

Approved

MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL, HELD ON JUNE 15, 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 and Council Members Present: Mayor Brent Marshall and Council Members Tom Tripp, Todd Castagno and Mike Johnson. Councilman James Vera was excused.

Councilman Colson arrived at the meeting at 8:10 p.m. and began voting on agenda item number 6.

Appointed Officers and Employees Present: Attorney Ronald Elton, Finance Director Tom Hammond, Public Works Director Joel Kertamus and Deputy City Recorder Christine Webb.

Citizens and Guests Present: Colleen Brunson, Missy Bird, Marie Schultz, Preston Miller, Kent Liddiard, Meghan Mouritsen, Janet Paulich, Jill Thomas, Barbara Grygerczyk, Greg A. Lund, Kevin Blalock, Hollie Hendricks and Charlyn Warner.

Mayor Marshall asked Kent Liddiard to lead the audience in the Pledge of Allegiance.

PUBLIC HEARINGS:

A. Proposed 2011-2012 Budget

Mayor Marshall reported that the City Council had adopted a tentative budget for the 2011-2012 fiscal year and had spent time in several special meetings since adopting the tentative budget, reviewing the projected revenue and expenditures. The Mayor explained the tentative budget was adopted prior to receiving the certified tax rate from the County. He reported that the City had now received the certified tax rate which was .003722. This rate would result in revenue of \$1,081,372.00. The Mayor stated the tentative budget had projected \$1,000,000.00 in estimated revenue. Mayor Marshall explained that decreasing values in residential and business properties would result in an increase in the tax rate in order to provide the City with the same amount of revenue. The certified tax rate would result in a 12.5% increase in the residential property taxes. The Mayor proposed a reduction of the tax rate to .003368 which would reduce the City's revenues to \$978,576.00 and would prevent a significant increase in City taxes. Mayor Marshall explained that the City Council would need to amend the tentative budget to reflect these reductions; however the changes would be mainly to the amount allocated to the rainy day fund and the long term capital projects fund. He reported that the City Council had reduced the proposed general cost of living and merit raises which were included in the tentative budget from 6% to 3%. Mayor Marshall stated the City Council had been very frugal with the tax payer's money. Copies of the proposed budget were provided at the meeting. The Mayor stated the provided copies did not include his proposal to reduce the tax rate and revenues.

The Mayor opened the meeting for public comment at 7:03 p.m. No comments were made and the Mayor closed this public hearing.

B. Proposed 2010-2011 Budget Adjustments

Mayor Marshall explained that in reviewing the 2010-2011 budget the revenues received were more than had been anticipated and the budget needed to be adjusted to account for these increases. He reported that most of the increased revenue was proposed to be allocated in a rainy day fund and to a long term capital projects

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fund. The Mayor stated the City had also received some grants which had been accounted for in the revised budget. Copies of the amended 2010-2011 budget were provided at the meeting.

Mayor Marshall opened the meeting for public comment at 7:05p.m. No comments were made and the Mayor closed the meeting for comment.

C. Proposed Salary Increases for Statutory, Elected and Appointed Officers.

Mayor Marshall explained Utah State Law requires City Councils to hold a public hearing any time the salaries of elected or statutory officers are being considered for a change. The Mayor stated the City Council had proposed that most of the City's elected and statutory officers receive a 3% cost of living increase. He reported that the City Council had proposed that his and a few other statutory officers' salaries be increased more than the 3%. The Mayor expressed his hope that this proposed increase was considered on the basis of merit. Copies of the proposed salary increases for statutory, elected and appointed officers were provided at the meeting.

Mayor Marshall opened the meeting for public comment at 7:07 p.m. Jill Thomas requested clarification on which salaries were being increased by more than 3%. The Mayor answered that his as the Mayor, the City Attorney and the Finance Director would receive increases greater than 3%. No further comments were made and the Mayor closed the meeting for comment.

AGENDA:

Item #1. Summary Action Items:

- a. Approval of Minutes from the May 26, 2011 Special Meeting, the June 1, 2011 Special Meeting and the June 1, 2011 Regular City Council Meetings.
- b. Approval of Business Licenses for Anna's Massage and A Helping Hoof, PLLC.
- c. Approval of Bills in the sum of \$845,406.98 (Invoices dated June 15, 2011.)
- d. Personnel Matters (none)

Motion: Councilman Todd Castagno made a motion to approve the summary action items including the minutes, the two business licenses and the bills. Councilman Mike Johnson seconded the motion. All voted in favor and the motion carried.

Item #2. Consideration of amendment extending Clark Farm Residence Lease Agreement with Janet Paulich (Karma's Kiddie Corner).

Janet Paulich and Meghan Mouritsen were present representing Karma's Kiddie Corner. Janet and Meghan thanked the City Council for allowing their business to operate at the Clark Farm and expressed their desire to extend the lease agreement for at least another year. Councilman Johnson asked how everything was working out. Mrs. Paulich indicated that everything had been going well. Councilman Castagno stated that it is advantageous to have the business located at the Clark Farm. Councilman Tripp asked if the original term of the lease was for three years. Mrs. Paulich stated the original lease was for three years, the next lease was for two years and then the Council had asked them to come back every year to extend the lease. Mrs. Paulich indicated this arrangement was difficult for them due to the enrollment process and the necessity of having a consistent location. Mayor Marshall expressed his appreciation for the improvements that have been made by Mrs. Paulich. The Mayor also reported that if the building ever became available that the Daughters of the Utah Pioneers had expressed an interest in using it.

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Motion: Councilman Johnson made a motion to extend the lease agreement with Janet Paulich (Karma's Kiddie Corner) for a twenty four (24) month period beginning July 1, 2011. Councilman Todd Castagno seconded the motion. All voted in favor and the motion carried.

Item #3. Review and approval of new library floor plan and site plan.

Kevin Blalock from the architectural firm of Blalock and Partners was present. Mr. Blalock stated that he wanted to update the City Council on the progress of the library. Mr. Blalock indicated staff from Blalock and Partners met with the library committee, Councilman Vera and the Mayor several times to receive input on the library floor plan and site plan. He stated the library committee has made good progress towards their fundraising goals. Mr. Blalock explained that fundraising will be very important in terms of covering the costs for the furniture, fixtures and equipment. Mr. Blalock reported on the progress and recommendations that have been made to this point.

Mayor Marshall expressed his appreciation for the effort that Mr. Blalock and his firm have put into this project.

Councilman Castagno inquired if there had been a discussion on having the floor in the auditorium sloped. Mr. Blalock stated that they had looked at the possibility; however, the space would have more flexibility and could be used for more purposes if it had a level floor.

Councilman Tripp asked about the amount of space provided for offices, break room, etc. He indicated an interest in decreasing the size of those areas to provide extra space for books. Mr. Blalock stated that his experience has indicated having office space available is a good idea and that the space could be configured to be functional until such time as it is needed by staff. Councilman Tripp expressed his concerns about the exterior of the building being exposed to water damage caused by sprinkler systems for the proposed green areas. Possible solutions were presented. Councilman Tripp inquired about access to the building from the proposed northeast parking lot. Mr. Blalock stated there will be a walking path making all areas accessible.

Councilman Castagno inquired what materials may be used for the exterior of the building. Mr. Blalock stated that had yet to be determined.

Councilman Johnson expressed concerns regarding the size of the auditorium. He stated that several citizens have expressed an interest in using the auditorium for various purposes and he questioned if the space would be large enough. Mr. Blalock explained that the proposed size of the auditorium was larger than the City Council Chambers located in City Hall. He reported the maximum occupancy would be approximately 120 people. Mr. Blalock stated he would email the dimensions of the auditorium to the City.

Motion: Councilman Tripp made a motion to approve the library floor plan and site plan that had been recommended. The motion was seconded by Councilman Castagno. All voted in favor and the motion carried.

Item # 5. Consideration of approval of final plat for the Pioneer Rose Minor Subdivision at 820 North Cooley Street to divide parcel into four lots. (Marilyn J. Sheranian Application)

Marilyn Sheranian was present. Councilman Johnson expressed his concerns about the turn-around being too small. He stated it is required to have a 90 foot radius. Mrs. Sheranian indicated the change could be easily made to the plat and she would comply.

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Motion: Councilman Johnson made a motion to approve the final plat for the Pioneer Rose Minor Subdivision with an amendment to the plat to provide for a 90 ft. diameter hard surface road for the cul-de-sac. The motion was seconded by Councilman Tripp. All voted in favor and the motion carried.

Item #6. Consideration of approving final plat, improvements agreement, inspection fees and water right dedications for the Country Village PUD Phase – A Subdivision (M-5 Investments Application).

Preston Miller was present representing M – 5 Investments. Mr. Miller showed drawings and reported on the proposed final plat for the Country Village PUD Phase – A. Councilman Johnson asked if the planned baseball fields would be part of Phase A. Mr. Miller stated that the City Park was not a part of the first Phase but the first phase would include a drainage areas which could be used for soccer fields. Councilman Tripp inquired if there were any changes to this final plat from what had previously been presented to the Council. Mr. Miller responded that there had not been any changes.

Ron Elton indicated that water dedications including a banking agreement, a subdivision improvements agreement, final approval of the protective covenants, and other administrative matters would need to be completed prior to the recording of the final plat. Mr. Elton indicated that the City Council could approve the Plat and authorize the Mayor and Staff to negotiate and enter into these agreements prior to the recordation of the final Plat.

Mr. Miller questioned the 5% engineering review and inspection fee required by the City. He stated his opinion that these fees would be more than necessary especially in light of the significant amenities being included in the first phase. He estimated that these fees would be \$40,000.00 for Phase A.

Ron Elton indicated that the 5% fee generally is a good figure for most subdivisions, but that the fee should reflect the actual costs of the City to perform the reviews and inspections. Mr. Elton suggested that the City charge a 3% fee up front and that the City offset against that amount its actual engineering review and inspections fees and that if the 3% was inadequate that the developer be billed the difference and that if the 3% fee was more than required, that the City would refund that portion not used to cover its actual costs. Mr. Miller agreed with this approach.

Motion: Councilman Castagno made a motion to approve the final plat for Phase A of the Country Village PUD Subdivision and that an engineering review and inspection fee of 3% be paid by the developer at the time the Plat is recorded with an accounting and reconciliation that would require the Developer to pay the actual costs of these reviews and inspections. Also that the Mayor and Staff be authorized to negotiate and enter into agreements regarding water banking, water dedications, subdivision improvement guarantee agreements and other administrative matters necessary to comply with City Ordinances and the Development Agreement previously approved for this subdivision. The motion was seconded by Councilman Colson. Councilman Colson, Councilman Castagno and Councilman Johnson voted in favor of the motion. Councilman Tripp voted against the motion. The motion carried.

Item #4. Consideration of Ordinance 2011-21, amending the cemetery regulations to allow the cremated remains of up to four persons to be buried in one cemetery space.

Mr. Kertamus was present and indicated this request had been made by citizens wishing to have the option to bury the cremated remains of up to four persons in one cemetery space.

Motion: Councilman Colson made a motion to approve Ordinance 2011-21, amending the cemetery regulations to allow the cremated remains of up to four persons to be buried in one cemetery space. Councilman Johnson seconded the motion. All voted in favor and the motion carried.

Item #7. Approval of specifications and authorization to acquire dump truck.

Joel Kertamus explained that the materials that had been previously provided to the City Council were from the State Bid program. Mr. Kertamus stated the truck would be used for snow removal and other City maintenance requirements. Mr. Kertamus reported the purchase of the truck and equipment had been figured into the current year budget and that he would like to order the equipment immediately from the State bids.

Motion: Councilman Mike Johnson made a motion to approve the following specifications and to authorize the purchase of the same using State bids:

1. Ford F550, 4x4 truck (\$37,113.43).
2. 9.0' Pro Plus Isolation Western snowplow (\$3,586.48).
3. Henderson 9' Model FSM Stainless Steel in bed sand and salt spreader (\$16,856.09).

Councilman Castagno seconded the motion. All voted in favor and the motion carried.

Item #8. Consideration of approving Findings and Decision for the Boulder Ranch L.C. appeal for the Village Recreation Vehicle Park.

Ron Elton reported that proposed Findings and Decision for Boulder Ranch L.C. appeal had been drafted by staff and copies had been provided to the Council members.

Motion: Councilman Tom Tripp made a motion to approve the formal Findings and Decision regarding the Boulder Ranch L.C. appeal for the Village Recreation Vehicle Park. The motion was seconded by Councilman Johnson. All voted in favor and the motion carried.

Item #9. Consideration of Resolution 2011-09 adopting the 2011-2012 fiscal year budget and setting the tax levy.

Tom Hammond provided the budget worksheet for the 2011-2012 fiscal year budget. Mr. Hammond stated the worksheet had only one adjustment which was to adjust the revenue generated by property taxes which was due to the certified tax rate. He said up until now the projected amount was \$1,000,000.00. The certified tax rate received was .003722 which will result in \$1,081,372.00 in revenues. He stated that the certified tax rate would result in a 12.5% increase in taxes on property owners. Mr. Hammond explained that the Mayor would like to reduce the tax rate to .003368 which would decrease revenues to \$978,576.00 and the property tax increase would be significantly reduced. He stated that if this proposal was adopted the difference would be taken from the rainy day funds and capital projects funds.

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Councilman Castagno said he would not like to see taxes increased however, he was concerned about the future impact of reducing the tax rate below the certified rate. He stated that the City has experienced problems in the past by not keeping revenues up with inflation.

Mayor Marshall explained there are still citizens struggling due to the economy and that the certified tax rate would result in a 12.5% increase in City taxes that would have an impact upon these taxpayers. The Mayor stated the City has survived for a year at the current rate and could probably survive for another year without increasing taxes.

Motion: Councilman Tripp made a motion to approve Resolution No. 2011-09 adopting the Grantsville City budget for the 2011-2012 fiscal year, with the modification of Line 1031-10 from \$1,081,372.00 to \$978,576.00 by using the reduced tax rate of .003368 and further reducing the contributions to the capital projects and rainy day fund accordingly. The motion was seconded by Councilman Colson. All voted in favor and the motion carried.

Motion: Councilman Tripp made a motion that the 3% increase in the 2011-2012 adopted budget for salaries be allocated to City employees through a cost of living increase and that no merit increases be allowed during the 2011-2012 budget year. Councilman Johnson seconded the motion. All voted in favor and the motion carried.

Item #10. Consideration of Ordinance No. 2011-22 establishing the compensation of the elective, statutory and appointed officers of Grantsville City for the 2011-2012 fiscal year.

Councilman Tom Tripp inquired about the compensation amounts listed as bi-weekly payments. Tom Hammond explained the bi-weekly amounts equal the annual salary amounts agreed upon by the Council. Councilman Tripp stated that he would like the annual amount added to the ordinance.

Motion: Councilman Castagno made a motion to approve Ordinance No. 2011-22 with the addition of the annual salary amounts stated for each position. Councilman Colson seconded the motion. All voted in favor and the motion carried.

Item #11. Consideration of Resolution 2011-10 amending the 2010-2011 fiscal year budget.

Tom Hammond stated the fiscal year started out with a projected revenues of \$3,473,450.00. Mr. Hammond explained the City had received more revenue than was budgeted and the City had received grants for completed projects. He said with those added to the budget revenues were increased to \$3,833,337.00. Mr. Hammond reported the expenditures had been adjusted accordingly, including a contribution to rainy day and capital projects funds.

Motion: Councilman Johnson made a motion to approve Resolution No. 2011-10 approving the 2010-2011 budget as amended. Councilman Colson seconded the motion. All voted in favor and the motion carried.

Tom Hammond expressed his gratitude to the City Council for their involvement in the budget process. Mr. Hammond reported that the City has not raised taxes, has reduced spending, has not had to borrow any money for operations and has allocated funds for emergencies and long term improvements. Councilman Tripp complemented the employees for being careful with their budgets and for reducing expenditures.

Item #12. Consideration of Long Term Disability Benefit Protection Contracts covering Tier 2 members. (Sue Gustin)

The Mayor reported that the legislature had changed the retirement coverage for the long term disability program. After July 1, 2011 if an employee was hired after that date and used the long term disability program, the City would be required to make the employees regular contribution to the retirement program unless the City opted out of that program. The Mayor recommended that the City opt out of this program since the City does not have the funding to cover these costs.

Motion: Councilman Tripp made a motion that the City opt out of providing retirement contributions for persons on Long Term Disability Benefit for Tier 2 employees. The motion was seconded by Councilman Colson. All voted in favor and the motion carried.

Item #13. Consideration of approval of agreement for geotechnical services for new library. (AGEC)

Mayor Marshall explained that the geotechnical report that was prepared for the City Hall building is outdated and the architect is requesting a new report for the Library site. The Mayor reported the cost will be \$4,300.00 and is included in the budget.

Motion: Councilman Tripp made a motion to authorize the City to retain Applied Geotechnical Engineering Consultants to prepare a geotechnical report for the new library site for the sum of \$4,300.00. Councilman Castagno seconded the motion. All voted in favor and the motion carried.

Item #14. Consideration of approval of agreement for survey services for the new library and minor subdivision. (Nolan Hathcock)

Mayor Marshall indicated that the City will need to divide off a part of its property next the City Hall for the Library site through a minor subdivision. He stated that Nolan Hathcock has estimated the survey costs would be less than \$5,000.00, but he wouldn't have a fixed fee until the scope of the work was refined by the architect.

Motion: Councilman Colson made a motion that the City obtain two additional phone bids for the survey work for the new library, to obtain a specific bid from Nolan Hathcock and to approve a contract for the survey work, provided it does not exceed \$5,000.00. Councilman Tripp seconded the motion. All voted in favor and the motion carried.

Item #15. Mayor and Council Reports.

Mayor Marshall attended a meeting with the EDC Utah to discuss the proposed project Seven-Up. He reported that the City should know something definitive concerning this project by this fall. The Mayor stated he met with the library committee and the architects on the floor plans for the library and thanked the City Council for approving the recommended plans. The Mayor said he attended the County Commission meeting where jurisdiction of the Ellerbeck Road was approved to be transferred to Grantsville City where it runs through the City's new annexation area. Mayor Marshall stated that he and Ron Elton had met with Smith/Hartvigsen concerning the Mountain Vista lawsuit. The attorney representing Mountain Vista was unable to attend and the Mayor authorized Smith/Hartvigsen to negotiate a settlement subject to City Council approval. The Mayor attended the Miss Tooele County Dairy Princess Pageant and reported that all of the young ladies did an excellent

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job in their presentations. He reported that the Queen is Katlynn Kofford from Grantsville and one of her attendants, Raeann Langston is also from Grantsville. Mayor Marshall announced that there were nine girls who had registered for the Miss Grantsville competition and the contest should be very competitive. The Miss Grantsville Pageant will be held July 2nd at Grantsville High School at 6:00 p.m. The Little Miss Grantsville Contest will be held June 30th at Grantsville High School at 6:00 p.m. The Mayor stated that a meeting regarding the redistricting of legislative districts was scheduled for Tuesday, June 21st at the Convention Center at the Deseret Peak Complex at 6:00 p.m. The Mayor said the City had received a thank you letter and certificate from the Daughters of the Utah Pioneers. Mayor Marshall announced there will be a change of command at the Tooele Army Depot on Tuesday, July 12th at 9:00 a.m. at the Parade Field. Colonel Yolanda C. Dennis-Lowman will relinquish command to Colonel Christopher O. Mohan and on July 14th at 9:00 a.m. at Dugway, Colonel William E. King, IV will relinquish command to Colonel A. Scott Estes. Mayor Marshall stated the City has a lot of excellent activities scheduled for the 4th of July celebration including a car show and parade. The Mayor announced the filing period for city council candidates is July 1st through July 15th during regular business hours. The Mayor stated Dave Haskell from Wal-Mart Distribution Center and some employees have been cleaning up the park and putting sheet metal covers over some of the older picnic tables to extend their life. The Mayor expressed his appreciation for Wal-Mart and all of the service they give to our community. The Mayor reported that water from South Willow Canyon had been running around 27 cubic feet per second all day and that the Snotel monitor reported that there was 8.1 inches of water and 12 inches of snow at Mining Fork today. The Mayor reported that stream flows from the other canyons in the area were slowing down or had finished flowing. Mayor Marshall thanked the City Council for their work on the budget.

Councilman Tripp reported that the Mosquito Abatement District will have a challenging year with EPA restrictions and the high levels of precipitation this year. Councilman Tripp indicated the Mosquito Abatement District will have no tax increase. He reported on the Mosquito Abatement District's audit and findings. Councilman Tripp requested information on the photovoltaic system and how much power and the amount of savings that has been generated.

Item #16. Adjourn.

Motion: Councilman Colson made a motion to adjourn. Councilman Tripp seconded the motion. All voted in favor and the meeting was adjourned.