

Approved

MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL, HELD ON JUNE 17, 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 Colson, Neil Critchlow, Mike Johnson, Scott Stice, and Tom Tripp.

Appointed Officers and Employees Present: Sherrie Broadbent, Christine Webb, Kevin Turner, and Joel Linares.

Citizens and Guests Present: Adam Nash, Kent Liddiard, Krista Sparks, and Steve Howe.

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

AGENDA:

1. Public Comments.

There were no comments offered.

2. Summary Action Items.

- a. Approval of Minutes from the June 3, 2015 City Council Meeting.
- b. Approval of Bills in the amount of \$241,194.62.

Councilman Stice asked about the natural gas bill for the Fire Station. The amount seemed high. Mayor Marshall will look into it.

Motion: Councilman Tripp made a motion to approve the summary action items. 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.

3. Consideration that Public Safety Impact Fees will be held longer than six years for the design or building of a new Police Station, but will be used by June 30, 2018.

This is to provide documentation the Public Safety Impact Fees will be held longer than six years.

Councilman Tripp clarified this will allow time for scoping and design input of the project.

Motion: Councilman Colson made a motion that Public Impact Fees will be held longer than six years for the design or building of a new Police Station, but will be used by June 30, 2018. Councilman Stice seconded the motion. The vote was as follows: Councilman Stice, "Aye", Councilman Critchlow,

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"Aye", Councilman Tripp, "Aye", Councilman Colson, "Aye", and Councilman Johnson, "Aye". The motion carried.

4. Consideration of Ordinance 2015-11 establishing the compensation of the elective, statutory, and appointed officers of Grantsville City for the 2015-2016 fiscal year.

Councilman Tripp asked if the amounts were the same as discussed in the Budget Work Meeting. Mayor Marshall answered they are the same amounts. Councilman Stice clarified the City Council Members' compensation did not change.

Motion: Councilman Stice made a motion to approve Ordinance 2015-11 establishing the compensation of elective, statutory, and appointed officers of Grantsville City for the 2015-2016 fiscal year. Councilman Colson 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. Consideration of Resolution 2015-09 adopting the 2015-2016 fiscal year budget and setting the tax levy.

Mayor Marshall stated our tax levy went down from what it was. If approved, we will have a tax rate of .002585. Last year's tax rate was .003235. Councilman Stice clarified even though the tax rate is going down; the County has reassessed home values which are expected to increase the taxes. Mayor Marshall commented this is to create equalization.

Motion: Councilman Critchlow made a motion to approve Resolution 2015-09 adopting the 2015-2016 fiscal year budget and setting the tax levy. 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 Resolution 2015-10 amending the 2014-2015 fiscal year budget.

Resolution 2015-10 is to amend last year's budget. Mayor Marshall explained there are still two weeks left in the budget year but we have some funds that will be transferred into the Capital Improvement Fund. Sherrie will do year end calculations at the end of the month.

Motion: Councilman Colson made a motion to approve Resolution 2015-10 amending the 2014-2015 fiscal year budget. 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.

7. Consideration of repairs to the snack shack at the rodeo grounds.

Mayor Marshall said he provided some paperwork for this agenda item. The sewer is not draining properly and does not have a grease trap. Councilman Johnson asked if we want to repair the sewer line. Mayor Marshall answered the maintenance department has other big projects taking place at this time. Mayor Marshall asked the Council if they would like to go out for a bid. The Taco Man's rent covers

the cost of electrical. It will not cover the repairs. The Council felt Mayor Marshall should talk to Taco Man to see if he would be willing to cover the cost of repairs. Councilman Stice felt the City should pay to have the repairs done and get it up to code. Councilman Johnson said he would hate to see the City pay for repairs and then six months later have the Taco Man leave. Mayor Marshall will talk to him and find out what he would like to do.

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

Adam Nash was present for the McBride Trust. Mr. Nash said he has been working with Mayor Marshall and the City Attorney on this. He stated they are requesting the City to take irrigation shares in exchange for residential connections. Mayor Marshall explained his concerns. The water shares were cut this year by 50,000 gallons per share. Irrigation shares are not equal to underground water rights. The City has never done this since the Mayor has been here. Adam Nash stated in 2014, they did it. Mayor Marshall told Mr. Nash that he brought in irrigation for his subdivision in 2014. Mr. Nash reported Grantsville Irrigation Shares are selling for \$5,600 per share. A discussion followed about the City Code stating the City may take irrigation shares in lieu of water rights. Mr. Nash felt that meant the City would take them and the Mayor and Council felt they had no obligation to take them but do have the option. Attorney Linares stated there is no disagreement that the Council can take the irrigation shares if they choose to but they are not required to. Mr. Nash commented the Council could deny them and then tell them why. Mr. Nash stated he met with former Zoning Administrator, Shauna Kertamus on July 11, 2014 and she said the water shares are acceptable to meet the water requirements and the City will convert them to residential connections. Mr. Nash remarked on September 12, 2014 Craig Neeley confirmed Grantsville City will accept and convert irrigation shares into culinary water. Attorney Linares said he talked with Craig Neeley earlier in the day and Mr. Neeley told him point blank that is not true. Mr. Linares stated Mr. Neeley told him that Adam was going to say this and Mr. Neeley said he did not say that. Mr. Nash said he talked with him today and he did say that. Mr. Linares suggested that Mr. Nash come in and they have a conference call with Mr. Neeley to confirm what was said.

Councilman Johnson asked if there is a benefit for the City to take the irrigation shares. Mayor Marshall answered as far as he is concerned; there is no benefit for the City. Councilman Stice commented the amount of water per share has been decreased and an assessment fee is due each year for irrigation shares. Mr. Nash interjected Grantsville City owns multiple shares of irrigation shares and have multiple connections not connected to any specific location. Mayor Marshall said they are dedicated. They are dedicated to parks, cemetery, and other City owned property. The City has installed meters on these connections.

The discussion moved to the water Layton Land Partners has banked with Grantsville City. Recorder Webb confirmed they have 16.54 acre feet banked with the City. The Hinckley Park Subdivision is required to have 19.35 acre feet for indoor water for 43 lots. Mr. Nash stated the water shares are valuable. He talked to the irrigation company and the shares are worth \$5,600 per share. He said there are people up on Burmester that will definitely convert their stuff. Mr. Nash expressed confusion on why the City won't convert them. Councilman Critchlow suggested that Mr. Nash purchase the three acre feet of water they are short and bring it to the City. Mr. Nash said they can definitely do that but by City Ordinance it allows the City to give them irrigation shares. Mayor Marshall confirmed the

ordinance allows the Council to accept or deny that. Mr. Nash remarked if it is denied, then he will be able to appeal it.

Councilman Stice re-iterated the irrigation shares may be valid but he lost 50,000 gallons of water this year on irrigation water and there are still yearly assessments. He stated this would not be an apple to apple trade. It was suggested that Mr. Nash sell the shares and then purchase underground water rights.

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

9. Consideration of approval of Resolution 2015-11 appointing a director of the Library Board.

Councilman Stice commented Marilyn Grua and Char Warner are the directors up for reappointment.

Motion: Councilman Stice made a motion to approve Resolution 2015-11 appointing directors to the Library Board. 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.

10. Consideration of allowing a Lantern Festival within city limits.

Mayor Marshall stated he discussed this with the Fire Chief this morning. The Mayor recommended they go out tonight and light the remaining lanterns to watch them in calm conditions. Mayor Marshall said you can get smaller lanterns so the burn time would not be as long. Councilman Johnson stated it was his understanding the Fire Department would have the final say to launch the lanterns. Mayor Marshall agreed.

Motion: Councilman Tripp made a motion to table this item until the next meeting. 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.

11. Mayor and Council Reports.

Mayor Marshall participated in the CJC golf fundraiser with Joel Linares and Alex Buxton. He attended a meeting with UDOT about the cross walk at Hale Street and Main Street. They will conduct a traffic study. The Mayor attended Fireman's Convention in St. George. Chief Turner and the Mayor attended the dispatch fee meeting. The County Commissioners have drawn up a contract on the fees. Mayor Marshall has met with Darrell Nielsen a couple of times to discuss his property on the prison site list. The Mayor attended the PRC public hearing last night at the Capital. Mayor Marshall thanked those from Grantsville who spoke. There were a lot of good comments. Grantsville City was spotlighted on the EDCUtah newsletter. Mayor Marshall provided information on HB 362 which estimated what Grantsville would receive if the gas tax was imposed. Councilman Stice commented the amount is still

less than UTA will receive from the gas tax. The Council was against the gas tax. Mayor Marshall stated he received an email from Craig Neeley on the Main Street Project. The Mayor reported the city cleanup went well. He had a conversation with Richard Copeland about the barbecue place being cleaned up prior to the 4th of July. Mayor Marshall announced that Lieutenant Steve Barrett retired on June 8th. The Mayor would like to honor him at a City Council Meeting in the coming month.

Councilman Johnson asked for thoughts on the mini-ex. Mayor Marshall would like to get one. He will contact Honnen and find out about a trial period. Councilman Colson thought it would be good to get one without a cab. Councilman Johnson commented on the pot holes on Cooley Street. The Maintenance Crew put asphalt oil in the hole and the truck went to Salt Lake to pick up asphalt and got stuck in the traffic jam. A vehicle drove through it and was covered in the oil. Councilman Johnson recommended that in the future they put a cone over the pot holes until filled.

Councilman Tripp asked about the 4th of July parade route. This year the parade will begin at City Hall and travel west to Center Street then south on Center Street to Cherry Street and then east to the Cherry Street Park. Councilman Tripp stated we need to make sure everyone understands the new route. Councilman Tripp commented we have just finished another year with the recycling program. He would like a report on the revenue for the City vs. the cost to the citizens.

Councilman Critchlow asked about the trailers parked on Dennis McBride's property. Attorney Linares reported one trailer has been removed. He explained the problem is Mr. McBride won't let officers on his property and Mr. Butler will not let them on his property. Chief Turner explained they will need permission to access the property and then Mr. McBride has to tell officers the individual is trespassing on the property. Attorney Linares stated the City could have the Building Inspector cite them under the other code. Councilman Critchlow stated he will try to get cooperation from Mr. McBride.

Councilman Stice thanked the candidate for City Council, Krista Sparks, for attending the meeting and wished her luck in the election. Councilman Stice reported he attended the Mosquito Abatement Board Meeting. The Mosquito Abatement has been out fogging. He asked if the manager could come speak to the City Council on July 15th. Councilman Stice attended the Library Board Meeting today. He reported the library has 35,000 items in the library. They are cycling materials through. During June the Library is collecting canned food. Patrons who bring in a can of food will be given a dollar off their late fine. The Summer Reading Program is ongoing. Students meet at the Library every Tuesday and Thursday with a volunteer to read. Organizers have reported the numbers are down from last year but that allows more one on one time for students. Councilman Stice stated John Ingersoll is doing a great job at the Library. On Tuesdays there is a chess club that meets and Kimball Johnson gives a drawing class. A science club meets on Wednesdays, there is a teen movie night on Thursdays, Friday is game day, and Saturday is children's movie day. Councilman Stice said every day they have something going on at the Library. There are no USU classes for the summer. In March there were about 160 people per day, April had about 180 people per day, there were about 126 per day in May, and June is looking like there will be about 200 people per day. There are a few windows that need to be looked at.

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

Motion: Councilman Colson made a motion to go into a closed session. The motion was seconded by Councilman Stice. The vote was as follows: Councilman Stice, "Aye", Councilman Critchlow, "Aye",

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Councilman Tripp, "Aye", and Councilman Colson, "Aye". The motion carried and the Council went into a closed session at 8:20 p.m.

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

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.

13. Adjourn.

Councilman Stice said he and Mike were standing at the cemetery and he doesn't think the water is coming from Eddie Watson's. Mayor Marshall stated he talked with Public Works Director, Larry Bolinder, and the maintenance crew has tracked the water coming from Eddie's. Councilman Johnson asked how the City is doing on the amount of irrigation water being used. Mayor Marshall asked Fred to take a picture of the meter before and after the sprinkling system has run.

Motion: Councilman Stice made a motion to adjourn. Councilman Colson seconded the motion. The meeting was adjourned at 8:36 p.m.