on the May 5th City Council Agenda. He stated that the scheduled move of the library is May 12th as long as the Memorandum of Understanding to relocate the library is approved by the parties. He stated that he appreciated Ken Goodworth for his patience in the negotiations for relocation and ideas about the library. Mayor Marshall stated the Grantsville Business Alliance Easter Egg Hunt and the Grantsville Youth Baseball program went well. Both events were special events for those that participated. He stated the City received a Tree City USA award for being a participant for the past 7 years. He stated he attended the Wal-Mart Distribution Center 5 year anniversary. He stated that there has been several meetings regarding the Rocky Mountain Power transmission lines and a public hearing is scheduled for May 11th.

Mayor Marshall stated that he talked to David Brimley who painted the original Grantsville City Welcome Sign about the possibility of repainting it. He stated he received a bid for \$453.75 to repaint the sign. Councilman Vera stated that it might be appropriate to get a few bids from local residents. Mayor Marshall asked Councilman Vera if he would see if other individuals in the community had the expertise and willingness to do the work and to obtain bids from them. Councilman Vera stated that he would explore this possibility.

Mayor Marshall stated that the City has gone from 66 utility shutoffs to 19, since the \$10.00 late fee has been in effect. He stated it has made a big difference in getting people to pay their utility bills.

Councilman Tripp inquired about the Memorial Day celebration. Recorder Wright stated that Kristy Clark has been working on the plans for the celebration. He inquired about the progress of the annexation plan. Mayor Marshall stated it is at the Planning Commission level. He stated they will have a public hearing during their May meeting, then the proposal will be coming forward to the City Council for consideration.

Mayor Marshall asked if any citizens had any comments. Jill Thomas was present. She stated that City Officials should support all local businesses and should conduct themselves with professionalism. She stated that City Officials actions and words make an impact. She stated that she asked to have the Census Forms available in her business. She stated that the Census wanted to place forms in businesses to help promote small businesses by people getting their forms from them. She stated that

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the census stated that a man from the City called and said that a person would not step foot in her business and the forms need to be available at the City. She demanded respect for her and her business.

14. Adjourn.

Motion: Councilman Castagno made a motion to adjourn. Councilman Vera seconded the motion. All voted in favor and the meeting officially adjourned at 9:30 p.m.