

Approved

**MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL, HELD ON SEPTEMBER 3, 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:** Joel Linares and Christine Webb.

**Citizens and Guests Present:** Lynn Taylor, Susan and Bryon Hinckley, Laurie Hurst, Natalie Hurst, Erin Hurst, Allison Hurst, Eric and Susan Johnsen, Anthony Mesler, Matt Price, Trista Price, Paul Loakes, Kent Liddiard, Belinda Butler, Kyley Ronnen, Paige Hunt, Kaiden Price, Laurel Dexheimer, Cheri Leavitt, Peter Johnsen, Josh Fawson, Danny Keetch, Stacy Bleazard, Crystal Sides, Dan Ogden and Monte Sides.

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

**AGENDA:**

**1. Summary Action Items.**

- a. Approval of Minutes from the August 20, 2014 Work Meeting and City Council Meeting.
- b. Approval of Bills in the amount of \$166,881.86.
- c. Personnel Matters (none).

Councilman Tripp commented on the minutes in section 8 of the public comments.

**Motion:** Councilman Tripp made a motion to strike the last two sentences in section 8. 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.

**Motion:** Councilman Tripp made a motion to approve the bills as listed and to approve the amended minutes. The motion was seconded by Councilman Stice. The vote was as follows: Councilman Stice, "Aye", Councilman Critchlow, "Aye", Councilman Tripp "Aye", Councilman Colson, "Aye", and Councilman Johnson, "Aye". The motion carried.

**2. Presentation to Lynn Taylor.**

Mayor Marshall stated Lynn Taylor is retiring as a Planning and Zoning Commissioner. The Mayor thanked Mr. Taylor for his service and presented him with a plaque. The Councilmen expressed appreciation for Mr. Taylor's service.

**3. Consideration of Ordinance 2014-20 amending Cemeteries, Title 6, Chapter 1 of the Grantsville City Code to update its content for the policies, duties and procedures of Grantsville City Cemeteries.**

Councilman Stice clarified an ordinance and a resolution were presented. Attorney Linares explained the ordinance sets the rules and the resolution sets the fees. Councilman Critchlow commented on the restrictions listed in the ordinance. Attorney Linares stated a strike through was provided. The items in yellow were added and the items in red were deleted from the current Code. The Council Members discussed temporary markers, the definition of a resident, who is defined as the sexton, the hours, requiring written permission from the City Council for variances on grave markers, and burial of indigents.

Councilman Tripp inquired if there needed to be a motion for each amendment. Mayor Marshall said Attorney Linares was writing down the requested changes.

**Motion:** Councilman Stice made a motion to approve Ordinance 2014-20 amending Cemeteries, Title 6, Chapter 1 of the Grantsville City Code to update its content for the policies, duties and procedures of Grantsville City Cemeteries and to place a moratorium on selling lots at the Clark Farm for two years. The motion was seconded by Councilman Critchlow.

Councilman Tripp expressed concerns about the lack of cemetery plots available with the moratorium. He does not think the motion with the moratorium on burials serves the public at this time. Councilman Tripp stated there needs to be a general discussion on the Clark Farm. They just received a report from a professional structure engineer who says they should not allow any activities in the structures with the public. Councilman Stice commented that two of the structures need some cosmetic things. Councilman Tripp countered they are structural and the engineer reported the buildings are not safe for the public at this time. The report suggested dozing the cellar, the milk barn is not safe, the barn has missing members and is not safe and sanitary for the public to be in there by normal government standard. Councilman Tripp suggested Councilman Stice add to the amendment to suspend any further activities involving any of the structures at the Clark Farm.

Councilman Colson stated if we're not going to be doing any plots, then we can get moving on the Wootton property. He asked if we are just waiting on the surveyor. Councilman Stice said we can start planting grass tomorrow. Councilman Colson added we should be able to have that available within the next twelve months or less to provide maybe twelve years of burials.

Attorney Linares commented that in the past we have run into having a motion made, then having other motions made and he has researched it. He stated within our rules there are some stating that we start with the first motion and work through and there is a set of rules stating they need to start with the final motion and work back to the first motion.

Councilman Tripp questioned whether the motion is parliamentary correct because it was not an agenda item and has not had a chance to be more thoroughly discussed. Attorney Linares was asked to look into the legality of the motion. Councilman Tripp stated by this vote, you are suspending the government

service without any further discussion with the posting of it. Councilman Johnson commented there has been interest in the purchase of family plots and you're taking that away from them.

Councilman Critchlow said there have been people interested in keeping it the way it is right now. Mayor Marshall stated we have had a lot of people coming in wanting to buy lots and have held off because they want lots on the Clark Farm in the new section. Councilman Stice added he has a brother who would like to buy ten plots there. He stated we can offer them plots at the Wootton property and behind the Clark Farm but we should hold off on selling at the Clark Farm for the next two years. Councilman Colson said the Wootton property we can realistically have up in six months and be selling plots there.

Councilman Tripp asked to have the amendment read back. Recorder Webb read the amendment as "to place a moratorium on burials at the Clark Farm for two years." Councilman Stice corrected it as "to place a moratorium on the selling of plots for two years at the Clark Farm".

Councilman Colson felt during the two years we could have the lower section ready to go as phase two. He said basically we are just going out a phase. Councilman Johnson inquired where the money would come from. Mayor Marshall answered he did not know but it would certainly cost you. Councilman Johnson commented you have the option to raise taxes for a cemetery when we already have an area for it. Councilman Stice replied we just spent \$80,000 to buy land for a cemetery and we haven't used it yet. He said we ought to do it. Mayor Marshall responded we are working towards it but there are things that need to happen for that to take place. Councilman Tripp mentioned if we sell lots at the Clark Farm you'll have the money sooner.

Councilman Stice remarked on the engineers report for the structures located at the Clark Farm. A conversation ensued on cosmetic vs. hygienic and liability. Councilman Tripp said this is not something your insurance company should insure you for unless you make those improvements. He commented that was why they had to take down everything because they didn't meet the public codes. Councilman Critchlow asked if he was suggesting we just tear it down. Councilman Tripp answered no but we have to keep people out of there until it is brought up to standard. It was agreed the public must be kept out of the buildings until the required improvements and cleaning are completed and they meet public code.

**Motion:** The motion was to approve Ordinance 2014-20 amending Cemeteries, Title 6, Chapter 1 of the Grantsville City Code to update its content for the policies, duties and procedures of Grantsville City Cemeteries and to place a moratorium on selling lots at the Clark Farm for two years. The motion was seconded by Councilman Critchlow. The vote was as follows: Councilman Stice, "Aye", Councilman Critchlow, "Aye", Councilman Tripp "Nay", Councilman Colson, "Aye", and Councilman Johnson, "Nay". The motion carried.

Councilman Tripp commented he would like us to investigate the legality of the amendment in the context of public meetings and openness.

#### **4. Consideration of Resolution 2014-09 amending and establishing the fees and costs related to the Grantsville City Cemeteries.**

Mayor Marshall explained this is a resolution to adopt the fees and costs for the cemetery. He commented that people have approached him wanting to purchase a plot at the Clark Farm and have waited to be able to do so. They would like to purchase at the current price and would like the city to allow a grace period of 30 days to purchase. Councilman Johnson remarked he thought they just changed all that. Councilman Colson asked if we could legally sell lots on the Wootton property. The answer was no. It has not even been designated as a cemetery. The Council discussed a grace period would not make any difference now.

**Motion:** Councilman Stice made a motion to adopt Resolution 2014-09 amending and establishing the fees and costs related to the Grantsville City Cemeteries. Councilman Critchlow 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.

## 5. Mayor and Council Reports.

Mayor Marshall attended a meeting with Mayor Dunlavy on the prison site relocation, the Transcom meeting at the Wasatch Front Regional Committee, and the COG meeting with a discussion on the Mid Valley Highway and other future roads. He met with Ruth Anderson on the Deseret Peak Annexation. He attended the Little Apple Daycare ribbon cutting. The Mayor completed interviews for the court clerk position and filled the position with Doris Sonntag. He met with Leo Mantes concerning the prison site they had in Grantsville. Mayor Marshall explained he needed two names from the City Council to sit on the committee to interview for the Justice Court Judge. Mike Johnson nominated Kevin Turner. Mayor Marshall reported the names that have currently been submitted are Scott Broadhead by the County Commission, Jacob Linares by the County Attorney's Association, and the Mayor's of the Incorporated Cities of Tooele County submitted the name of Glen Orgill. Councilman Tripp suggested Jeff Hamm. The Council was in favor of the names submitted. Mayor Marshall announced there will be a luncheon for Joel Kertamus on Friday at noon. The mayor reported on the prison site location meeting he attended this morning. He provided a website ([www.le.utah.gov](http://www.le.utah.gov)) where those interested can find information on the criteria which will be used to select a site. The Mayor made contact with Ritchie Bros. on the auction. They will take our loader if we wish to place it in the auction. Their fee is 12%. They expect it will sell for roughly \$5,000 or more. The surplus items will be on the next agenda. The next auction with Ritchie Bros. is scheduled for December. The Council social is next week. It will be held at the Mayor's house at 5:30 p.m.

Councilman Stice reported West Nile Fever was confirmed in Salt Lake. West Nile virus has been found in Lake Point. He reminded everyone to use repellent after the sun sets. Councilman Stice announced there will be a dinner for Bob Brand tomorrow night at Casa del Rey for anyone who wants to stop and say hello. Councilman Stice was in Hurricane over the weekend for Peach Days. He commented they used to have a parade that went down Main Street but they can't have the parade anymore because they did a beautification project with flowers boxes planted down the center of Main Street. He remembered Grantsville had talked about doing something like that at one time. He asked the Council to not let that happen here.

Approved

Councilman Critchlow reported on the Planning and Zoning Meeting. They reviewed an ordinance about the size of lots for animals and decided to leave it as is. He reported we need to place some gravel on the corner of Cooley and Main on the north side of Main Street.

Councilman Tripp attended to the USU Advisory Committee Meeting where they discussed remote campus administration. The Tooele campus is the only cash positive campus. The new science and technology center has been downsized by twenty percent due to the withdrawal of a four million dollar contribution. Councilman Tripp reminded everyone homecoming is a week from Friday and asked if we have any plans. He commented he was at the Grantsville Reservoir and noticed there are some junky trailers parked in the area. Mayor Marshall said they've been turned in to the county. They discussed that is one of the reasons they created fees in Middle Canyon. Councilman Tripp inquired if our ordinance is enforced requiring those participating in flea markets to get a business license. Recorder Webb reported we have issued a business license for one of the flea market sellers. Councilman Tripp asked if those who participate in the farmers market at the Clark Farm fall under the same category. Mayor Marshall stated he has spoken to Laurie Hurst and Susan Johnsen about this and they are not required to get a business license. Councilman Tripp suggested developing an encompassing idea of what we are doing with the Clark Farm property. Mayor Marshall said we should have a work meeting the first week in October. Councilman Tripp would like to have affirmative control of the property at the Clark Farm. Councilman Stice replied the property does belong to the City and we should have some written agreement. Councilman Tripp felt the financial records should be auditable for the protection of those collecting funds. Councilman Colson said he felt that was being done; it is just not being reported to the City Council. Councilman Tripp asked if they would share the information with us. Councilman Colson said we just need to speak with Greg Bleazard who was in attendance. Mr. Bleazard answered in the affirmative and asked if the City reviews the records of other groups such as the Little League Baseball as well.

Councilman Colson stated he was approached by the Live Fit Program for Tooele County. He said they would like a representative of the city on their board. Mayor Marshall said Jennifer Huffman is the representative for Grantsville.

Councilman Johnson expressed concern about curbside cleanup. He stated we need to have some enforcement. Councilman Johnson commented the City has a limit of three days to have bulk items out prior to pickup. Attorney Linares inquired about leaving the cans out too long. Councilman Johnson answered they do not look as bad as couches sitting out in the street. Attorney Linares stated he has pulled the Code and asked if the Council would like him to give it to the officers for enforcement. It was suggested we eliminate the bulk pickup from the contract. Councilman Johnson inquired when Staker Parsons is starting the street repairs. Mayor Marshall expected them to begin this weekend.

## **6. Public Comments.**

Mayor Marshall asked if there were any comments or concerns of the public.

Fire Marshal Kent Liddiard suggested having signs placed on the buildings at the Clark Farm stating "Closed to Occupancy".

Approved

James Christensen thanked the Council for the discussions held tonight. He would like the decision made tonight placed on the agenda for the next meeting if it was not a legal motion. Mr. Christensen claimed the City Council is violating the spirit of the Sunshine Laws when they have work meetings. Mr. Christensen offered to provide labor to get the Wootton property ready for burials.

Lisa Brigands, a member on the Benson Grist Mill Board, commented on the events she and her family have attended at the Clark Farm. She would love to see the activities continue.

Greg Bleazard remarked during the meeting he was referred to by Councilman Colson. He clarified he is a licensed CPA and has kept the records for the Friends of the Clark Farm. He stated they would be happy to open their books and records to review by the city. He felt it would only be appropriate that there was some type of contract or other reason in place for the City to review an independent, non-profit organization's records.

Susan Johnsen thanked the Council for their discussion tonight. She stated they are still willing to provide volunteers to ease the financial burden on the city. Ms. Johnsen stated the financial records are available for review. They are willing to raise funds for the buildings to be restored because they don't want to see anybody hurt or injured in any way.

Comments were also given by Laurie Hurst, Matt Price, Eric Johnsen, Susan Higley, Emily Johnson, Dan Ogden, Bryon Hinckley, Melissa Baird, Kaiden Price, and Emily Christensen. All expressed their excitement with the activities and events taking place at the Clark Farm and their desire to see them continue.

## 7. Adjourn.

**Motion:** Councilman Stice made a motion to adjourn. Councilman Critchlow seconded the motion. The meeting was adjourned at 8:28 p.m.