

Approved

**MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL,  
HELD ON JULY 18, 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:** Lt. Sager, Brett Coombs, and Christine Webb.

**Citizens and Guests Present:** Steve Howe, David Kizerian, Kimball Clark, Rod Engar, Craig Neeley, and Debbie Spilman.

Mayor Marshall asked Lt. Sager to lead the Pledge of Allegiance.

**AGENDA:**

**1. Public Comments.**

No comments were offered.

**2. Summary Action Items.**

- a. Approval of Minutes from the June 20, 2018 City Council Work Meeting and the June 20, 2018 Regular Meeting.
- b. Approval of Bills in the amount of \$241,120.84.

**Motion:** Councilman Tripp made a motion to approve the summary action items consisting of the minutes and bills. 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.

**3. Administering the Oath of Office of Officer Chase Hebert.**

Judge Elton administered the Oath of Office to Officer Kristyann Madrigal and Officer Chase Hebert.

**4. Consideration of Resolution 2018-16 appointing two directors to the Grantsville City Library Board of Directors.**

Mayor Marshall stated the two directors to reappoint to the Library Board of Directors are Char Warner and Marilyn Grua. Councilwoman Allen commented that she has had a chance to work with them on the Library Board. She said they do an excellent job. She was glad that they are willing to serve another term.

Councilman Stice added that he worked with them for four years and they are great people. He said they are very dedicated.

**Motion:** Councilwoman Allen made a motion to approve Resolution 2018-06 reappointing Char Warner and Marilyn Grua to the Library Board of Directors. Councilman Tripp 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 Resolution 2018-17 appointing two commissioners to the Grantsville City Planning Commission.**

Mayor Marshall proposed reappointing Robbie Palmer and Erik Stromberg to the Planning Commission. He felt they have both done a great job on the Planning Commission. Councilman Critchlow agreed.

**Motion:** Councilwoman Sparks made a motion to approve Resolution 2018-17 reappointing Erik Stromberg and Robbie Palmer to the Grantsville City Planning Commission. 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 Stice said if the two alternate Commissioners are required to attend the meetings, then the code should be amended. The Planning Commission could be made up of seven members. He felt they should have the opportunity to comment on the agenda items. Councilman Stice commented that it is good to have alternates, but he also felt it is good to have all seven on the Commission.

**6. Consideration of Resolution 2018-18 appointing two members to the Grantsville City Board of Adjustments.**

Mayor Marshall stated he would like to reappoint Rick Storrer and Mike Worthington to the Board of Adjustments.

**Motion:** Councilwoman Allen made a motion to approve Resolution 2018-18 reappointing Rick Storrer and Mike Worthington to the Grantsville City Board of Adjustments. 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.

**7. Consideration of a noise variance for Utah Motorsports Campus on Saturday, August 4, 2018 until midnight.**

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Mayor Marshall explained this is the night race at the Utah Motorsports Campus. It is held each year and we approve it. Councilwoman Sparks added that is the weekend of the County Fair.

**Motion:** Councilman Critchlow made a motion to approve a noise variance for Utah Motorsports Campus on Saturday, August 4, 2018 until midnight. Councilman Stice seconded the motion. The vote was as follows: Councilman Critchlow, “Aye”, Councilwoman Allen, “Nay”, Councilman Tripp, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried.

## **8. Presentation and consideration of a contract with Municode.**

Kimball Clark with Municode explained their services. He stated his company (Municipal Code Online) was acquired by Municode earlier this year. New software allows city staff to amend their code online or propose amendments to the code and automatically generate ordinances for the Council to review. Once the ordinances are passed, a digital signature can be applied if desired, and then code is immediately updated online.

Councilman Tripp stated the Council generally feels that they have to approve all code changes during a public meeting. He asked Mr. Clark if he believed they could do that some other way. Mr. Clark answered no; this is more the documentation of those approvals. He explained we will be jumping into the software and making proposals and the proposal is generating a document that is reviewed by the Council as part of their packet. If the Council Members approve the ordinance or resolution, the clerk has the ability to send a notice to the Mayor. If we choose to do so, we can digitally sign and attest the documents.

Mayor Marshall stated he had two questions. The first was if we would still have to post notice in the local newspaper. Mr. Clark answered yes, we would have to post the notice. Mayor Marshall’s next question was if the system would show what changes were made in the code. Mr. Clark reported one of the ways you can toggle your code to show the prior legislation and what has changed. So you can have the strikethroughs and redlines right on it or you can turn that off completely and have a clean version of the new code. It will automatically add a footnote with the date the code was changed.

Councilman Stice asked how hard it will be to transfer the pdf of the Code to the Municode system. Mr. Clark confirmed that we have a current code. He stated they take the current code and put it into their framework at no cost to the City. Councilman Stice explained the conversion from pdf is not always very clean. He asked who is going to fix that. Mr. Clark answered that is part of the process they do to put it into their framework. Attorney Coombs said we have both word documents and pdf versions.

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Attorney Coombs commented that while working with Kimball Clark for the last couple of years and researching and preparing to present this to the City Council, he looked at a lot of other options. The reason he was presenting Municode for consideration was because they are the only company that allows us to make the changes that we want. We have complete access. We can also use it to update other documents for our City, such as: employee policies, procurement code, and the Land Use Management and Development Code. Attorney Coombs added with this, the actual ordinance approved will be attached.

Councilwoman Sparks asked if this needed to go out for an RFP or for phone bids. Attorney Coombs answered that it did not. Councilman Tripp asked if this was on an annual fee basis. Mr. Clark said that it was. Mayor Marshall reported it has already been calculated into the budget. Councilwoman Allen asked what was meant by “disruptive technology”. Mr. Clark explained they are the only company that allows municipalities to manage their own code; that is a disruptive thing in the codification industry.

The contract was provided at the last City Council Meeting. Mr. Clark stated it was \$1,500 per year. The agreement will be a term of five (5) years and there will be no conversion cost. There is a fee for them to put in an ordinance that was not generated by the system, but we don’t want to put in ourselves. That fee is \$18 per page. There is a potential fee to contract with Municode for legal services.

Councilwoman Allen asked if Recorder Webb felt this will be user friendly. Recorder Webb stated she felt it will take some time for her to learn the system, but that it will help in the long run. She inquired what happens to our code if in the future we decide not to stay with them. Mr. Clark answered the contract talks about the ability we have as a user to download our complete code book as a pdf file which does have selectable text that we can copy and paste. He stated we will be given the html itself.

Councilman Tripp asked Attorney Coombs about multi-year contracts being adopted and if they are binding on future City Councils. Attorney Coombs said that is correct and is based on municipal law.

Mr. Clark explained the City will be paying for a software license with support behind it.

**Motion:** Councilman Tripp made a motion to approve a contract with Municode for \$1,500 per year for five years with no conversion costs. 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.

Mayor Marshall recognized and welcomed a scout from Scout Troop 7 visiting from Tennessee.

**9. Consideration of a final plat approval for Anderson Ranch Subdivision, Phase 8B, which contains seventeen (17) lots, for T.P. Grantsville, LLC and Rod Engar in the R-1-21 zone.**

Rod Engar stated they have completed all of the requirements for approval of the final plat for Phase 8B. Mayor Marshall commented on the Fire Marshal's letter. Mr. Engar stated that he met with Fire Marshal Clayton and showed him where the fire hydrants are located. The Anderson Ranch Subdivision, Phase 8B was approved prior to the adoption of the sixty-six foot (66') road width requirement.

**Motion:** Councilwoman Allen made a motion to approve a final plat for Anderson Ranch Subdivision, Phase 8B containing seventeen (17) lots, for T.P. Grantsville, LLC and Rod Engar in the R-1-21 zone. Councilman Tripp 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.

Councilwoman Allen asked Mr. Engar if he was aware of the issues some of the residents have had with the builders in other phases of Anderson Ranch. Mr. Engar answered that it had nothing to do with him, but that he was aware of it. He has had conversations with the builder that Councilwoman Allen was referring to asking him to manage the building process better.

Councilwoman Sparks asked if the retention ponds that were done are part of the HOA common areas or if they belong to the homeowner now. Mr. Engar answered they belong to the homeowner. Councilwoman Sparks stated they were so well done but now they are beginning to be taken over by weeds.

**10. Consideration of Resolution 2018-19 adopting the water standards.**

Attorney Coombs pointed out the Council Members received an amended resolution. Craig Neeley with Aqua Engineering explained this resolution will standardize water line installations in the City. It will apply to subdivisions and city water projects. He stated these standards will streamline the process for approval and operating permits for all water lines, including public water lines such as the Main Street water line project coming up. The adoption of these standards will allow the City to not seek plan approval on water line projects up to sixteen (16") inches in diameter and not seek operating permits. Those requirements are deferred because we have a standard set of drawings and standard requirements. Mr. Neeley stated this has been in the works for a long time.

Councilman Stice asked how the City makes sure these standards are being met. Mr. Neeley answered the inspectors approve them. The Public Works employees inspect the lines for subdivisions.

**Motion:** Councilman Stice made a motion to approve Resolution 2018-19 adopting the water standards. 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.

### **11. Consideration of awarding the 2018 Street Repairs Project contract.**

Mayor Marshall explained the process that was taken for the bids on the street repairs project. A Statement of Qualifications was submitted along with a Sealed Cost Proposal. Once the Statement of Qualifications were scored, the top three scores had their cost proposal opened. The bids were: Geneva Rock \$798,950, Granite \$687,824, and Staker Parson \$548,031.65.

Mayor Marshall stated the low bid was more than the amount we have in Class C road funds. He requested that two items be removed from the list this year because those streets will likely be dug up for new developments. Item 7, East Cherry Street Cold Mill and Pave for \$32,928 and item 14, South Hale Street Overlay \$74,290 were the two Mayor Marshall suggested for removal. The total without those is \$440,813.65. The Council Members agreed to remove the two items.

**Motion:** Councilman Tripp made a motion to award the contract for the 2018 Street Repairs Project to Staker Parson for \$440,813.65 with items 7 and 14 removed. 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.

### **12. Discussion on sewer hookups.**

Mayor Marshall stated we have multiple homes that are not hooked up to the sewer system. Councilwoman Allen asked if she should recuse herself. Attorney Coombs explained the only time a Council Member is required to recuse themselves is if they have a financial benefit to be gained by the vote. The financial benefit is defined that you own ten percent (10%) or more on what is being voted on.

Councilman Critchlow reported he went around and was taking pictures of some of the properties on the list. He said the old Key Bank, now Dalton-Hoopers, is on the list and the Post Office is on the list. He asked if they are on septic tanks. Mayor Marshall said there are multiple homes on Main Street that never hooked up. Councilman Critchlow stated the park on Wrangler Way in Anderson Ranch is on the list.

Councilman Tripp felt they should come to a general idea. Councilman Stice suggested that they verify the list and then send a letter out to notify homeowners they are required to hook up. He added that maybe we could defer impact fees for a time. The Council discussed the options for payment of the impact fees.

**13. Consideration of service change for garbage pickup from Tuesday to Wednesday for the area south of Main Street to Durfee Street between Matthews Lane east to Liberty Landing.**

Dawn Beagley with Ace Disposal reported on the recycle truck that caught on fire earlier in the day. She explained their drivers are trained that when they see smoke or any indication of a fire, they have to dump the load. Ace will fix the road or parking lot that is damaged. She thanked the Grantsville Fire and Police Departments for their service at the fire.

Ms. Beagley reported due to the growth in our area, Ace would like to change the pickup day from Tuesday to Wednesday for the residents in the area south of Main Street to Durfee Street between Matthews Lane east to Liberty Landing. Ace will provide notice to those effected.

**Motion:** Councilman Tripp made a motion to approve changing the pickup day from Tuesday to Wednesday for the area south of Main Street to Durfee Street between Matthews Lane east to Liberty Landing. 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.

**14. Mayor and Council Reports.**

This item was skipped.

**15. Public Comments.**

No comments were offered.

**16. Closed Session (Personnel, Real Estate, Imminent Litigation).**

**Motion:** Councilman Stice 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 Stice, "Aye", and Councilwoman Sparks, "Aye". The motion carried and the Council went into a closed session at 8:15 p.m.

Those in attendance were: Mayor Marshall, Councilwoman Sparks, Councilman Stice, Councilman Tripp, Councilwoman Allen, Councilman Critchlow, Brett Coombs, Christine Webb, Lt. Robert Sager, and Chris Bramhall. Peter Schofield participated by telephone.

Discussion was held regarding Councilman Tom Tripp's participation in the closes session and his recent primary election for County Commission. It was mutually decided

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for Councilman Tripp to excuse himself. Lt. Sager and Councilman Tripp were excused at 8:29 p.m.

Mayor Marshall was excused at 9:18 p.m. Councilman Tripp was invited to return. He returned at 9:19 p.m.

**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 Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried.

### **17. Adjourn.**

Councilman Critchlow asked if the Council was alright with hosting a movie night on Friday. The Council Members felt it would be better to prepare and plan for a movie night on July 27 and August 10.

**Motion:** Councilwoman Sparks made a motion to adjourn. Councilman Tripp seconded the motion. The meeting was adjourned at 10:12 p.m.