

Approved

MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL, HELD ON AUGUST 1, 2012 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 Mike Johnson, Tom Tripp, Scott Stice, Mike Colson and Neil Critchlow.

Appointed Officers and Employees Present: City Attorney Joel Linares, Police Chief Kevin Turner, Public Works Director Joel Kertamus and City Recorder Rachel Wright.

Citizens and Guests Present: KennaRae Arave, Diana Bunderson, Kent Liddiard, Clint Dilley, Lisa Christensen, Gary Fawson, Janet Fawson and Jeff McNeill.

Mayor Marshall asked Councilman Stice to lead the audience in the Pledge of Allegiance.

PUBLIC HEARING:

- a. Proposed concept plan for TP Grantsville LLC to divide 46 lots on the southern end of Anderson Ranch Phase 4A, to be known as Anderson Ranch Phase 5, in the R-1-21 zone.**

KennaRae Arave, an Anderson Ranch property owner, was present. She commented that she lives on one of the two main entries to Anderson Ranch. She remarked the traffic has significantly increased. She stated that her concern and her neighbors' concern is another access route.

Mayor Marshall asked for any further comments. None were offered so the Mayor closed the public hearing.

- b. Proposed rezoning of 1.14 acres of land for Jennifer Fawson at 371 W Main Street to go from an RM-7 zone to a CS (commercial shopping) zone for the purpose of constructing a daycare on the site.**

Mayor Marshall opened the public hearing to receive comments on the proposed rezoning. No comments were offered and the Mayor closed the public hearing.

AGENDA:

- 1. Presentation by Tooele County Commissioners regarding a recycling program.**

The Tooele County Commissioners were unable to attend the meeting so the Mayor tabled the agenda item until the next meeting.

2. Summary Action Items:

- a. Approval of Minutes of the June 20, 2012 and July 18, 2012 City Council Meetings.
- b. Approval of Bills in the sum of \$50,709.80.
- c. Personnel Matters (none).

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

3. Consideration of awarding engineering contract for the rebuild and/or repair of South Hale Street.

Public Works Director Kertamus stated that Civil Proj-Ex, Inc. was the low bid with all the required information. He stated that Project Engineering Consultants was the low bidder, but did not include a geotech pricing which was specifically requested. He recommended awarding the bid to Civil Proj-Ex, Inc. with a total bid of \$13,924.00 to go from Main Street to Durfee Street. Councilman Colson asked if Civil Proj-Ex is familiar with the project. Public Works Director Kertamus stated that he has met with the main engineer and his technical qualifications are satisfactory for the project.

Motion: Councilman Johnson made a motion to award the engineering contract for the rebuild and/or repair of South Hale Street to Civil Proj-Ex, Inc. Councilman Colson seconded the motion. All voted in favor and the motion carried.

4. Consideration of awarding engineering contract for the Worthington Loop Waterline.

Public Works Director stated that Bingham Engineering was the low bidder for the Worthington Loop Waterline project at \$11,448.68. He stated that they turned in a complete bid and they have a good scope of the work. He commented that he has done work in the past with Bingham Engineering and has no hesitation to award the contract to them. Councilman Critchlow inquired about fire hydrants. Public Works Director Kertamus stated that they typically are put in after. He commented that he will defer to the Fire Marshall Kent Liddiard where fire hydrants need to be put.

Motion: Councilman Colson made a motion to award the engineering contract for the Worthington Loop Waterline to Bingham Engineering. Councilman Stice seconded the motion. All voted in favor and the motion carried.

5. Consideration of awarding engineering contract for installation of sewer lines which will allow for the removal of the use of lift stations.

Public Works Director Kertamus stated that the sewer project is a complicated and difficult project. He commented that the first two bidders do not have much experience in what is needed for the sewer project. He commented that the third lowest bidder NV5 has good qualifications, but he is not familiar with the company. He stated the fourth lowest bidder was Ensign Engineering. He stated that Ensign Engineering met with him on several occasions to discuss the project. Public Works Director Kertamus stated that they have an excellent understanding of the project. He stated they are the best qualified among the low bids. He commented that he does not see how a company could do the sewer project at \$25,000.00 – \$31,000.00 with the complexity of the project. He stated that he did not see that Civil Proj-

Ex has any experience with lift stations and the other things that are going to be needed for the project. Councilman Stice inquired about Ensign Engineering. Public Works Director Kertamus stated that the main engineer works for West Jordan and has had a lot of experience with this kind of sewer line. Mayor Marshall stated that the sewer line needs to be done correctly the first time. He stated the project needs someone with a lot of experience. Public Works Director stated that the first couple of bids are so low he does not feel they understand the complexity of the project. Attorney Linares commented that the City does not have to accept the low bid. Mayor Marshall remarked that it needs to be done right. He stated it affects a lot of people. Councilman Stice stated that it does need to be done correctly that if it was a simple job it would be understandable to give it to the low bidder. Attorney Linares commented that Civil Proj-Ex did not come out to the prebid meeting so there is a question whether they understand the complexity of the project. Civil Proj-Ex Project Manager Barry Bunderson's wife was present. Mrs. Bunderson commented that he is just starting and has a good team built. She stated that he understands the project, but is trying to build a team that is why the bid is low. Councilman Tripp commented that he does not mind not going with the low bidder, but they do not want to set precedence. He remarked that the City wants companies to bid competitively. Councilman Colson stated that he is familiar with Civil Proj-Ex's Project Manager. Councilman Johnson asked Public Works Director Kertamus what his reservations are for not going with Civil Proj-Ex. Public Works Director Kertamus commented that in his statement of qualifications it does not state that he has built lift stations and that is a big part of the project. Councilman Johnson commented that soil conditions are an issue as well, Public Works Director Kertamus agreed. Mayor Marshall asked if the Council would like to table the awarding of the contract to talk to the low bid representatives. Councilman Critchlow suggested first meeting with Civil Proj-Ex since they are the low bidder. The Council all agreed to have a meeting with Civil Proj-Ex, 2 council members and Public Works Director Kertamus on Monday at 4:00 p.m.

Motion: Councilman Tripp made a motion to table the awarding of an engineering contract for installation of sewer lines to investigate details and qualifications of the companies with the lowest bids and put the item on the second meeting in August for consideration. Councilman Johnson seconded the motion. All voted in favor and the motion carried.

6. Consideration of concept plan for TP Grantsville LLC to divide 46 lots on the southern end of Anderson Ranch Phase 4A, to be known as Anderson Ranch Phase 5, in the R-1-21 zone.

Welles Cannon was present representing TP Grantsville, LLC. Mr. Cannon commented that at the last meeting it was decided to divide Phase 5 into two phases, Phase 5A and Phase 5B with a temporary road in Phase 5A and a permanent road to be installed before the start of Phase 5B. Councilman Stice asked where the temporary road would go to. Mr. Cannon stated Worthington Street to Saddle Road. Councilman Stice asked what side is 5A on. He commented that on the map Phase 5B is showing on the west side. Mr. Cannon stated that 5B should be on the west side, they will fix the map. Councilman Stice expressed worry about allowing a developer to wait to pave a road because of the situation the City had to deal with on Quirk Street. Councilman Stice stated that the developer promised to improve the road, they didn't so the City had to sue the developer to get the road finished. Mr. Cannon commented that they have been developing in the City for a long time and will not leave the project without finishing the road. He stated that they want to wait to pave the road because there is a big irrigation line issue that he working on resolving with the Grantsville Irrigation Company. He stated that they sold 25 half-acre lots in the last year. He commented that they are hopeful that the 23 lots will be sold within a year. Mayor Marshall stated the temporary road needs to be an all weather road. Mayor Marshall asked

Mr. Cannon if they are willing to bond for the permanent road so the road can be paved if they do not go through with Phase 5B. Mr. Cannon commented that the Council could approve Phase 5A with 23 lots with a temporary gravel road with consideration of a bond amount at the final plat. Councilman Stice remarked that would take care of his concern. Councilman Johnson commented that another issue is Worthington Street needs to be finished at some point. Councilman Tripp commented that if Worthington Street is not improved no one will use the new road from Worthington Street to Saddle Road. Councilman Tripp commented that a street impact fee has always been something he would like to see the City approve. Mr. Cannon remarked that he can understand being involved with the frontage. Councilman Johnson commented that the big question is how to get Worthington Street usable for Anderson Ranch and Anderson Farms. Public Works Director Kertamus stated there are a couple of things that can be done. He stated the City could fix the road using Class C Road Funds and then pay the fund back with impact fees or wait until enough impact fees have been collected to improve the road. He commented that Aqua Engineering is working on a street impact fee.

Motion: Councilman Critchlow made a motion to approve Anderson Ranch Phase 5A which consists of 23 lots with a hard surface gravel road going from Saddle Road to Worthington Street, to approve Anderson Ranch Phase 5B once a permanent road has been put in to replace the temporary road, and to consider a bond amount for the permanent road at the final plat. Councilman Stice seconded the motion. All voted in favor and the motion carried.

7. Consideration of minor subdivision of 154 acres of property for Gary and Janet Fawson to divide four lots from one lot located at the corner of Clay and Race Streets and is in the RR-1 zone.

Gary and Janet Fawson were present. Mr. Fawson stated they are asking to divide 3 lots, 6 acres a piece. He commented that it will be a ranch style subdivision. Mayor Marshall stated that the new sewer line will be going past the lots. He commented he would hate to see the owners spend money on a septic tank then be required to tie into the sewer system. He stated that the City is looking at working on the sewer project in the winter. He suggested letting the potential owners know so they can determine if they would like to wait to tie into the sewer system so they do not have to spend money on a septic system. Mr. Fawson stated that all 3 potential owners are aware that the City is going to be putting in the sewer line. Councilman Johnson stated that the waterline needs to go to the end of the property. Councilman Johnson commented that he believes John Clay was required to pay for street improvements. Mr. Fawson stated that he was on the Planning Commission at the time his subdivision was approved and he was required to pay around \$10,000.00 to go towards street improvements. Public Works Director Kertamus stated it is not a requirement of a minor subdivision to pay for street improvements. Attorney Linares commented that the Council can require it, but it is not mandatory. Mr. Fawson stated that eventually he will be developing a major subdivision and would be required to pay at that time. Councilman Johnson stated that he disagreed with the Planning Commission about making the Fawson's put in a fence. All the council agreed.

Motion: Councilman Johnson made a motion to approve the minor subdivision for Gary and Janet Fawson to divide 4 lots from 1 lot located at the corner of Clay and Race Streets with a requirement that an 8" waterline be installed that goes to the north end of the property. Councilman Tripp seconded the motion. All voted in favor and the motion carried.

8. Consideration of Ordinance 2012-12 rezoning 24 North Hale Street to rezone .22 of an acre of property from an RM-7 zone to a CS zone for the purpose of using the land as a parking lot for the dental office to the south. (C. Blaine Curtis, DDS)

Councilman Stice asked to make reference that his daughter does work for Dr. Curtis. Councilman Johnson commented that the request is improving the area and making it safer. Councilman Tripp asked if the dentist office is in a CS zoning designation. Attorney Linares stated yes.

Motion: Councilman Tripp made motion to approve Ordinance No. 2012-12, an ordinance amending the official zoning map by rezoning .22 acres located at 24 North Hale Street from an RM-7 zoning designation to a CS zoning designation for the purpose of allowing a parking lot expansion. Councilman Colson seconded the motion. All voted in favor and the motion carried.

9. Consideration of Ordinance 2012-13 amending Chapter 16 Use Table to add the use of parking lots in all commercial zones as “CA” (conditional use approved by zoning administrator).

Attorney Linares commented that there are things City staff would like to check on a parking lot before approving. He stated that it allows staff to review parking lots to insure drainage, lighting and that there are the necessary amount of parking spots for the use.

Motion: Councilman Colson made a motion to approve Ordinance 2012-13, an ordinance amending Table 16.1 use regulations of the Land Use Management and Development Code by amending parking lot regulations to allow the zoning administrator to issue the conditional use. Councilman Johnson seconded the motion. All voted in favor and the motion carried.

10. Consideration of Resolution 2012-11 concerning RDA with Tooele County and Grantsville City.

Mayor Marshall stated that the resolution allows the City an opportunity to meet with Reckitt Benckiser to discuss the proposed annexation. Attorney Linares commented that the document was prepared by the Tooele County Attorney. He stated that he and Attorney Elton have looked over the agreement.

Motion: Councilman Johnson made a motion to approve Resolution 2012-11, a resolution concerning the Redevelopment Agency of Tooele County. Councilman Stice seconded the motion. All voted in favor and the motion carried.

11. Reconsideration of renewing lease agreement with Ken Goodworth for Ken’s Gymnastics.

Mayor Marshall stated that Ken Goodworth is asking that the agreement be amended concerning frozen water pipes. Mr. Goodworth has requested that the thermostat that is located in the City’s control room be moved into the gym area for him to accept responsibility for frozen pipes. Mayor Marshall stated that the reason the pipes froze last year was because the breaker was turned off which turned off the heat therefore causing the water line to break. He commented that the City paid for the repairs of the water line. He stated the heater is programmed at a temperature agreed to by Mr. Goodworth at 45 degrees. Mayor Marshall stated we need to keep the thermostat in the solar system room because it reads the thermostat for the solar system. He stated we also need to make sure the temperature is above freezing

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for the solar system batteries. Councilman Johnson stated the lease needs to be left how the Council agreed at the last meeting if he does not agree the City will put the building out for bid. Councilman Stice asked if Mr. Goodworth pays for the utility bill. Mayor Marshall stated yes. He remarked that the City recently put in a new heating system that cost over \$4,000.00.

Motion: Councilman Tripp made a motion to approve the lease agreement as requested at the previous council meeting that the tenant agrees that they shall be responsible for the cost associated with the repair of any frozen pipes. Councilman Johnson seconded the motion. All voted in favor and the motion carried.

12. Consideration of library construction issues.

Mayor Marshall stated there are no library construction issues to consider.

13. Mayor and Council Reports.

Mayor Marshall stated that he attended COG meeting. He stated that the UNEV pipeline made a presentation concerning safety issues, insurance issues and emergency problems. He commented that the pipeline is 423 miles long going from North Salt Lake City to North Las Vegas with a distribution terminal in Cedar City. He stated that the pipeline is 12” and is capable of carrying approximately 62,000 barrels of petroleum products per day, but has the capacity to run 118,000 barrels of petroleum products per day through it. He stated the pipeline has many pressure sensors for leak detection. He commented that UNEV is interested in supporting the local communities. He stated they do have an emergency response plan to educate the local emergency responders. Mayor Marshall commented that he was a judge at the 24th of July celebration. He remarked there was a lot of good participation at the event. He stated he was a judge at the Soelberg’s barbeque contest. He remarked that he has met with numerous boy scouts regarding Eagle Scout projects. He stated that he met with Tom Becker from the DWR regarding the City’s deer population. He commented that he received a thank you card for the very best 4th of July celebration. He stated that he attended the Tooele County Queen contest. He announced that 2 Grantsville City residents placed in the royalty.

Councilman Stice commented that the business license checklist needs to be updated on the City website and the city council meeting minutes. He remarked that there are a lot of weeds at Church and Clark Street.

Councilman Tripp stated the Council would like to see new business licenses. Recorder Wright commented she will email the Council a copy of the business license application when she receives them. Councilman Tripp stated he would also like to see a Conditional Use Permit list. He stated that he has noticed that there are still campaign signs out. He suggested putting together a capital improvement priority list.

Councilman Johnson stated that he wants to empathize that cars are not going to take Worthington Street with the current condition of the road. He commented that something will need to be done to improve the road.

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KennaRae Arave, a Grantsville City resident, commented she liked the idea of having a recycling program. She stated that her family currently participates in the blue bag program.

14. Adjourn.

Motion: Councilman Stice made a motion to adjourn. Councilman Critchlow seconded the motion. All voted in favor and the meeting officially adjourned at 8:43 p.m.