

Approved

MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL, HELD ON MAY 5, 2010 AT THE GRANTSVILLE CITY HALL, 429 EAST MAIN STREET, GRANTSVILLE, UTAH. THE MEETING BEGAN AT 7:00 P.M.

ROLL CALL:

Mayor and Council Members Present: Mayor Brent Marshall and Council Members Todd Castagno, Tom Tripp, Mike Johnson, James Vera and Mike Colson.

Appointed Officers and Employees Present: Attorney Ron Elton, Finance Director Tom Hammond and City Recorder Rachel Wright.

Citizens and Guests Present: Missy Thompson, Barbara Grygrerczyk, Colleen Brunson, Simon Berlot, Austin Barton, Sheila Morrison, William Webb and Glenn Terry.

PUBLIC HEARINGS:

a. Proposed move of State Library Bookmobile Program to the Grantsville High School.

Mayor Marshall opened the public hearing at 7:00 p.m. to receive comments on the proposed move of the State Library Bookmobile Program.

Barbara Grygrerczyk was present and spoke in opposition to the proposed move. She stated she has knowledge of the State Library Bookmobile Program because she had been an employee of the library. She stated that she feels the move is a step down. She stated the library is going smaller not larger. She stated that she has heard that with moving the library to the high school there will be one less bookshelf. She stated this is a reduction of about 59%. Mayor Marshall stated that the library staff is going to eliminate duplicate copies of books and the space should be adequate.

Ms. Grygrerczyk stated that she had heard that the move will help save money. She stated that two library clerks will be needed now instead of one for the buddy system. She stated that restroom facilities at the High School will require patrons to leave the library, which could be a safety issue. She stated that in the past the City was required to cover the insurance for the books at City Hall. She stated that the insurance was covered with the building. She asked who will pay for the insurance of the books at the High School. She stated this could increase the budget for the City if the City is required to continue carrying the insurance coverage for the bookmobile depository. Doug Lipsey with the State Library Bookmobile Program was present. He stated that the insurance will be covered through the State. Ms. Grygrerczyk stated that the system for internet will be the same as the high school. She stated the Tooele County budget should be reduced by this amount from the State. Ms. Grygrerczyk stated that another concern she has is moving. She stated that the books will need to be boxed according to the library Dewey Decimal Classification System.

Diana Lopez was present and spoke in opposition to the proposed move. She stated she sees the move as going backward instead of forward. She stated that the public should have had more say regarding the move. She stated it seems like the decision has already been made.

Bill Web was present. He stated that he would like to speak in regard to security. He stated he was a custodian and that there will be security at the school. He stated that part of the custodian's job responsibilities involves security. He stated that he feels the security will be improved moving the library to the high school.

Mayor Marshall asked for any further comment, no comments were offered and he closed the public hearing at 7:35 p.m.

AGENDA:

1. Summary Action Items

- a. Approval of Minutes of the April 14, 2010 and April 21, 2010 City Council meetings.
- b. Approval of Business Licenses for Sincerity and RDH Maintenance.
- c. Approval of Bills dated May 6, 2010 in the sum of \$102,396.66.
- d. Personnel Matters: approval of Library Technician job description.

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.

2. Consideration of Resolution No. 2010-03, approving a Memorandum of Understanding to move State Bookmobile Library Program to Grantsville High School.

Councilman Tripp stated there is a typographical error with the numbering on page 3. He stated the numbering goes from 1 to 1. Councilman Tripp inquired about the plan after 16-24 months. Mayor Marshall stated that one option is to obtain a portable classroom from the school district to move the library into. He stated if required the contracting parties would enter into another agreement. He stated the original plan for the high school library was to be accessible to the public, after school hours. Councilman Castagno stated that there have been suggestions for other locations. Councilman Tripp stated the recreation center was looked at. Councilman Castagno stated a lot of community activities are taking place at the recreation center. Councilman Tripp stated that the business using the recreation center has a facility at the Utah Industrial Depot in Tooele. Councilman Johnson stated that if the library were eventually moved to the Recreation Center, it would take up less than 20% of the total space available in the recreation center. He stated that the Recreation Center could still be a viable option for the library. Councilman Tripp stated the City will need to continue looking at options for a permanent location. Councilman Vera stated that no one knows what the economy will do and he believes that the City could be facing more difficult financial time. He stated that the City needs to be as efficient as possible and eliminating the two rented trailers that will help. He stated that everyone would like to see a new library and that will have to be one of the City's priorities. He stated he hopes that citizens will become involved in coming up with solutions. He stated that if you look at the City as a whole, the main goal is to reduce costs.

Motion: Councilman Johnson made a motion to approve Resolution No. 2010-03, a resolution approving a Memorandum of Understanding and partnership agreement with Tooele County, The Tooele County School District and the Utah State Library Program, which authorizes a move of the Bookmobile Program to the Grantsville High School. Councilman Colson seconded the motion. All voted in favor and the motion carried.

3. Consideration of extension of lease at Recreation Center for Ken's Gymnastics. (Ken Goodworth).

Mayor Marshall stated that the consideration of the extension of the lease agreement for Ken's Gymnastics needed to be tabled until the next meeting at the request of Ken Goodworth.

4. Consideration of amending public defender contract.

Mayor Marshall stated that the Linares Law Office, who is the City's contracted public defender firm has requested an increase in compensation. He stated that in light of the financial condition of the City that it was proposed that a public defender recoupment fee be assessed against defendants and that the first \$100.00 collected would be paid to the public defender, which would result in an increase in compensation, without affecting the City financially. Mayor Marshall also indicated that the proposal would reduce the number of days that the public defender would be required to attend the law and motion calendar to two days each month, where their cases would be consolidated. Jacob Linares was present and he stated they have not had an increase in two years but have had an increase in cases. Attorney Elton stated the Linares Law Office does a good job for the City and recommended that the City Council approve the proposal.

Motion: Councilman Tripp made a motion to approve Amendment No. One to the current the public defender contract as outlined by the Mayor. Councilman Vera seconded the motion. All voted in favor and the motion carried.

5. Consideration of requests for donations.

Mayor Marshall stated the City had received five donation requests. One was from the Girl Scout Troop 1123, the Grantsville Old Folks' Sociable, the Children's Justice Center, the West Desert Firefighters' Relief Association, and the Grantsville Volunteer Fire Auxiliary. Councilman Castagno asked if they will cap the budget with the requests received. Attorney Elton stated the proposal was to cap the budget and prioritize the requests, but the budget could be amended by going through a public hearing process. Councilman Tripp stated the Old Folks' Sociable committee isn't asking for much. He suggested that since this is a community function that benefits the entire city that he believes that the City should donate more to this project than was requested.

Councilman Castagno stated that the Old Folks' Sociable is very valuable to the City. Councilman Vera stated it is unique. Councilman Tripp suggested donating an additional \$500.00 to the requested donation. Councilman Castagno stated that the Girl Scout Troop 1123 is asking for a donation for Camp Discover. Councilman Tripp inquired about the Children's Justice Center. Police Chief Danny Johnson stated that this program provides a valuable service to the community. The council discussed placing all donations into community relations under GL Account 10-65-65.

Motion: Councilman Tripp made a motion to approve as a part of the 2010-2011 fiscal year budget, donations for Girl Scout Troop 1123 for \$300.00, Grantsville Old Folks' Sociable for \$700.00, The Children's Justice Center for \$1,000.00, The West Desert Firefighters' for \$10,000.00 and the Firefighter Relief Association for \$2,000.00. Councilman Vera seconded the motion. All voted in favor and the motion carried.

6. Presentation of tentative 2010-2011 Grantsville City Budget by Mayor Marshall.

Mayor Marshall presented the proposed 2010-2011 budget together with a budget message. The budget message is attached to these minutes. Mayor Marshall indicated that the proposed budget was very conservative and represented a balanced budget, with no projected tax increase.

Finance Director Hammond stated that since the last budget meeting held on April 26th he reviewed benefits as suggested by Councilman Tripp and found out that the benefits were projected higher than they should have been. He stated there was \$28,000.00 excess in benefits. He stated he did not take out the benefits for the previous finance director position and had some allocations wrong. He stated that after the April 26th meeting and after the excess in benefits, the difference between revenues over expenditures was positive in the sum of \$28,219.00 Finance Director Hammond proposed giving the employees a onetime fixed bonus, equal to an average 1.5% of salaries. He stated that it equates to approximately \$560.00 per full-time employee and \$280.00 per part-time employee. Councilman Tripp proposed that the Mayor and City Council not take the stipend. All council members agreed. Mr. Tripp suggested, however, that the appointed and statutory officers should receive the stipend.

7. Adoption of tentative 2010-2011 Grantsville City Budget.

Motion: Councilman Tripp made a motion to include in the 2010-2011 fiscal year budget a onetime fixed bonus as suggested by the Finance Director, excluding the elected officials. Councilman Castagno seconded the motion. All voted in favor and the motion carried.

Motion: Councilman Tripp made a motion to approve the 2010-2011 Grantsville City tentative budget, with an amendment to move all donations to GL Account Number: 10-65-65. Councilman Johnson seconded the motion. All voted in favor and the motion carried.

8. Consideration of setting public hearing for 2010-2011 City Budgets and 2009-2010 budget amendments.

Attorney Elton recommended holding the public hearing for the 2010-2011 City Budgets and the 2009-2010 budget amendments on the second regular meeting in June. Councilman Castagno suggested that the City consider holding a Truth in Taxation Hearing in order to keep the tax rate the same as it currently is, so the City does not end up like it has in the past with getting less and less property tax. Councilman Tripp suggested that the City wait one year before considering the proposal.

Motion: Councilman Colson made a motion to set the public hearings for the 2010-2011 City Budgets and 2009-2010 budget amendments on June 16, 2010 and to include a public hearing for the appointed and statutory officers to receive the one time employee bonus. Councilman Vera seconded the motion. All voted in favor and the motion carried.

9. Consideration of transferring water enterprise funds to general fund.

Attorney Elton stated that the proposal is to notify utility users of a proposed transfer of water enterprise funds to the general fund to cover loans made to help the City in times of revenue shortfalls and for one loan for the Clark Farm. He stated that the City's independent auditor stated

that many Cities use utilities to subsidize the general fund of the City, because many large utility users do not pay property taxes. He stated that the transfer would cover the Clark Farm loan of \$290,000.00 and \$100,00.00 that was borrowed during the current fiscal year to help subsidize cash shortfalls as a result of the poor economy and reduced tax revenues. Mayor Marshall stated that the proposal is really a bookkeeping issue. He stated that the City would no longer have to track loans made to itself. Attorney Elton stated that it is required to give each utility user notice of the proposal and to hold a public hearing to utilize utility enterprise funds for the general fund. He stated that once a public hearing is held the funds can be used as proposed. Councilman Tripp stated that the citizens will have to pay one way or another.

Motion: Councilman Castagno made a motion to hold a public hearing on June 16, 2010 to consider transferring water utility enterprise fund for use in the City's 2009-2010 general fund budget. Councilman Colson seconded the motion. All voted in favor and the motion carried.

10. Consideration of Resolution No. 2010-04, amending the personnel policies and procedures manual by providing new appeal procedures for employees subject to certain disciplinary actions.

Attorney Elton stated that the current policy does not include police department employees. He stated the current policy is out of date and not current with State law. He stated the proposed policy includes police department employees, provides for a new appeal board with two members from the City Council with two alternates, and three employees with three alternates. He stated that the employees will nominate their board members and vote by secret ballot.

Councilman Tripp suggested looking at page 6. He stated that he thinks there should be some additional options for the appeal board to decide a matter rather than termination or reinstatement with full pay. Attorney Elton stated that is a good idea but that particular section is a direct quote from State law, which in his opinion the City couldn't amend.

Motion: Councilman Castagno made a motion to approve Resolution 2010-04, a resolution amending the personnel policies and procedures manual for Grantsville City by providing new appeal procedures for employees subject to certain disciplinary actions. Councilman Johnson seconded the motion. Councilman Tripp abstained from voting and the other City Council members voted in favor and the motion carried.

11. Consideration of Ordinance No. 2010-07, amending Title 2, Chapter 15 of the Grantsville City Code by adopting a new provision establishing an employee appeal board and the method and manner of choosing its members.

Motion: Councilman Johnson made a motion to approve Ordinance No. 2010-07, an ordinance amending Title 2, Chapter 15 of the Grantsville City Code by adopting a new provision establishing an employee appeal board and the method and manner of choosing its member. Councilman Vera seconded the motion. All voted in favor and the motion carried.

12. Appointment of City Council Members as Employee Appeal Board Members and alternates.

Attorney Elton stated that there needed to be two new council members selected for the Employee Appeal Board with two alternates.

Motion: Councilman Colson made a motion to appoint Mike Johnson and Todd Castagno to the Employee Appeals Board with Tom Tripp and James Vera as alternates. Councilman Vera seconded the motion. All voted in favor and the motion carried.

13. Approval of plans and specifications of City Hall renovation and authorization to solicit bids.

Attorney Elton stated that that Building Official Mike Haycock has asked the Council to include new HVAC systems as a part of the renovation project. Mayor Marshall stated that the City received two separate grants: one for homeland security and the other for energy efficiency which would fund part of the HVAC system upgrade. Building Official Haycock stated \$80,000.00 has been awarded for City Hall and the recreation center. Attorney Elton stated that the following is projected to cover the renovation of City hall: \$50,000.00 from Public Safety Impact Fees,

Approved

\$10,000.00 from the General Fund and the money from the grant. Building Official Haycock stated the project has to be completed by the end of September for the grant.

Motion: Councilman Johnson made a motion to approve the proposed plans and specifications for the City Hall renovation and Recreation Center HVAC upgrade and to authorize the City to solicit bids. Councilman Castagno seconded the motion. Councilman Colson abstained from the vote. All others voted in favor and the motion carried.

14. Council Information Updates.

Mayor Marshall asked Councilman Vera about any bids that he may have received for the Grantsville City Welcome Sign repainting. Councilman Vera stated that he was unable to find any better or comparable bids. Mayor Marshall stated that Memorial Day and the Fourth of July celebrations are being planned. He stated that currently it looks like there will be 32 Grand Marshalls for the Fourth of July Parade. He stated they are veterans of World War II. Mayor Marshall stated that he will continue working and attending meetings regarding the Rocky Mountain Transmission line project. He stated that the Grantsville Elementary School Ground Breaking is scheduled for June 21st.

Councilman Vera suggested that the City consider hiring a clerk to take minutes for the City Council and Planning Commission meetings to allow more time for staff to accomplish other essential assignments of the City.

Councilman Tripp stated he checked on the proposed copy machine for purchase and there are very few references. He stated he appreciated the benefit comparisons.

Bill Web was present and addressed the Council. He asked for advice regarding harassment he has been receiving from the Willow Creek Apartment's management. Mayor Marshall stated that the issue was probably a private matter that did not include the City and he encouraged Mr. Webb to consult with a private attorney.

15. Adjourn.

Motion: Councilman Vera made a motion to adjourn. Councilman Johnson seconded the motion. All voted in favor and the meeting officially adjourned at 9:25 p.m.