

Approved

**MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL,  
HELD ON JANUARY 16, 2019 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

Krista Sparks

Scott Stice

Jeff Hutchins

Neil Critchlow

Jewel Allen

**Appointed Officers and Employees Present:**

Sherrie Broadbent, Finance Director

Christine Webb, City Recorder

Robert Sager, Police Department

Jesse Wilson, Treasurer/Human Resources

Brett Coombs, City Attorney

**Citizens and Guests Present:**

Derek Dalton

Krista Hutchins

Todd Stewart

Rick Barchers

Mayor Marshall asked Derek Dalton to lead the Pledge of Allegiance. The Mayor welcomed Scout Troop 1308 to the meeting.

**AGENDA:**

**1. Summary Action Items.**

- a. Approval of Minutes from the January 2, 2019 City Council Meeting and the November 14, 2018 General Plan Workshop.
- b. Approval of Bills in the amount of \$161,570.01.

Councilman Stice asked about the snowplow blade and why it was paid for with Class C Road funds. Mrs. Broadbent pointed out that the blade helps maintain the roads during the winter. Councilman Stice inquired about a bill for Utah Accident Report from Tellus. Lt. Sager explained that Tellus is their reporting system. The State has mandated the accident (DI-9) reporting to the State change. To update the program it cost \$17,000 but the Police Department received funding from the State to cover it. There is a grant that will reimburse this.

**Motion:** Councilwoman Allen made a motion to approve the summary action items. Councilwoman Sparks seconded the motion. The vote was as follows: Councilman Critchlow, “Aye”, Councilwoman Allen, “Aye”, Councilman Hutchins, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried.

**2. Discussion of a Proposed Concept Plan for Ken Hale to create thirteen (13) one-acre lots located at 400 East Nygreen Street, in the RR-1 zone.**

Ryan Hale was present on this item.

Mayor Marshall reported this issue will come up from time to time because when the original concept plan was laid out, they complied with the law. Since then the City requires a wider road so they no longer conform. He pointed out that the Planning Commission cannot approve it because it doesn't comply. The City Council is the body that can give permission to proceed.

Mr. Hale explained there is about 100 feet when you exit from Nygreen onto the road to the back of the existing lots. At that point, they plan to widen the road to the sixty-six foot (66') road. He stated they are asking for a variance just to get past the existing lots.

Councilman Critchlow felt they do not need to have a sidewalk on each side of the street. He said if they only put in one sidewalk, they are well within the sixty feet (60'). Mayor Marshall stated that would compromise a major subdivision by not having sidewalks on both sides.

Councilman Stice asked if this subdivision was vested. Mr. Coombs answered that it is not vested. It never went through the preliminary process.

Councilman Critchlow commented the lane was too deep and that it will need a hammerhead in addition to the cul-de-sac.

Councilman Hutchins remarked that there are parking restrictions along streets leading to stop signs. And the two existing homes face Nygreen, so there should not be many cars parked on the sides of the street. The Mayor, Council, and Mr. Hale discussed sidewalks on each side of the street, park strips, and the road width.

Mayor Marshall confirmed they were asking to be allowed a sixty foot (60') street until the property opens up to allow for sixty-six foot (66') width. The Council agreed to allow it. They will bring the subdivision back to go through the approval process.

Mr. Coombs asked the Council to advise the Planning Commission how to handle these situations in the future. He explained that the Council will not vote on this tonight so it will not be binding. They will vote when it comes back as a preliminary plan. The Council will have to draft a Finding Report to explain why they allowed it. Mr. Coombs reported that the Planning Commission has to deny a plan if any part of it violates City

ordinance. Councilman Stice felt that someone had already approved a sixty foot (60') road there when that was the requirement. He stated that they should leave the sixty where it is but anything new has to meet the new requirements. He suggested trying to provide the most asphalt possible at the sixty foot section.

**3. Consideration of approval of a Memorandum of Understanding between Grantsville City and Tooele Technical College on behalf of its Tooele Small Business Development Center (SBDC) Program.**

Jess Clifford presented the Small Business Development Center Program (SBDC). He reviewed the activity report of the SBDC. He mentioned that the Memorandum of Understanding they submitted was a draft. He stated that certain aspects were open for discussion. He added the facts presented were based on a fiscal year. He went over what the SBDC is, what they are doing, and the impact they are having right now.

Mr. Clifford stated they provide business counselling and coaching and provide access to funding and resources. They also do trainings. Mr. Clifford gave a history of the SBDC and how it has evolved.

Councilman Stice asked how long Mr. Clifford has been involved with this program. Mr. Clifford answered that has been with Tooele Technical College since December 2017. Councilwoman Allen expressed appreciation for the BRC, the SBDC, and Mr. Clifford.

Mayor Marshall explained the money for this comes out of our economic growth. He stated we have made one big payment and then it was split out to the different organizations (such as EDC Utah, etc.). He recommended the Council approve the MOU for the amount they have requested but for one (1) year. He suggested having Mr. Clifford give a bi-annual report to the Council. Mr. Clifford stated he was comfortable with that. He felt that he would be able to demonstrate their value.

Councilman Hutchins said he was excited about this. He asked about the period from July 1<sup>st</sup> through November. He inquired if they just did not have a lot of activity or if we were paying for five months of organization. Mr. Clifford answered that the numbers were from a fiscal year. He explained they brought SCORE into the valley to continue the services in the absence of the SBDC. When the SBDC was re-instated, they were able to bring them together and under one roof.

Councilman Critchlow asked what percentage was Grantsville based. Mr. Clifford answered twenty-four percent (24%). Tooele was twenty-three percent (23%) and the rest was from the other parts in the County.

**Motion:** Councilman Stice made a motion to approve a Memorandum of Understanding between Grantsville City and Tooele Technical College on behalf of its Tooele Small Business Development Center for one year with the option to renew annually. Councilwoman Allen seconded the motion. The vote was as follows: Councilman

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

**4. Presentation by President Paul Hacking of Tooele Technical College's Student of the Year.**

President Hacking introduced himself and then the 2018 Tooele Technical College’s Student of the Year, Michael England. Mr. England spoke about his life and educational experiences. He reported how the Tooele Technical College has helped him gain an education to be a Heavy Duty Diesel Technician. Tooele Tech is a great school providing an education close to home with low-cost tuition.

President Hacking stated the Technical College has many stories like Mr. England’s. He expressed appreciation for community leaders and their support of the Technical College. He reported the school is growing at a tremendous rate. They have increased by 40% over the last year. He listed the programs they have expanded and added. President Hacking announced they will be adding a Police Academy on March 4<sup>th</sup>.

**5. Consideration of Ordinance 2019-01 adopting a consolidated fee schedule.**

Mayor Marshall turned the time over to Sherrie Broadbent. Mrs. Broadbent went over a summary of the fees that were changed. She explained that we will review the fees once a year. She reported that in the past different departments were charging different fees for copies and DVDs; that has been consolidated so that the fees are the same. Some of the building fees have been updated. The planning and zoning fees are being reviewed. We have changed our processes and are analyzing how this has impacted our engineering fees and the zoning department.

Councilman Stice stated he liked that the fees were being listed all together. This will make it easy to find a fee you are looking for.

Mr. Coombs reported that throughout our current code many of our ordinances have fees associated within the code. If the Council adopts the consolidated fee schedule, we will have to repeal the fees already in the code. This fee schedule will overrule the conflicting fees.

Councilman Stice asked if it was possible to list the date when changes have been made. He felt it would be useful to see when fees have been updated. Councilman Hutchins asked when this will take effect if it was adopted. Mr. Coombs answered that the way it was drafted allowed it to go into effect immediately. Councilman Hutchins expressed concerns about someone having requested a fee and this would change the amount. Mr. Coombs stated the Council could set a date that it will go into effect.

**Motion:** Councilwoman Sparks made a motion to approve Ordinance 2019-01 adopting a consolidated fee schedule effective immediately. Councilman Stice seconded the

motion. The vote was as follows: Councilman Critchlow, “Aye”, Councilwoman Allen, “Aye”, Councilman Hutchins, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried.

**6. Consideration of Ordinance 2019-02 adopting winter cemetery guidelines.**

Mayor Marshall stated this ordinance will allow people (in the non-mowing months) to place decorations on their lot. The decorations cannot extend beyond their lot.

Councilman Stice commented that he saw the new sign with the regulations at the cemetery. Councilman Critchlow pointed out a typographical error. The ordinance read “much” instead of “must”. Mr. Coombs made the correction. Councilman Critchlow asked why the height restriction was listed as thirty-six inches (36”). Mr. Coombs read the code stating the height restriction that the Council had previously adopted. Councilwoman Sparks suggested changing the phrase “Christmas decorations” to “holiday decorations”.

The Council discussed allowing a time limit for people to pick up their decorations before disposing them. Mr. Coombs suggested talking to the Public Works Department to see if they could allow it. The dates are listed for when the items should be removed on the signs posted at the cemetery. The Council will address this if/as needed.

**Motion:** Councilwoman Allen made a motion to approve Ordinance 2019-02 adopting winter cemetery guidelines. Councilman Hutchins seconded the motion. The vote was as follows: Councilman Critchlow, “Aye”, Councilwoman Allen, “Aye”, Councilman Hutchins, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried.

**Motion:** Councilwoman Allen made a motion to amend her motion to adopt the winter cemetery guidelines with the corrections (Christmas to holiday and much to must). Councilman Stice seconded the motion. The vote was as follows: Councilman Critchlow, “Aye”, Councilwoman Allen, “Aye”, Councilman Hutchins, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried.

**7. Consideration of Resolution 2019-01 appointing Jeff Hutchins to serve as a member of the Board of Trustees of the Tooele Valley Mosquito Abatement District.**

Mayor Marshall recommended appointing Councilman Jeff Hutchins to the Mosquito Abatement Board filling Tom Tripp’s unexpired term.

**Motion:** Councilman Stice made a motion to approve Resolution 2019-01 appointing Jeff Hutchins to serve as a member of the Board of Trustees of the Tooele Valley Mosquito Abatement District. Councilwoman Sparks seconded the motion. The vote was as follows: Councilman Critchlow, “Aye”, Councilwoman Allen, “Aye”,

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

## **8. Discussion and consideration of adopting the Employee Policies and Procedures.**

Jesse Wilson presented the Employee Policies and Procedures to the Council. He showed a copy of the previous Policies and Procedures manual and explained the last time they had been adopted was in 2013. He reported the process the City has gone through to review and update the employee handbook.

Councilman Hutchins stated this was a lot of work. He felt we were at more risk of having a policy in place that was not applicable than we are adopting anything in the proposed employee handbook. He commented that employees are often passionate about where they work and the rules they work under. He felt this was a step in the right direction. Councilman Hutchins said he was curious about what the major changes were and suggested going over those with the employees so they are aware of them.

Mayor Marshall stated they could not be presented to the employees until the Council adopted them. Mr. Wilson commented that 90% of the employees will not see any change in their functions. There may be some exceptions that come up and they can be brought back to the City Council for amendment. Mayor Marshall pointed out that most of the changes were verbiage changes. Mr. Wilson agreed and remarked that many of the verbiage changes dealt with the City Council. He reported that personnel matters would have been brought to the City Council which conflicted with the legislative body’s duties. He stated that something he has been looking at putting into place is a program for anonymous suggestions and reports. Councilman Hutchins commented on the value his company has from using a program like this.

Councilman Critchlow suggested that if an employee is involved in a vehicle accident, they should be given a drug test. Mr. Wilson answered that is in there. Councilman Stice asked how the employees will be trained on the new handbook. Mr. Wilson explained that is still being decided. They may review it in one big meeting or by department. Councilman Hutchins felt the accrual of leave and comp time may be a challenge for some employees to accept. Mr. Wilson said the section on Traditional Vacation addressing the maximum annual vacation did not change. He wanted to keep it because we have not been good about enforcing it.

**Motion:** Councilman Hutchins made a motion to accept the Employee Policies and Procedures. Councilman Stice seconded the motion. The vote was as follows: Councilman Critchlow, “Aye”, Councilwoman Allen, “Aye”, Councilman Hutchins, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried.

**Mrs. Webb asked the Mayor to allow her to change the battery in the recorder.**

## 9. Mayor and Council Reports.

Mayor Marshall stated he attended the swearing in ceremony for the elected County officials. He attended our swearing in ceremony for Jeff Hutchins, our new Council Member. He attended our water data reporting meeting with Public Works and our engineer, Craig Neeley. The report asks for data over the last three years on how much water we pumped and where it was used. The Mayor attended a meeting with UDOT concerning our Main Street Project. They discussed the restrictions placed on the contractor and how they are effecting the project. Mayor Marshall met with Monte Kingston and Derek Ellis about Grant Park. They are willing to make a change to Grant Park in exchange for the allowance to have some one-third acre lots at Hunter Place. Mayor Marshall informed them that will meet a lot of opposition. They compromised to take the seven (7) lots from Grant Park and move them to the Wells Crossing subdivision. The City will allow one-third acre lots in phases 2 and 3 (which will be in the interior of the subdivision). The Wells Crossing subdivision will go from 186 lots to 193 lots. The lots on Hale Street will still be half-acre lots. The Grant Park subdivision will have three (3) half-acre lots and they will amend the plat to show them as part of Hinckley Park with a deed restriction that those lots cannot be subdivided in the future. Mayor Marshall attended the open house for the General Plan and was pleased with the attendance. The Mayor reported the North Well project is close to completion. The test pump will be installed this week. They are looking to begin test pumping next week. Mayor Marshall went to the R.P.O. meeting with the Wasatch Front Regional Council, Tooele County Commissioners, and Mayor Winn on transportation plans for the Tooele Valley. There will be a drafted long range transportation plan that includes proposed new or expanded roadway, transit, walking and biking facilities. The public is invited to provide feedback on the proposed projects and timing of construction. The public comment period on the plan is now open and runs through February 13<sup>th</sup>. Those that are interested can review the plans and give input via an interactive map link at [WFRC.org/committees/tooele-valley-rural-planning-organization/](http://WFRC.org/committees/tooele-valley-rural-planning-organization/) or plan on attending an open house in person on January 31<sup>st</sup> at Tooele City Council Chambers from 4:30 – 6:30 pm. Representatives will be available to answer questions about the plan.

Mayor Marshall stated the ULCT midyear conference in St. George is scheduled for Wednesday, April 24<sup>th</sup> – 26<sup>th</sup>. He asked which Council Members are interested in attending. He has rooms reserved. Councilwoman Allen and Councilman Hutchins plan to attend. Councilman Stice will not be available to attend. Councilwoman Sparks and Councilman Critchlow will have to check their calendars.

Mayor Marshall reported Reality Town for the Junior High School is scheduled for January 31<sup>st</sup> from noon to 2:30 pm. He invited the Council Members to participate.

Mayor Marshall gave the following Council assignments:

- Councilman Critchlow – Parks
- Councilman Stice – Cemetery
- Councilwoman Sparks – Water

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- Councilwoman Allen – Sewer
- Councilman Hutchins – Capital Projects

Mayor Marshall stated he needed to schedule a closed session on February 6<sup>th</sup> at 6:00 pm prior to the City Council Meeting. We will be meeting with our attorneys.

Councilman Critchlow welcomed Councilman Hutchins. Councilman Critchlow was ill and did not attend the Planning Commission Meeting. He did attend the open house for the General Plan.

Councilwoman Allen commented on the General Plan open house. She reported they had the steering committee meeting earlier today. She reviewed the tentative calendar for the rest of the process. After they collect and compile the data, they will provide a report, and they will open a new website late in February for comments on Public Survey #2. Mid-March an initial draft plan will be provided. In early April there will be a second public event and in May they plan to have a public hearing process with the Planning Commission. The current survey will close in a week. Councilman Stice asked her to email the timeline to the Council. Councilwoman Allen reported on the Historic Preservation Commission's (HPC) activities. Trent Jefferies had contacted the City about following up on possibilities for the Jefferies' house. The State sent a couple of representatives to assess the house. Councilwoman Allen reported the HPC is on track to producing a video to show to school children. They are planning to get bids on this project. Councilwoman Allen reported the following statistics on the General Plan: 502 people completed the survey and 334 people wanted to be contacted to follow up. She stated Local Officials' Day is coming up; an email was sent out. She followed-up that we have received a request from a citizen to post the Planning Commission Meeting packets on the website.

Councilman Hutchins thanked the Council for their support and confidence. He stated he was thrilled at the response from the open house. He said the only way the Council will know what citizens want is for them to get feedback. He looks forward to more input to help them lead. Councilman Hutchins reported that he received a call from a concerned citizen about the flush valve on Cherry Street and he called the Mayor about it. He appreciated learning about it. He felt having the TTC's Student of the Year, Michael England, speak at the meeting was nice.

Councilman Stice stated that not all of the meetings are as easy as this one. He welcomed Councilman Hutchins to the Mosquito Board. Councilman Stice reported that he was appointed as the chairman; he serves as the County representative. He attended the County Commission Meeting. He was impressed with the new head of the County Commission, which is Tom Tripp. Councilman Stice said that while he was cleaning out his mother-in-law's house he found about 10-15 Sociable DVDs/programs. He will get them to Mayor Marshall.

Councilwoman Sparks welcomed Councilman Hutchins. She reported that the gentleman running the General Plan open house commented to her that he was blown away with the number of people that took the online survey and the number of people that showed up at the open house. Councilwoman Sparks extended a huge thank you to Sherrie. She commented that Sherrie is our unsung hero and our safety net for all things financial. Councilwoman Sparks remarked on the work that went into the fee schedule and she appreciated it. She added the same for Jesse and his work on the Policies and Procedures. Jesse and Sherrie are invaluable.

## **10. Public Comments.**

Todd Stewart stated that he noticed the public comments had been removed from the start of the agenda. He asked why that change had taken place. Mayor Marshall explained that according to State law if the public is allowed to comment prior to the Council voting on a planning and zoning item, then the Council would have to send the item back to the Planning Commission. The public may still comment at the public hearing at the Planning Commission Meeting. Mr. Stewart thanked the Council for being concerned about the cemetery. He did not think the Public Works should have to store items from the cemetery. He suggested adding a notice to the newsletter at the end of the non-mowing/winter months that people need to pick up their decorations or they will be disposed of. Mr. Stewart asked when Mayor Marshall expected the link to the transportation plan to be on the website. Mayor Marshall stated that he will have staff put it on tomorrow. Mr. Stewart extended his congratulations to Councilman Hutchins and asked when his contact information will be updated.

Debbie Spilman commented on the Employee Handbook. She was impressed and thought it was amazing. She stated that it has been reported on Facebook that there is a toxic plume (or TCE plume) that is underneath the Depot and heading to Grantsville City water. She stated if that is a false conspiracy theory, she would like the City to address it. Or if there is an issue, she would like the City to address how we are working to mitigate any negative issues. Mrs. Spilman reported that a couple of months ago she watched a podcast by the Salt Lake City Police Department and the Salt Lake County District Attorney's Office. They discussed how those jurisdictions are going to handle the affirmative defense under the medical cannabis law. She stated in that podcast, they were encouraging people listening or watching to contact their local jurisdictions. She would like to see Grantsville City and Tooele County plan to interpret and handle the affirmative defense under the medical cannabis law because it will not be much longer before this will come up. Mayor Marshall answered that the dispensary will be the County Board of Health. Mrs. Spilman stated that she was asking if this jurisdiction will recognize affirmative defense.

## **11. 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

Approved

Critchlow, “Aye”, Councilwoman Allen, “Aye”, Councilman Hutchins, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried and the Council went into a closed session at 9:04 p.m.

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

Mayor Marshall was asked to leave the closed session at 9:15 p.m.

**Motion:** Councilwoman Allen 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 Hutchins, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried.

## **12. Adjourn.**

**Motion:** Councilman Stice made a motion to adjourn. Councilwoman Allen seconded the motion. The meeting was adjourned at 9:37 p.m.