

Approved

MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL, HELD ON FEBRUARY 2, 2011 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 Tom Tripp, Mike Johnson, Todd Castagno and Mike Colson. Councilman James Vera was excused.

Appointed Officers and Employees Present: Attorney Ronald Elton and Deputy City Recorder Christine Webb.

Citizens and Guests Present: Colleen Brunson, Andrea Duclos, Gary Pinkham, Elise Erler, LaWana Dickman, Deanna Beaver, Gayle Parker, Angela Grant, Dick Jones, Missy Bird, Russell Johnson, T. Colbert, and Ronda Rudd Menlove.

Mayor Marshall welcomed the Scouts from Troop 903.

AGENDA:

- 1. Youth Recognition Award(s)** The following students were recognized for their accomplishments and were awarded certificates and gifts from the Mayor and City Council:

- Bailey Barney
- Bryce Ekins
- Meghan Allen
- Aubrey Akers
- Dakota Leetham

- 2. Report from Representative Ronda Rudd Menlove.**

Representative Menlove was present and gave her annual legislative update and report to the City Council. Representative Menlove had earlier given a report to the public at the City Hall at 6:00 p.m. Representative Menlove indicated that a base budget had been passed, cutting \$330,000,000 from the State budget as a result of revenue shortfalls. She indicated that if future revenue projections improve, some funding may be added back into the budget. She reviewed several bills that had been filed and indicated that she would welcome any input from the Mayor and Council during the legislative session. The Mayor and Council thanked Representative Menlove for attending and being responsive to the citizens of Grantville.

- 3. Public Hearings:**

a. Adoption of new Mixed Use Zoning District (MU) designation, allowing for medium density residential neighborhoods, mixed with compatible commercial uses.

Mayor Marshall opened the public hearing to receive comments on this proposed amendment to adopt a new Mixed Use Zoning District.

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Gary Pinkham spoke in opposition to the proposed ordinance. He indicated that the proposal would allow any style of residential development to be included in the same zone. He stated this ordinance could be in conflict with existing ordinances. He also stated this zone would allow commercial developments from three commercial zones to be mixed together and could compete with other districts in the City. He stated he was not opposed to mixed uses, but that allowing a developer to have so many choices could result in the City losing control of development.

Dick Jones representing Quality for Animal Life spoke in favor of the mixed use zone. He indicated that similar zones have been successful in other cities and that they encourage small businesses and small investors which could promote the right kind of growth in the City.

Angela Grant addressed the Council. She asked what commercial uses would be allowed in the Mixed Use zone. She was advised that the proposed zone includes commercial uses from three existing commercial zoning districts in the existing City zoning ordinances.

Kent Liddiard spoke in favor of the proposed ordinance. He indicated that as a representative from the Fire Department he had attended most of the Planning Commission and City Council meetings over the years and he believed that this proposal would be beneficial for the City.

LaWana Dickman was present and asked why she had received notices from the City regarding this matter. She was advised that her property was included in the recent annexation and that it was being proposed for the new Mixed Use zoning district. She was further advised that if the MU zone was attached to her property that she could develop up to 3 residential units per acre.

No further comments were offered and the Mayor closed this public hearing.

b. Amendment to the Grantsville City General Plan and Future Land Use Map, for the Flux Area Annexation property, including Industrial, Commercial/Higher Density Residential and Rural Residential -2 (one unit per five acres to one unit per 10 acres) land use categories.

Mayor Marshall opened the public hearing to receive comments on this proposed general plan amendment for the Flux Area Annexation.

Elise Erler, a representative of the State of Utah School and Institutional Trust Lands Administration, (SITLA) spoke in favor of the proposed General Plan Amendment designations. She indicated that the State of Utah owns large parcels in the Flux Annexation Area and she requested that this land receive an Industrial Land Use Category as proposed.

No other comments were offered and the Mayor closed this public hearing.

Approved

c. Proposed zoning district designations for the Flux Area Annexation property, including MG (general manufacturing), MG-EX (mining, quarry, sand and gravel excavation), CG (general commercial), MU (mixed residential and commercial uses), MD (manufacturing and distribution) and A (agricultural – 10 acre minimum lot size) zones.

Mayor Marshall opened the public hearing to receive comments on these proposed zoning district designations for the Flux Area Annexation properties.

Drew Allen addressed the City Council. He indicated that there is a strong point in the consideration of a mixed use designation, but he was concerned how the new district would be applied. He suggested that it be applied to a limited area and that it be viewed as an experiment in which to address the unknown factors. He spoke against applying this district to as large an area as was proposed.

Gary Pinkham spoke against the MU designation as proposed. He indicated that it could allow as many as 3,000 homes on the acreage that it was being proposed for. He indicated that homes in the area of other industrial and commercial uses would put negative pressure on these commercial and industrial uses.

Elise Erler (SITLA) spoke in favor of the proposal that assigned MG and MG-EX zoning designations to the State of Utah property as proposed.

No further comments were offered and the Mayor closed this public hearing.

d. Amendment to Section 7.5 of the City's Land Use Management and Development Code to extend the notification area for adjoining property owners from 300 feet to 500 feet for commercial conditional use permits.

Mayor Marshall opened the public hearing to receive comments on this proposed zoning regulation amendment.

No comments were offered and the Mayor closed this public hearing.

4. Summary Action Items:

- a.** Approval of Minutes of the January 19, 2011 City Council Meeting and Special City Council Meeting held on January 25, 2011.
- b.** Approval of Business Licenses for the Smallest Store in Utah, Pedals-N-More and Dirt Cheap Scrapbooking.
- c.** Approval of Bills in the sum of \$115,313.98 (Invoices dated February 1, 2011).
- d.** Personnel Matters (none).

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

Approved

5. Mayor Marshall indicated that he wanted to move up agenda item No. 11 to accommodate representatives of the Tooele County School District who were present.

Consideration of Ordinance No. 2011-08, designating new no parking and drop-off areas around Grantsville Elementary School.

Jeff Hamm and Steve West from the Tooele County School District were present. Mr. Hamm indicated that they had reviewed the proposed ordinance and were in favor of its provisions. Mr. Hamm asked if the streets regulated by the ordinance would be posted with signs. Mayor Marshall indicated that they would. Mr. Hamm requested that Grantsville City station an additional crossing guard at the corner of Park and Apple Streets. Mayor Marshall indicated that with the current City budget he did not know how an additional crossing guard could be provided. Mayor Marshall indicated that the intersection of Park and Apple Streets would be a four way stop for vehicles and should be one of the more safe intersections in the area. Mr. Hamm thanked the City for its responsiveness in adopting the new parking regulations and invited the Mayor, City Council and City staff to attend a walkthrough of the new Grantsville Elementary School on February 11, 2011 at 3:30 p.m.

Motion: Councilman Johnson made a motion to approve Ordinance No. 2011-08. Councilman Castagno seconded the motion. All voted in favor and the motion carried.

6. **Consideration of Resolution No. 2011-01, designating February 9th PFC Jordan Byrd day and consideration of adding PFC Jordan Byrd to Veteran Memorial at Grantsville Cemetery.**

Mayor Marshall indicated that this item was in response to a request that a resolution be adopted for use at a Fallen Heroes Ceremony to be held in Tooele on February 9th. Councilman Tripp indicated that he was in favor of the Resolution, but asked if the other fallen Veteran's whose names are listed on the City memorial should not also be remembered in a similar fashion. Mayor Marshall indicated that he would explore the possibility of so honoring these other servicemen.

Motion: Councilman Castagno made a motion to adopt Resolution No. 2011-01. Councilman Colson seconded the motion. All voted in favor and the motion carried.

7. **Fire Department Report and consideration of approval of new Fire Department Members.**

Fire Chief Ryan Marshall presented the Grantsville City Fire Department annual report to the Council. He indicated that the Department had 472 calls during 2010, of which 170 were fire related and the remainder were first responder calls. He indicated that the Department has 27 personnel with EMT training and 11 have Intermediate EMT certifications with others ready to take their final tests. He indicated that the Department is working well with the local hospital, but that the Department is doing its own EMT training so that the trainees are not required to make a long term commitment to the hospital. Chief Marshall also indicated that through retirement and members moving from the City, the department is below its authorized staffing of 50 members. He indicated that the Department is nominating the following persons to be members of the Grantsville City Fire Department and that these individuals have successfully completed all of their required background checks. The nominated members are Dillan Gibson, Tyler Nielson, Darla Daniels, Jason Smith, Aaron Crosman, Bryan Edgett, Brian McKinstry, Jesse Ellis, Jason Tischner and Brennin Lund.

Motion: Councilman Castagno made a motion to approve the ten nominated individuals to serve on the Grantsville City Fire Department. Councilman Mike Johnson seconded the motion. All voted in favor and the motion carried.

8. Consideration of Ordinance No. 2011-04, adopting a new Mixed Use Zoning District (MU) designation, allowing for medium density residential neighborhoods, mixed with compatible commercial uses.

Councilman Tripp indicated that he had reservations about the proposed zone as drafted. He stated that the title specifies that it is for the purpose of allowing medium density residential neighborhoods, but it allows clustering of homes up to 14 units per acre. He indicated that the zone may be appropriate in certain areas, but did not want it to be generally available in the City.

Mayor Marshall indicated that with our current economy, limited water resources and construction costs, new homes are not within the reach of most families. He suggested the new mixed use zone would be helpful for younger families to remain in Grantsville.

Councilman Johnson questioned the 35 foot lot frontage for homes and had other questions regarding setback requirements.

Councilman Colson indicated that the MU zone could be a good buffer between existing industrial areas and the proposed CG and existing MD zones.

Motion: Councilman Tripp made a motion to table consideration of proposed Ordinance 2011-04 to a later date in order to give the Council more time to consider this proposal. Councilman Mike Johnson seconded the motion. All voted in favor and the motion carried.

9. Consideration of Ordinance No. 2011-05, amending the Grantsville City General Plan and Future Land Use Map, for the Flux Area Annexation property, including Industrial, Commercial/Higher Density Residential and Rural Residential -2 (one unit per five acres to one unit per 10 acres) land use categories.

Motion: Councilman Tripp made a motion to approve Ordinance 2011-05. Councilman Mike Colson seconded the motion. All voted in favor and the motion carried.

10. Consideration of Ordinance No. 2011-06, approving zoning district designations for the Flux Area Annexation property, including MG (general manufacturing), MG-EX (mining, quarry, sand and gravel excavation), CG (general commercial), MU (mixed residential and commercial uses), MD (manufacturing and distribution) and A-10 (agricultural – 10 acre minimum lot size) zones.

Motion: Councilman Colson made a motion to approve Ordinance 2011-06, with the exception of the southern area that was proposed for the MU zone, which property will remain without a zoning designation, until such time as the Council meets again on proposed Ordinance 2011-04. Councilman Mike Johnson seconded the motion. All voted in favor and the motion carried.

11. Consideration of Ordinance No. 2011-07, amending Section 7.5 of the City's Land Use Management and Development Code to extend the notification area for adjoining property owners from 300 feet to 500 feet for commercial and industrial conditional use permits.

Approved

Councilman Tripp indicated that he was in favor of this proposal in that it would cover more circumstances where neighbors would receive notice of a proposed commercial or industrial conditional use.

Russell Johnson addressed the Council and indicated that new commercial and industrial users could affect underground water sources when they appropriate water, which could have a negative effect upon existing users.

Motion: Councilman Johnson made motion to not adopt Ordinance 2011-07. Councilman Mike Colson seconded the motion. Mike Colson, Mike Johnson and Todd Castagno voted in favor of the motion. Tom Tripp voted against the motion. A majority having voted in favor, the motion carried and the ordinance was denied.

12. Consideration of City work projects for persons who are delinquent on utility bills.

Mayor Marshall indicated that there are citizens using City utilities that are legitimately not able to pay their utility bills. He proposed a work program, whereby the utility user or a family members would work for the City and be given federal minimum wage credit against their delinquent utility account. He stated the City would identify a project and specify a set number of hours to complete the project. When the project was completed, the account would be credited for that number of hours at minimum wage.

Councilman Johnson indicated that he would like the City to allow the program on a trial basis only. Councilman Tripp stated that this kind of program could actually result in additional supervision expenses that would be incurred by the City.

Motion: Councilman Johnson made a motion to approve the Mayor's proposed work program, in order to allow persons to work off delinquent City utility bills on a trial basis through September 30, 2011. The motion was seconded by Councilman Castagno. All voted in favor and the motion carried.

13. Consideration of approving agreement with Tooele County for Building Inspection and Plan Review Services.

Mayor Marshall stated that the City's building official is in the process of building a new residence in Grantville City. He indicated that it would be inappropriate for this City employee to perform the plan check fee and building inspections on his own home. The Mayor indicated that Tooele County was willing to perform these services, pursuant to the agreement that the County prepared.

Motion: Councilman Castagno made a motion to approve the Agreement with Tooele County to obtain Plan Check and Building Inspection Services for the City Building Official's new home. Councilman Johnson seconded the motion. All voted in favor and the motion carried.

14. Consideration of approving special meeting to consider tabled zoning ordinances.

Mayor Marshall indicated that the Council has three proposed zoning ordinances that it previously tabled and the one that was tabled tonight. He asked the Council to consider holding a special meeting prior to the next regular City Council meeting to review and make decisions on these items.

Motion: Councilman Johnson made a motion to hold a special City Council meeting on February 16, 2011 at 5:30 p.m. to consider the four zoning ordinances that were tabled. Councilman Colson seconded the motion. All voted in favor and the motion carried.

15. Mayor and City Council Reports.

Mayor Marshall stated he had attended the Wasatch Front Regional Council Growth Committee meeting. He reported that this committee addresses long term growth along the Wasatch Front, Wasatch Back and the Tooele Valley. He indicated that his nomination as Vice Chair was approved and he will serve a two year term. He stated that the committee is working on a 40 year plan. Mayor Marshall stated that he had attended an Alliance meeting, where job training for laid off EG&G workers was discussed. He said he met with a railroad car repair contractor who is considering a facility within the Flux Annexation Area and it is exploring a new rail spur across Ellerback Road, which is a County Road. Mayor Marshall reported that he had met with the Utah Economic Development Corporation staff regarding project 7-Up. He stated that Utah is working on an incentive package for this project to be located in the new annexation area of Grantsville and the owner is exploring the purchase of SITLA and other land in the area. The Mayor indicated that the City is planning on implementing four way stops for traffic on the intersections at Park and Apple Streets and Center and Apple Streets for the new Elementary School. Mayor Marshall indicated that Rachel Wright, the City Recorder has been deployed by the Air National Guard to Kirghizstan for four months and that the City had a going away party for her last week. He indicated that he along with Councilmen Castagno and Vera attended the Tooele County Chamber of Commerce Installation Banquet. He reviewed the awards that were handed out, and noted that the Wal Mart Distribution center located in Grantville City, received the volunteer business of the year award. Mayor Marshall stated that the Mayor and Council had been invited to attend the Grantsville Junior High School Reality Town event on February 4, 2011 from 9 a.m. to 11 a.m. Invitees were asked to explain their duties and responsibilities. Mayor Marshall indicated that there was a Fallen Heroes Foundation program scheduled in Tooele on February 9, 2011 and that he would be presenting the Resolution that was passed earlier during the meeting for PFC Jordan Byrd. The Mayor indicated that he had met with representatives of Rocky Mountain Power, and that they informed him that with their new proposed \$232,000,000 rate increase, the average power bill for a family would increase approximately \$10.00 a month. He stated that grant applications for the Tooele County transient room tax fund program were due on February 15, 2011. Mayor Marshall stated representatives from Tooele County would be holding caucus meetings regarding the legislative session on February 8th and March 3rd at 5:30 p.m. at the State Capital House Office Building. Mayor Marshall reported that he had responded to a POST subpoena to provide information that the City had collected regarding Chief Dan Johnson's alleged wildlife violation.

Councilman Colson indicated that the Grantsville Business Alliance was in the process of selecting a board of directors and they wanted the City to select a representative to sit on the Board. He also indicated that Jill Thomas would be applying for a TRT grant for the Taste of Grantsville annual event.

Councilman Tripp indicated that he had received a letter from a citizen regarding zoning issues, which was in support of recent City Council decisions. Councilman Tripp requested that the letter be entered in the minutes and the Mayor stated that it would. Mr. Tripp also commented on Rocky Mountain Power's proposed rate hike and he wondered whether or not the questionable 40 mile transmission line project proposed for Tooele County, may have been in part the cause of the requested rate increase.

Approved

Councilman Castagno asked if the City was aware of the location of the Old Folks Sociable banner. He indicated that the State has prohibited the sign from being placed along Main Street, because it is a State Road, but he has seen similar signs on State roads in other Cities.

16. Adjourn.

Motion: Councilman Castagno made a motion to adjourn. Councilman Johnson seconded the motion. Councilman Castagno and Johnson voted in favor. Councilman Tripp and Colson voted against the motion. Mayor Marshall voted in favor of the motion to adjourn and the motion carried. The meeting was officially adjourned at 9:04 p.m.