

Approved

MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL, HELD ON MARCH 7, 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: Brett Coombs, Christine Webb, Kristy Clark, Jesse Wilson, Brenda Loveless, Lt. Sager, Sgt. Allred,, Sgt. Fields, and Chief Enslin.

Citizens and Guests Present: Faye Hall, Jeff Butler, Susan Johnsen, Angela Jensen, Denise Marsing, Brian Pattee, Danny Simmons, Jesse Wilson, Todd Stewart, Steve West, Kenna Aagard, Tim Rieffanagh, Ted Mickelsen, Mike & Gail Didericksen, Doug Kinsman, Sherm Bingham, Travis Taylor, and Derek Dalton.

Mayor Marshall asked Officer David Parish to lead the audience in the Pledge of Allegiance.

AGENDA:

1. Public Hearings

- a. **Proposed minor subdivision for Mike and Gail Didericksen at 460 W. Clark dividing 3 acres of land from one (1) lot into three (3) lots in the R-1-8 zone.**

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

- b. **Proposed minor subdivision for Tim Rieffanagh at 348 W. Plum dividing 0.814 acres of land from one (1) lot into two (2) lots in the RM-7 zone.**

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

- c. **Proposed concept plan for Blue Stone Development on the Cherry Grove Subdivision Phase D-F at 700 W. Main for the creation of sixty (60) lots in the R-1-21 zone.**

Mayor Marshall opened the public hearing for comments.

Todd Stewart stated he has not had a chance to compare the concept plan with the surrounding areas yet, but by glancing at it, it does not appear to address the natural run-offs in the area. He said he is not sure if the street sizes match the existing, surrounding streets. He added that there have been discussions about neighborhoods where the builders are neglecting the houses. He asked if there are any things in the works to make sure builders are not approved for major developments and then slap up houses and move away.

No further comments were offered and the public hearing was closed.

2. Public Comments.

Jeff Butler stated he wished to comment on all the developments. He said the Northstar Ranch development will be huge and the impact on our town will be tremendous. He expressed his thoughts on why developers start with twenty-five lots. He felt that every developer that sets foot in the city should know they will be forced to take care of this community in regards to their impact on our infrastructure, roads, etc. He commented developers need to provide a plan for children to get to school safely. He added that these developers not only need activities for children, but for adults as well, such as basketball and pickle ball courts and walking paths. Mr. Butler stated the residents of Grantsville should not need to come before the City Council and Planning and Zoning every time to point out what a development needs. He said that every developer that does business with Grantsville should come before the citizens, and say what they are giving to the community. He stated the citizens of Grantsville should not cringe every time there is a concept plan on the agenda. He commented that we owe developers nothing and they owe us everything. Mr. Butler said Rush Valley has stopped growth. He suggested that Grantsville follow their example. Councilwoman Allen asked what he meant by Rush Valley had stopped growth. Mr. Butler answered they do not allow anything subdivisions less than 20 acres.

Todd Stewart said that it appears that some developers come to Grantsville thinking it is easy pickings. He felt that there should be a way to require that major developments have a surety or a guaranteed fund and a way for them to reduce it by going above and beyond the requirements of general residential building codes.

3. Summary Action Items.

- a. Approval of Minutes from the February 21, 2018 City Council Meeting.
- b. Approval of Bills in the amount of \$140,411.85.

Councilman Tripp stated he read the minutes and did not find any errors.

Motion: Councilman Tripp made a motion to approve the summary action items including the minutes and bills as presented. 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.

Mayor Marshall moved to **Agenda Item 11** for Officer David Parish to take his oath of office. Judge Ronald Elton administered the oath of office.

4. Consideration of a sign application for Tooele County School District.

Justin Wingfield explained Grantsville High School was replacing the electronic sign. They have acquired funding for the new sign. He stated the new marquee will be a pole sign. He gave the reasons for installing a pole sign vs. a monument sign. Information was provided on the size,

dimensions, and the location. The School District wanted to put the sign on Cherry Street right in front of the bus turn-around. Mr. Wingfield stated Grantsville High School will comply with all rules and regulations for the sign. It will be programmed to dim the lighting to avoid any disturbances in the evenings.

Councilman Critchlow asked when they plan to install the new sign. They plan to start working on it when the ground thaws.

Councilwoman Allen asked about the current sign in front of the school. Mr. Wingfield answered that it will be removed and then flowers will be planted in its place. Councilwoman Allen inquired if this was an exception to our code. Mayor Marshall explained it is, but they can comply based on the distance they will place the sign from the corner.

Motion: Councilwoman Sparks made a motion to approve a sign application for Tooele County School District. 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 to amend Ordinance 2017-16 adding language to permit a new minor subdivision for Mike and Gail Didericksen at 460 W. Clark dividing 3 acres of land from one (1) lot into three (3) lots in the R-1-8 zone.

Mike Didericksen was present. Councilman Stice commented that the last of their baseball field would be gone. Mayor Marshall stated this went through Planning and Zoning. There were no problems. Councilwoman Sparks asked about the Fire Department memo. Councilman Critchlow answered they meet the requirements, but when they build, they will have to put the fire hydrant in. He added that the road will have to support 75,000 pounds. Councilman Tripp inquired how the city will enforce keeping the road open. The Council stressed that the road will have to remain open.

Motion: Councilman Stice made a motion to amend Ordinance 2017-16 adding language to permit a new minor subdivision for Mike and Gail Didericksen at 460 W. Clark dividing 3 acres of land from one (1) lot into three (3) lots in the R-1-8 zone. Councilwoman 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.

6. Consideration to amend Ordinance 2017-16 adding language to permit a new minor subdivision for Tim Rieffanagh at 348 W. Plum dividing 0.814 acres of land from one (1) lot into two (2) lots in the RM-7 zone.

Tim Rieffanagh was present to answer questions on this item. He reported that he is just selling the property; there are no plans to build on the lot. Councilman Stice said he works with both Mr. Rieffanagh and the buyer. He confirmed the buyer has no plans to put a home on the lot.

Attorney Coombs asked if there are utilities available to the new lot if in the future someone does want to build a home on it. Mayor Marshall replied yes, because it is through the block. Mr. Rieffenaugh stated the buyer is aware that he will need to do whatever is required to build on it.

Motion: Councilwoman Allen made a motion to amend Ordinance 2017-16 adding language to permit a new minor subdivision for Tim Rieffanagh at 348 W. Plum dividing 0.814 acres of land from one (1) lot into two (2) lots in the RM-7 zone. 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.

Councilman Critchlow asked how soon we can get this recorded. Zoning Administrator, Kristy Clark, said she will get the signatures on the mylar as soon as she can so that it can be recorded.

7. Consideration of a concept plan for Blue Stone Development on the Cherry Grove Subdivision Phase D-F at 700 W. Main for the creation of sixty (60) lots in the R-1-21 zone.

Doug Kinsman with Ensign Engineering was present on this item. The Council Members asked when this went to Planning and Zoning. Mr. Kinsman answered it was on the February 8th Meeting. It was submitted prior to the moratorium.

Councilwoman Allen asked about open space. She pointed out there was a discussion on open space in the Planning and Zoning Meeting. She said one of the Planning Commissioners mentioned open space and they discussed off-site vs. on-site open space. Councilwoman Allen expressed appreciation that the Planning Commissioners discussed open space. She felt the discussion ended in a question. Mr. Kinsman agreed and said if they offered to develop a park, they would need to know how much property would need to be dedicated to a park. Mr. Kinsman reported the development is not interested in maintaining a park. They would be interested in donating one or providing park. They do not plan to have an HOA, so there will not be funding to care for the park.

Councilman Critchlow inquired about the temporary turnaround and if they have arranged to use property. Mr. Kinsman answered they have not, but he knows the individuals who own the property and he did not believe it would be a problem. Councilman Critchlow then asked how they will get the kids to school. The developer commented they will catch the bus. Councilman Tripp said he felt the point was having a path to get the kids outside of the development to a path they could use to get to school. Councilman Critchlow agreed. He explained right now, they would have to walk passed the wrecking yard. Mr. Kinsman asked why they can't go up and down Apple Street. Councilman Critchlow pointed out they will need a way to get on Apple Street. He added the houses on the west boundary are all fenced so there would need to be another access to get to Apple. Mr. Kinsman asked if the sidewalk they will put on Main Street will not be a walkable sidewalk. He reported that it would be part of the development. Councilman Critchlow said once you get passed their sidewalk, there is a dirt road, the wrecking yard, and the old bars. Mr. Kinsman stated then they would turn up into the subdivision (Cherry Grove) and go down Apple Street. Mr. Kinsman commented that he knew there was an

agreement with the city about what would be improved on Main Street and what would not be improved. He did not know the details of the agreement because it was made with Nate Brockbank. Mayor Marshall commented they have argued many times about the improvement of West Main Street. He explained they had measured the length of West Main Street and the right of way is a considerable road.

Attorney Coombs explained that because this is a concept, the Council can recommend and require that they provide that information as part of their preliminary plan. He said they can make it so all of their questions are answered.

Councilman Critchlow commented on the drainage. He recommended leaving the washes open and allow the water to run naturally. Mr. Kinsman stated there has been a drainage study. The layout should comply with the study. Councilman Tripp agreed with Councilman Critchlow that the layout should account for the drainage. Mr. Kinsman reported they have tried to layout the lots to address the drainage swells and they currently exist. Mayor Marshall explained the water retention would have to be on-site.

Councilwoman Allen asked what the protocol is to revisit the issue of open space. Councilman Critchlow stated the Planning Commission is working to determine the amount of land to require for open space. Mayor Marshall remarked that would be something they could add to their motion or table until they have the forthcoming information. Councilwoman Sparks asked what the temporary turn around easements are. Mr. Kinsman said they will definitely have them for preliminary but they do not have them for the concept plan. He explained they will be for emergency vehicles, fire trucks, or other automobiles to turn around. Councilman Stice clarified that if they cannot get permission to place them on the proposed properties, they will be put on the development property. Mr. Kinsman confirmed that.

Motion: Councilwoman Allen made a motion to table this concept plan until the April 18, 2018 City Council Meeting when they will have the new subdivision regulations adopted.

Mr. Kinsman asked what they need to come back with. The Council answered open space, drainage, and easements need to be addressed for approval. Councilman Critchlow said they need to have the rules in place that the Planning Commission is working. Attorney Coombs agreed. Councilman Stice would like to see the plan for getting residents out of the subdivision and back into town.

Motion: Councilwoman Allen made a motion to table this concept plan until the April 18, 2018 City Council Meeting when they will have the new subdivision regulations adopted.

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.

8. Consideration of a final plat approval for Northstar Ranch Subdivision Phase 1A, which contains twenty-five (25) lots for J. Thomas Homes, LLC, Travis Taylor, and Sherman Bingham.

Travis Taylor was present. Councilwoman Allen asked if they are faced with similar questions as far as kids walking. Councilman Tripp said this subdivision is a long way from connecting to anything else. He pointed out there is at least a twenty-five foot (25 ft.) drop from the high ground to low ground on this development. He added there is natural drainage that cuts through some of the lots. He asked if there is a report on how they plan to address the natural hazards. Mr. Taylor said it has been reviewed many times. Councilman Tripp inquired if our engineer looked at and approved it. Mr. Taylor answered that he had. Councilman Critchlow asked about the drainage into the front part next to the Mormon Trail. Mr. Taylor said they have a cutoff ditch and detention in front. They will have debris basins with check dams periodically through the swells. Councilman Tripp asked if the city controls those. Mr. Taylor remarked that they will have an HOA that owns and maintains those.

Councilman Critchlow commented on the situation of kids getting kids to school. Mr. Taylor explained they have to lay a sewer line with the first phase that goes up to the north and out the Durfee Street alignment. He said that will be graded and cut which will make it similar to a walking trail which would allow the kids to get to Durfee. It will be a walkable surface.

Mayor Marshall stated in the original plan they were willing to make access for some of the land locked ground to the north and west of the subdivision. Mr. Taylor confirmed they showed that in the concept plan and the preliminary plan. Councilwoman Sparks asked how many phases are planned. Mr. Taylor said it will be about eighty-years to complete this subdivision. The property is 20,000 acres; it will be a very large project. Councilwoman Allen commented that based on the General Plan, the Council does not want to approve developments that are outliers. She stated connectivity is important in our city. She asked if that is something they can stipulate when approving developments. Attorney Coombs stated the answer is yes and no. He added that generally, yes, you do but this is in the final decision phase so it cannot be required now. This is in final plat approval, so it is past that.

Mayor Marshall reported they can only develop three phases and then a water tank will have to be put in. The tank will be required to provide enough water pressure for fire protection. Mr. Taylor said he thinks they have a ways to go.

Councilman Tripp asked how many houses are planned overall for this subdivision. Mr. Taylor answered twenty-four hundred (2,400). Councilman Tripp said that will mean thirty- percent (30%) of the city will there. Mr. Taylor commented this is a significant development. He added that as this moves forward the Planning Commission and City Council will see more of him to talk about ways to develop more creatively than half-acre lots. He said it does not make sense to do another thirty-percent of the city with the same thing over and over. Councilwoman Allen asked what their plans are for open space. Mr. Taylor answered that he would like to see clusters of quarter-acre lots to free up more open space.

Motion: Councilwoman Allen made a motion to approve the final plat for Northstar Ranch Subdivision Phase 1A, which contains twenty-five (25) lots for J. Thomas Homes, LLC, Travis Taylor, and Sherman Bingham. 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.

9. Initial Consideration of Annexation Petition filed by Mark May.

Mark May was present. Councilman Stice asked if Mr. May owns all of this property. Mr. May answered that he does. Councilman Stice inquired if all of the neighbors are okay with it. Mr. May said so far, they are. Councilman Tripp asked how the city will benefit from annexing this property. Mr. May answered his son and family are planning to build a house on the property.

Councilman Critchlow expressed concerns about the twenty-six foot road for the driveway. Mr. May reported that he takes large equipment down it. The Council explained there are set requirements for fire code. Mr. May said he had talked to Brad Clayton, Grantsville Fire Marshal, about that.

Councilwoman Allen commented that she found it interesting that it is so close to Sun Valley Drive. The Council Members preferred to annex an area that is served by Grantsville City and not just an odd shaped property. Councilman Critchlow asked if Brad Clayton and Don Silva could still be added into this annexation. Attorney Coombs answered they could still be added. Councilman Critchlow would like to see them added. Mayor Marshall stated in previous annexations, they have “shot the corners” and taken everything that falls within.

Motion: Councilman Tripp made a motion to table with the intent to approve at the March 21, 2018 City Council Meeting the initial consideration of annexation petition filed by Mark May. 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.

10. Consideration of donation to the Grantsville Sociable and the Grantsville Volunteer Fire Auxiliary.

Mayor Marshall reported during budgeting the Council planned to donate funding to organizations with 501(c)(3) designation. At this time, the Grantsville Sociable and the Grantsville Volunteer Fire Auxiliary do not have their 501(c)(3) status. Councilman Tripp explained when he was Chairman of the Sociable they were advised not to gain designation as a charitable organization. Both organizations have been working on getting the charitable designation.

Attorney Coombs explained there is no legal requirement that they be a 501(c)(3). It comes on the recommendation of our auditor that city funds only be donated to non-profit organizations. He added there is no law that constrains the Council to only donate to 501(c)(3) groups.

Councilman Critchlow stated he would not vote on this item because he is the Chairman of this year’s Sociable.

Motion: Councilman Tripp made a motion to complete the donations we budgeted for; with the understanding that the City Finance Director may exam the books of these organizations with their permission to ensure that it is a charitable donation. Councilwoman Sparks seconded the motion.

Councilwoman Allen said she would like to see them get their 501(c)(3) status. She supports these organizations, but felt that if the Council set guidelines for donating city funds, they need to have the organizations fulfill those requirements.

Motion: Councilman Tripp made a motion to complete the donations we budgeted for; with the understanding that the City Finance Director may exam the books of these organizations with their permission to ensure that it is a charitable donation. Councilwoman Sparks seconded the motion. The vote was as follows: Councilman Critchlow, abstained, Councilwoman Allen, “Nay”, Councilman Tripp, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried.

11. Consideration of approval of Officer David Parish for the Grantsville City Police Department.

Officer Parish took his oath of office at the beginning of the meeting.

12. Mayor and Council Reports.

Mayor Marshall met with Chief Enslin and Hughes Construction on the punch list for the Justice Center. He met with Dave Munford about the issues with the homes built by Salt City Construction in Anderson Ranch. They are working to get the problems corrected. Mr. Munford reported that he had nothing to do with Compass Pointe other than being a salesman for them. Mayor Marshall stated that he, Sherrie Broadbent, Craig Neeley, Alex Buxton, Councilman Stice, and representatives from Jones and Demill attended the Drinking Water Board Meeting for funding on our Main Street Water Project. They received approval for a bond at 1 ½% interest for twenty-years (20). The Mayor attended a meeting with Chief Enslin, Sgt. Allred, Attorney Coombs and representatives from the FBI about the gun range that was approved a few years ago. He and Sherrie Broadbent met with Ted Mickelsen and Brandon Thorpe from Jones and Demill on the engineering for the Main Street Project.

Ted Mickelsen was present and Mayor Marshall asked him to speak to the Council. Mr. Mickelsen expressed appreciation to the Council Members for allowing Jones and Demill to work with the City on this project. He stated that Mayor Marshall and Sherrie Broadbent are good negotiators and reviewed the costs for engineering on this project. Mayor Marshall pointed out the well is not part of this contract. Councilman Tripp asked about quality assurance on the construction of the project. Mr. Mickelsen stated they will have an engineer on-site fulltime to make sure the contractors are complying.

Mayor Marshall stated that he is still monitored bills even though the session is over.

Approved

Councilman Critchlow invited everyone to the Sociable. He announced the Children's Sociable will be held on March 15th. The Fire Department will be teaching CPR to the seventh graders tomorrow and the next day. He said they have taught about 6,000 people to do CPR.

Councilwoman Allen expressed appreciation for the opportunity to attend the ULCT meetings and to serve on the board. She stated that she likes the relationship we've had with our representatives, especially Representative Merrill Nelson. She reported she has seen Randy Sant and Tooele City representatives at the Capital.

Councilman Tripp felt we should have a routine rebidding of all of our contractors to make sure we are getting the best prices. He emphasized the City Council is a legislative job, not an administrative job. He felt it was to all of their advantage to have that distinction. Councilman Tripp asked for an update on the ordinances from Planning and Zoning. Attorney Coombs reported the Planning Commission was reviewing them at the meeting tomorrow evening. He stated their intention is to present it to the City Council at the next meeting.

Councilman Stice attended the Rural Utah Water Conference for work last week. He reported that he sat in on the Water Board when the Mayor presented. Councilman Stice said the statement that the water funding took a lot of time, was an under-estimate. He thanked Derek Dalton for emailing the Council about the Jr. Jazz. Councilman Stice stated that it drives him nuts that the Jr. Jazz having to pay the school district.

Councilwoman Sparks asked for an update on the Donner Reed Museum. Mayor Marshall said it should be finished bricking today and stuccoing next week.

City Recorder, Christine Webb, reported a sufficient number of signatures were received on the referendum petition to place it on the ballot. Attorney Coombs explained that he will be presenting the language for the ballot at the next City Council Meeting.

13. Public Comments.

Susan Johnsen commented on the 501(c) (3) designation and the Sociable. She stated that one thing to consider is that there are certain groups that will give donations to 501(c)(3) organizations that will not give it to non- 501(c)(3) groups. She said last year the Clark Farm was approached by the Sociable to act as a temporary fiscal sponsor because there was a foundation that had been approached by the Sociable for money and they did not donate to the Sociable directly because they did not have 501(c)(3) status. He was not willing to funnel it through the city, but he would funnel it through them.

Todd Stewart thanked the Council Members for all they do for the City. He commented on the developments discussed tonight, particularly the development with 2,400 lots. He felt the roads do not appear to be adequate for that many homes added. Mr. Stewart stated that may be a reason not to approve stuff. He said Dave Munford was the man with Compass Pointe who made decisions not to send people out.

Approved

Derek Dalton thanked everyone who replied to him about the Jr. Jazz. He mentioned the school zone. He asked if there are no signs, does he still have to slow down to 20 mph. Mayor Marshall answered the red flashing lights are the legal school zone.

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

Motion: Councilwoman Allen made a motion to go into a closed session. 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 and the Council went into a closed session at 8:51 p.m.

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

At 9:33 p.m., Mayor Marshall left the closed session. The Council motioned to allow Councilwoman Sparks to be the spokesperson for this meeting.

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

Motion: Councilman Tripp made a motion to go back into an open session. 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.

15. Adjourn.

Motion: Councilman Stice made a motion to adjourn. Councilman Allen seconded the motion. The meeting was adjourned at 9:54 p.m.