

Approved

MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL, HELD ON MAY 19, 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 Tom Tripp, Todd Castagno, James Vera, Mike Johnson and Mike Colson.

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

Citizens and Guests Present: Colleen Brunson, Kent Liddiard, Michelle Warner, Mike Warner, Missy Thompson, Mark Whitney, Brian Wilson, Miles Wilson, Brad Tate, Austin Coffin, and William Webb.

Mayor Marshall welcomed Scout Troop 1278.

PUBLIC HEARING:

- a. Proposed rezone of .69 acres at 647 East Main Street, Grantsville Utah, from an RM-7 zone (Multiple Residential District – up to 7 units per acre), to a CD (Central Development District), for the purpose of developing commercial office space. (Applicant – Michael and Michelle Warner).**

Mayor Marshall opened the public hearing at 7:00 p.m. to receive comments on the proposed rezone. No comments were offered and the Mayor closed the public hearing at 7:01 p.m.

AGENDA:

1. Summary Action Items

- a.** Approval of Minutes of the April 26, 2010 City Council Meeting.
- b.** Approval of Business License for PJ Patterson, LMT.
- c.** Approval of Bills in the sum of \$481,263.92.
- 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.

2. Presentation in support of military members and families (Utah National Guard).

PFC Matt Longson and 1LT Mark Buffington was present representing the Utah National Guard. PFC Longson stated that they are trying to get a formal signed declaration in support of military members and families. He stated that the goal is to have each City and township sign a community covenant. He stated that deployments are difficult and they are seeking networks and support for the deployed military members and their family. He stated that Tooele City is planning to sign the covenant on May 29th at the Miller Motorsports Park. He stated the Miller Motorsports Park is planning on displaying 2010 flags. Mayor Marshall, Council Members Vera, Castagno and Tripp indicated they would be able to attend the signing ceremony.

Motion: Councilman Colson made a motion to support and participate in the community covenant program on May 29, 2010 at the Miller Motorsports Park and provide support to military members and their family consistent with the sample proclamation presented at the meeting. Councilman Vera seconded the motion. All voted in favor and the motion carried.

3. Discussion of policy regarding the distribution of non-City inserts with utility bills.

Mayor Marshall stated that with the utility bills being processed by City staff, the question is what type of inserts will be allowed in the utility bills. He stated that an individual advertised a preschool program which has brought other business owners to the City asking to place inserts with the utility bills. Mayor Marshall stated he would like to include a quarterly City report in the utility bills of the events and happenings of the City. He stated the question is whether to allow non-City business inserts. He stated he spoke with Treasurer Gustin and she stated that the cost of including a one page insert is approximately \$200.00. He stated that on one hand it would be good to promote local business on the other how to regulate these advertisers. He stated that if allowed he would

recommend no more than three pages of inserts in the utility bill. Councilman Johnson stated that he did not want the utility bills to look like a yellow pages, but limited use may be appropriate. He stated he does think that allowing some inserts could be a good idea to promote local businesses. Councilman Castagno stated that if allowed the program would need to be limited to Grantsville businesses and the question would be fairness. Councilman Tripp inquired whether the City wants to compete with commercial enterprises who advertise. Councilman Vera stated he received a comment that people receive enough advertisements and they do not want to receive them in a mandatory bill. Mayor Marshall asked the Council to think about this issue and that it would be placed on an agenda in July, 2010.

4. Consideration of an ordinance amending the zoning map for property at 647 East Main Street from an RM-7 to a CD zoning designation (Michael Warner application).

Mike and Michelle Warner were present. Mayor Marshall stated that if the ordinance is approved that it would put a condition on the zone limiting the use to professional offices. Mrs. Warner asked if a nail salon would fall into a professional office. Attorney Elton stated yes. Mr. Warner stated he is fine with the ordinance. Mr. Warner stated the planning commission wants full landscaping on the lot, a privacy fence on the west side of the property, and asphalt covered parking stalls for eight vehicles. Mr. Warner stated they are concerned with the cost of installing asphalt parking. He stated that currently there is an old home on the lot. He stated that they would like to tear down the old home and build an office building which would be centered on the property. Mrs. Warner asked if they could use lime fines. Councilman Castagno stated he can see their point of not wanting to put in a lot of time and money for a temporary use. Attorney Elton stated that the parking ordinance would need to be changed. He stated that the ordinance requires the parking to be asphalt or concrete. Councilman Tripp stated that he has a problem with changing the ordinance after the vote. He stated he would like to wait to approve any zone map or general map changes until after the revised general plan has been approved.

Motion: Councilman Vera made a motion to approve Ordinance No. 2010-08, an ordinance amending the official zoning map of Grantsville City, Utah by rezoning property located along East Main Street from an RM-7 to a CD zoning designation. Councilman Castagno seconded the motion. All voted in favor and the motion carried.

5. Consideration of an ordinance enacting a new Title 10, Chapter 1 of the Grantsville City Code, by adopting revised garbage and solid waste management regulations.

Attorney Elton stated that the revisions include updates from the Utah Code. He stated that the new collection procedures recently adopted have been included in this revision.

Motion: Councilman Johnson made a motion to approve Ordinance No. 2010-09, an ordinance enacting a new Title 10, Chapter 1 of the Grantsville City Code which adopts new garbage and solid waste management regulations. Councilman Castagno seconded the motion. All voted in favor and the motion carried.

6. Consideration of an ordinance amending Section 28-22 of the Grantsville City Code, by repealing the requirement that secondary water must be transferred to the City as a condition of development approval, requiring developers to permanently attach secondary water to the developed property and amending other provisions relating to water requirements for development approval.

Attorney Elton stated that he is waiting on the City's water attorney specialist to suggest mechanisms to attach secondary water to developed property rather than conveying the shares to the City. He stated that developers need a legal method to tie the secondary water to the deed of the property. He stated that typically the irrigation company would accomplish this through their bylaws. He stated the biggest problem is if the owner of the property does not pay the irrigation fee, they could lose their secondary water shares and the proposed ordinance will not allow these property owners to use the City culinary water for outside use if they have forfeited their secondary water. Councilman Tripp suggested tabling this item in order to have time to review the issues.

Motion: Councilman Tripp made a motion to table Ordinance 2010-10 until the first meeting in July. Councilman Johnson seconded the motion. All voted in favor and the motion carried.

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

Ken Goodworth was present. He stated he would like to extend the lease for an additional year and will take responsibility to pay the electric and natural gas bills for the Center. He stated that Debra Hall is the manager and would like to do some maintenance to the building. He stated they would like to paint the inside and outside doors. He stated they would like to insulate and fix the roof. He stated that the roof is leaking. He stated the biggest leak is around the air conditioners. The council stated they do not have any problems with the proposed improvements and the Mayor will contact the maintenance department regarding the leaks and insulation. Mr. Goodworth stated they would like to install a half wall for safety purposes. Attorney Elton suggested this project be approved by and coordinated with the building inspector and public works director.

Motion: Councilman Tripp made a motion to approve the proposed lease agreement extension with Ken's Gymnastics for an additional year beginning on July 1, 2010 and ending June 30, 2011, to allow the proposed improvements if approved by City staff and have the maintenance department address the leaking roof and insulations problems. Councilman Colson seconded the motion. All voted in favor and the motion carried.

8. Presentation in support of the preservation of Stockton gravel bar. (Stockton Mayor Mark Whitney).

Stockton Mayor Mark Whitney was present. He stated they are asking for support from Tooele Valley Cities to fight the proposed rezone of the Stockton gravel bar, which would allow gravel extraction activities. He stated that a company is asking Tooele County to rezone the bar. He stated additional gravel operations would be detrimental to the County. He stated the gravel bar is a unique geological feature. He stated people have come from all over the world to study the sandbar. He stated that the Town of Stockton has passed a resolution requesting that the Tooele County Commissioners deny the requested zone change. He asked Grantsville City to adopt a similar resolution. Attorney Elton asked that formal consideration of this matter would need to be an agenda item before the Council could take any action on this request. A concerned citizen from Tooele County spoke. He stated he has been recreating at the Stockton gravel bar since 1986. He stated that it is a place that needs to be preserved. He stated it is the only place in Tooele Valley that the entire valley can be viewed. He stated they are asking the valley to unite and stop large companies from ruining the area. He stated there are other areas that gravel can be mined from.

Councilman Vera stated that he would be in support of the request to pass a resolution against the requested rezone. He stated we owe it to the community to preserve the sandbar. Mayor Marshall indicated that he would place the item on the next City Council agenda for formal consideration.

9. Budget updates and presentation of monthly financial report (Tom Hammond).

Finance Director Hammond was present. He stated that he is suggesting only one change to the tentative budget since the last budget meeting. He stated that Treasurer Sue Gustin has been working hard with insurance carriers and was able to keep the insurance costs the same as they currently are. He stated it will be a savings of \$49,446.00 from what was projected in the tentative budget. He suggested putting the extra money into a reserve fund. He stated he is still waiting on the certified tax rate, but all else is accomplished for the budget.

Finance Director Hammond reviewed the current year quarterly finance report. He stated the areas have not changed much from the last report. He stated that the Justice Court revenue is improving. He stated the Court personnel have been working very hard and it is showing. Councilman Vera stated that there has been many hours put into the Court and it is appreciated.

10. Consideration of Supreme Court Ruling and Strategy Session – Grantsville City vs. Tooele City Base Closure Lawsuit. (Closed Session).

Motion: Councilman Tripp made a motion to go into a closed session to discuss the Supreme Court Ruling and related strategy session and invited Mayor Whitney to join the Council in the closed session. Councilman Colson seconded the motion. All voted in favor and the council went into closed session at 8:50 p.m.

Roll Call for closed session: Mayor Brent Marshall, Councilman Todd Castagno, Councilman Mike Johnson, Councilman Tom Tripp, Councilman James Vera, Councilman Mike Colson, Attorney Ron Elton, Attorney Scott Lilja, Stockton Mayor Mark Whitney, Finance Director Tom Hammond and City Recorder Rachel Wright.

Motion: Councilman Tripp made a motion to go back into the open session. Councilman Colson seconded the motion. All voted in favor and meeting reopened at 9:10 p.m.

11. Council Information Updates.

Mayor Marshall stated that Bill Web submitted a donation request to help Bush Gram with a Bonneville Salt Flats car restoration project. Mr. Web stated they are looking to bring people into the City. He stated the proposed project would help local businesses and build up the Grantsville community. Mayor Marshall stated the council discussed the donation request and supports his idea, but required donation requests had to be submitted to the City in April. Mr. Web stated he appreciated the City's support.

Mayor Marshall stated he attended a prayer meeting at the park. He stated he has attended all of the meetings regarding the Rocky Mountain Power project. He stated that they are hoping to have a decision from the Utility Review Board by May 21st. He stated that John Dow was approved as the new Tooele County Justice Court Judge. He stated he attended the Civil Leaders Day in Dugway. He stated that he attended the Utah Housing Authority open house. He stated that the Grantsville Elementary School groundbreaking is scheduled for Friday at 4:00 p.m. He stated that Jolene Sturzenegger, Dan Chamberlain and Marcus Seat were voted in as the City's employee appeals board members. He stated that Tom Hammond, Brad Pace and Danny Johnson were voted in as alternates. He stated that the library move has started.

Councilman Colson stated that there was a grant from Tooele County for recreation projects in the amount of \$25,000.00 for baseball lighting. Mayor Marshall stated they have been asking the school district to provide some of the funding for the lighting through a capital project expense.

Councilman Tripp expressed his appreciation to Karen Nelson for the hard work she put into the new Grantsville Elementary School. He stated she fought to get a new gym floor that could preserve the skating tradition.

12. Adjourn.

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