

Approved

MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL, HELD ON APRIL 6, 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.

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

Motion: Councilman Tom Tripp made a motion to appoint Councilman Todd Castagno as Mayor Pro Tempore for this meeting in the absence of Mayor Marshall. The motion was seconded by Mike Johnson. All voted in favor and the motion carried.

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

Citizens and Guests Present: Colleen Brunson, Kent Liddiard, Daniel Lee, Scott Stice and Sheldon Riches.

Mayor Pro Tempore Castagno called the meeting to order and asked Jared Coles to lead the Pledge of Allegiance.

PUBLIC HEARING

- A. Proposed Amendment to Chapter 15 Use Table, to allow up to six rabbits, ducks, chickens or any small animal up to 40 pounds, in any combination, in the R-1-8, R-1-11, R-1-21 and RM-7 zoning districts, as a permitted use and requiring that cages, pens, coops or houses, etc. be provided for these animals, when they are kept outdoors.

Mayor Pro Tempore Castagno opened the public hearing at 7:02 p.m. for comments on the proposed amendment to Chapter 15 Use Table.

Daniel Lee from Worthington Street inquired if the proposal would allow him to have any animal up to 40 lbs. including pygmy goats or baby sheep. He also asked for clarification as to what zone he lived in. The Council indicated that this proposal included any animal up to 40 lbs. and that Mr. Lee lives in the RM-7 zone.

No other comments were made and the public hearing was closed.

AGENDA:

1. Summary Action Items:
 - a. Approval of Minutes of the March 16, 2011 City Council Meeting.
 - b. Approval of Business Licenses for Sorensen Towing & Auto Repair, Cleveland's Landscaping and NTV Inc., Watermaster Car Wash.
 - c. Approval of Bills in the sum of \$212,524.03 (Invoices dated April 6, 2011.)
 - d. Personnel Matters (none).

Councilman Mike Johnson clarified the actual location of the Sorensen Towing & Auto Repair business.

Councilman Tom Tripp inquired about Aqua Engineering's bill for \$805.83 for the Waste Water Improvement. He thought that Aqua had previously received its last payment for this project. Attorney Ron Elton stated that he would inquire about this item at the next staff meeting.

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

2. Consideration of application to use Cherry Street Park for Car Show (Wal-Mart Distribution Center).

Dave Gilbert addressed the Council. Mr. Gilbert indicated that in the past the Wal-Mart Distribution Center has hosted a car show to raise money for the Victory Junction Gang Charity and the car show has been held at the Distribution Center. This year Wal-Mart was hoping to move the car show to the Cherry Street Park. They would like to involve the community and possibly combine for a joint activity with something already planned.

Attorney Ron Elton clarified that they are also asking for a use fee waiver and a liability insurance waiver. Councilman Johnson stated that he would be in favor of waiving the use fee but has some reservations regarding the waiver of liability insurance. Mr. Gilbert indicated that it may be difficult to obtain the one million dollar liability insurance coverage because of its cost. Mr. Gilbert stated that the cars are parked the entire time and there will not be any driving associated with the show. Mayor Pro Tempore Castagno suggested the possibility of combining with the FBLA sponsored Taste of Grantsville which is held at the park during the first part of September. Mr. Gilbert stated that in order for their activity to coincide with the needs of the recipient of their fundraiser they would like to schedule the activity during midsummer perhaps between July 4th and the end of August.

Motion: Councilman James Vera made a motion to approve Wal-Mart Distribution Center's application to use the Cherry Street Park for a Charity Car Show and to waive the use fee and that Mayor Marshall be authorized to approve the date requested and to evaluate the liability issues and determine whether or not to authorize a waiver of liability insurance or reduce the amount of the coverage as deemed appropriate. The motion was seconded by Councilman Colson. All voted in favor and the motion carried.

3. Consideration of approving concept plan for proposed Stansbury Shadows Phase II PUD subdivision at 125 Liberty Landing (900 East State Road 138), to divide Lot #1 of Stansbury Shadows Subdivision into 3 lots.

Applicant Rick Phelps was present to answer questions. Councilman Mike Johnson expressed concerns about space for a fire truck to turn around on Legacy Lane. Mr. Phelps stated that there is already an approved turn around at the south end of the lane and there is no additional requirement or plan to upgrade it.

Motion: Councilman Tripp made a motion to approve the concept plan for Stansbury Shadows Phase II PUD Subdivision. Councilman Mike Johnson seconded the motion. All voted in favor and the motion carried.

4. Consideration of final approval of an amendment to Dolorosa Estancia PUD Subdivision to change its name, change all street names in the subdivision and to divide all one acre lots increasing the number of lots from 70 to 97.

Mayor Pro Tempore Castagno asked if there were any comments. Developer Doug Young thanked the Council for their consideration of the proposed changes. Mr. Young expressed his excitement about the development and indicated that they are building a Parade of Homes residence which is under construction and he plans to build some spec homes.

Councilman Johnson inquired about possible bonding for the road cuts that will need to be made. Attorney Elton explained that when a subdivision is approved and improvements need to be made, typically a bond will be required. Attorney Elton further explained that if an overlay is required and the laterals are run at the time of the construction on the newly created lots, a bond could be in place longer than the one year allowed by law.

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Mr. Young stated that once approval has been given for the proposed changes, he plans to bore and torpedo the new laterals for water and sewer with minimal road cuts and he hopes to have all the work completed in 30 days. Mr. Young stated that he would propose that no occupancy permits be given in the project until the work is completed or that he could put up a bond. Mr. Young expects the work on the roads including repair of the stamped concrete, the installation of laterals with a new overlay on all of the roads and the new street signs would be completed within the next 60 days.

Kent Liddiard asked about access for emergency services through the gates. Mr. Young stated that they will work with the City to grant access for emergency personnel.

Attorney Elton suggested the following conditions be completed as a condition for approval of the amended subdivision and that each condition be satisfied before the amended plat is recorded: (1) Installation of water and sewer laterals to all of the new lots, (2) repair of the stamped concrete sections of roadways, (3) application of an asphalt overlay on all of the subdivision roads that meets specifications approved by the Public Works Director, (4) replacement of the street signs in the subdivision with signs stating the new street names, (5) transfer of 13 acre feet of culinary water to the City, (6) procurement of 27 shares of Grantsville Irrigation Shares for the additional lots, with one share attached to each new lot, and (7) that a one year warranty bond for the previously stated improvements be filed with the City in an amount of at least 10% of the value of the work.

Motion: Councilman Vera made a motion to approve the amendment to Dolorosa Estancia PUD Subdivision subject to the suggested conditions. Councilman Johnson seconded the motion. All voted in favor and the motion carried.

5. Consideration of Ordinance No. 2011-12, amending the General Plan, Street Master Plan component, by redesignating Picadilly Street from a collector road to a local street classification and designating Vegas Street as a future collector road.

Attorney Elton stated that the Planning Commission did not agree with the present proposal because they felt that there were insufficient collector and by-pass roads planned for the City. He indicated that based on the Planning Commission's comments, staff is proposing a system with new bypass roads, which proposal will be presented to the Planning Commission and City Council in the near future. Mr. Elton presented a map that included the new proposal to the City Council. It was also discussed that Picadilly Street has current and proposed residences that encroach on the street if it maintains its collector road status. Councilman Tom Tripp stated that he does not feel that this is an item that needs an immediate decision.

Motion: Councilman Tripp made a motion to table ordinance 2011-12 until the Planning Commission has reviewed and made a recommendation on the other proposed amendments to the Street Master Plan. Councilman Colson seconded the motion. All voted in favor and the motion carried.

6. Consideration of Resolution No. 2011-05, amending the City development fees by adopting new fees to process conditional use permits in the MG-EX zoning district.

Attorney Elton explained that the MG-EX zone involves mining, excavation and similar activities. The City is recommending a fee of \$300.00 for conditional use permits in the MG-EX zone that can be approved by staff and a fee of \$400.00 for those required to be processed by the Planning Commission.

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Motion: Councilman Tripp made a motion to approve Resolution No. 2011-05, adopting new fees to process conditional use permits in the MG-EX zoning district. The motion was seconded by Councilman Vera. Councilman Colson added that a correction should be made to the fee schedule regarding paragraph numbering. All voted in favor and the motion carried.

7. Consideration of appointment of Ronald Powell to serve as Justice Court Judge Pro Tempore in the absence of Judge Darold Butcher.

Attorney Elton explained that two judges had previously been approved to fill in for Judge Butcher. Judge Butcher would like to add Judge Ronald Powell as a Justice Court Judge Pro Tempore. Judge Butcher has indicated that Judge Powell is readily available and could easily fill in for him when he is unavailable.

Motion: Councilman Johnson made a motion to approve Judge Ronald Powell to serve as Justice Court Judge Pro Tempore for Grantsville City in the absence of Judge Butcher. Councilman Vera seconded the motion. All voted in favor and the motion carried.

8. Consideration of Resolution 2011-06, approving an Interlocal Financing Agreement with the Redevelopment Agency of Tooele City in order to fund a new Grantsville City Library.

Attorney Elton stated that staff had received and made some changes to the proposed agreement and had also asked bond counsel to review it. He indicated that bond counsel had made a few suggested changes just before the meeting and the proposed changes were outlined in an amended agreement that had just been presented to the council. He stated that he had reviewed and approved these changes and they were mainly of a technical nature and were for clarification purposes.

Motion: Councilman Colson made a motion to approve Resolution 2011-06, approving the amended Interlocal Financing Agreement with the Redevelopment Agency of Tooele City. The motion was seconded by Councilman Johnson. All voted in favor and the motion carried.

Councilman James Vera reported that the Library Committee has expressed a desire to request donations from certain individuals who have a history of donating to the construction of libraries. The Library Committee has requested that the City Council write a letter of support, which could be provided to these possible donors. The Committee had provided a proposed letter for the City Council to review and approve. The Committee would like to request a commitment from the donors before June 1.

Attorney Elton suggested a few changes to the letter and also suggested that each request be approved by Mayor Marshall. Some of the City Council members expressed their hesitation in requesting donations for a larger building, but would rather see donations be used to buy books, furniture and equipment that would not be funded through the bond. Councilman Johnson felt that possible donors should have the option to specify what their donation should be used for. The Council indicated that they would consider signing a letter of support, after it had been reviewed by the City Attorney and Mayor.

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9. Consideration of soliciting proposals from architects for a new library.

Attorney Ron Elton presented a specific request for proposals that if approved would be published immediately with a deadline of April 29, 2011. Mr. Elton indicated that a selection committee would review the proposals and make a recommendation to the Council at the first meeting in May. Mr. Elton suggested that the selection committee be made up of Mayor Marshall, a City Council Member or two, the Library Committee Chair, Tom Hammond and Mike Haycock.

The Council was asked to review the statement in Paragraph Two, stating that construction on City owned property near the current City Offices was currently preferred. Councilman Colson stated that he does not prefer that the library be located next to City Hall. Councilman Vera pointed out that the City owns other properties in the City and there are other options for the location of a library. Attorney Elton inquired whether the Council wanted to change this language. Upon further discussion the Council determined that the language does leave the option to locate the library in an area other than near City Hall.

Attorney Elton reviewed the RFP's language for fees which included a fixed fee for programming, funding and pre-design work and a percentage fee for the design and construction administration. Councilman Tripp questioned the weight given to each category for the selection of the Architect. Mr. Elton stated that these percentages were the ones the City had previously used to select an architect for Fire Station and they give the selection committee and Council the ability to consider both qualifications and the fee to make a selection.

Motion: Councilman Tripp made a motion to approve the RFP and to solicit proposals as was presented. Councilman Colson seconded the motion. All in voted in favor and the motion carried.

10. Consideration of terminating financial services agreement with Zions Bank.

Attorney Elton explained that the City had previously contracted with Zions Bank for financial services regarding the funding of a new library. He indicated, however, that as a part of the settlement agreement with Tooele City, that Tooele had demanded the use of its own financial advisor as a part of the agreement and Tooele would not agree to fund a separate financial advisor for Grantsville.

Motion: Councilman Johnson made a motion to terminate the financial advisor agreement with Zions Bank as it relates to the new library. Councilman Colson seconded the motion. All voted in favor and the motion carried.

11. City Council Reports.

Councilman Vera suggested that the Council keep in mind a location for the library. He suggested that the City should consider a master plan for the long term development of a City Complex around City Hall. Councilman Vera explained that he would prefer to have the front of the library building be set back from the City Hall if the library is eventually situated next to City Hall.

12. Adjourn.

Motion: Councilman Mike Colson made a motion to adjourn. Councilman James Vera seconded the motion. All voted in favor and the meeting was adjourned at 8:23 p.m.