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MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL, HELD ON DECEMBER 6, 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, Sherrie Broadbent, and Chief Enslin.

Citizens and Guests Present: Rob Critchlow, Derek Dalton, Susan Bale, Scott Stice, Debra Spilman, Rod Engar, Glen & Sharon Boyle, and Steve Howe.

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

AGENDA:

1. Public Hearings

- a. **Proposed conditional use permit application and related site plan for Gene Hoopes on moving existing Funeral Parlor Business from 150 W. Main to 50 W. Main.**

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

- b. **Proposed rezone of 14.06 acres of land at approximately 1310 N Old Lincoln Hwy. for Susan Bale to go from an A-10 zone to a RR-5 zone.**

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

2. Public Comments.

Wayne Boyer stated he was not notified about the Clover Meadows Subdivision or he would have commented at the public hearing at the Planning Commission and the City Council Meetings. Mr. Boyer explained the development is just north of his property. He said the first problem is with the irrigation line that runs through lots 103 and 110 (it is a six-inch water line) and it goes through to his property. He suggested they tie into the irrigation on the Anderson Ranch line and bring an eight-inch line to their property for outdoor water. Mr. Boyer said there have been many problems for the last five to seven years with the irrigation. He needs 600 gallons per minute 40-45 psi to keep his sprinkler lines watering his property. Mr. Boyer reported the other problem is the fencing. He said there have been problems with the fence on the side of the property that abuts Anderson Ranch. When his livestock gets free, there are complaints. He felt the developments are invading on him. Mr. Boyer expressed concerns about the retention basin.

No further comments were offered.

3. Summary Action Items.

- a. Approval of Minutes from the November 9, 2017 City Council Work Meeting, November 15, 2017 City Council Work Meeting, and November 15, 2017 City Council Meeting.
- b. Approval of Bills in the amount of \$303,840.68.

Councilman Critchlow commented there were many things on the bills for the Justice Center. Sherrie Broadbent reported those were not part of the construction. They are for the computer system. Councilman Colson asked about the number of juror fees. Attorney Coombs answered there was a jury trial with two separate defendants.

Motion: Councilman Colson made a motion to approve the summary action items as presented. Councilman Tripp 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 approval of the new Fire Fighters.

Assistant Fire Chief, Rob Critchlow, explained the approval of these new fire fighters does not get them to full staff, but it does get them close. He introduced the new fire fighters. The proposed new fire fighters were Joseph Lopez, Geoff Rains, Dakota Bird, Brett Haight, Kaidon Elmer, Danny Adams, Jonathon Ligen, and Steve Nickel. Mayor Marshall asked if they had cleared a background check. Chief Critchlow answered that they had.

Motion: Councilwoman Allen made a motion to approve the new Fire Fighters as presented and thanked them for their willingness to serve. 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.

5. Auditors’ Report.

Steve Rowley from Keddington and Christensen explained that he works with Sherrie Broadbent each month and acts as a liaison between the City and the auditors. He spoke with the auditors, Gilbert and Stewart, today. They had another engagement tonight and asked him to present the report on their behalf. He reviewed the process and responsibilities. There were no findings in the audit. Mr. Rowley stated the City is audited twice, because he reviews our books each month and then Gilbert and Stewart perform the audit once a year. He suggested the Council Members read the audit report on their own. He explained the report does discuss the internal controls of the City. They look at the controls of money coming in and going out, how the payroll is processed, and how the financial statements are prepared throughout the year, as well as at yearend. According to the report, they did not find any weaknesses or deficiencies on how the controls were set up or operating. Mr. Rowley stated that is as clean of a report as you can get

on that. There were no instances of non-compliance related to that. The last report is the one required by the State Auditor. It is the State Compliance report. Grantsville City complied with all State requirements. Mr. Rowley believed that is five years in a row with a clean audit.

Councilwoman Allen asked if this was the first year we had the pie chart in the audit. Mrs. Broadbent said there was one on the audit last year as well. Councilwoman Allen would like to see it posted on the city website. Councilman Tripp asked to have more time to review the audit.

6. Consideration of approval of the 2016-2017 Independent Audit Report.

Motion: Councilman Tripp made a motion to table the 2016-2017 Independent Audit Report until the next meeting in December. 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.

7. Consideration of a conditional use permit application for Gene Hoopes on moving existing Funeral Parlor Business from 150 W Main to 50 W Main.

Derek Dalton represented Dalton-Hoopes on this item. Mayor Marshall said this was ready to go and the Council had the information from the Planning Commission. Attorney Coombs explained this property is located on Main Street in the CS zone. He stated that according to the City’s land use code, the CS zone requires a PUD which is more for a development. Mr. Coombs met with Mr. Hoopes, Kristy Clark, and Randy Hunt regarding their intent. After the meeting, he felt that a conditional use permit was sufficient. Councilman Tripp asked if they had gone through a PUD or a CUP at their current location. Mr. Coombs answered that they should have. Zoning Administrator, Kristy Clark, reported that she could not find any documents on their original location.

Motion: Councilman Critchlow made a motion to approve a conditional use permit for Gene Hoopes to move the existing funeral parlor business from 150 W. Main Street to 50 W. Main Street. Councilman Tripp 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 of Ordinance 2017-19 amending the official zoning map of Grantsville City, Utah by rezoning 14.06 acres of land at approximately 1310 N. Old Lincoln Hwy for Susan Bale to go from an A-10 zone to a RR-5 zone.

Susan Bale was present on this item. Mayor Marshall stated Mrs. Bale was rezoning for personal reasons. Mrs. Bale stated she was looking ahead at possible scenarios to make it easier if her son returns to Utah to build a house near her. There are no current plans on anything. Councilman Tripp clarified this is a rezone, not a subdivision. Councilwoman Allen explained she was inclined to approve this rezone, but wished to know what ramifications there might be. Mayor Marshall said he saw no reason why this could not be granted. Councilman Tripp pointed out

that this may be approved, but there is no guarantee that anyone gets a rezone just because they want one. Attorney Coombs reported this rezone does not match the general plan.

Motion: Councilman Critchlow made a motion to approve Ordinance 2017-19 amending the official zoning map of Grantsville City, Utah by rezoning 14.06 acres of land at approximately 1310 N. Old Lincoln Hwy for Susan Bale to go from an A-10 zone to a RR-5 zone.

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 of a final plat approval for Anderson Ranch Subdivision Phase 8A, which contains twenty-seven (27) lots, for T.P. Grantsville, LLC and Rod Engar.

Rod Engar was present. He stated they have met all of the requirements. They have pulled all of the building permits on phase 7B and the market is still strong for this development. Mayor Marshall stated the development agreement will be approved when phase 8B is on the agenda. Councilwoman Allen asked about the discussion on the road at the Planning Commission meeting. Mr. Engar explained the plan for Worthington Street. He said rather than construct Worthington Street from Sagebrush to future Nygreen before the construction of the phase 8B, they would like to wait to keep the construction equipment from driving on the new road while they are in phase 8A. Mayor Marshall pointed out that they will have to make the road a hard packed surface until they pave it. Councilwoman Allen clarified that the Worthington will be a ninety-foot collector road. Mr. Engar replied that includes the right of way and their half is twenty-three feet. The Council discussed the construction of Worthington Street. The sidewalk will be completed at the same time as the road when they construct Worthington Street. Councilman Tripp inquired as to whether the houses in this phase have been counted against our sewer distribution calculation by Aqua Engineering. Mayor Marshall confirmed that they have been counted.

Motion: Councilwoman Allen made a motion to approve the final plat for Anderson Ranch Subdivision Phase 8A, which contains twenty-seven (27) lots, for T.P. Grantsville, LLC and Rod Engar with Worthington Street to be completed with Anderson Ranch Subdivision, Phase 8B according to the Planning Commission suggestion. 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.

10. Consideration of a final plat approval for Mustang Ridge Subdivision Phase 1, which contains twenty-six (26) lots, for Land Development, LLC and Adam Nash.

Adam Nash was present. He stated they have been in the approval process working with UDOT. Mr. Nash reported that Perry Homes will be the builder on this subdivision. They will loop a water line to Main Street. They cannot build in the right of way until April 15th or until weather permits.

Attorney Coombs asked about the multi-family home proposal. Mr. Nash answered they are planning to put in townhouses in that area. Attorney Coombs said that will require a PUD application. Mayor Marshall recommended that if this is approved, the final plat cannot be recorded until the water has been dedicated. Mr. Nash stated there are no issues with the water; it is at the State Engineer's Office awaiting their signature. He said it will be completed by the end of the month.

Councilman Tripp asked about the water retention. Mr. Nash answered they have to catch the water on Main Street and pull it back into their subdivision. He explained the back of lots 108, 109, and 110 will be sculpted as basin. The basin will be in the backyards of those lots. He added they will have a waterline (18 inch reinforced concrete pipe) that goes underground along the east boundary of lot 105.

Motion: Councilwoman Allen made a motion to approve the final plat for Mustang Ridge Subdivision Phase 1, which contains twenty-six (26) lots, for Land Development, LLC and Adam Nash contingent upon the completion of the water dedication to Grantsville City. 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.

11. Consideration of a final plat approval for the Clover Meadows Subdivision, which contains ten (10) lots, for Ginger Built, LLC and Hawthorne House Investments, LLC.

Barry Bunderson represented the developers and owners on this item. He stated that he heard Mr. Boyer's comments and concerns. Mr. Bunderson reported that he has spoken to Jared Shupe (the owner of Ginger Built) and he has agreed to participate in getting t-posts and barbed wire for the fence if it is dilapidated. Mayor Marshall asked if that was acceptable to Mr. Boyer. Mr. Boyer answered that all he wants is to protect his animals. Mayor Marshall asked if Mr. Boyer wanted field fence rather than barbed wire because barbed wire can be stretched. Mr. Boyer answered that he wants to keep his livestock contained. Councilman Tripp pointed out that it would be good to have someone commit to they're doing so they understand their obligations. Mayor Marshall said the Council could put in their motion that the fence has to be field fence and how high they would like it. Councilwoman Sparks asked if there is anything there now. Mr. Boyer replied it has what he has put up. He stated it has been okay because there haven't been houses there, now he's got a problem. Councilwoman Allen asked what field fence is. Mayor Marshall and Councilman Tripp explained it is a square wire mesh fence with a couple strands of barbed wire above it.

Mayor Marshall asked what they plan to do with the irrigation line. Mr. Bunderson reported they provided the Irrigation Company with information a year ago. The Irrigation Company has placed some conditions and they are in the drawings. Mr. Bunderson stated he has not received any redline from them. He added they have been going through the process on this subdivision for a year with concept approval, etc. and now they are here for final plat approval. He said he understands they have to work with the Irrigation Company to solve some of the technical things,

but they not received any redline or engineering layout. Mr. Boyer stated he has been up there and told them what to do.

Motion: Councilwoman Sparks made a motion to table the final plat for the Clover Meadows Subdivision until more information is available on the fence and the irrigation line. Councilman Tripp 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. Consideration of entering a contract to have the City’s utility accounts reviewed for overcharges, unnecessary costs, and miscalculations.

Mayor Marshall stated this was concerning the two companies that have presented at previous Council Meetings. Each will look at the City’s utilities to determine if we have been overcharged, etc. The companies were Utility Cost Management Consultants and Nationwide Consultants. Mayor Marshall recommended approving the contract with Nationwide Consultants due to the terms of the contract. Councilman Tripp agreed because they have a three-year period rather than a five-year period and the split will be 60-40, in our favor.

Motion: Councilman Tripp made a motion to approve a contract with Nationwide Consultants. 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.

13. Mayor and Council Reports.

Mayor Marshall stated he would like to review the scope of work on the general plan provided by Attorney Coombs. Attorney Coombs explained that what he presented to the Council was bare bones of what an RFP could look like. He added the last two pages were a proposed definition of what the scope could be that Councilman Tripp and Councilwoman Allen prepared. Councilwoman Allen explained the University of Utah has a program where students will work with the City to gather information for a vision. She reported that she has worked with Councilman Tripp on this and gave the pros and cons of the program. The Council was concerned about the timeframe and decided to hold off until later in the year on this program. Mayor Marshall stated he and Councilwoman Allen discussed having Shay Stark from Aqua Engineering work on the changes to the general plan.

The Council decided to have an early work meeting on December 20th with Shay Stark to allow the Council Members to list their top three items to begin work on. Councilwoman Allen asked if Mr. Stark works on drafting the RFP, can Aqua Engineering still bid on the project. Attorney Coombs said he would have to look into it.

Mayor Marshall met with Travis Bingham on the Northstar Ranch Subdivision, representatives from the Utah Workers Government Trust, and Rocky Mountain Power on the power increase to Purple. The Mayor and Sherrie Broadbent attended the Water Quality Meeting for the sewer

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project. They received approval for a thirty-year loan with 1.75% interest rate. The Mayor stated that work has started on the Donner Reed Museum restoration. He attended the Tip a Cop event last night at Casa del Rey. Mayor Marshall said the staff would be working to move the Police Department and the Justice Court on Friday and Saturday. He explained that he and Sherrie would be going to the Department of Natural Resources on the water loan. January 11th at 6:00 p.m. will be the open house for the Justice Center.

Councilman Critchlow invited everyone to the Fire Department Christmas Party. He reminded those present that the Live Nativity is this Saturday and Monday at the Clark Farm.

Councilwoman Allen asked if January 11th is the ribbon cutting for the Justice Center. She stated that she enjoyed participating in the Light Parade. She suggested providing some kind of entertainment while the kids wait in line to make it seem like less time to wait. Councilwoman Allen expressed appreciation to the Fire Department for hosting Santa at the Fire Department. She received comments that it was nice to have the royalty there. Councilwoman Allen reported the Historic Preservation Commission's booklet was sent to the City Council by email. She asked them to review it and give their blessing to proceed by Monday morning. The goal is to unveil the booklet at the Sociable.

Councilman Tripp stated that as he went through the agenda for today, he was reminded that we need to do something about drainage basins. He said he found the Transcript's article on the bills paid and how much the County stands to make on the sale of the racetrack very good.

Councilman Colson reported on the Tooele County Board of Health Meeting. He stated they completed the lead in the schools survey. They found no lead in Tooele County schools. The Senior Expo had a good turnout. Salt Lake City had a senior expo the same day, but there were over 400 people participate in the Tooele County expo. They finalized their onsite wastewater for subdivisions. The final reading is that it affects only unincorporated areas of Tooele Valley and all lots within the proposed subdivision must be a minimum of five acres per lot. They will review minor subdivisions if the subdivision creates no more than four lots, is not part of a multi-phase subdivision and the lots are at least one acre in size to determine if they will allow an exception.

Councilwoman Sparks said she wished to give props to Sherrie Broadbent for five years of clean audits. She stated that Sherrie is her safety net when it comes to all things financial at the City. If Sherrie says we're good, then we know we're good.

The Christmas party is December 12th at the TATC.

Attorney Coombs commended the Police Department once again. He stated they have had a couple of big busts over the last week.

14. Public Comments.

No comments were offered.

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

Motion: Councilwoman Allen made a motion to go into a closed session to discuss pending litigation. 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 the Council went into a closed session at 9:03 p.m.

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

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

16. Adjourn.

Motion: Councilman Colson made a motion to adjourn. Councilwoman Sparks seconded the motion. The meeting was adjourned at 9:34 p.m.