

Approved

**MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL, HELD ON AUGUST 7, 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

Jewel Allen

Neil Critchlow

Jeff Hutchins

Krista Sparks

Scott Stice

**Appointed Officers and Employees Present:**

Corinna Mathis, Deputy City Recorder

Brett Coombs, City Attorney

Jacob Enslin, Police Department

Jesse Wilson, Human Resources

James Waltz, Public Works

Kristy Clark, Zoning Administrator

**Citizens and Guests Present:**

Harold Chadwick

Jason Smith

Ben Levenger

Mikki McKenzie

The Addingtons

Bret Anderson

D. Nielson

Eric Grange

David Hammond

Barry Bunderson

Mark Watson

Adam Gelmacher

Krista Hutchins

Maria Spencer

Debbie Spilman

Mike Colson

Rosalie York

DeAnn Christiansen

Approved

Mayor Marshall asked Councilwoman Jewel Allen to lead the Pledge of Allegiance.

**AGENDA:**

**1. Public Comments.**

Harold Chadwick commented on the Fire Department SOPs and bylaws. He stated that he had been asked to speak on behalf of the members of the Fire Department. Mr. Chadwick said after receiving a copy of the proposed SOGs and SOPs they are convinced that the bylaws absolutely need to be restored. He requested that the Council consider immediately doing away with the SOPs and restore the bylaws with the understanding that they will be updated for compliance with City Code. Mr. Chadwick reported that the Fire Department members request the City take the lead in organizing an SOP development team with representation from all the firefighters. They also request that the full Department are allowed to review and comment on the SOPs before the final product is accepted. They asked that all business conducted since September 2017 under the unapproved SOPs and SOGs be declared null and void. Mr. Chadwick stated because of the exclusion of annual elections, they ask to immediately hold elections to fill the unexpired terms and those elected to fill the offices until scheduled elections in November of 2020. They asked that Councilman Critchlow recuse himself from voting on this issue because the position of Fire Chief is compensated monetarily. Mr. Chadwick explained that approval of the suggestions will allow healing to begin and boost morale, camaraderie, and improve the overall safety, welfare, and wellbeing of the Grantsville City Fire Department. Mr. Chadwick read information from a FEMA document entitled "Developing Effective Operating Procedures."

**2. Summary Action Items.**

- a. Approval of Minutes from the July 17, 2019 City Council Regular Meeting and July 30, 2019 Special Meeting.
- b. Approval of Bills in the amount of \$713,274.94.

Councilman Stice asked if the monitoring contract for the Library was monitoring for fire. Mayor Marshall answered that it was. Councilman Stice inquired about a restitution payment. Mayor Marshall answered that was a restitution payment that came through the Justice Court for Hale Oil Company.

**Motion:** Councilman Hutchins made a motion to approve the summary action items.

**Second:** Councilwoman Allen seconded the motion.

**Discussion:** Mayor Marshall stated that Councilman Stice and Councilwoman Sparks were not voting to approve the minutes from the July 17, 2019 City Council Meeting because they were not in attendance.

**Vote:** The vote was as follows: Councilman Critchlow, "Aye", Councilwoman Allen, "Aye", Councilman Hutchins, "Aye", Councilman Stice, "Aye", and Councilwoman Sparks, "Aye".  
The motion carried.

### **3. Presentation and discussion of the proposed General Plan.**

Mayor Marshall asked Councilwoman Allen to provide a brief synopsis of where we are and how we got here. Councilwoman Allen reported that this process was started in November 2018 with a series of public meetings. She explained that with the assistance of the consultant team and a steering committee, they have drafted a document. It has been available online for comments. Councilwoman Allen stated there have been changes made to the document presented at this meeting.

Ben Levenger stated the goal for this meeting was to provide an update as to where they are in the process. He explained he was going to give the same presentation to the City Council that he gave to the Planning Commission. He said they are giving Councilwoman Allen a week to collect any additional comments. He left a large format drawing for the Council Members to mark up.

Mr. Levenger reported they started with an existing conditions plan, a community assessment, the sense of community survey, and a public input meeting where a draft plan was presented. They received highlights and recommendations, but not very much in the detail category. They had a second survey and public input meeting where they received about 50% of the take on that survey. They also had a future land use meeting with the future land use managers. Mr. Levenger said they are now at the point to present to the Planning Commission and the City Council for comments and feedback.

Mr. Levenger went over some of the highlights from the map. He stated there was a desire for more definition of allowable property uses by designation. People want to know what they can do on their property based on the zone. Residents want more retail or amenities in the community. There was a strong desire for the creation of secondary commercial, such as a gas station, convenience store, or those types of things throughout the community. Many people felt there was a lot of traffic on Main Street and as the City continues to grow, this will only become more of an issue. There was a desire to further study locations of future schools and parks. Mr. Levenger reported that with every general plan, there is always concern about how to mitigate traffic. He stated that we are not abnormal on that regard; they hear that on every single general plan they work on.

Mr. Levenger stated residents wish to understand uses and have concurrent uses next to one another. Improved civic and gathering spaces was requested. Citizens especially would like to have places for young people to gather such as a recreation center. People would like more dining options in the community and an increased amount of retail expenditures. Mr. Levenger reported there was a desire to limit increased density within housing markets. People understand the need for density but do not have a recommendation on where to put the density. There was a desire to limit large scale multi-family housing within the entire community and to limit the smaller single family lots.

Mr. Levenger reviewed the requests received from comments. There were many that wish to maintain the small town, rural community. He stated most of the comments received had the word “*rural*” in them. There was interest in improving alternative transportation which centered on sidewalks. People do not feel there are enough sidewalks that are adequately sized or located for people to walk through town. Mr. Levenger noted there are minimal bike lanes throughout the community. He reported that the most recorded comment on the survey was that we need to ensure there is sustainable development within the community. People are concerned about the water table and that there is enough water for developments. He had a map for the downtown area and an overall future land use map for the Council to draw and make comments on. He asked that the Council give them one set of maps and they will try to incorporate everything. They are going to provide a compromise document for the City Council and Planning Commission.

Mayor Marshall asked to look at the downtown map. He commented that as he reviewed it with the overlay removed, Main Street appears to be an apartment row. He felt this was exactly opposite of what people want. He stated that he was confused by this. Mr. Levenger suggested looking at the red area of the map which showed the commercial area with traditional downtown amenities. He said the gray colored area around the outside showed the higher density housing which was fifteen to eighteen units per acre and could be adjusted as needed. Mr. Levenger explained the comments they heard were that citizens do not want to have multi-family or apartments scattered throughout the community. The citizens understand that we are going to need it; when it was suggested to place them on the Main Street corridor, they were understanding. Councilman Stice commented that all of Main Street used to be red. Mr. Levenger stated the mixed use running concurrent to the commercial along the Main Street corridor is similar to the flex space on the overall plan. It is intended to give the City flexibility to have something that fits the needs of the community as it continues to grow.

Mr. Levenger stated they are happy to change as necessary. He left maps for the Council to mark for them. Mayor Marshall reported that he found numerous spelling errors that need to be cleaned up. He requested that any pictures added were pictures immediately recognizable as being in Grantsville. Mr. Levenger stated they did go to an editor about two months ago in the original draft form. He said they have made quite a few edits since that time. After the City Council and Planning Commission provide their comments, it will go back to the editor for another round of edits.

Councilman Hutchins asked how many surveys they received and if the Council could have them. Mr. Levenger answered they are all in the appendix section. They can provide them to the Council Members. Mr. Levenger reported they received approximately 400 surveys on the first survey. The second survey had just under 200 responses. They also have an extensive email list they are willing to provide to the Council.

Councilman Stice stated he would like to see a future street map included with the general plan. He felt it would be helpful. Mayor Marshall explained at the last C.O.G. Meeting he attended we were awarded some money from the sales tax that will be used for a valley wide transportation study for the main corridors. Councilman Stice commented that during the presentation he heard

that people want more business, but they want less traffic. He felt this seems to be consistent throughout the general plan. Councilman Stice asked how that is a good general plan when we have conflicts like that all through it. Mr. Levenger answered that the general plan is a balance and we are in a phase of growth. People want more amenities but they move here for a reason. As a community we are going to have to do more in the transportation realm to centralize those items around a node and have the secondary routes through town to provide options during rush hour. Councilman Stice pointed out when reading through the whole document it seemed liked every time someone said something, it was put it in and when someone else said another thing, it was put it in too. He said there is nothing that bridges the gap and the Council has to put the pieces together. He thought Mr. Levenger's organization was being paid a lot of money to put something together. This document was such that the Council will have to do a lot of interpretation. Councilman Stice felt it should be a tighter document than what was presented.

Councilman Stice asked Councilwoman Allen what she thought the purpose of a general plan is. Councilwoman Allen answered it is so we know where we are at, where we want to go, and how to get there. She said that was what they had talked about. Councilman Stice asked if the general plan is for the City, for developers, or for citizens. Councilwoman Allen explained she thought you include everybody who has a stake in Grantsville's future. Councilman Stice asked Mr. Levenger who the general plan is for. Mr. Levenger answered that it is a guiding document for a community for the next ten years. He said it puts out some projections, future land use maps, and collects a view of where the community wants to be in the next ten years. He added that you take where the community is at and where they want to go and then try to find a compromise between everybody in the community for a unified direction. Councilman Stice stated he looked at the Power Point presented with links to some of the other cities and information possibly from the League of Cities and Towns. He felt this general plan is a whole lot like Tooele County's general plan. He pointed out the general plan we had was simple and to the point. The one presented seemed more like a research paper, it is a fifty page document with a lot of information. Councilman Stice would like to see a general plan that is about five to seven pages and then an appendix where all the information is found. He felt all the other stuff is how you develop a general plan, but it does not need to be in the general plan.

Councilwoman Allen stated that she understood Councilman Stice's concerns. She stated that as a document, it feels sound because we have all of the things in place to address the issues. She liked the idea of having an executive summary of the document. She expressed her concern with the appendix treatment and that it might not be treated with as much weight as the actual document. Some people may not even refer to it. She commented that looking at the different aspects of the drafted general plan, they will have to tackle it one section at a time and lay out a timeline so they can feel good about setting goals as a group and a City.

#### **4. Consideration of Fire Department SOPs, bylaws, and Lexipol.**

Jesse Wilson presented information about Lexipol. He reported that our Police Department uses the program and it works well for them. There was a discussion about whether or not we need both bylaws and SOPs. Mr. Coombs mentioned that ordinances trump any bylaws and/or SOPs. Our ordinances state the Fire Chief is a one-year term. The City Council did not know when the

three-year term was approved. Mr. Coombs explained the Council will have to decide if they will follow the current ordinance or amend it. The Council wished to have some consistency in the Fire Department leadership and felt that is why they approved the three-year term. The Council decided to use Lexipol to help write the SOPs. They discussed the process and the amount of time it will take to work through it. The feeling was that the process needs to take place as quickly as possible. They would like to have it completed prior to elections in November.

**Motion:** Councilwoman Allen made a motion to approve the City to contract with Lexipol. and to form a committee to develop Policies and Procedures. The committee will be made up by members from the Fire Department, Councilman Stice, Councilwoman Sparks, and Jesse Wilson.

**Second:** Councilman Stice seconded the motion.

**Vote:** The vote was as follows: Councilman Critchlow, abstained, Councilwoman Allen, "Aye", Councilman Hutchins, "Aye", Councilman Stice, "Aye", and Councilwoman Sparks, "Aye".  
The motion carried.

**Motion:** Councilwoman Allen made a motion to approve the creation of a committee to develop Policies and Procedures. The committee will be made up by members from the Fire Department, Councilman Stice, Councilwoman Sparks, and Jesse Wilson.

**Second:** Councilman Hutchins seconded the motion.

**Vote:** The vote was as follows: Councilman Critchlow, abstained, Councilwoman Allen, "Aye", Councilman Hutchins, "Aye", Councilman Stice, "Aye", and Councilwoman Sparks, "Aye".  
The motion carried.

**Motion:** Councilman Stice made a motion to have the Fire Department continue with the current Fire Chiefs until the process is complete.

**Second:** Councilwoman Sparks seconded the motion.

**Vote:** The vote was as follows: Councilman Critchlow, abstained, Councilwoman Allen, "Aye", Councilman Hutchins, "Aye", Councilman Stice, "Aye", and Councilwoman Sparks, "Aye".  
The motion carried.

**5. Consideration of Resolution 2019-14 approving the Final Plat for Mountain Vista Development, Inc. on the Hunter Estates Subdivision located at 420 South Center Street for the creation of thirteen (13) lots in the R-1-21 zone.**

No one was present on this item. Mountain Vista Development had submitted new plans. Mayor Marshall suggested this be tabled and possibly be sent to the Planning Commission for reconsideration.

**Motion:** Councilman Stice made a motion to table Resolution 2019-14 approving the Final Plat for Mountain Vista Development, Inc. on the Hunter Estates Subdivision located at 420 South Center Street for the creation of thirteen (13) lots in the R-1-21 zone.

**Second:** Councilman Critchlow seconded the motion.

**Vote:** 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 2019-15 amending the Grantsville Land Use and Management Code (GLUDMC) pertaining to Chapter 21 Subdivision Regulations – Section 7 Financial Assurance and associated definitions in Chapter 2, including subdivision improvement agreements.**

**Motion:** Councilwoman Sparks made a motion to approve Ordinance 2019-15 amending the Grantsville Land Use and Management Code (GLUDMC) pertaining to Chapter 21 Subdivision Regulations – Section 7 Financial Assurance and associated definitions in Chapter 2, including subdivision improvement agreements.

**Second:** Councilman Stice seconded the motion.

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

**7. Consideration of approving a Commercial Conditional Use Permit for Rosalie York at 822 East Main Street, Building A, Suite #4 in the CD zone.**

Rosalie York was present. The Council made inquiries about this business. It is a hair salon with a boutique. Ms. York has been in business since March. She has been working on the Conditional Use Permit approval process.

**Motion:** Councilman Critchlow made a motion to approve a Commercial Conditional Use Permit for Rosalie York at 822 East Main Street, Building A, Suite #14 in the CD zone.

**Second:** Councilwoman Sparks seconded the motion.

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

**8. Consideration of Ordinance 2019-16 amending the official zoning map of Grantsville City, Utah to rezone 0.73 acres for Doug and Roseann Higley located at 5 North Center Street to go from a CS zone to an RM-15 zone.**

Approved

No one was present on this item.

**Motion:** Councilman Stice made a motion to table Ordinance 2019-16 amending the official zoning map of Grantsville City, Utah to rezone 0.73 acres for Doug and Roseann Higley located at 5 North Center Street to go from a CS zone to an RM-15 zone.

**Second:** Councilman Critchlow seconded the motion.

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

**9. Consideration of Ordinance 2019-17 amending the official zoning map of Grantsville City, Utah to rezone of 6.21 acres for Todd and Debrorah Castagno located off of SR-112 and Durfee Street to go from an A-10 zone to an RR-1 zone.**

No one was present on this item.

**Motion:** Councilman Stice made a motion to table Ordinance 2019-17 amending the official zoning map of Grantsville City, Utah to rezone of 6.21 acres for Todd and Debrorah Castagno located off of SR-112 and Durfee Street to go from an A-10 zone to an RR-1 zone.

**Second:** Councilman Critchlow seconded the motion.

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

**10. Consideration of Resolution 2019-15 approving a Preliminary Plan for Adam Geldmacher on the Hale Place Subdivision located on the corner of Hale Street and North Street for the creation of nine (9) lots in the RM-7 zone.**

Councilman Hutchins stated they have no idea how much this will cost or what it means. Councilman Stice commented that it could be part of the development agreement you are going to have to come up with \$100,000 to fix this. He added that it might be in their best interests to table this until they have a number. Councilman Critchlow stated if you don’t table it, it is up to the Council to make sure it gets done. He said it is terribly unfair for the City to run water across their property.

The Council discussed the flow of water in this area. Councilman Hutchins commented that we may have to have some engineering done. He asked what effect it would have on the project if the Council tabled this item. Mayor Marshall answered that it would come back in two weeks.

Barry Bunderson stated the reality is that this is a layout of lots. They have done a minimal amount of design process. Mayor Marshall stated if the Council tabled it, they are not stopping

them from continuing to work on the project. Mr. Bunderson replied they are not going to continue when they do not have solid footing to move forward. He suggested that they decide if the general layout meets the zoning ordinances and can they meet the utility requirements with some modeling on water and sewer or are there going to be significant issues. He stated the final design are to come. He felt that could be resolved after this step. Councilwoman Sparks felt the risk lies with the developer, not with the City. Councilman Hutchins commented that he wanted to be fair and the Aqua agreement details the exceptions to the City Code that need to be clarified in the development agreement.

**Motion:** Councilwoman Sparks made a motion to approve Resolution 2019-15 approving a Preliminary Plan for Adam Geldmacher on the Hale Place Subdivision located on the corner of Hale Street and North Street for the creation of nine (9) lots in the RM-7 zone.

**Discussion:** Councilman Stice asked if there should be something in the development agreement about water or not. Councilwoman Sparks stated this will come back to them and they can do a development agreement then. She said there are probably other things that will need to be added depending on what the engineering looks like when it comes back to them. Councilman Stice was concerned because the Council approved the Sun Sage Meadows preliminary plan and then they were held to it. He felt something needs to be added about the water. Mr. Coombs explained the direction he is receiving from the Council is that we are going to work on a development agreement and water is one of a number of things that will be contained in that agreement.

**Second:** Councilman Stice seconded the motion.

**Discussion:** Councilman Stice commented that he liked this development because it is in the City. He said it is a good place to put houses.

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

**11. Consideration of Resolution 2019-16 approving a Preliminary Plan for John Clay, Glenda Brafford, and the Tooele Housing Authority on the Blue Lakes Subdivision located at approximately 445 East Clark Street for the creation of 12 lots in the split zone of RM-7 and RR-1.**

Barry Bunderson represented on this item. Councilman Stice inquired if the City gets credit for affordable housing with this development. Mr. Coombs said we will because it is through the Tooele County Housing Authority. Councilman Stice asked if there were any issues with the gap that might be a road someday. Mr. Bunderson answered the widened road. He said the right of

way is about ninety-nine and a half feet and the City's current Transportation Master Plan requires sixty-six foot wide typical street. There is some excess and they left in a park strip. Mr. Bunderson commented that a development agreement issue may come up is the current slope of the road, vertical change in grade. If they put regular curb and gutter on it, it will be too flat. He reported that while going through the DRC and the Planning Commission, they recommended ribbon gutter so the water will flow off into the park strip area. Mr. Bunderson explained that they looked at this from an engineering standpoint and it seems to be a feasible solution. He stated they will have a park strip that is close to twenty-three feet wide.

**Motion:** Councilman Critchlow made a motion to approve Resolution 2019-16 approving a Preliminary Plan for John Clay, Glenda Brafford, and the Tooele Housing Authority on the Blue Lakes Subdivision located at approximately 445 East Clark Street for the creation of 12 lots in the split zone of RM-7 and RR-1.

**Second:** Councilman Hutchins seconded the motion.

**Discussion:** Councilman Stice expressed appreciation for the location of this subdivision.

**Vote:** The vote was as follows: Councilman Critchlow, "Aye", Councilman Hutchins, "Aye", Councilman Stice, "Aye", and Councilwoman Sparks, "Aye". The motion carried.

## **12. Consideration of Ordinance 2019-18 amending the P.U.D. requirements for residential development in Chapter 12 and Chapter 21 of the Grantsville City Land Use and Management Code.**

Mr. Coombs reported this ordinance was drafted to address the City Council's request to look at the open space requirements for residential P.U.D.s. He stated we currently require fifteen percent. The proposal was to change it to ten percent. He explained that was the only change. Councilman Stice stated he looks at this as a P.U.D. and if we start at ten percent and work from there. Councilwoman Sparks felt there should not be a requirement, but that the Council decides and determines when a P.U.D. is presented. Councilman Critchlow agreed. He felt that the Council should not hold up a development because it is a planned unit development and we're not going to require open space in certain situations.

Mayor Marshall asked why the Planning Commission voted to not recommend this for approval. Kristy Clark explained the Planning Commission wished to keep the requirement. She reported that Commissioner Pinkham commented that they had not had any complaints on the fifteen percent requirement. The Council discussed P.U.D. open space requirements and their concerns.

**Motion:** Councilman Stice made a motion to approve Ordinance 2019-18 amending the P.U.D. requirements for residential development in Chapter 12 and Chapter 21 of the Grantsville City Land Use and Management Code to ten percent on both.

**Second:** Councilman Hutchins seconded the motion.

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

### **13. Discussion of the rental agreement for the Clark Farm Home.**

Mr. Coombs reported the rental agreement has not been redone in a while. He felt it might be worth either redoing it or presenting an RFP to see if there is a better use of the property. He added that we are supposed to redo our contracts every five years at a minimum. He explained that Grantsville City should be paying property taxes on this property if we have a for profit business running on the property.

Councilman Stice said the County makes money on the swimming pool and asked if they pay taxes on the pool. The Council felt they may not make any money on it. Councilman Stice liked the current use. He was not in favor of having someone else come in and change the use. He felt it was perfect for the property. Councilman Hutchins asked if we could update the agreement without going through the RFP process. Mr. Coombs answered that it would depend on the amount of money we are talking. It would have to be compliant with our procurement policy.

### **14. Mayor and Council Reports.**

Mayor Marshall attended C.O.G. Meeting. He purchased a hog at the stock show. He reported that Main Street construction is wrapping up. The pipe bursting will be complete in two weeks. The sewer and main water laterals are to be completed at the west end of Main Street by August 17<sup>th</sup>. The east end should be complete by August 31<sup>st</sup>. We are looking at October for the completion of the Main Street Project. Mayor Marshall asked if the City Council Members wish to attend the Utah League of Cities and Towns fall conference.

Councilman Critchlow offered kudos to the Police Department for the way they handled the fire on Cooley Street. He attended the Night Out Against Crime.

Councilman Hutchins commented that we are getting better at the electronics but he got the idea that we are not as good in Planning and Zoning as they wish we were. He encouraged continuing to make strides.

Councilman Stice reported Washington County and three districts in the State have West Nile Virus. He felt the cemetery looks better. He commented on the Main Street Project. He noticed they have a sign for a UTA stop close to his home and asked for information. Mayor Marshall stated that he did not know about the sign but they are making some changes to the bus routes.

Approved

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

**The Council did not go into a closed session.**

**16. Adjourn.**

**Motion:** Councilman Stice made a motion to adjourn. Councilwoman Sparks seconded the motion. The meeting was adjourned at 9:35 p.m.