

Approved

MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL, HELD ON JULY 2, 2014 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, Mike Colson, Tom Tripp, Scott Stice and Neil Critchlow.

Appointed Officers and Employees Present: Kevin Turner, John Ingersoll, Sue Gustin, Joel Linares and Christine Webb.

Citizens and Guests Present: Justin and Patricia Richardson, Colleen Brunson, Ken Grant, Michelle Hernandez, Mary and George Richardson, Lisa Christensen, Gail Williams, Kelly Williams, Bill Ratcliffe, Beth Coles, Carly Coles, Lisa Coles, Kent Liddiard, Shelton Ross, G.D. Webster, Lisa Nelson, Rolen Wiese, Bryon and Andi Zorn, Sam Drown, Darrell Nielsen, Doug Kinsman, Charles Townsend, and Liz Tripp.

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

AGENDA:

1. Public Hearing:

a. Proposed rezoning of .72 of an acre for Ken Grant at 713 E. Main Street to go from an RM-7 (residential multi-family) zone to a CN (commercial neighborhood) zone for the purpose of opening a minor auto repair business.

Mayor Marshall opened the public hearing for comments.

Justin Richardson is opposed to the rezone. He provided a written list of reasons and stated the reasons he is against the auto repair shop. A copy of his statement is attached to these minutes.

Charles Townsend lives on Harris Street. He stated this is one of the busiest areas of town. He has become used to the noises from Main Street. Mr. Townsend was in support of the auto shop.

Mary Richardson is opposed to the auto repair business.

Bryon Zorn spoke in favor. He said he thinks we need this business on Main Street. Mr. Zorn stated we are an expanding community and we are expanding on Main Street. He commented that we need to be able to change and keep up with the times.

Kelly Williams was in favor. He addressed noise and progress. Mr. Williams stated change is a part of life and the area where his home is located has seen a lot of changes.

Bill Ratcliffe was opposed. He talked about co-existing. He does not feel that an auto repair shop can co-exist in a neighborhood. Mr. Ratcliffe complained about the number of vehicles in one form of repair or other.

Liz Tripp stated this is a hard issue because she has friendships with Mr. Grant and those opposed. She expressed her concern about a statement made by Mr. Grant at the Planning and Zoning Meeting about his right to play his music and work on cars until 10:00 at night.

Beth Coles explained she works for Mr. Grant. She reviewed their business hours. Ms. Coles explained by using the shop as a commercial business, there will be additional enforcement as far as noise which cannot be enforced currently.

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

b. Proposed rezoning of 2.36 acres of land for Kaylie Buhl (owned by Nicholas B. Peterson) at 227 N. Cooley Street to go from an A-10 zone to an R-1-12 zone.

Mayor Marshall opened the public hearing for comments. No comments were offered and the Mayor closed the public hearing.

c. Proposed final plat amendment on the Nygreen Corner Subdivision for Todd Castagno at Willow and Nygreen Streets, to move a lot line.

Mayor Marshall opened the public hearing for comments. No comments were offered and the Mayor closed the public hearing.

d. Proposed concept plan #3 for Darrell Nielsen on the Wells Crossing subdivision for the creation of 194 half acre lots in the R-1-21 zone.

Mayor Marshall opened the public hearing for comments. No comments were offered and the Mayor closed the public hearing.

2. Summary Action Items.

- a. Approval of Minutes from the June 18, 2014 City Council Meeting.
- b. Approval of Bills in the amount of \$194,289.52.
- c. Personnel Matters (none).

Motion: Councilman Johnson made a motion to approve the summary action items. The motion was seconded by Councilman Tripp. The vote was as follows: Councilman Stice, "Aye", Councilman Critchlow, "Aye", Councilman Tripp "Aye", Councilman Colson, "Aye", and Councilman Johnson, "Aye". The motion carried.

3. Consideration of Ordinance 2014-14 amending the official zoning map of Grantsville City, Utah by rezoning 0.72 of an acre on property located at 713 East Main Street from an RM-7 designation to a CN zoning designation for a commercial minor auto repair business.

Mayor Marshall stated this is strictly a rezone issue and all other issues are not pertinent at this time. Councilman Stice explained his concerns about the impact of a commercial business. He expressed his belief that an auto repair shop would adversely affect the area. Councilman Tripp stated he would like to have more time between the public hearing and the official vote. He said he believes there are some planning and zoning issues to be addressed. Councilman Tripp commented he would like to see some compromise here.

Ken Grant addressed the Council. He clarified the vote is on the rezone for a commercial neighborhood designation but that he will still be required to get a conditional use permit to open the auto repair shop. Attorney Linares and Mayor Marshall confirmed this vote is strictly for a zone change. Mr. Grant explained this is completely different from the original application. He stated with the original application Mr. Stice made some comments that he did not want a CG zoning designation, he would prefer a CN zone. Mr. Grant felt he made some good points and he agreed with those comments. Mr. Grant addressed some of the concerns that were raised and how he plans to deal with them. He has been approached by people interested leasing the garage for other business opportunities.

Mr. Grant inquired if Councilman Colson was the contractor for Mr. Ratcliffe's accessory building. Councilman Colson answered that he only poured some footings. Mr. Ratcliffe explained that he, as the owner, is the general contractor. Mr. Grant asked if there was a conflict of interest for Councilman Colson since he has worked for Mr. Ratcliffe who is opposed to the rezone.

Motion: Councilman Stice made a motion to deny Ordinance 2014-14. Councilman Johnson seconded the motion.

Motion: Councilman Tripp made a motion to allow Mr. Grant to withdraw his application for a time period to build bridges with his neighbors and come up with a compromise. Councilman Critchlow seconded the motion.

Attorney Linares explained the first motion would need to be voted on prior to Councilman Tripp's motion.

Councilman Colson asked Attorney Linares about the inquiry of a possible conflict of interest. Attorney Linares explained there was no conflict of interest; he had no monetary gain and simply knowing and interacting with members of the community does not create a conflict.

Councilman Tripp asked if Councilman Stice would be willing to table his motion until his motion could be voted on.

Motion: Councilman Stice made a motion to withdraw his motion. Councilman Tripp seconded the motion. The vote was as follows: Councilman Stice "Aye", Councilman Critchlow "Aye", Councilman Tripp " Aye ", Councilman Colson "Aye", and Councilman Johnson "Aye". The motion to deny Ordinance 2014-14 was withdrawn.

Motion: Councilman Tripp made a motion to table Ordinance 2014-14 to allow Mr. Grant time to withdraw his application. Councilman Critchlow seconded the motion. The vote was as follows: Councilman Stice "Nay", Councilman Critchlow "Aye", Councilman Tripp "Aye", Councilman Colson "Aye", and Councilman Johnson "Aye". The motion to table Ordinance 2014-14 carried.

4. Consideration of Ordinance 2014-15 amending the official zoning map of Grantsville City, Utah by rezoning 2.36 acres on property located at 227 N. Cooley St. to go from an A-10 designation to an R-1-12 zone.

Gerald Webster was present to answer any questions. Mayor Marshall said this passed the Planning Commission unanimously. Councilman Critchlow and Councilman Johnson spoke in favor of the rezone.

Motion: Councilman Colson made a motion to approve Ordinance 2014-15 amending the official zoning map of Grantsville City, Utah by rezoning 2.36 acres on property located at 227 N. Cooley St. to go from an A-10 designation to an R-1-12 zone. The motion was seconded by Councilman Critchlow. The vote was as follows: Councilman Stice, "Aye", Councilman Critchlow, "Aye", Councilman Tripp "Aye", Councilman Colson, "Aye", and Councilman Johnson, "Aye". The motion carried.

5. Consideration of Concept Plan #3 for Darrell Nielsen on Wells Crossing Subdivision.

Sam Drown from Castle Creek Homes was present. Councilman Johnson made inquiries about the open space in the subdivision. Mr. Drown stated they submitted the concept plan to meet the current zoning regulations. Councilman Johnson commented on a statement made at Planning and Zoning Meeting by Mr. Drown about roads and impact fees. Mr. Drown clarified construction traffic will be required to use the Old Mormon Trail. The condition of Hale Street was reviewed. Councilman Johnson asked about the drainage. Doug Kinsman from Ensign Engineering explained the plan for water runoff. Mr. Kinsman stated there will be a pond on the south side of the development to consolidate four drainage swells. He explained there would be above ground and below ground water storage.

Councilman Colson suggested adding a park to the neighborhood to compete with other subdivisions in the area. Councilman Johnson confirmed they plan to connect to the water and sewer lines on Hale Street. They discussed the possibility of a traffic study. Mr. Drown explained they are planning this to be a long term project and they are hoping to sell twenty to twenty five houses per year.

Councilman Tripp suggested the Council Members should review the development requirements to preserve the nature of our community.

Motion: Councilman Johnson made a motion to approve Concept Plan #3 on the Wells Crossing Subdivision. Councilman Stice seconded the motion. The vote was as follows: Councilman Stice, "Aye", Councilman Critchlow, "Aye", Councilman Tripp "Aye", Councilman Colson, "Aye", and Councilman Johnson, "Aye". The motion carried.

6. Consideration of an amendment on the Nygreen Corner Subdivision for Todd Castagno.

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Mayor Marshall stated this is a lot line adjustment. He said he appreciated the way Todd Castagno did this as a final plat amendment. Councilman Critchlow commented this passed unanimously at the Planning Commission.

Motion: Councilman Critchlow made a motion to approve the amendment on the Nygreen Corner Subdivision for Todd Castagno. The motion was seconded by Councilman Colson. The vote was as follows: Councilman Stice, "Aye", Councilman Critchlow, "Aye", Councilman Tripp "Aye", Councilman Colson, "Aye", and Councilman Johnson, "Aye". The motion carried.

7. Consideration of Ordinance 2014-13 to codify the Library Board of Directors in the Grantsville City Code to include Title, Chapter, and Section organization.

Mayor Marshall explained this is the housekeeping item. Attorney Linares explained we are taking this from resolution and putting it into this form to add to the City Code. It will be similar to the Planning Commission and Appeal Board and easily found in the future.

Motion: Councilman Stice made a motion to approve Ordinance 2014-13 to codify the Library Board of Directors in the Grantsville City Code to include Title, Chapter, and Section organization. The motion was seconded by Councilman Johnson. The vote was as follows: Councilman Stice, "Aye", Councilman Critchlow, "Aye", Councilman Tripp "Aye", Councilman Colson, "Aye", and Councilman Johnson, "Aye". The motion carried.

8. Consideration of approval of Easement Purchase Agreement with Grantsville Conservation District.

Mayor Marshall said this is the agreement that will allow us to put the water line from the South Tank to the South Willow Tank so we can move water between the two.

Motion: Councilman Tripp made a motion to approve the Easement Purchase Agreement with Grantsville Conservation District. The motion was seconded by Councilman Colson. The vote was as follows: Councilman Stice, "Aye", Councilman Critchlow, "Aye", Councilman Tripp "Aye", Councilman Colson, "Aye", and Councilman Johnson, "Aye". The motion carried.

9. Consideration of approval of Memorandum of Understanding with Tooele County.

Mayor Marshall stated this is for the flood plan. Councilman Tripp asked what area of the City we are trying to protect. Mayor Marshall answered Little Reno and the northwestern area of the City. Councilman Critchlow expressed his feelings this is a good idea. Councilman Colson asked about a typographical error.

Motion: Councilman Colson made a motion to approve the Memorandum of Understanding with Tooele County. The motion was seconded by Councilman Critchlow. The vote was as follows: Councilman Stice, "Aye", Councilman Critchlow, "Aye", Councilman Tripp "Aye", Councilman Colson, "Aye", and Councilman Johnson, "Aye". The motion carried.

10. Matters for Review.

- a. Information from the Settlement Agreement and Release and final letter.**
- b. SBA Communications Corporation Letter and current payment schedule.**

Mayor Marshall provided the agreement with Alan Johnson and the final letter to Mr. Johnson's attorney.

The Mayor provided a letter from SBA Communications Corporation and a payment schedule on the lease for a cell tower. They are offering a lump sum payment. The Council would like to keep it as is.

11. Mayor and Council Reports.

Mayor Marshall reported the meetings he attended. Among them was a Transcom Meeting with the Wasatch Front Regional Council, a COG meeting, and with a company looking at locating in Utah. The company plans to make a decision in the next three to five weeks. Mayor Marshall was voted as the chairman of a committee to meet with the Prison Relocation Committee. The Mayor reported on the Country Explosion meeting he attended and the traffic plan for the nights of the events. He met with a developer asking if the City would be willing to partner to pay for a sewer line. Mayor Marshall explained the City had recently spent 1.5 million dollars on a sewer line and is probably not willing to spend more on a sewer line.

Councilman Stice commented on reviewing the budget and how well the City is doing. He provided Mayor Marshall with some business cards for the mosquito manager.

Councilman Critchlow mentioned the busyness of the fire and police departments. He expressed gratitude for the community helping out with donations for the family whose home was destroyed by fire earlier in the week.

Councilman Tripp reviewed the prison relocation and the possibility it will be in Grantsville. He described his concerns that the County may be in favor of the prison locating in Tooele County. He feels citizens who do not wish to have the prison located in our City should make it known. Mayor Marshall stated he is opposed to the prison relocating to Grantsville or Tooele County. The Council Members announced they have not found any residents in favor of the prison coming to our area. Councilman Colson mentioned the burden placed on the school district from a prison being in the district.

Councilman Colson reported he met with Barry Bunderson about the Burmester Water Pipeline Project.

Councilman Johnson asked if we have closed on the house at 319 West Clark Street. Mayor Marshall answered that we have closed and received the check. The Council Members and Mayor Marshall discussed street repairs.

Mayor Marshall asked if there were any comments from the public. Mr. Ratcliffe asked for clarification on the rezone for Ken Grant. The Council explained at the present time Mr. Grant can only use the garage as a residential garage and nothing else. Attorney Linares explained that even if the zoning

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designation had been changed, Mr. Grant would still have to apply for a condition use permit to run any kind of business from the garage.

12. Adjourn.

Motion: Councilman Stice made a motion to adjourn. Councilman Colson seconded the motion. The meeting was adjourned at 8:27 p.m.