

Approved

MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL, HELD ON DECEMBER 21, 2016 AT THE GRANTSVILLE CITY HALL, 429 EAST MAIN STREET, GRANTSVILLE, UTAH. THE MEETING BEGAN AT 7:00 P.M.

Mayor and Council Members Present: Mayor Brent Marshall and Council Members Jewel Allen, Mike Colson, Neil Critchlow, Krista Sparks, and Tom Tripp. Councilman Colson and Councilman Critchlow arrived at the meeting while Mr. Lawton was commenting during the Public Comments.

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

Citizens and Guests Present: Gary Pinkham, Kent Liddiard, Reuben Romney, J. Whitney Cook, Matt Cleverly, Todd Stewart, Michael Jones, and Lyle Lawton.

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

AGENDA:

- 1. Public Hearing:**
 - a. Updated Water Conservation Plan.**

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

- 2. Public Comments.**

Mayor Marshall asked if there were any public comments.

Lyle Lawton stated he wished to address the Council on the consideration of Tooele County's petition for disconnection. He expressed his concerns and felt it would be a mistake for Grantsville to approve the disconnection. He commented the property the County is petitioning to disconnect is hooked into Grantsville water. Mr. Lawton stated if we allow them to disconnect and they are still using our water, we lose the ability to use the water for our development and economic benefit.

Councilman Colson and Critchlow arrived at the meeting while Mr. Lawton was speaking.

Debbie Spilman thanked the Council and Mayor for the service they provide to the City. She stated she was here to present the information she had sent to the Council Members in an email. She felt de-annexing the property would not be a benefit to Grantsville. She expressed her concerns and views.

Gary Pinkham stated, he too, was against the disconnection. He was against it for the same reasons as the previous commenters. He felt the City has made significant contributions to the services with the water and sewer lines. He felt we need to maintain control over the uses taking place on the property and the surrounding area.

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James Whitney Cook expressed his concerns about the disconnection. He stated he was looking at this from an economic and financial standpoint. He expressed his opinion of the lack of judgement on the part of the County to give the property to Grantsville. He commented on the current form of government and the recent vote to study the form of County Government. He encouraged “a simple information” campaign for the citizens on this matter. Mr. Cook felt that the upcoming year looks like a year with a lot of litigation for the County. Councilwoman Allen asked Mr. Cook how he found out about this being on the agenda. He answered that he tries to keep up to date on current issues and read about it in the Tooele Transcript.

Matthew Cleverly stated he is not as versed on this issue as Mr. Cook but he was one of the people that talked to him about it. Mr. Cleverly felt if there was more information available to the public, that more people would not agree with letting go of the Complex. He felt the Complex was a good money maker for Grantsville.

Reuben Romney agreed with the previous comments. He stated he found it hard to believe that the County has made the decisions they have made with regards to the racetrack. He stated he found out about this on Councilwoman Allen’s Facebook page.

Mayor Marshall stated there are a lot of things that complicate this issue. He explained the City has tried to work through them with the County to try to prevent this being litigated. He added there will be a timeline presented tonight.

Ms. Spilman asked if the County can take the land back without Grantsville City agreeing. Attorney Linares explained the process and possible outcomes.

3. Summary Action Items.

- a. Approval of Minutes from the December 7, 2016 City Council Work Meeting and the December 7, 2016 City Council Meeting.
- b. Approval of Bills in the amount of \$279,688.31.

Motion: Councilwoman Allen made a motion to approve the summary action items as presented. The motion was seconded by Councilman Colson. The vote was as follows: Councilman Critchlow, "Aye", Councilwoman Allen, “Aye”, Councilman Tripp, "Aye", Councilman Colson, "Aye", and Councilwoman Sparks, “Aye”. The motion carried.

4. Auditor’s Report.

Spencer Hintze represented Gilbert & Stewart CPAs. He asked the Council to excuse Ron Stewart who is the partner over this audit. Mr. Stewart had something come up unexpectedly and asked Mr. Hintze to present the findings to the City Council. Mr. Hintze thanked the City for the opportunity to perform the audit. He added the City staff is a pleasure to work with and thanked them.

Mr. Hintze stated they focused on three main things in the audit. He asked the Council Members to go to page one (1) of the Independent Auditor’s Report, which he explained is the most important part of the report. He stated the first thing they did was issue an unmodified opinion, meaning a clean opinion. He explained this is the highest opinion you can receive and they came to that opinion through all of the

work they do working with the City. They came to that with no reservation. Mr. Hintze reviewed the audit report and the summary.

5. Consideration of approval of the 2015 – 2016 Independent Audit Report.

Motion: Councilman Tripp made a motion to approve the 2015 – 2016 Fiscal Year Independent Audit Report. The motion was seconded by Councilwoman Sparks. The vote was as follows: Councilman Critchlow, "Aye", Councilwoman Allen, "Aye", Councilman Tripp, "Aye", Councilman Colson, "Aye", and Councilwoman Sparks, "Aye". The motion carried.

6. Consideration of Resolution 2016-26 adopting an Updated Water Conservation Plan.

Craig Neeley from Aqua Engineering was present to answer any questions on the Updated Water Conservation Plan. He explained water conservation plans were mandated by the State about ten (10) years ago. He stated a condition of funding through Division of Water Resources and Division of Drinking Water is to have a current water conservation plan. Mr. Neeley clarified the State requirement or goal is to reduce water consumption by twenty-five percent (25%) by the year 2025. He said the City has adopted the same goal. One of the new things in this conservation plan that we have not considered in the previous plan is the conservation tier funding for the water rates. Mr. Neeley felt we will achieve the greatest amount of conservation success with that program as it moves forward. He said we are currently at 140 gallons per person per day usage. The plan suggests lowering that by 25% to 105 gallons per person per day.

Councilwoman Allen asked about secondary water and if there will be a shift to move more users to irrigation water from culinary water. Mr. Neeley answered that is where the tiered water rates will be beneficial.

Councilman Tripp commented he thinks water conservation is a good idea. He is concerned about punishing people financially for water usage. He felt we should be careful in implementing the plan that we don't arbitrarily collect money from people who can figure other ways to reduce water usage. Mayor Marshall commented that was one of the things mandated by the Legislature; that you have tiered rates.

Motion: Councilman Tripp made a motion to approve Resolution 2016-26 adopting an Updated Water Conservation Plan. Councilman Critchlow seconded the motion. The vote was as follows: Councilman Critchlow, "Aye", Councilwoman Allen, "Aye", Councilman Tripp, "Aye", Councilman Colson, "Aye", and Councilwoman Sparks, "Aye". The motion carried.

7. Consideration of Tooele County's petition for disconnection.

Attorney Linares reviewed the timeline and the agreement with Tooele County. He stated in 1998 the Complex opened in the middle of the valley with the inability to provide their own water and sewer. At that time, they were using Tooele City's culinary water, secondary water, and sewer for essential services. In 2002, Tooele City cut off their irrigation water for reasons unknown to Attorney Linares. In 2003, Tooele City terminated their culinary water and the County approached Grantsville City to provide water to the Complex. Grantsville City entered into an agreement with the County at that time to provide water to the Complex. As part of the terms of the agreement, the County would attempt to drill its own wells to provide its own water but a line would be installed to run from the Complex all the

way to our tank systems which are about six (6) miles in length. The line would be paid for by the County but signed over to the City and the City would maintain it. Attorney Linares explained there were problems with the agreement because the well that they provided was insufficient so Grantsville City began to supplement the Complex with water that was not being provided by the County. In 2009, the Reckitt Benckiser building was built and they approached Grantsville City and asked if they built a sewer line, would we provide them with water and sewer to that facility. In 2012, the County's sewer agreement with Tooele City expired and they never came to terms on a new contract afterwards. At that time, the County began negotiating a new deal with Grantsville City to address the shortcomings of the 2003 agreement and the water supply and to tie the sewer line from Reckitt Benckiser over to the County to tie in the sewer system as well, bringing them into a closed loop system with Grantsville City so they would not be getting water from us and sewer going to Tooele City. Attorney Linares commented that creates water law issues in and of itself. Grantsville City agreed to build a sewer line over to them and tie them into it, continue to provide them with water, and the County would agree to annex into the City. Those negotiations went on for two (2) years and in March of 2014, an agreement was finally signed by Tooele County and Grantsville City. Grantsville agreed that it would build a water line that would supplement the water supply they were already getting to ensure that they would have no problems in peak demand hours and that a sewer line would be built to tie them into the sewer. Tooele County agreed that once those lines were built, they would be conveyed to Grantsville City and they would be Grantsville City's responsibility to maintain. The County agreed to annex into the City upon the agreement being signed. Attorney Linares clarified that since 2003, Grantsville City has paid to maintain those systems through man hours and certification hours to make sure the water got to the Complex. In 2014, when the agreement was signed, the County annexed into Grantsville City. In 2015, Grantsville City constructed the water line, as contractually obligated. And at the start of 2016, Grantsville City constructed the sewer line all the way up to the Complex. It is in place, but it has still never been tied into. At that time the County notified Grantsville City that it did not intend to tie into the line and would be seeking to disconnect from Grantsville City and tying into another system elsewhere. Attorney Linares reported at no time has the County paid Grantsville City Impact Fees. It was a part of the agreement, that they were waived. From 2003 to 2014, Grantsville City did not collect any tax revenue despite the fact that we were providing essential services and maintaining them. So, the annexation for Grantsville to maintain and continue to provide these services was crucial in order for us to get tax revenue to justify absorbing those costs to our citizens. Attorney Linares explained that was a very quick synopsis of sixteen (16) years but he was willing to answer any questions the Council may have.

Mayor Marshall explained the water line that was built is the water line that went from our South Tank to the South Willow Tank. The South Willow Tank was built in 1998. He reported some well failures and issues over the years. He also described the sewer line that has been put in.

Councilwoman Allen asked what the impact would be to Reckitt Benckiser building. Mayor Marshall clarified that she meant would this create an island. Attorney Linares answered it does not meet the legal description for a peninsula or island. He added it would not affect them at all; they would continue to receive services from Grantsville City and would remain in the City boundaries. Councilwoman Allen expressed her disappointment that there was no representation from the County. She had questions for them.

Mayor Marshall and the Council discussed their concerns and opinions.

Councilwoman Sparks stated for the record that she is adamantly opposed to the disconnection for the obvious reasons stated. Councilwoman Allen stated for the record that coming into this meeting, she really studied the documents with an open mind, but she has yet to see any evidence why this would be beneficial for our City to allow the disconnection.

Attorney Linares stated the City has received documentation that their intent is, if you do unincorporate them, that they expect Grantsville to continue to provide services until they can get these other lines built and provide them for themselves.

The Council Members expressed agreement in their disappointment with the County Commissioners for not attending the City Council Meeting.

Motion: Councilwoman Allen made a motion to deny Tooele County's petition for disconnection. Councilwoman Sparks seconded the motion. The vote was as follows: Councilman Critchlow, "Aye", Councilwoman Allen, "Aye", Councilman Tripp, "Aye", Councilman Colson, "Aye", and Councilwoman Sparks, "Aye". The motion carried and approval was denied for disconnection.

8. Consideration of approval of awarding the contract for the construction of the Justice Center Building.

Chief Kevin Turner presented information on the contract for the construction of the Justice Center Building for approval. The original low bid was for \$4,085,473.95 from Hughes Construction. When the letter of intent was approved by the City Council, Mayor Marshall and Chief Turner met with the architect and Hughes Construction to negotiate. Option one (1) reduced the total at \$3,616,511.95 and offered no alternates. Option two (2) added alternate 3 (ancillary building) for a total construction cost of \$3,675,511.95. This figure is \$75,511.95 over budget. Chief Turner explained we currently have \$88,283 in the Public Safety Impact Fees which would cover that difference. Chief Turner asked the Council to approve option two (2). He reported they have gone through the building square foot by square foot and eliminated as much as possible to bring the cost down. The deadline to accept the contract is January 1st. After that time, the costs will increase. Councilman Colson asked how much the ancillary building had been reduced. Chief Turner answered they cut the building by half. He stated originally the building was 30' deep by just over 70' long and now it is 30' x almost 35'. Chief Turner said he had hoped to save half of the cost by cutting the size of the building by half but they were actually able to save two-thirds of the cost. The Council discussed the building and the additional funding.

Motion: Councilman Tripp made a motion to approve option two as described and make adjustments to the total funding with other means. Councilwoman Allen seconded the motion. The vote was as follows: Councilman Critchlow, "Aye", Councilwoman Allen, "Aye", Councilman Tripp, "Aye", Councilman Colson, "Aye", and Councilwoman Sparks, "Aye". The motion carried.

9. Mayor and Council Reports.

Approved

Mayor Marshall wished everyone a Merry Christmas and a Happy New Year. He announced there will be a groundbreaking ceremony on December 28th at 3:00 p.m.

Councilman Critchlow reported on the Planning Commission Meeting.

Councilwoman Allen said there are grant writing workshops being offered by the County on December 28th at 6:00 p.m. or 7:30 p.m. She reported the Utah League of Cities and Towns will have Local Officials' Day on January 25th. Councilwoman Allen announced The Historic Preservation Commission is moving along. She has contacted the State Historic Board and they are sending a representative to our January 26th meeting. They plan to receive some training from the State. The TRT grant applications are due on January 16th.

Councilman Tripp reported on the Mosquito Abatement District Meeting. He commented that he recently drove passed the Wootton part of the cemetery and he realized there is no fence along the north end of the City yard.

Councilwoman Sparks commended Sherrie Broadbent on the audit report. She added that she trusts everything we do financially. And when Sherrie feels good about the budget, then Councilwoman Sparks feels good about it. She thanked Sherrie for the good job she does.

Fire Marshal Kent Liddiard stated this is his last City Council Meeting. He thanked the Council for listening to him for the last twelve years. He expressed appreciation for working with the Council and said he has learned a lot.

10. Adjourn.

Motion: Councilwoman Allen made a motion to adjourn. Councilman Colson seconded the motion. The meeting was adjourned at 8:26 p.m.