

Approved

MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL, HELD ON FEBRUARY 4, 2015 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: Christine Webb, Joel Linares, and Mike Jones.

Citizens and Guests Present: Todd Castagno, Willard Johnson, Brent Williams, Kent Liddiard, Adam Nash, Steve Howe, Susan Johnsen, and Steve Burgess.

Mayor Marshall asked Officer Jones to lead the audience in the Pledge of Allegiance.

AGENDA:

1. Public Hearings:

- a. Proposed rezoning of 1.147 acres of land at 348 South Worthington Street for Carriage Crossing Grantsville, LLC to go from an RR-5 zone to an R-1-21 zone.**

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

- b. Proposed General Plan Amendment for J/H Fraser LP and Howard Freiss at approximately 780 East Main Street for 6.450 acres to go from a "Commercial/High Density Residential" designation to a "Medium Density Residential" designation for the purpose of a single family home development.**

Mayor Marshall explained the applicants have asked to be removed from the agenda.

- c. Proposed Concept Plan for McBride Trust and Adam Nash on the Hinckley Park Subdivision at approximately 400 South Cooley Street for the creation of 43 lots in the R-1-21 zone.**

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

- d. Proposed Concept Plan for IRA Services Etal and Todd Castagno on the Willow Springs Subdivision at approximately 150 South Worthington Street for the creation of 73 lots in the RM-7 zone.**

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

2. Public Comments.

Susan Johnsen, with the Friends of the Clark Farm, stated she and Laurie Hurst met with Mayor Marshall a few weeks ago. They would like to have a meeting with the City Council and their board. Laurie Hurst sent an email to the Council requesting a meeting. The Council Members did not receive the email.

3. Summary Action Items.

- a. Approval of Minutes from the January 21, 2015 Work Meeting and City Council Meeting.
- b. Approval of Bills in the amount of \$68,491.90.
- c. Personnel Matters (none).

Motion: Councilman Stice made a motion to approve the Summary Action Items as presented. 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.

4. Consideration of Ordinance 2015-03 amending the Official Zoning Map of Grantsville City, Utah by rezoning 1.147 acres located at 348 South Worthington Street for Carriage Crossing Grantsville, LLC to go from an RR-5 zone to an R-1-21 zone.

Brent Williams explained this is basically a rezone of the property on the corner, including the house, to zone it the same as the rest of the property at Carriage Crossing. Mayor Marshall confirmed the plan is to develop the corner with one acre lots.

Motion: Councilman Johnson made a motion to approve Ordinance 2015-03 amending the Official Zoning Map of Grantsville City, Utah by rezoning 1.147 acres located at 348 South Worthington Street for Carriage Crossing Grantsville, LLC to go from an RR-5 zone to an R-1-21 zone. 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.

5. Consideration of Ordinance 2015-04 amending the General Plan Amendment for 6.450 acres located at approximately 780 East Main Street to go from a "Commercial/High Density Residential" designation to a "Medium Density Residential" designation.

The applicants asked to have this item removed from the agenda.

6. Consideration of a Concept Plan for McBride Trust and Adam Nash on the Hinckley Park Subdivision at approximately 400 South Cooley Street for the creation of 43 lots in the R-1-21 zone.

Adam Nash was present. Councilman Johnson expressed concerns about lots 101, 102, and 103 having a waterline running through them. The waterline has been confirmed; it goes from the North Tank on an angle from West Street through the property, down Cooley Street, and ties in with the Durfee Street waterline.

There was discussion about Cooley Street and whether it continues south into the subdivision or turns and heads west. Mayor Marshall said part of the old road was vacated. Attorney Linares reported the City's Master Street Plan shows Cooley continuing south. Mayor Marshall asked if Mr. Nash's engineer had been able to find out if the east-west section of Cooley Street had been deeded to the City. Mr. Nash said it wasn't dedicated as a road; it was already being used as a road. Attorney Linares commented that would make it a prescriptive easement. There is no parcel number on the property. That section of road is in disrepair. Mayor Marshall said there is a cattle guard on the road that is broken. The City closed the road. The McBride property had been subdivided previously. During that subdivision process there was an agreement between the property owner and the City that upon request by the City, the property owner would put in curb and gutter on the Cooley Street running to West Street. The agreement was signed by Mayor Cole and recorded in 1999. Mayor Marshall clarified the lots on Cooley Street (lots 101, 102, and 103) will face south. Mayor Marshall asked how the lots will allow for access to the waterline. Mr. Nash is of the opinion that the waterline cannot break and the only easement is the waterline easement. Councilman Stice asked if there are any other waterlines that run through someone's property. There are only irrigation lines; no City waterlines run through personal property. The Council Members agreed they do not want waterlines running through private property. Mr. Nash stated the subdivision will tie into the waterline. Councilman Johnson asked Attorney Linares for his recommendation. Attorney Linares answered he would not build a house on lot 102. Councilman Colson stated Craig Neeley, from Aqua Engineering, recommended "Provisions to reroute this waterline should be made a condition of approval." Councilman Critchlow commented nobody in North Salt Lake expected the hillside to give way. Nobody expects the waterline to break but if it does, it will be ugly. Mayor Marshall remarked the line is tied in at the bottom of the tank which contains three quarters of a million gallons of water that is all going downhill. Mr. Nash asked if the Council would prefer to have the three lots consolidated into two lots. Councilman Johnson stated he would prefer to have the waterline moved. The Council Members agreed.

Councilman Tripp expressed concerns about the slope of the ground and the detention areas. He does not want to have another weed patch. Mr. Nash said the detention ponds have yet to be designed, but they will need to be designed to handle run on and run off.

Mayor Marshall asked about a secondary means of ingress and egress. The Fire Marshal and the Police Chief have expressed concerns about the only access to the subdivision being on Cooley Street. Mr. Nash stated City ordinances require that when you reach 30 lots you have to have the two entrances. He suggested limiting the subdivision to twenty-nine (29) or less lots and then adding a second entrance. Attorney Linares reported of a prior situation that was similar in Anderson Ranch. The developer was required to put in an access point (where emergency services could make it down the road) until they reached a certain number of lots, then he had to pave the road to City standards. Fire Marshal, Kent Liddiard, commented it had to be an all weather road. Mayor Marshall stated the cattle guard would need to be put in on the Cooley road. Mr. Nash stated he expected they would need to put it in. The extension of Cooley Street will need to be a sixty six foot (66') wide road.

Councilman Tripp commented a big share of this property has been a junk car yard. He asked if anyone has done a ground water or soil investigation. Mr. Nash stated that most of the cars have been removed. Mayor Marshall stated this is a concept plan and he has tried to write down some of the issues. He reviewed his list as: move the waterline, the detention ponds, the ingress and egress, ground water and soil studies, cattle guard repairs, and dedication of Cooley Street or renaming the streets.

Councilman Tripp inquired if the Council makes changes to the requirements in detention basins, would they apply to this concept plan if it is approved. Attorney Linares answered any requirements could be part of the approval for final plat.

Motion: Councilman Colson made a motion to accept the Concept Plan for the McBride Trust and Adam Nash on the Hinckley Park Subdivision at approximately 400 South Cooley Street for the creation of 43 lots in the R-1-21 zone conditionally on moving the waterline, the ingress-egress, the Cooley Street road repairs with a cattle guard and dedication, ground testing for soil and water contamination, and the retention pond. 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.

7. Consideration of purchasing Grantsville Irrigation Company shares owned by the McBride Trust in lieu of water rights for the Hinckley Park Subdivision.

Attorney Linares explained the City has the ability to accept trade in lieu of water. There is an equality issue of making sure you get the value equivalence of water for whatever you are getting in return. Councilman Johnson asked Attorney Linares what he would suggest. Mr. Linares answered he would like to keep the same standard for everyone and make him bring water to the table like we do with everybody else and not take the irrigation shares in lieu of the water rights. Mr. Nash stated he has enough water banked with the City to cover the requirements. He would like to take the water that comes with the property (which are irrigation shares) and use it for the water requirements. There was a discussion about the conversion of water shares and water rights.

Councilman Tripp asked if they wanted to table or deny this item. Attorney Linares explained by tabling the item, we can find out more information. Once we have the information, then we will be better prepared if this comes up again.

Motion: Councilman Johnson made a motion to table the purchasing Grantsville Irrigation Company shares owned by the McBride Trust in lieu of water rights for the Hinckley Park 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.

8. Consideration of a Concept Plan for IRA Services Etal and Todd Castagno on the Willow Springs Subdivision at approximately 150 South Worthington Street for the creation of 73 lots in the RM-7 zone.

Todd Castagno was present. Councilman Johnson asked about IRA Services Etal. Attorney Linares explains Etal means "and others who are not listed herein". Mr. Castagno explained there were two (2)

concept plans presented. The subdivision finishes off the Worthington Street area between Main and Durfee. The smallest lot is 7,000 sq. ft. The largest lot is just less than 20,000 sq. ft. Mayor Marshall asked if they will address the issues presented by Zoning Administrator, Jennifer Huffman. Mr. Castagno answered there was only one; which was to develop the street center line and that was done earlier in the week. He explained the difference between the two submitted concept plans. The main difference is one does not have a connection to Eastmoor. Councilman Tripp expressed his concerns of having the traffic from the subdivision using Eastmoor. It was recommended by the City Engineer and the Planning Commission to approve the concept plan without the connection to Eastmoor.

Councilman Stice reviewed his concerns. Water retention was discussed. Doug Kinsman explained they will detain the water temporarily and will be tied into a larger retention pond. Councilman Stice inquired if lot 102 includes the retention basin. Mr. Castagno answered that it does. Councilman Stice asked about the retainage basin which is right next to an existing home. Mr. Castagno stated it will be designed to pull the water to the west.

Mr. Castagno commented on the existing Worthington Street being sixty feet (60') wide but it will widen after Cherry Street to sixty-six feet (66') to comply with current city requirements.

Motion: Councilman Stice made a motion to accept the first Concept Plan where Eastmoor does not continue as a through street for IRA Services Etal and Todd Castagno on the Willow Springs Subdivision. 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.

9. Consideration of a final plat approval for Tate Place Subdivision which contains eleven (11) lots for Wise Homes, LLC and Todd Castagno.

Mayor Marshall stated this subdivision is located across the street from the tennis courts. Mr. Castagno asked if the City would prefer to have street lights or the 1,000 lumens on each residence.

Motion: Councilman Colson made a motion to approve the final plat for Tate Place Subdivision with an amendment of 1,000 lumens outside lights with a photo eye per residence. 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. Presentation by John Ingersoll on the Grantsville City Library.

John Ingersoll gave the following statistics: items circulated were 42,651, there are 2,249 current library patrons, and there were 4,044 new items added to the collections. The library had 5,290 computer sign-ins for a usage total of 187 days, 1 hour, 7 minutes and 43 seconds. The library has 33,560 items in the collection. They had more than 2,000 volunteer hours and hosted two interns. Both library technicians left in 2014. The library increased the weekly public hours from 24 to 29 hours per week and will be at a full 38 hours to reach Utah State Library certification standards. Their three year Long-Range Library Plan is about half complete and should be ready by July.

Approved

Mr. Ingersoll reported they have provided a growing number of programs to serve the library patrons. A few of the programs are: storytime each week, the Summer Reading Program, and a summer tutoring program. The library received a community service award from the Tooele Chamber of Commerce. The library has collaborated with many individuals and organizations throughout the past year. They are continually working to make improvements.

The Council Members expressed appreciation to Mr. Ingersoll for the work at the library.

Councilman Critchlow asked about the Dr. Seuss Day. Mr. Ingersoll said they will have some special story times in March. He has not had any offers from anyone to dress up as the cat in the hat.

11. Discussion of Willard Johnson's proposed subdivision and requirements thereto.

Willard Johnson explained his daughter wants to build a home on his property of five acres. They want to subdivide off one acre for the residence. Mr. Johnson stated Jennifer Huffman told him they need to divide it into four lots. Councilman Johnson asked if the property has been subdivided before. Attorney Linares answered the property has been subdivided previously. The property was a ten acre lot to begin with but was subdivided into two lots and five acres was sold. According to Grantsville City Code you can divide a property once with four lots or less for a minor subdivision. If a property is then divided again, it is a major subdivision. The Council discussed the issue of an illegal lot if there are two (2) one acre lots at the front of the property and a third lot behind the other two. Attorney Linares suggested having Mr. Johnson submit an application and allowing it to go through the process.

12. Consideration of appointment of Temporary Justice Court Judges.

Judge Elton provided a letter requesting the appointment of Temporary Justice Court Judges. Judge Elton and Judge Dow have agreed to fill in for each other and not bill for the services. Judge Elton wrote that it would be prudent to have Judge Powell and Judge Butcher appointed as Temporary Judges as well.

Motion: Councilman Critchlow made a motion to appoint Judge Butcher, Judge Powell, and Judge Dow as Temporary Judges of the Grantsville City Justice Court. 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.

13. Mayor and Council Reports.

Mayor Marshall attended a luncheon meeting with the County Commissioners, the WFRC meeting, and the Tooele County Chamber of Commerce Awards Banquet. The Mayor attended a meeting with representatives from the Prison Relocation Committee. He met with several citizens concerning delinquent utility bills and with Finance Director, Sherrie Broadbent to begin working on the budget. Mayor Marshall attended the swearing in ceremony of Judge Ronald Elton. Judge Dow officiated at the ceremony. The Mayor met with Craig Neeley and Robert Rouselle from Aqua Engineering, and Larry Bolinder about the West Bench Pipeline. He attended the Legislative Breakfast and reported on the bills being considered this year.

Approved

The landscaping contract can be extended for another year. Councilman Johnson suggested extending the contract and adding Cherry Street Park and Eastside Park.

Councilman Stice stated the Library Board is looking for another board member. He has received comments from citizens driving on SR-112. They have expressed appreciation of the patrolling along SR-112 by the Grantsville City Police.

Councilman Critchlow thanked everyone for their concern when he missed the last City Council Meeting to attend his sister's funeral. He reported the street light over the cross walk on the north side of Main Street by the old Bluebird. Mayor Marshall will let Rocky Mountain Power know to fix it.

Councilman Tripp reported the Tooele County Board of Health has been reorganized. The Board of Health had training on public meetings.

Councilman Johnson asked about running the grader down Cooley Street.

14. Closed Session (Personnel, Real Estate, Imminent Litigation).

Motion: Councilman Critchlow made a motion to go into a closed session after a five minute recess. 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 and the Council went into a closed session at 9:00 p.m.

Those in attendance were: Mayor Marshall, Councilman Johnson, Councilman Colson, Councilman Tripp, Councilman Critchlow, Councilman Stice, Attorney Linares, and City Recorder Christine Webb.

Motion: Councilman Tripp made a motion to go back into an open session. Councilman Johnson 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.

15. Adjourn.

Councilman Stice commented he liked the reports from Craig Neeley on the subdivisions. He enjoys the ease of using the iPads and being able to access the information as soon as it is available.

Motion: Councilman Stice made a motion to adjourn. Councilman Critchlow seconded the motion. The meeting was adjourned at 9:28 p.m.