

Approved

**MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL, HELD ON JANUARY 15, 2020 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

Jeff Hutchins

Darrin Rowberry

Krista Sparks

Scott Stice

**Appointed Officers and Employees Present:**

Jesse Wilson, Treasurer

Christine Webb, City Recorder

Jacob Enslin, Police Department

**Citizens and Guests Present:**

Jaime Topham

Susan Johnsen

DeAnn Christiansen

Mark Watson

Mayor Marshall asked Jesse Wilson to lead the Pledge of Allegiance.

**AGENDA:**

**1. Public Hearing:**

- a. Vegas Meadows Annexation

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

**2. Public Comments.**

Susan Johnsen commented on the proposed Master Plan. She and her neighbors would like to be assured that developers cannot come in and grandfather properties that are inappropriately zoned. She encouraged the Council to stick to the plan once it is adopted.

**3. Summary Action Items.**

- a. Approval of Minutes from the December 18, 2019 City Council Regular Meeting.
- b. Approval of Bills for the amount of \$686,705.07.

**Motion:** Councilwoman Allen made a motion to approve the summary action items.

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

**Vote:** The vote was as follows: Councilman Rowberry, “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 Paul Hacking reviewed the enrollment numbers and reported that several of the programs offered at Tooele Technical College are over capacity. He shared the Tooele Technical College Expansion and Remodel Project. They plan to add approximately 50,000 sq. ft. of new or remodeled space into their building. President Hacking explained they are hoping to receive funding from money that was set aside by the legislature for buildings for institutions of higher learning.

President Hacking introduced the Student of the Year, Madison Thomas. Ms. Thomas shared her story leading her to attend Tooele Technical College. She reported on her experiences while studying cosmetology.

**5. Consideration of Ordinance 2020-01 annexing 9.93 acres of real property located on the south side of Vegas Street between Hale Street and Cooley Street into Grantsville City.**

Samuel Clegg was present. Mayor Marshall stated there are no problems with this annexation. He recommended the Council approve the ordinance.

**Motion:** Councilwoman Allen made a motion to approve Ordinance 2020-01 annexing 9.93 acres of real property located on the south side of Vegas Street between Hale Street and Cooley Street into Grantsville City.

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

**Discussion:** Councilman Stice clarified that this will annex up to, but not include Vegas Street. The street will still be in the County.

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

**6. Consideration of Resolution 2020-01 to grant a waiver of development fees for the Blue Lakes Subdivision.**

Barry Bunderson represented the Tooele County Housing Authority (TCHA) on this item. He explained that DeAnn Christiansen, TCHA representative, submitted a letter requesting a fee waiver with the application for the development. Mayor Marshall stated he understood the

reasons for the request; however, there is still a cost burden. He reported it costs the City money for the Building Inspector to inspect the buildings and there is an impact on the water, sewer, and other systems. He stated that he did not understand why some of the money they get from the State cannot be used for these costs. He commented on Senate Bill 34 and how it impacts communities, especially smaller ones.

Councilman Stice inquired if there are any fees that may be waived. He pointed out that the resolution excluded impact fees. Councilwoman Sparks suggested tabling the resolution until the Council has time to discuss the specific fees with Attorney Brett Coombs.

Councilwoman Allen asked why they are requesting the fees be waived. Mr. Bunderson spoke about the bonding process and how it affects the development. He recommended having a performance bond on the contractor so the plat can be recorded.

DeAnn Christiansen reported they have not received any grants associated with this project. She pointed out this is the third or fourth project the Housing Authority has done in Grantsville in the last twenty-five years or so. She added they have had fees waived before. She stated the City has an ordinance allowing the City Council to waive certain fees for low to moderate housing developments. Ms. Christiansen explained that she has worked closely with Tooele City to update their city ordinance to work with non-profit developers like the Housing Authority. She reported that Tooele City's new policy allows them to waive up to \$10,000.

Mayor Marshall felt it would help if the Housing Authority compiled a list of the fees and amounts they would like waived. He thought it would help to know the specifics.

Ms. Christiansen apologized that the Council had not been educated. She stated it was her understanding that the City Attorney was planning to meet with the Council to educate them about the ordinance the City has in place. Councilman Stice was in favor of waiving the fees if possible. He recommended that Ms. Christiansen put together a list of the items waived in the past. Ms. Christiansen commented that they've been trying to figure that out, but it doesn't look like it was in writing. She said maybe they could dig out their old project files.

The Mayor and Council were all in favor of the project. They did have reservations about waiving fees. Mayor Marshall remarked on Tooele City's policy to waive \$10,000 and how ten buildings would add up to \$100,000 which is a lot of money for Grantsville City. He suggested they come up with a list of the fees they would like waived so the City can see what we can do to work with them, while not burying the City at the same time.

Barry Bunderson commented that the boiler plate development agreement is not something they have seen or created. He felt that is where the discussion should start. Councilwoman Allen felt it is important to know the numbers when they are being asked to waive fees. Mr. Bunderson stated for part of the application they put together an engineer's estimate for improvements (sidewalk, asphalt, connections to the sewer, etc.) which they estimated at \$143,000 if it went out to bid. Councilwoman Allen asked if that was the actual number they were requesting to be

waived. Mr. Bunderson answered yes and there are impact fees that would be separate from it. The Council discussed setting a maximum amount like Tooele City.

**Motion:** Councilman Stice made a motion to table Resolution 2020-01 to grant a waiver of development fees for the Blue Lakes Subdivision.

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

**Discussion:** DeAnn Christiansen suggested that the Council get a copy of Tooele City's ordinance that was adopted.

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

**7. Consideration of Resolution 2020-02 approving a development agreement for the Blue Lakes Subdivision.**

**Motion:** Councilman Stice made a motion to table Resolution 2020-02 approving a development agreement for the Blue Lakes Subdivision.

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

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

**8. Consideration of Resolution 2020-03 approving the amended General Plan for Grantsville City.**

Jaime Topham, Planning Commission Chair, was present. She confirmed that the information provided to the Council had the most recent amendments. Mayor Marshall stated that he had asked them not to go into the Deseret Peak Special Service District. He reported a piece of property was purchased in this area and the owners are requesting an MG zone. He felt the General Plan should reflect that. Ms. Topham commented that the Planning Commission has done their due diligence while working to update the General Plan. She recalled Mayor Marshall asking them not to touch that area and stated that is why it has hatch marks. Mayor Marshall expressed his concerns over the green area of the map. He explained that green would allow residential developments and there had been previous discussion about not allowing homes so there would be a buffer area from the racetrack. Ms. Topham stated they left that area with what was in the previous map from 2015.

Shay Stark with Aqua Engineering pointed out the General Plan deals with future land use; it does not deal with zones or zoning. He explained that they talked about not changing this area because of what was going on with the lawsuit; it was decided to call it a planning area. They have added a statement which requires developers to bring 500 acres in at a time in a master plan. He commented that in some ways what is shown on this map does not mean much because a developer can come in with a master plan and the City can negotiate with them for the best fit. Mr. Stark suggested if there are areas that we know a certain use is desired, then we can show the use and remove the crosshatch from those areas.

Mayor Marshall discussed with Mr. Stark how far the residential area should be allowed. Councilwoman Allen expressed her concerns with making major changes to the future land use maps at this meeting. She felt there should be a separate process for making changes beyond the 400 acres in the Deseret Peak Planning Area. Ms. Topham confirmed with Mayor Marshall that the 400 acres he referred to at the beginning of this agenda item should be changed to the gray color rather than the red.

Mayor Marshall stated the next thing he was concerned with was on the Flux Annexation area. He reported we have done extensive studies on the sewer conditions in the northwest quadrant of town. He explained north of the Walmart D.C. there is an area marked for residential housing that we are very limited in the amount of sewage that can be moved to the treatment plant. Mr. Stark pointed out that the area of concern is located southwest of the Lincoln Highway; specifically, the Anderton property. He reported the County Health Department has approved new requirements where any property under five acres considering a septic system must install a system with treatment as part of it. This system is required to be inspected every six months. Mr. Stark explained the problems associated with the non-treated septic systems and how they affect the water table. Mr. Stark suggested taking a portion of the green from this area and putting it into a five to ten acre residential future land use designation. He also thought that the area from Old Lincoln Highway to where it turns into SR-138 (to the south and west “which is mainly Terry Anderton’s property”) would be better suited as commercial.

Councilman Stice asked if the links in the document are active or if they need to be taken out. Councilwoman Allen will check them to make sure they work. Councilman Stice asked whose website has the links and who will maintain it. Councilwoman Allen stated she followed up with the consultants as far as if we can keep the plan on their website. She was told it is a minimal cost to them and they were willing to host it. She felt that eventually we will want to have it on the City website. Councilman Stice preferred to have the maps in the appendix. Ms. Topham remembered talking about hyperlinking the maps.

Councilman Hutchins was concerned about educating the public on how the plan will work. Ms. Topham stated the Utah League of Cities and Towns has a lot of educational videos that they talked about putting a link to on the City website for the public to watch.

Councilwoman Sparks suggested during the budget process that we look at our website. She has visited a few other cities' websites and felt they are more user friendly. Councilman Hutchins stated the next step is to put it in the budget. He expressed concern about residents understanding the land use maps.

Ms. Topham addressed Ms. Johnsen's concern about the development on north Cooley Street. The property is zoned as RM-7. Ms. Topham explained the future land use map will not change the current zoning designation. If property owners come in to request a zone change to match the future land use map, they can do so. The Master Plan does not change anything that is existing.

**Motion:** Councilwoman Allen made a motion to approve Resolution 2020-03 approving the amended General Plan for Grantsville City with the changes to the maps as discussed tonight and any typos may be corrected.

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

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

**9. Consideration of Resolution 2020-04 appointing a qualified person to the offices of City Recorder and City Treasurer to insure the City's compliance with Utah Code § 10-3-916.**

Mayor Marshall recommended approval of Christine Webb as the City Recorder and Jesse Wilson as the City Treasurer.

**Motion:** Councilman Sparks made a motion to approve Resolution 2020-04 appointing a qualified person to the offices of City Recorder and City Treasurer.

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

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

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**10. Consideration of Resolution 2020-05 approving the Utah Wildfire Resource Memorandum of Understanding between Utah Division of Forestry, Fire, and State Lands and Grantsville Volunteer Fire Department.**

Mayor Marshall recommended this item and the next one be tabled.

**Motion:** Councilman Stice made a motion to table items 10 and 11.

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

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

**11. Consideration of Resolution 2020-06 approving the Tooele County and Grantsville City Wildland Fire Protection Cooperative Agreement.**

This was tabled with the above motion.

**12. City Council Committee Assignments.**

Mayor Marshall gave the following City Council Committee Assignments:

Jeff Hutchins was assigned as the liaison for the Library Board of Directors, a representative on the Mosquito Abatement, and the sports coordinator for the use of the ballparks and soccer fields.

Darrin Rowberry was assigned as a liaison to the Planning Commission. He was given streets.

Krista Sparks was asked to be the liaison on the Board of Directors at USU Tooele. She will work with Mayor Marshall on water.

Jewel Allen was requested to be the liaison to the Historic Preservation Commission and our representative with the Utah League of Cities and Towns. She was asked to work with Mayor Marshall on sewer.

Scott Stice was given cemeteries and asked to be over the non-sports areas of all parks.

**13. Mayor and Council Reports.**

Mayor Marshall and Brett Coombs met with Smith Hartvigsen regarding the creation of a Community Re-investment Agency with the Grantsville City RDA. He announced that Elected Officials Day at the Capitol is January 29<sup>th</sup>. He has registered Councilman Hutchins, Councilwoman Allen, and himself. Councilwoman Sparks will check her calendar and let the Mayor know if she can attend. Mayor Marshall reported the ULCT mid-year conference is scheduled for April in St. George. He asked which Council Members plan to attend so he can reserve rooms and get them registered. Councilwoman Allen and Councilman Hutchins plan to attend. Councilman Hutchins will not need a room reserved for him. Councilman Stice stated that if he can make it, he will not need a room.

Mayor Marshall explained that the assignments given to the Council are all important. He added that he is the liaison to the directors. Council Members should not go to the directors, they go to the Mayor. There will be a chain of command and information will be forwarded. There are procedures we have to follow so things move smoothly through the process. Sometimes these processed take time. Mayor Marshall pointed out that the Council is legislative, he is administrative, and the directors work for him. He stated the directors have assignments and items that need to be completed on a timeline. They have been told that if Council Members contact them, they are to tell you to contact the Mayor for this item to be addressed. Councilman Stice commented that he has found that if he contacts the Mayor about things, he sees them assigned at the Monday morning meeting.

Mayor Marshall stated Reality Town at the Junior High School will be held on January 30<sup>th</sup> at noon. He asked if any Council Members wish to attend with him. The Mayor reported on the Tooele County Regionalization discussions. He reported he has the PAR tax information and will have Christine Webb email it to the Council for review. Mayor Marshall attended a Census meeting. Surveys will be coming to residents on March 12<sup>th</sup>; information will be in the Mayor's newsletter. The Mayor had a meeting with the Irrigation Company about a twenty-four inch waterline on Worthington and Nygreen Streets. He reported that currently the line is going through the property on an angle to the PRV station that is going to be replaced. He said they are looking at taking the line and going north to Nygreen and then east to the PRV station that will be moved out of the field at the corner of Nygreen and Worthington. It will be moved to the public easement on Worthington Street for preservation of the Nygreen corridor. Mayor Marshall explained the developer is paying for this movement.

Councilman Hutchins welcomed Darrin Rowberry to the Council. He commented on the packet not having the exhibit for the Blue Lakes Subdivision development agreement. He preferred not to have items on the agenda if they are missing an exhibit. Councilman Hutchins thought it would be helpful to see how the City is doing in regards to SB34 and low income housing.

Councilman Stice reported on the Mosquito Abatement Board. He was appointed as the Chair for another year and Councilman Hutchins is the Vice Chair. Councilman Stice commented on a school bus sign that was in front of his home before the Main Street construction project that has not put back up. Mayor Marshall stated UDOT is in charge of reinstalling it. Councilman Stice said he noticed reflectors on Mathews Lane. Mayor Marshall explained they were installed to protect a valve to the water system located there. Councilman Stice asked if the ordinance

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regulating food peddlers will be on the agenda again. Mayor Marshall answered that we are waiting for the Council to submit their changes.

Councilwoman Sparks expressed appreciation for the all of the work that went into the General Plan.

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

**Motion:** Councilman Stice made a motion to go into a closed session for a personnel matter.

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

**Vote:** The vote was as follows: Councilwoman Allen, “Aye”, Councilman Rowberry, “Aye”, Councilman Hutchins, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried and the Council went into a closed session at 8:59 pm.

Mayor Marshall was excused.

Those in attendance were: Councilman Rowberry, Councilwoman Allen, Councilman Hutchins, Councilman Stice, Councilwoman Sparks, Christine Webb, and Jesse Wilson.

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

**Second:** Councilman Rowberry seconded the motion

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

**15. Adjourn.**

**Motion:** Councilman Stice made a motion to adjourn. Councilman Rowberry seconded the motion. The meeting was adjourned at 9:52 p.m.