

Approved

MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL, HELD ON SEPTEMBER 20, 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 Krista Sparks, Mike Colson, Tom Tripp, Jewel Allen, and Neil Critchlow.

Appointed Officers and Employees Present: Brett Coombs, Christine Webb, Kerri Anderson, Kristy Clark, and Chief Enslin.

Citizens and Guests Present: Steve Howe, Derek Dalton, Chris Cole, Josh Schultz, Carlene Schultz, Austin Allred, Peter Larkin, and Todd Stewart.

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

AGENDA:

1. Public Hearing:

- a. **Proposed amendment to the Grantsville City Street Master Plan to revise the standard street width.**

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

2. Public Comments.

Debbie Spilman thanked the Council for the opportunity to speak. She asked if the Council Members could go to the State Environmental Office to ask why it has taken years for the Tooele Army Depot to move the detonations to the south area. She expressed her frustrations with the blasting. Mrs. Spilman stated one day she and her husband were out riding their side by sides and as they came back home, they were overcome with the smoke from one of the munition blasts. She reported that she has since developed asthma and wonders how much of whatever is in the smoke plumes played a role in her asthma. She had not heard them recently and thought they may have moved to the south area. Then on Monday they started blasting again and have continued through today. She called the Depot on Monday to find out why they were blasting. She was told they are still planning on moving the detonations to the south area but they are waiting on the State to give them the approval.

Councilman Tripp asked Mrs. Spilman if she has contacted the Division of Air Quality. Mayor Marshall commented that the DAQ is where it is being held up. Councilman Tripp asked if it has gone through the loop in Region 8, in Denver. Mayor Marshall answered no it has not. Councilman Tripp stated until that happens, the State cannot move forward.

No further comments were offered.

3. Summary Action Items.

- a. Approval of Minutes from the September 6, 2017 City Council Meeting and the September 11, 2017 City Council Work Meeting.
- b. Approval of Bills in the amount of \$1,273,520.13.

Councilman Critchlow asked why the funding for one of the Toyota trucks was coming from the garbage fund. Mayor Marshall explained Robin uses it mostly for delivering and exchanging garbage cans. Councilman Critchlow asked about the skidster supplies. Mayor Marshall said they bought some parts to repair the hydraulic sweeper. Councilman Critchlow asked how much we are getting back on the recycling. Mayor Marshall answered he was not sure. Councilman Critchlow pointed out we paid \$9,000. Mayor Marshall explained it isn't just that cost, we are paying \$42 per ton in tipping fees for garbage and there is no tipping fee on the recycling. Councilman Critchlow requested a report on how much we have received back on the recycling.

Councilman Colson asked if the School District helps out with the striping of the cross walks. Mayor Marshall answered they do not. Councilman Colson asked how many new computers the Fire Department received. Mayor Marshall said they got one and it was a laptop for Travis Daniels. There were two computers bought for the Maintenance Shop.

Councilwoman Allen asked about Ensign Engineering and the Donner Reed Museum. She asked what the name of the company contracted to do the repairs was. It is Abstract Masonry. Mayor Marshall explained Ensign Engineering was brought in after they removed some of the stucco to look at the structural stability.

Motion: Councilwoman Allen 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. Reconsideration of Ordinance 2017-07 amending the official zoning map of Grantsville City, Utah by rezoning 5.05 acres of land at 300 South SR112 for the SR112 Development Group to go from a CS zone to a RM-15 zone.

Mayor Marshall stated this was the item that was reviewed by the Board of Adjustment. Peter Larkin is a partner of the SR112 Development and spoke on this item. He thanked the Council for hearing them again. They wanted to appeal the denial for two reasons. They have a substantial amount of money invested. They met with the planner and as they followed the advice of the planner, they felt this was something the city would need. And that it fell within the Land Use parameters and the General Plan. Mr. Larkin stated when the zone change was denied, they were in shock. They want to make sure the City Council knows what they are doing and how they thought it would fit into the community. Mr. Larkin explained he has lived in Draper for forty years and he served on the Draper City Council from 2004 - 2008. He commented that he knows how difficult it is to sit in those seats. He stated he realized early on when he was on the city council, that he would go home and be weighed down with the decisions

he had made. He explained his process for his decision-making. He felt developers are the ones who pay for the infrastructure in a city and can be great allies. He expressed his belief that the city council and developers need to work together. His goal was to do what was right for the city not just for today, but also for the future. Mr. Larkin stated they are interested in bringing some apartments that are a necessary part of spurring commercial growth. A properly done, professionally managed apartment complex helps bring in rooftops to attract new commercial businesses. He asked if the council had any specific questions.

Councilman Critchlow asked Austin Allred to explain about the Section 8 housing vouchers. Austin Allred answered they are doing market rate apartments; they are not going to do low income or subsidized housing. He provided a letter from DeAnn Christiansen from the Tooele County Housing Authority to the Council Members. He reported that DeAnn strongly agrees that apartments are needed in Grantsville. He read from her letter, "We understand that your planned project consists of 72 market rate rental units. We are in support of your proposed development and believe your project to be a much-needed resource in Grantsville. Tooele County in general has been experiencing a shortage of rental stock for households of all income ranges. There are many single family homes being built, which is great, but in my opinion, we are not keeping up with the demand for rental housing." Mr. Allred stated they want to build market rate apartments. They will be placed at the back of the property with commercial along SR112.

Councilwoman Allen asked how they expect to attract commercial with more residential. Mr. Allred answered that right now commercial is driven by rooftops. He commented that apartments are something they can use on this property; it is the direction they were lead and it fits with the General Plan. He stated they feel it will bring in commercial. Mr. Larkin explained businesses look at the number of potential shoppers before they will look at locating in the area. Chris Cole stated they went this route with residential behind the commercial because that is how it has worked well in other communities. He reported these are very attractive apartment buildings and are successful in attracting businesses.

Councilman Tripp pointed out once the zone has changed, they could sell the property and the new developer can do whatever they want under the new zoning. He explained his concerns with approving the zone change. He commented that the Council is dealing with this type of situation at the west end of town.

Councilwoman Allen asked how they plan to address the concerns from the neighbors about traffic for residential and children going to school. Mr. Allred said that would be dictated by the Council; they will draw up the concept plans, which will have their streets. He explained they have met with UDOT to confirm they have two accesses. Councilwoman Allen stated she echoed what Councilman Tripp said as far as dealing with another developer and the zone change. Mr. Larkin explained the code and our City standards how the Council controls everything. He thought the question for this meeting was, "How do you want your city to grow?" He asked the Council where they would put apartments if they do not allow them in the proposed area.

Councilman Critchlow remarked that his whole process in thinking this through is that this will affect those people that have lived there for a long time. He asked how they are going to mitigate the process for those people. Mr. Allred answered that he did not know how he was going to help them. He added the development is between two highways and with the growth of Grantsville, apartments are what the Council should want there. Mr. Larkin asked if the Council Members will ask the same question if a Walmart wanted to build on this property.

Mayor Marshall stated this is a rezone. Councilman Tripp pointed out it is a reconsideration. He commented that normally for a reconsideration, there is someone on the winning side wanting to revoke it. He was not sure they have that. He pointed out this went to the Board of Adjustment and it was their job to decide if the Council had acted outside of their authority or in contradiction of their regulations. He asked if they had decided that. Attorney Coombs answered they did not. Councilman Colson asked if the Board of Adjustment had decided just to send it back to the Council. Attorney Coombs replied they sent it back for a reconsideration. Councilman Tripp reported they sent it back because they received more information. He pointed out when you have an appeal process, you appeal what the record is; you do not get to add new arguments. Attorney Coombs said there are exceptions to that. He emphasized the Board of Adjustment is not a court proceeding but is meant to provide information and hopefully a recommendation. He advised a new vote.

Councilwoman Allen reminded the Council Members that Shay Stark from Aqua Engineering had counselled them to stick to the general plan and not do piecemeal zoning changes.

Councilman Colson asked Attorney Coombs if he needed to recuse himself from voting on this item because he recused himself from the previous vote. Attorney Coombs felt he would need to research this topic. He suggested tabling until he could give an answer.

Councilwoman Sparks stated she is in favor of this. She pointed out the Council does not ask all developers what they are going to do for the neighbors. Councilman Critchlow commented that he is worried about the height. Councilwoman Sparks felt it would be better to have residential backed up to the neighbors rather than commercial. Councilman Colson felt this is a good area for the apartments.

Councilman Tripp pointed out a Planned Unit Development would give the Council more control. He added that Mr. Stark told them that making this property commercial for the mortuary was a bad choice because it created a spot of something in the middle of something zoned entirely different.

Motion: Councilman Tripp made a motion to not reconsider Ordinance 2017-07 and leave the current decision in place. Councilwoman Allen seconded the motion.

Councilman Colson stated that he totally disagreed. Councilman Critchlow wished to table and then have them come back to discuss a planned unit development. Councilman Colson commented on the Board of Adjustment's decision. He did not feel they did their job. Councilman Tripp stated he did not blame anyone on the Board because this was new. He

thought there were some other inconsistencies. He did not think they were given enough chance to make a good decision.

Motion: Councilman Tripp made a motion not to reconsider Ordinance 2017-07 and let the current decision stand. Councilwoman Allen seconded the motion. The vote was as follows: Councilman Critchlow, “Nay”, Councilwoman Allen, “Aye”, Councilman Tripp, “Aye”, Councilman Colson, “Nay”, and Councilwoman Sparks, “Nay”. The motion failed.

Motion: Councilman Critchlow made a motion to table Ordinance 2017-07 and have the SR112 Development Group come in with a PUD. Councilman Colson seconded the motion with the amendment that they can come in with the option of a PUD and for Attorney Coombs to find out if he can vote and have an opinion on it and if they do not want to come back with a PUD, then they can come back for a decision based on tonight. The vote was as follows: Councilman Critchlow, “Aye”, Councilwoman Allen, “Nay”, Councilman Tripp, “Nay”, Councilman Colson, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried and Ordinance 2017-07 was tabled.

5. Consideration of Ordinance 2017-12 amending the General Plan of Grantsville City, Utah and the Street Master Plan to define minimum width for residential roadway sections.

Motion: Councilman Tripp made a motion to approve Ordinance 2017-12 amending the General Plan of Grantsville City, Utah and the Street Master Plan to define minimum width for residential roadway sections. 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.

6. Review of the Standard Operating Procedures for the Fire Department.

Mayor Marshall asked if the Fire Department representatives wished to address the Council. Chief Phillips and Second Assistant Daniels explained they will make all necessary changes prior to presenting to the City Council for approval. Councilwoman Allen asked how these SOPs compare to the current SOPs. Second Assistant Daniels answered the Fire Department does not have any SOPs currently. He explained this will set the tone and the procedures on how they do things. Right now he can ask the fire fighters to wear their seatbelts, but by adopting these SOPs, it will be law that they have to wear their seatbelts.

Councilwoman Sparks asked if the department had input on writing the SOPs. Second Assistant Daniels answered they had a seven member board work on them.

Councilman Tripp stated the Council will need more time to read through them.

Motion: Councilman Tripp made a motion to approve the Standard Operating Procedures as provisional to allow the Fire Department to operate under them and to be considered in two weeks. 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 blinds and shelving/storage for the Justice Center.

Chief Enslin stated there were two proposals for Council approval. One was for the blinds and the other was for the shelving and storage. The blinds were put out for bid and only one bid was received for \$9,528.74. Councilman Colson asked how many windows this will cover. Chief Enslin answered it does not include the windows in the courtroom because they are higher windows, but it does cover the windows in the training room. Councilwoman Sparks asked why they are motorized. Attorney Coombs pointed out under the quote it says manual roller.

The shelving was put out for bid as well. Two bids were received. One bid was from Space Saver and the other was from Eddie Martin’s company, Technical Interiors, Inc. The low bid was from Technical Interiors, Inc. for \$18,055.

Motion: Councilman Tripp made a motion to approve the purchase of blinds and shelving/storage for the Justice Center. 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. Mayor and Council Reports.

Mayor Marshall attended the Joint Policy Advisory Committee Meeting to discuss with UTA about coming into a community without permits or notification of their plan. They agreed to move the shelter on Center Street to the City Hall location and look for another location. Both shelters are located in the public easements. Mayor Marshall met with Ace Disposal concerning the bulk pickup. Information about the bulk pickup will be in the Mayor’s newsletter. The Mayor attended the EDC Utah Annual Meeting where new and reappointed board members were approved. He met with the Water Quality Board and submitted our application for the Main Street Sewer Project. Mayor Marshall met with UDOT twice about the pedestrian crossings on Main Street. They will both be pedestrian activated. He attended the construction meeting on the Justice Center, the homecoming events, and the Lantern Fest about the traffic plan. He met with Bryce Huff from Utility Cost Management Consultants about monitoring the City’s utilities to make sure we are being given credits, etc. The Mayor asked if the council is interested in having Mr. Huff make a presentation. Councilman Critchlow stated there are several companies that provide this service and we should look into it. Mayor Marshall explained we are having issues with our iTunes account for the iPads. He asked if anyone has a phone number ending in 96 or if they have been contacted by Apple to talk to Sherrie Broadbent. The Mayor stated October 10th is the next planning meeting for subdivisions from 5:30 p.m. – 8:30 p.m. Councilman Tripp cannot attend that night because he has a Mosquito Board Meeting. Mayor Marshall suggested having Kristy send out an email to schedule the meeting.

Councilman Critchlow stated the Fire Department was going to have a bike rodeo on Friday, but it is going to rain and snow, so it has been postponed. He appreciated everyone’s attendance at

the subdivision meeting with the Planning Commission. He reminded everyone that the Honey Harvest Festival is coming October 13 – 14. He said it is a big deal, last year they had about 6,000 people attend.

Councilwoman Allen talked with Dawn from Ace Disposal. They talked about taking a tour of the recycling facility. She asked if there is general interest among the Council. She will let the Council Members know when they can schedule it. Councilwoman Allen attended the ULCT Conference last week. She felt it was one of the best conferences she has attended. She provided her notes by email to the other Council Members. She was elected to the ULCT Board of Directors and is excited to be a voice for Tooele County and Grantsville City. She attended the Library Board Meeting and commended the library staff.

Councilman Tripp reported on the Mosquito Abatement Board. They've treated 3,500 acres for adulticiding and 67 acres for larvaciding. They have found no pools with West Nile Virus in the 37 pools tested in Tooele County. In the state of Utah, there have been 22 human cases of West Nile virus with one fatality. The tarsalis mosquito, which is a carrier, is at its peak this time of year. The Zika Virus has had a huge decrease. Councilman Tripp said that no one knows why. He reported he talked to someone involved with Tooele Softball and he was hugely complimentary of the Grantsville Softball organization. He thought it was the best organized and well-funded by their own activities. Councilman Tripp commented that Troy Johansen and whoever else is involved in that is well thought of in the statewide softball community. Councilman Tripp stated the Grantsville Art Council's production of "Joseph" at the Clark Farm encouraged people to park at the Park-n-Ride lot, which was fairly well used. He hoped they will continue to encourage that to have less congestion in the neighborhood.

Councilman Colson reported the Tooele County Health Board is meeting Tuesday, September 26th. They plan to finalize the septic tank regulations. They are going to start testing the schools' water for lead.

Councilwoman Sparks asked about trucks and a weight ordinance. Mayor Marshall said we are working on it.

Attorney Coombs had someone ask if there will be a corn maze this year in Grantsville. The Council did not think so. Attorney Coombs stated they are going to put the new Justice Center to work right away. Judge Elton has scheduled a jury trial the first week after the Justice Center is open. The Utah Land Use Institute is having their fall conference on October 24 – 25. If the Council Members are interested in attending, he will forward the email.

9. Public Comments.

No comments were offered.

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

Approved

Motion: Councilwoman Sparks made a motion to go into a closed session to discuss pending litigation and personnel matters. 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 and the Council went into a closed session at 8:45 p.m.

Those in attendance were: Mayor Marshall, Councilwoman Sparks, Councilman Colson, Councilman Tripp, Councilwoman Allen, Councilman Critchlow, Kristy Clark, Chief Enslin, Brett Coombs, and Christine Webb.

Motion: Councilwoman Sparks made a motion to go back into an open session. 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.

11. Adjourn.

Motion: Councilman Colson made a motion to adjourn. Councilwoman Sparks seconded the motion. The meeting was adjourned at 9:31 p.m.