

Approved

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

CALL TO ORDER AND PLEDGE OF ALLEGIANCE.

Mayor Marshall called the meeting to order and asked everyone to join with him in reciting the “Pledge of Allegiance.”

ROLL CALL:

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

Appointed Officers and Employees Present: Attorney Ronald Elton and City Recorder Rachel Wright.

Citizens and Guests Present: Alan Drake, Jaden Brown, Hogan Turner, Colleen Brunson, Kent Liddiard and Bryan Scott.

Mayor Marshall welcomed the Scouts from Scout Troop 903 to the meeting.

AGENDA:

1. Consideration of supporting Tooele County Health Department in prohibiting substitute marijuana substances including spice.

Mayor Marshall stated Tooele County Health Department has asked that this item be considered at the next meeting in order to allow them additional time to prepare materials.

2. Summary Action Items

- a.** Approval of Minutes of the September 15, 2010 City Council meeting.
- b.** Approval of Business License for Expressions Salon.
- c.** Approval of Bills in the sum of \$215,594.96.
- d.** Personnel Matters: Approval of six month probation step increase for Kinda Hooser, from a Grade 8, Step 1 to a Grade 8, Step 2.

Mayor Marshall stated that the rough sawn cedar invoices for Hometown Hardware need to be recoded to parks.

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

3. Consideration of Change Order for Photovoltaic Power System Contract.

Attorney Elton stated the increase for the change order will be covered by the Photovoltaic grant.

Motion: Councilman Vera made a motion to approve the change order for the Photovoltaic Power System which will increase the total contract to \$226,605.00. Councilman Colson seconded the motion. All voted in favor and the motion carried.

4. Consideration of Ordinance No. 2010-23, amending use Table 14.1 of the Land Use Development and Management Code of Grantsville City by providing agricultural industry as a new conditional use in the agricultural zoning district.

Attorney Elton stated that the Planning Commission recommended adopting this ordinance. Councilman Vera stated he is concerned with the definition of agricultural industry. He stated he understands that agricultural industry would require a conditional use permit, but is concerned that it would have to be approved if the application met reasonable conditions. He stated a key issue is determining what reasonable conditions are. He stated that the City has a large amount of the A-10 zoning areas throughout the City and he is concerned with the possibility of intensive agriculture industries being located near residential areas. Attorney Elton stated that the council could identify what agriculture industry would be appropriate and redefine the agriculture industry definition. He stated that with the current proposal all agriculture industries would be allowed within the City. Attorney Elton stated that with the current ordinance most agricultural industries are not allowed. He stated that the Bonnie Plants is the one agricultural industry within the City limits, but it falls under a legal nonconforming use, but could not be expanded under current regulations. He stated if they wanted to expand they could not, because agricultural industry currently is not allowed. Councilman Vera stated he does not want to limit businesses that are reasonable for the area, but is very concerned with the open terminology of the definition. Councilman Castagno stated that Grantsville wants to stay rural and have no limits for animals in the City. Attorney Elton stated that currently the ordinances allow for animals such as grazing but not for intensive uses, such as feed yards. Councilman Vera stated he would like to see the definition for agricultural industry redefined. Councilman Castagno stated he does not believe any sizable agriculture business would actually locate within the City. Councilman Vera stated he would not like to see the City forced into a situation where we were required to approve a large agriculture industry. Mayor Marshall stated that majority of the industries/dairies are looking for cheaper land prices than Grantsville City has. He stated that these industries are aware that their businesses may be offensive and they will locate them away from people. Councilman Vera stated he does not want to rely on good judgment of people or assume what will happen. Councilman Colson suggested looking at amendments that would limit negative impacts including the possibility of buffer zones. Councilman Vera stated he would like to see the goat dairy be able to locate in Grantsville, but is concerned about other large agriculture industries that may want to locate in Grantsville.

Motion: Councilman Vera made a motion to table Ordinance No. 2010-23. Councilman Castagno seconded the motion. All voted in favor and the motion carried.

5. Consideration of Resolution 2010-12, approving and adopting a facility use policy and facility use agreement.

Mayor Marshall stated the resolution sets terms for use of City facilities. He stated that the parks and pavilions have been scheduled for use and the company or individuals end up not using them.

He stated that the Department Heads have also recommended the following fees for use of the facilities:

- Park Pavilions User Fee: \$25.00 Deposit Fee: \$50.00
- Rodeo Pavilion User Fee: \$35.00 Deposit Fee: \$50.00
- Rodeo Grounds User Fee: \$100.00 Deposit Fee: \$200.00
- Cook Shack User Fee: \$75.00 Deposit Fee: \$100.00
- Fees for groups over 100 in size would require City Council Approval with Fees to be approved by the Council based upon the type of activity and the impacts it would create.

Mayor Marshall stated the deposit fee would be returned once the area was checked by the Public Works Department and the facilities were left in good condition. Attorney Elton stated the agreement prohibits the use for sales of goods or services unless approved by City Council.

6. **Motion:** Councilman Vera made a motion to approve Resolution 2010-12, approving and adopting a facility use policy and facility use agreement and to adopt the proposed use fees. Councilman Castagno seconded the motion. All voted in favor and the motion carried.

7. **Consideration of amended lease agreement for New Cingular Wireless. (Cell Site Lease).**

Attorney Elton stated he received a phone call prior to the meeting and was notified that the proposed addition may go outside of the existing fence for the site. He stated that the Lessee agreed they would fence in the equipment with a six foot high block fence and that the equipment would not go above the fencing. He stated that the lease would be for \$250.00 a month.

Motion: Councilman Colson made a motion to approve the amended lease agreement for New Cingular Wireless with conditions set forth by the City Fire Marshal, that the facilities be enclosed behind a six foot high tan block fence, that the Planning Commission approve the use and that the original lessee (Mobilitie) provide written consent for the addition. Councilman Castagno seconded the motion. All voted in favor and the motion carried.

8. **Mayor and City Council Reports.**

Mayor Marshall stated that there is an Aggie benefit night scheduled and the proceeds will go to their scholarship fund. He indicated that Council Members are invited to attend. He stated he attended a ULCT meeting that discussed City taxes and fee options. He stated he attended the Tooele County School Board meeting concerning the restrooms at the Grantsville football field. He stated they are working on some issues and that the restrooms will have to be put on a capital project list prior to being funded. He stated he had a meeting with Union Pacific concerning railroad tracks in the City's proposed annexation area northwest of the City. He stated he attended an RPO meeting. He stated the RPO Committee is looking at areas in the community that can be designated as park and ride areas that can be utilized by the UTA and other private companies or individuals. He stated he attended a meeting at the Tooele Outreach Office concerning the Deseret Chemical Depot timeline for shutdown. He stated the first lay off is scheduled during 2012. He stated that they requested that local contractors be hired. He stated that all landfill sites will be cleaned up prior to the transfer to the Tooele Army Depot by 2014. He stated that the landfill

trenches will be cleaned up by 2017 ending the cleanup effort. He stated he had met with the Tooele County Commissioners regarding the proposal to provide water and sewer service to the Deseret Peak Service District. He stated a library committee meeting was held regarding a new library and the costs. He stated that the community safety fair was held at the Fire Station last Friday evening. He stated that he had a meeting with Tooele Valley Mental Health regarding the services they can provide. He stated he participated in the National Walk to School Day. He stated that there were thank you notes along the path from the students for the sidewalk. He stated that Grantsville High School Homecoming is next Friday with the parade to start at 4:00 p.m. The Council has been invited to participate. He stated the City received a dividend check from the Utah Local Government's Trust for the sum of \$10,347.00.

Mayor Marshall stated that he had a family approach him regarding their well that had gone bad. He stated they would like to hook into City water but are unable to pay the hook up and impact fees all at once. He stated they are requesting to pay the fees in installments at the rate of \$150.00 per month. Councilman Castagno stated that for an existing residence he can understand a hardship but do not think a deferral of fees should be allowed for new construction. **Motion:** Councilman Castagno made a motion to approve the hook up and impact fee to be put on a payment plan for the residents at 396 North Old Lincoln Highway, with the payment added to the utility bill. Councilman Colson seconded the motion. All voted in favor and the motion carried.

Councilman Colson stated that with the construction on Main Street for the carwash, that school children have not been able to use the sidewalk. He asked that the owner provide a temporary walkway during the construction. Mayor Marshall indicated that he would contact the owner.

Councilman Castagno stated he met with Dave Brown regarding the new trailhead for the trail system. He stated they have a few signs left to install and once complete will have a formal ribbon cutting ceremony. He stated that Dave Brown would like to apply for another grant to put in another trailhead in the City.

9. Mountain Vista Development vs. Grantsville (including possible closed strategy session).

Motion: Councilman Castagno made a motion to go into a closed strategy session to discuss pending litigation. Councilman Vera seconded the motion. All voted in favor and the motion carried. The meeting was closed at 8:08 p.m. Those in attendance during the closed session were the Mayor, council members, City Attorney Ron Elton, City Recorder Rachel Wright and Craig Smith.

Motion: Councilman Vera made a motion to go back into open meeting. Councilman Colson seconded the motion. All voted in favor and the motion carried. The open meeting resumed at 8:34 p.m.

10. Adjourn.

Councilman Colson made a motion to adjourn. Councilman Vera seconded the motion. All voted in favor and the motion carried. The meeting officially adjourned at 8:36 p.m.