

MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL, HELD ON FEBRUARY 21, 2018 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, Scott Stice, Tom Tripp, Jewel Allen, and Neil Critchlow.

Appointed Officers and Employees Present: Mike Haycock, Brett Coombs, Christine Webb, and Chief Enslin.

Citizens and Guests Present: Andrew Wallentine, Cris Dew, Stacy Dew, Ken Howard, Alisha & Larry Urbanick, Craig & Reyanna Durfee, Craig Neeley, Ted Mickelson, Debra Spilman, Mike Haycock, Wendy Gardiner, Dan Gardiner, Robert & Annette Peterson, Eric Johnsen, Katie Weise, Shane Weise, Brandi Nielsen, Todd Stewart, David Sweeney, Bret & Karen Beede, James & Jennifer Rasher, Cluny & Lucinda Pattle, and Glen Boyle and Steve Howe.

Mayor Marshall asked Councilwoman Sparks to lead the audience in the Pledge of Allegiance.

AGENDA:

1. Public Comments.

James Rasher stated he has lived in Grantsville since 2005. He moved to Anderson Ranch three months ago. His house was built by Salt City Construction. After he moved into his home, he was told that he could submit a punch list of repairs that would be taken care of swiftly. He submitted the list three months ago. After weeks and weeks of unfulfilled promises, he started posting comments on the Anderson Ranch Facebook page. Mr. Rasher stated the responses were overwhelming. The residents of Anderson Ranch are experiencing issues with paint, carpet, plumbing, electrical, cracking walls, cracking foundations, stucco, serious settling issues, windows leaking air and water, and so much more. Mr. Rasher reported that Salt City has completely disabled all review options for Facebook and Google pages. They do not respond to complaints with the Better Business Bureau, so they get closed. Mr. Rasher added there are realtors that refuse to sell or even show homes within Anderson Ranch and he is worried this will bring home values down. He promised to see this through to the end and see his home repaired as soon as possible. He stated the residents of Anderson Ranch are fed up with false promises and lies that Salt City Construction has given them. He asked that they are held accountable for the past, present, and future repairs due to mostly poor workmanship and lack of quality control. Mr. Rasher asked that work on all new homes be either stopped or closely monitored while the ones already built get the attention they deserve.

Andrew Wallentine reported he has lived in Grantsville since last December. He said he came to speak on the Anderson Ranch issue. He stated he tries to stay away from issues like this because he works in local government for a career. He thanked the Mayor and Council for everything they do to run the city. He added that it is his goal to become a city manager at some point. He

currently serves as division manager for West Valley City. He explained that like many others they have experienced issues with their house. He stated that from the beginning of the build process to current. He commented that they still have issues that have not been resolved. A lot of the residents are starting to lose hope. His overall concern is for the health of the city. He and his wife hope to be here for a long time. They grew up on farms in small town communities and when he was offered a job in West Valley, the thought of living in the big city was very disheartening to them. They found Tooele and moved there for two years, keeping an eye on Grantsville and hoping they would have an opportunity to move here. Mr. Wallentine commented that you never know how long your career will last in government. They feel they are going to be here for a long time. He stated that his wife thinks he is crazy but at some point, he has aspirations to be alongside some of the Council Members in public office. Mr. Wallentine said he is not anti-development, it just needs to be managed in the correct way. He explained his concerns stem from the fact that he felt like he had to babysit his building process from beginning to end. He commented that when the four way inspection was supposed to have been completed by the city inspector, he walked into house to find very large gaps around his window frames and a crack in one of his trusses. Mr. Wallentine commented that right now the job of building inspectors is almost held as a joke. He reported that building associations have put forth legislation to do away with requirements to have building inspectors. He stated the purpose of a building inspector from a city management standpoint is to protect the citizens so these issues are taken care of and to protect the city so that property values don't plummet in future years. He added that he thinks there needs to be more oversight in what the building inspector is doing on a day to day basis. His roll with West Valley City is to run an event center. Every year he has the building inspectors to his building for a conference.

David Sweeney stated he bought a house in 2014 built by Compass Point. He has recently had issues in the tens of thousands of dollars with his shower and tub. His bathtub was not braced properly and the shower in his master bath has been leaking slowly. It has ruined his floor, the tile, and the tub surround. He added that all of his windows in the basement are leaking and flooding. Councilman Tripp asked if the flooding was caused from bad sloping on the landscaping or bad sealing. Mr. Sweeney answered that it was due to the gaps in the basement windows and then slope them away from his house. Councilman Tripp asked those in attendance to raise their hands if they were present on this issue. Most raised their hands.

Mayor Marshall asked the homeowners to get together and write down their issues with their residences. He will facilitate a meeting with the contractor and the attorney to discuss these issues. He is hopeful that they will be honorable and make the corrections. There were many comments from the audience on this issue. Attorney Coombs explained that if they have passed all of the requirements to get a building permit, we cannot stop them from getting a building permit. The law does not allow us to do that. However, we will review what they are presenting to us for building permits and work with the building department and take a look at those issues. That would have to be on a case by case basis.

Todd Stewart commented that he lives on Cherry Blossom. He stated Compass Point built the entire street in front of his house and they never came and fixed anybody's house on that street at all. He reported there were problems like those stated tonight and that was five or six years ago.

Approved

He suggested putting something in place so these builders do not put you off for the year or two and then they are off the hook.

Attorney Coombs asked if Salt City Construction or Compass Point built all of the homes or if anyone had a different builder. Those present agreed one of the two built their homes.

No further comments were offered.

2. Mayor Youth Awards.

The Mayor Youth Award recipient was not present. They will be moved to next month's agenda.

3. Summary Action Items.

- a. Approval of Minutes from the February 7, 2018 City Council Meeting.
- b. Approval of Bills in the amount of \$189,589.04.

Councilman Stice told Recorder Webb she did a good job on the minutes.

Motion: Councilman Stice made a motion to approve the summary action items including the minutes and the bills. Councilwoman Sparks seconded the motion. The vote was as follows: Councilman Critchlow, "Aye", Councilwoman Allen, "Aye", Councilman Tripp, "Aye", Councilman Stice, "Aye", and Councilwoman Sparks, "Aye". The motion carried.

4. Consideration to amend Ordinance 2017-16 adding language to permit a new minor subdivision for Frank Wayne Durfee at 383 W. Durfee.

Craig Durfee was present. Mayor Marshall explained Ordinance 2017-16 stated, "The City Council therefore finds that all pending and new applications for minor amendments to existing subdivisions and minor subdivisions should be processed and if appropriate considered for approval, pursuant to the subdivision regulations of Grantsville City." He stated that was what he was referring to at the last meeting.

Councilwoman Sparks stated this is just a technicality and she did not feel they should move forward because it was not an action item. Councilman Stice clarified that the intent was to approve on a case-by-case basis. Councilman Tripp answered yes. Councilman Stice commented that is not what this says.

Motion: Councilwoman Sparks made a motion to approve. Councilman Critchlow seconded the motion. The vote was as follows: Councilman Critchlow, "Aye", Councilwoman Allen, "Aye", Councilman Tripp, "Aye", Councilman Stice, "Aye", and Councilwoman Sparks, "Aye". The motion carried.

5. Consideration of approval of engineering of Main Street Water and Sewer Project.

Councilman Critchlow asked how the scores were determined. Councilman Tripp stated he had the same question and he asked if they were qualifying potential bidders. Attorney Coombs answered that it was a request for qualifications. Councilman Tripp asked if we only put it out to three. Attorney Coombs stated we put it out to bid, but we only received three qualification bids. Councilman Tripp asked if it put out on the state website. Recorder Webb answered that it was put on Sciquest through the state. Councilwoman Allen inquired if they were choosing a firm to get a bid from based on their qualifications or if they were getting bids from all of them.

Councilman Tripp stated that he felt if we only have one qualified bidder, then we should go out and qualify some more because of the amount of money involved in this project. Councilman Tripp asked what our written purchasing policy states. He could not find it on the website. Attorney Coombs said it is on the website, but he will email it to the Council tonight.

Craig Neeley with Aqua Engineering commented when he read the RFQ, his understanding was that the city was looking for a qualified engineering firm and then the city could negotiate the price for engineering this project. If the negotiations fell through, then the city could begin negotiations with the next qualified firm.

Mayor Marshall explained the RFQ was for qualifications of the engineering firms on how they would approach the project. There were six criteria. The first was knowledge and experience with similar water and sewer systems; the second was experience with projects in UDOT's right of ways; third was experience with projects involving Utah Division of Water Quality funding. Fourth was experience with projects involving Utah Division of Water Resources funding; next was experience and qualifications of the key personnel of their firms; and experience with projects of similar scope and size and approach to the work. Mayor Marshall stated there were five involved in the interview and the grading. The scores were added up and divided by five. Councilwoman Allen commented that the group had vetted the different firms as far as things we are looking for. Councilman Tripp asked who was in the group. Mayor Marshall answered the group was made up of himself, Sherrie Broadbent, Larry Bolinder, Marcus Seat, and Glen Millward.

Councilwoman Allen asked if we work with the chosen firm on bidding; they get the spec for the bids and such. Mayor Marshall answered yes. He stated this was to just to try to score the engineering firms as to which one would provide you the best bang for your buck.

Councilman Tripp divulged that his sister works for Jones and Demill.

The Council discussed the process to move forward and clarified how to do so.

Mayor Marshall stated the scores were as follows: Jones and Demill had a 97, Aqua had 92, and Civil Proj-X was 76.

Motion: Councilman Critchlow made a motion to approve negotiating with Jones and Demill for a bid on the engineering for the Main Street Water and Sewer Project. Councilman Stice seconded the motion. The vote was as follows: Councilman Critchlow, "Aye", Councilwoman

Allen, “Aye”, Councilman Tripp, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried.

6. Mayor and Council Reports.

Mayor Marshall reported that he was one of five interviewing the engineering firms. He attended the Tooele Valley RPO Meeting and met with Brian Allen from UDOT. They did a site visit to look at the storm drainage issues and two days later, he met with the design engineers about the Main Street Project. Mayor Marshall met with representatives from Nationwide Utility Consultants on the utility savings. He attended the Trans-Com Meeting at the WFRC. He met with Fireworks West to purchase fireworks for the 4th of July. Mayor Marshall said he needs to know who wishes to attend the Utah League of Cities and Towns Conference. It will be held April 25 – 27. Councilwoman Allen and Councilman Critchlow plan to attend. Councilwoman Sparks said she will need to check her schedule.

Councilman Critchlow asked for a report on the sewer flows. Mayor Marshall said the meters have been pulled, but we have not received the data. Councilman Critchlow said during the Planning and Zoning Meeting, they discussed adopting the American Public Works Association Standard for building trenches and roads. He requested that it be put on the agenda next time to have Gary Pinkham come present to the Council. Councilman Critchlow attended the Clark Farm Gala Dinner with Councilman Tripp and Councilwoman Allen. He asked who does the inspection on concrete work in regards to Anderson Ranch. Mike Haycock, Building Inspector, explained the requirements on the inspection. Mr. Haycock stated he would like to see DOPL (Division of Occupation and Professional Licensing) regulate builders more than they do.

Councilwoman Allen commented on Anderson Ranch. She stated that she appreciated that Mayor Marshall is going to look into it. She expressed a desire to be invited to any meeting with those residents. She asked Councilman Critchlow for a report on the P & Z progress with their review on ordinances and resolutions. Attorney Coombs gave a report on their progress. Councilwoman Allen stated on Friday, the legislature is considering a bill that would allow for nighttime extraction of gravel for special highway projects. She explained that she will not be able to attend and asked if Mayor Marshall could. He will be there. Councilwoman Allen said she thought it was interesting that the County is considering a revision of their ordinances that spell out the hours are only 7:00 a.m. to 7:00 p.m. and this has come up. She thanked the Mayor for going to bat for our city on this issue. She reported the Historic Preservation Commission booklet is on track to be unveiled at the Sociable. Councilwoman Allen appreciates all the work the HPC has been doing. She commented on an email about the Deseret Peak Complex Master Plan. She encouraged everyone to look at the plan. She attended the ULCT meeting last week.

Councilman Tripp stated that the group from Anderson Ranch that came in impressed him. He thought Mr. Wallentine gave a capable and credible explanation with some specifics. He felt there is a pattern here that is worrisome. He felt we should take whatever serious action to correct it. He stated that genuine problems deserve our attention, but that some complaints are not our building inspector’s problem. They are however, a problem with the service our citizens are getting. Councilman Tripp reported that the County Commission will now be enforcing a

long standing regulation to limit to two consecutive terms the appointments to service boards of various kinds. He stated that it landed on the Mosquito Abatement Board at the last meeting and two people who had been serving six or seven consecutive terms were told they could no longer serve.

Councilman Stice commented that one thing he noticed on the bills and has continued to notice is that the fire station uses a lot of gas. He stated that he knew it was to prevent the equipment from freezing up. He suggested looking into ways we could lower that by 10%. Mayor Marshall said the thermostats are set at the lowest setting. Councilman Critchlow commented that there are a lot of places that heat escapes as well. Councilman Tripp asked if there is reduced lighting, because when he drives by in the morning, the building appears to be many lights on. Mayor Marshall said there are only supposed to be security lights on. Councilman Stice noticed the light at the Hale Street crossing stays on for a very long time and people are just driving through it. UDOT has turned in a work order to have it looked at. Councilwoman Allen asked if we have the orange flags at the crossing for the pedestrians to use. We did have some, but after a discussion, it was decided that they have probably been stolen. Mayor Marshall will have more ordered.

Councilwoman Sparks commented that she has noticed that the crossing at the elementary school where we have the new light, there are no longer school zone signs. Mayor Marshall explained that either we can have the lights there without the signage or you have to pull the lights down. Councilwoman Sparks felt that was a bad idea.

7. Public Comments.

Todd Stewart asked if there is some way to do some type of public scoring of the builders. He felt it may be a solution to have a community based scoring system. He shared a thought about the codes. Mr. Stewart said sometimes universal codes are a great idea to unify things but he urged the Council to be careful because sometimes they are vague or there is no oversight. Councilman Tripp gave an example that his company deals with chlorine. He said some states will adopt the recommendations of the Chlorine Institute for their industry but the industry itself can adjust it any way they want and then it automatically becomes state law.

Glen Boyle expressed concerns of driving down Cooley Street, there are two cars that are all smashed, and they are right on the public street. He stated there also old cars parked on Clark Street. Mr. Boyle commented that if we do not have an ordinance, then we should, because if a car is parked on the public street it should be licensed. Councilwoman Sparks told him that we do have an ordinance. Mayor Marshall asked him for the location so that he could have it taken care of.

Andrew Wallentine clarified Nationwide Utility Consultants has been working with the city on the utilities. He asked if we have entered into a contract with the company. Mayor Marshall answered that we have. Mr. Wallentine stated he has some history with working with these types of companies and found a couple that were a little more advantageous to work with. He

recommended Lewis Young Robertson and Birmingham. They have an offshoot in this type of business. He also suggested Utility Cost Management Consultants.

Debbie Spilman stated that when she went and looked at the ordinance on the door-to-door salesmen, she found there is nothing in the city ordinance that says they have to carry that certificate with them. She asked the Council to consider changing the ordinance to require it. Mrs. Spilman commented that the Council put out a moratorium on building, development, and subdivisions, but now they are turning around and making exceptions. She felt that is managing by exception and it does not work well. She stated that she realized that some of these are minor subdivisions and people would think they are inconsequential. However, they might be consequential. Mrs. Spilman felt that blows the master plan and that bothers her. She stated that the other day she had someone come to her house to sign a petition to stop the apartment complex. She shared her concern with what happened on that: the Council voted it down and then they turned around and voted it in. She felt that we would not get anything done this way. Councilman Tripp addressed Mrs. Spilman's concerns about the petition. He explained this is a referendum and it is a right granted by the state to the citizens, so if the City Council does anything legislative that the citizens say they are out of touch with them, they can make the effort to put it on the ballot so they can vote.

No further comments were offered.

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

Motion: Councilman Tripp made a motion to go into a closed session allowing a five minute recess. Councilman Stice seconded the motion. The vote was as follows: Councilman Critchlow, "Aye", Councilwoman Allen, "Aye", Councilman Tripp, "Aye", Councilman Stice, "Aye", and Councilwoman Sparks, "Aye". The motion carried and the Council went into a closed session at 8:21 p.m.

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

Motion: Councilman Tripp made a motion to go back into an open session. Councilman Allen seconded the motion. The vote was as follows: Councilman Critchlow, "Aye", Councilwoman Allen, "Aye", Councilman Tripp, "Aye", Councilman Stice, "Aye", and Councilwoman Sparks, "Aye". The motion carried.

9. Adjourn.

Motion: Councilmember Allen made a motion to adjourn. Councilmember Stice seconded the motion. The meeting was adjourned at 8:47 p.m.