

Approved

MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL, HELD ON MAY 3, 2017 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, Krista Sparks, Mike Colson, and Neil Critchlow. Councilman Tom Tripp participated by telephone.

Appointed Officers and Employees Present: Brett Coombs, Chief Enslen, and Christine Webb.

Citizens and Guests Present: Susan Johnsen, George DeWeese, Glen & Sharon Boyle, Christopher Smith, Eric Johnsen, Jay Weyland, and Todd Stewart.

Mayor Marshall asked Chief Enslen to lead the audience in the Pledge of Allegiance.

AGENDA:

- 1. Public Hearing:**
 - a. Proposed 2017-2018 tentative budget.**

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

- 2. Public Comments.**

Mayor Marshall asked if there were any public comments.

Susan Johnsen commented that she would like the Council to consider moving the public comments to the end of the meeting. She felt it would be beneficial for the public to be able to comment after the Council has commented. Mrs. Johnsen stated several people in Palomino Ranches have talked to her about conversations they have had with Mayor Marshall about the cleanup he did behind Palomino Ranch. She reported they told her he was irritated with the residents for comments to them about the cleanup of the property on the west side of Palomino Ranches. Mayor Marshall interjected he was not irritated with the residents. He said he made the comment that he spent days down there with a front-end loader and dump truck hauling construction debris away. Mrs. Johnsen commented that debris did not come from homeowners; it was large diameter irrigation pipes, etc. Mayor Marshall disagreed. Mrs. Johnsen explained she knew what was over there because she took her grandchildren there and had to watch them to make sure they were not injured on it. Councilman Colson asked where this was located. Mayor Marshall answered it was behind the west side of Palomino Ranch. He explained part of the reason he knows it was not there, was because his son farmed part of the area and it was not there then.

Sharon Boyle commented on the possible plans to build a recreational center on the agricultural land west of and adjacent to the Palomino Ranch Subdivision. She reported she sent an email. Mayor Marshall stated he sent a response to the email. Mrs. Boyle said the recreational center, according to Mayor Marshall will attract hundreds of thousands of visitors to Grantsville. She stated that she and her

husband do not object to the building of a recreation center; they support it and think we need it. They do object to the proposed location. She said as far as she knows there has been no discussion of the center and where it is going to be. Mrs. Boyle commented that Councilwoman Allen said the Mayor is thinking of a town hall in August. Mayor Marshall responded that he had intentions to bring this forward. He explained the City had a very short window to file for a grant that would have allowed us to install some grass and sprinkling system for about ten (10) acres to allow the kids to play ball. We applied for a grant; we did not get the grant. He felt some of this was blown out of proportion. Mrs. Boyle stated they would like to have some input. She expressed her opinion that there were several other options for the locations. Mrs. Boyle expressed concerns about parking and the amount of expected attendees to the area. She added that they would like input as this moves forward.

Glen Boyle spoke about the four (4) ball fields proposed for the area. He stated he did not feel they were very well done and the design is "a disaster". He felt the ball fields were too small and explained his reasoning. Councilman Colson explained the City Council had requested design for that land and it really has not been pursued. He stated that until Mayor Marshall applied for the grant, the Council has not looked at this as a concrete plan. He reported this was drawn up to give some basic ideas. Mr. Boyle stated if that was part of the application, you got about what you paid for. He said you could maybe get two (2) diamonds if you face them all in one (1) direction but that won't even take a twelve-year old bronco league. Councilman Colson asked what Mr. Boyle's education is in that area. Mr. Boyle reported he had seven (7) years at BYU, a professional engineer's license, a professional structural engineer's license, and he could have been a surveyor.

Eric Johnsen commented he had a couple of concerns about the rec center. He sent an email to the Mayor and Council. He said he was all for a rec center. He stated he felt we need it, but in the right place, so that most people can access it, without traffic problems, noise and light pollution. Mr. Johnsen believed before any of that happens; a business plan needs to be carried out. He commented if it's not viable, if financially it is not going to be self-supporting, why build it? He stated we don't need another swimming pool that will require a deep pocketed benefactor just to keep afloat like the Deseret Peak pool. He added concerning the pro bono Archiplex group, in the public records there is a check written for \$500 to Archiplex. Mayor Marshall confirmed that saying part of the work was pro bono and part was paid for.

George DeWeese stated he built his home on the J. Reuben Clark Estates so all of this is in his backyard. He said the reason he bought down there was for peace and quiet. He doesn't want anything in his backyard. He would like to keep the peace and quiet. Mr. DeWeese challenged the Council to think about this being in their backyard and if they want it in their backyard. He commented he was a Council Member in Mendon, Utah. They required green space in all developments and required it to be paid for by the developer. Mr. DeWeese asked them to put themselves in his shoes.

Jennifer Golson stated when she purchased her home four years ago she was told the City was planning to put in an equestrian center much like the rodeo grounds. She said the current rodeo grounds were a wonderful location to add more city buildings for growth. She also asked the Council to consider how they would feel if this was in their backyard. Mrs. Golson commented we already have a big deficit with the library and the new justice center. She asked if we have enough money to go towards something like this now or if it will become a burden on the public. Mayor Marshall answered if the ground were to be developed as that plan proposed; it would be done in phases. He added that citizens

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were adamantly opposed to putting the equestrian center there. Mrs. Golson said her husband has an MBA and he took a look at the plans. She stated that she does not think we have enough space for a swimming pool, all of the football players, and everything else. She suggested selling the land and buying a bigger parcel.

Jay Weyland commented that he is on the south border of this area where they would like to have the recreation area. He was excited to review the drawings when they were prepared. He explained he was excited because the land would be put to use rather than being left idle. Mr. Weyland reported as it is, it attracts varmints and predators. He stated he has lived in his home for thirty years and knows the history. He explained there was a developer named Joe Cange that did most of the development. He remembered Councilman James Christensen challenged Mr. Cange that when this development reached a certain stage, the developer would come in and upgrade Cooley Street. Mr. Weyland stated he would like to have ballparks down there because his granddaughter plays softball and currently she has to drive to Stansbury Park to practice. He added that he was against putting rodeo grounds on the property.

Todd Stewart stated he likes having the comments at the beginning of the meeting; but he would also like some comments at the end as well. He did not feel it would add a lot of time to the meeting.

No further comments were offered.

3. Summary Action Items.

- a. Approval of Minutes from the April 19, 2017 City Council Work Meeting, April 19, 2017 City Council Regular Meeting, and the April 26, 2017 City Council Work Meeting.
- b. Approval of Bills for \$120,625.01.

Councilman Critchlow stated he looked through the bills and did not see anything remarkable.

Motion: Councilman Colson made a motion to approve the summary action items as presented. 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.

4. Consideration of a final plat approval for Anderson Ranch Subdivision Phase 7B, which contains twenty-one (21) lots, for TP Grantsville, LLC and TP Development, Inc.

Rod Engar was present. He stated they have completed all of the requirements for approval on Anderson Ranch Phase 7B, which is a continuation of Phase 7A.

Mayor Marshall explained he has some concerns that go back to Phases 5, 6, and 7A. He reported there are issues not being addressed properly. He said some of the retention basins have bad erosion on them, it is being left to the current homeowners, and most of them do not have the money or equipment to take care of these problems. Mayor Marshall added there is a roadway that has a sinkhole in it. He added that it is still within its timeline, but Cannon Road has a sinkhole. He said another issue he has is that they create a lot of dust in that area and they do not spray much water. Mayor Marshall stated they use Worthington Street and the contractor working on Anderson Farms gets most of the blame for the dust.

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He said the road needs to be watered and maybe the two could take turns watering the road. He recommended to the Council that they not sign the final plat until these conditions are taken care of.

Mr. Engar explained Anderson Ranch Phase 7B is now his responsibility. They are going to landscape the retention pond in 7B. Mayor Marshall asked what about the retention basin in 5 and 6. Mr. Engar reported that he and Mr. Haerr went past some of the retention ponds Mayor Marshall was talking about and he believed they should have been landscaped. He said that is their intention from this point forward. Mr. Engar commented those retention ponds have been turned over to the Home Owners' Association. Mayor Marshall corrected him and said they are privately owned.

Mr. Greg Haerr was present. He stated he appreciated the concerns. He explained he has hired Mr. Engar to take better care of the daily issues during construction and other issues related. Mr. Haerr said they will fix the retention ponds. He added that it was his understanding the city did not want to maintain them and so they put them on as non-HOA public drainage easements. He reported they did not think about the homeowners not having the equipment or the money to maintain the easements and so the silt ended up clogging it over the years. Mr. Haerr said they will take responsibility for phase 6 and take care of them. Mayor Marshall said the homeowners felt like they had an extra burden put on them and they don't have the funding for it. He said if the developer will take care of the erosion, fix the drainage on phases 6, 7, and 7B, and they address the road at a future date when batch plants are up. Mr. Haerr explained they did not have someone here every day overseeing the development. He stated he is not happy with the maintenance of the roads. He reported they completed the asphalt on phase 7A today and he noticed the homebuilders are driving across dirt and right onto the new street. Mr. Haerr stated he does not want to see that either. He said they are going to correct that and Mr. Engar will make sure the streets don't get muddy. He reported they would fix the pothole and address the dust on Worthington Street by watering it. Mayor Marshall explained there is a resident living on Worthington Street that has a respiratory problem who has trouble breathing when the dust is stirred up. Councilman Critchlow asked if part of that is Anderson Farms too. Mayor Marshall answered that they have tried to water it, but he did not know who to contact from Anderson Ranch. Mr. Haerr remarked that Jennifer Williams has Mr. Engar's contact information and he can be called any time. Mayor Marshall demanded a timeline for the completion.

Mr. Haerr expressed concerns about landscaping if there is still water in the retention ponds. Mr. Engar explained they were hoping for approval and once they have it, they have scheduled to bring the equipment here on May 15th to begin construction. He said at that time, he will begin the correction of these problems. He expects to be able to complete them within days, not weeks. He believes it will be completed by the end of the month. Mayor Marshall commented that he knew they would be able to come to an agreement. He apologized it had to be that way, but some of these issues needed to be addressed. Mr. Engar stated he is anxious to get out here and getting to work.

Councilwoman Allen asked if it was an option to table this until they show they have complied. Mayor Marshall answered they could, but he did not think it would be necessary. He said if they don't comply, the Council still has the option not to sign the final plat on future phases. Councilman Critchlow asked if the road repair is under the bond. Mayor Marshall answered yes, it is and so it is covered but it is failing now. He would like to get it completed so it is back on a timeline.

Councilman Colson asked to hear from the resident with concerns. Daniel Ramsey commented on the sinkhole, the mud and dirt. He said part of his driveway is still dirt road and he does not have pavement past his property line. He said they are dragging mud down the road, there is concrete debris piled up just west of his house, and they have constant debris from the builders blowing on their property.

Councilwoman Allen asked if there has been an issue with flooding from all of the rain. Mr. Ramsey answered there is a problem with the mud that runs in. Mr. Engar explained one of the changes will be the contractor they will use here. They have two water trucks full-time, a sweeper full-time, and they manage a program for a large development. Mr. Engar has had no problem and he assured the homeowners that they will take care of them so they don't have these issues. Councilwoman Allen asked who the contractor is that they work with. Mr. Engar answered Trinity Construction.

Councilman Critchlow asked if there is more than one sinkhole. Mr. Ramsey answered there are two on Welles Cannon. Councilwoman Allen inquired about Mr. Haerr's concerns in phase 6A. Mr. Haerr answered the water in the retention pond is obviously a problem. He said because it was not hydro seeded, the rain has caused all of the silt to run down deep crevices in it and goes down to the bottom of the retention area. It has a French drain which is a square box built into it with a bunch of rocks underneath, but those rocks can't take all sorts of water; the whole area has to take the water.

Motion: Councilman Colson made a motion to approve a final plat approval for Anderson Ranch Subdivision Phase 7B, which contains twenty-one (21) lots, for TP Grantsville, LLC and TP Development, Inc. with the understanding these repairs will be completed by the end of May.

Councilman Tripp asked if they could give conditional approval. Mayor Marshall answered he thought that's what they were asking for. Councilman Colson inquired if by conditional Councilman Tripp was saying that he wanted it contingent with no signatures until all of these conditions have been met. Councilman Tripp asked if they could revoke signatures if the conditions are not met. Mayor Marshall stated it is in the minutes and you could say they never complied. Mr. Engar interjected that they do have the option of withholding building permits. Councilwoman Allen confirmed they are bringing in their equipment on the 15th. Mr. Engar answered if this proposal is approved, they are mobilizing on the 15th. Councilwoman Allen asked if they will have the option to review how much the developer has done towards this project and make sure everything is completed before a building permit is issued. Mayor Marshall explained they have to submit an application for a building permit, which is approved by the Building Department. But if they don't comply with this, then we don't have to approve the building permit. Therefore, he has a bunch of equipment sitting there doing nothing which will cost him money. Councilman Colson pointed out the equipment is coming in to do the next phase of the subdivision. They will do the roads and all of the infrastructure and have all of that ready to go, but they won't be able to put a house on it until we approve a building permit.

Motion: Councilman Colson made a motion to approve a final plat approval for Anderson Ranch Subdivision Phase 7B, which contains twenty-one (21) lots, for TP Grantsville, LLC and TP Development, Inc. on the condition that if these repairs are not completed by the end of May, then we will withhold issuing building permits for Phase 7B. 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.

5. Consideration of a 120-day final plat extension request for John Clay, Glenda Brafford, and Dave Helm for the Helm Estates Subdivision.

John Clay stated they will not need the extension because it's not going to happen.

Motion: Councilwoman Allen made a motion to deny a 120-day final plat extension request for the Helm Estates Subdivision. 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.

6. Presentation of the tentative 2017-2018 Grantsville City Budget by Mayor Marshall.

Mayor Marshall presented the tentative 2017 – 2018 budget. He explained this is only a tentative budget and stated he would like to set up work meetings with the City Council during the next month to go over each item. He proposed a conservative, balanced general fund budget of 5.2 million dollars. He reported that revenues are slowly increasing; he wishes to remain cautiously optimistic and keep a tight rein on expenses. He reviewed some of the current and proposed projects.

7. Consideration of adoption of the tentative 2017-2018 Grantsville City Budget.

Motion: Councilman Tripp made a motion to approve the tentative 2017-2018 Grantsville City Budget understanding that it is tentative and is subject to further adjustments. 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.

8. Consideration for the Council to set a date and time for the public hearing of the final budget. (June 07, 2017 at 7:00 p.m.)

Mayor Marshall requested the public hearing for the final budget be set for June 7, 2017 at 7:00 p.m.

Motion: Councilwoman Allen made a motion to set the date and time of June 7, 2017 at 7:00 p.m. for the public hearing of the final budget. 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.

9. Consideration for the Council to set a date and time for the adoption of the final budget. (June 21, 2017 at 7:00 p.m.)

Mayor Marshall requested June 21, 2017 at 7:00 p.m. for the adoption of the final budget.

Motion: Councilwoman Sparks made a motion to set June 21, 2017 at 7:00 p.m. as the date and time for the adoption of the final budget. Councilman Colson 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.

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10. Consideration of Ordinance 2017-04 adopting a new definition of public sewer for Title 7 of the Grantsville City Code and amending Chapter 2 to incorporate the new definition.

Mayor Marshall stated this was the ordinance discussed at the last meeting. He said it was sent to the Council Members for review.

Councilman Critchlow pointed out Section 7-2-13 Usage and permit fees, the fee for residential service is \$25 per month and non-residential service shall be charged \$20 for service. He asked if that may be a typo. Attorney Coombs answered that it must be. He suggested rewording it to state: "Residential services shall be charged a usage fee per month" and take out the number. He felt the same could be done with the non-residential services.

Councilwoman Allen asked if it was necessary to have the amount. Mayor Marshall commented that if you do, then every time you want to raise it, you have to change the ordinance.

Councilwoman Allen asked for clarification on what they were voting on. Mayor Marshall explained there were some housekeeping issues that were corrected and will eliminate the amounts for the fees.

Motion: Councilman Critchlow made a motion to approve Ordinance 2017-04 adopting a new definition of public sewer for Title 7 of the Grantsville City Code and amending Chapter 2 to incorporate the new definition minus the numbers. Councilman Colson seconded the motion with the addition of removing the numbers in Section 7-2-19. The vote was as follows: Councilman Critchlow, "Aye", Councilwoman Allen, "Aye", Councilman Tripp, "Aye", Councilman Colson, "Aye", and Councilwoman Sparks, "Aye". The motion carried.

11. Consideration of applying for the USDA funding for water and sewer projects.

Mayor Marshall reported this is what they talked about in the last meeting. He provided information to the Council. Councilman Tripp did not have the information, but he felt he could trust the Council to make the right decision on it.

Mayor Marshall explained we would be putting about \$2 million into this project. He explained the funding for this project does not all come from the general fund; there are funds that are Impact Fee eligible. He commented that this project is a big undertaking but it needs to happen. He stated he needed to know if the Council wanted to file with the well or without it.

Councilman Tripp felt the well was important to the future and it should be included. Councilman Critchlow agreed.

Councilman Colson clarified that as part of the USDA commitment; they would give us numbers on the fees to be sure we are covered to pay the loan back. He made sure that by approving this tonight, it does not commit them to the budget.

Councilwoman Allen expressed appreciation for the City taking a proactive approach to future growth.

Motion: Councilwoman Allen made a motion to approve the applying for the USDA funding for water and sewer projects including the drilling of the north well. Councilman Colson 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.

12. Mayor and Council Reports.

Mayor Marshall provided information to the Council from the Safe Routes to School Project, the Grantsville DUP Museum, and the WFRC. He met with Hadco concerning the trucks using the roads in the City. He attended the Transcom meeting at the WFRC and the C.O.G. meeting. Mayor Marshall met with Commissioner Bitner concerning the Hadco trucks. He attended a meeting with Craig Neeley and Sherrie Broadbent about the sidewalk on Quirk Street from Cherry Street to Durfee Street. Mayor Marshall attended a conference on Mental Health Crisis. He attended the Justice Center construction meeting. He interviewed the high school scholarship applicants. He presented trees to students from the fifth-grade classes at Willow Elementary and Grantsville Elementary. Mayor Marshall attended the economic development meeting with Councilman Colson. There were seven sites that were submitted. The Mayor reported our sure sites need to have some environmental work done. Mayor Marshall explained Purple would like us to create a recycle zone around their facility. They will recycle products used in their manufacturing and would allow the company to receive a tax credit. There were 317 trees purchased by residents. The City purchased 185 trees with the grant that we had. Councilmembers need to turn in their receipts from the conference in St. George. Mayor Marshall announced that UCAN fees have been eliminated due to SB 198. Mayor Marshall reported there was an accident in Hollywood Park involving a soccer player. Mayor Marshall would like to schedule some work meetings to go over the budget for May 17th at 5:00 p.m. He will provide dinner. The Mayor said if needed, we could have a short meeting on May 24th at 5:00 p.m.

Councilman Critchlow has received many comments about the condition of Burmester Road. Mayor Marshall stated Burmester Road is a road that we will address. Councilman Critchlow reminded everyone that Baby Animal Days will be held again this weekend. He asked Susan Johnsen how many people attended the week before. She answered a conservative estimate was 2,500 people. Councilman Critchlow stated he would like to start a series of fun walks and call them park-to-park walks. He would like to start at one park and walk to each of the parks. He would like to begin on May 20th and run through July 15th. Councilman Critchlow explained he would like to have a movie at the park after the final walk. He said he is good with the recycle zone for Purple. He talked to an employee at Purple. Councilman Colson pointed out they do not have all of their lines up yet, but they are paying their employees for full-time work.

Councilwoman Allen reported on the HPC Meeting last week. She expressed appreciation to those who attended. They received great input. She stated they received three (3) bids. Chairperson Alta Batterman will present the information to Mayor Marshall. Councilwoman Allen thanked Mayor Marshall and the staff for addressing the concerns at Hollywood Park. She received a compliment on the pickleball court. Councilwoman Allen commended the residents who commented on the recreation area. She asked them to save their comments so they can know them when this is discussed again.

Councilman Colson commented on parking issues at the Clark Farm. He received comments from residents when their driveways get blocked off. Susan Johnsen said they will look into options.

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Councilman Colson stated he would agree to having public comments at the beginning and the end of the meeting. He likes hearing what the residents have to say.

Councilwoman Sparks agreed with Councilman Colson about having comments at the beginning and end of the meeting. She asked about mowing at the cemetery. She was wondering if we are on a routine schedule yet. Mayor Marshall said we have two people and are in the process of hiring the summer hires.

Councilman Critchlow asked if the Mosquito Abatement could take care of the mosquitoes at the ball fields at Deseret Peak Complex. Councilman Tripp will look into it.

Councilwoman Allen stated the second set of goal posts are locked and asked if the City has a key. Mayor Marshall reported there are no nets for them, which is why they are locked. He said the City has ordered nets.

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

There was no closed session.

14. Adjourn.

Motion: Councilman Colson made a motion adjourn. Councilman Critchlow seconded the motion. The meeting adjourned at 8:29 p.m.