

Approved

MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL, HELD ON JUNE 17, 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
Scott Stice
Krista Sparks

Appointed Officers and Employees Present:

Christine Webb, City Recorder
Brett Coombs, City Attorney
Robert Sager, Police Lieutenant
Kristy Clark, Zoning Administrator
Sherrie Broadbent, Finance Director
James Waltz, Public Works Director
Jacob Enslin, Police Chief

Citizens and Guests Present:

Adam G.	Dave Webster	David Parker
holmbergll	newuser	Brian Barrow
Gumby	Galaxy S8+	Krista Hutchins
Derek Dalton	Travis Taylor	Todd Castagno
1(509)720-9119	jOe	Taylor Leavitt
Susan Johnsen	iPad 6	mcasper
1(435)228-6736	Denise Wilkens	Shawn
Diane Cox	Susan Gibney Johnsen	Brooke Gardner
Rob Critchlow	Rob	J McCarty

Mayor Marshall asked Krista Sparks to lead the Pledge of Allegiance.

AGENDA:

1. Public Hearing:

- a. **Proposal to vacate some or all of a public utility easement for David Gumucio.**

Mayor Marshall inquired if any comments were received. One comment was received from Adam Geldmacher. Mrs. Webb read the email received:

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“Christine,

May I get a map of the easement that David G. is requesting to be vacated? I may also request some easements be vacated if he is allowed too.

Thanks,

Adam Geldmacher”

With no further comments received the Mayor closed the public hearing.

2. Public Comments.

Mayor Marshall stated there were two public comments received. He read them as follows:

“To Whom it may Concern,

I realize that it is getting close, but I wanted to send an email about the 4th of July anyway. As I go on my morning walks around town, I am happy to see some things getting back to “normal”. I see teams and cheerleaders practicing on the football field, I see little leaguers on the baseball diamonds, and today (Saturday) I saw cars lined up all along city park as little league soccer games got under way. Parents, grandparents and other friends and family members were seated in their lawn chairs ready to watch the games. It looked like everyone was in clusters with their own families, and then approximately six feet away was another family cluster. They were responsibly taking part in some fun and healthy social recreation. I think our community could participate in this same type of recreation on the 4th of July.

I have lived in Grantsville all of my life and I have started each and every 4th of July with the parade on Main Street. I understand that there would have to be some adjustments this year, but I think there should still be a parade. Our Nation’s flag should still make its way down the street while the community stands and pays their respects. Our firefighters, POLICE OFFICERS, and other community service members should still have the opportunity to honk and wave as the people cheer and wave back. I understand that the events and concessions at the City Park would be too risky at this time, as there would be much more social interaction. However, I think the community could safely observe our 4th of July Parade, as well as the fireworks at the end of the day. We are going to be sending our students back to school the very next month by the hundreds; we should also be able to properly celebrate Independence Day.

Thank you for your time,
Shara Ault”

Mayor Marshall stated he had received confirmation late yesterday afternoon that our fireworks should be here. He reported we have already set up and are making arrangements to shoot the 4th of July fireworks at the City Park. There will be restrictions on people congregating; they will have to continue to social distance.

The next comment was:

“Dear Grantsville Government,

1. Please show me where the state directed that the public cannot attend the meetings in person.
2. Please also explain why the public cannot verbalize comments in the meetings. This has been going on far too long and should never have been the case.
3. Please show me where specifically the public can see each others comments that they've been instructed to email such as this comment & questions of mine here in this email to you now.

It is my understanding and belief that the government has overreached and overreacted and to the covid-19 outbreak. It's time to take back many of the rights that have been taken away from us- including attending these meetings in person and being able to verbalize comments in the meetings.

I look forward to hearing back from you.

Thank you,

Lori Sipes”

Mayor Marshall asked if any other comments were received. Mrs. Webb answered no, there were no other comments received.

3. Summary Action Items.

- a. Approval of Minutes from the June 3, 2020 City Council Regular Meeting.
- b. Approval of Bills for the amount of \$275,073.05.

Councilman Hutchins pointed out he was present at the meeting and did not participate on Zoom. Mrs. Webb stated she would make that correction to the minutes. Councilwoman Allen commented that she believes Christine does a really good job on the minutes.

Motion: Councilwoman Allen made a motion to approve the summary action items with the correction to the minutes.

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.

4. Consideration of Resolution 2020-24 approving the P.U.D. for David Parker and Dave Webster for property located at 328 East Main Street in the RM-7 zone.

David Parker and Dave Webster were online. Councilman Stice stated that he did not see how the City would benefit from this. He pointed out that is what a P.U.D. is intended for; for the

City to benefit and the developer to benefit. He said if the only benefit is for them to clean the property up, then they should have already done so. Councilwoman Allen asked if the density being requested through the P.U.D. allows for more units. Mayor Marshall said that was correct. Councilwoman Allen then inquired how many units they would be allowed without the P.U.D. on this particular piece of land. Mayor Marshall answered they are allowed seven total and they already have seven units. He stated they are requesting to increase the amount of units to fifteen. Councilwoman Allen asked on what grounds this was proposed to benefit the City. Mr. Parker answered one of the things they are going to be doing is to resurface all the existing units, add new rain gutters, and re-do the asphalt. They also plan to add a pavilion and grass area. He felt the upgrades would be nice on Main Street. Councilwoman Allen was concerned about the density. Mr. Parker pointed out the City needs affordable housing and some people are not looking for half-acre lots. Councilwoman Allen expressed concern about the congestion on this property.

Councilman Hutchins commented they already own the property along with the units being rented. He was torn because they asked for approval of eight units so they could fix up the existing units. He thought there should not have to be an approval of new units to clean up the property and fix up the existing units. Councilman Hutchins expressed concern about the number of parking stalls. He thanked them for the work they have recently completed. He and Councilman Stice agreed they were comfortable approving six buildings with two parking stalls per unit.

Councilwoman Allen asked what happens if the Council denies the P.U.D. Mayor Marshall answered it eliminates the P.U.D. Mr. Coombs reminded the Council they first applied for a zone change. It was withdrawn, because it was recommended that they come in with a P.U.D. He explained that if the Council turns down the P.U.D., they will either have to re-apply for a zone change or stick with the RM-7 zone. Councilwoman Allen wanted to make sure that if this plan was denied, they will not get something worse.

Councilwoman Sparks suggested working with them on the P.U.D. with less density. Mr. Parker stated there was a little bit of a trust issue, because at the last meeting they were given a list of items the Council wanted to see and they completed all of them. He felt they were still being held for a previous condition. Mayor Marshall pointed out they have owned the buildings for six years. Mr. Parker remarked that for six years he has tried to build the back units on the property. He reported they have offered the neighbors thousands of dollars to run a water line. He felt they have tried everything possible. He commented they came before the Council a year ago and were told to come back with a P.U.D. because of the setbacks. Mr. Parker stated Grantsville has an issue because there is very little low-income housing. He felt the reason was because if there were better lots, better use of the lots, or lots available for high density many people would build them but the price of those lots are expensive. He added that when you add the price of labor, lumber, etc. to build them, the units end up not being low-income housing.

Councilman Hutchins inquired about the issues with parking. Mayor Marshall proposed they only add two units and remove the other unit and install a parking lot. And with the other, make something that provided some playground and/or pavilion where the tenants of the facility will

have a place to have a barbecue and a place for children to play. Mr. Parker stated they were open to doing that, but the parking they have provided does fit the code. Mayor Marshall pointed out they already have a problem with the vehicles parked on the property. He suggested allowing the triplex and the duplex, which would give them twelve units total. Mr. Parker felt that would work and asked if they would have to go through the whole process again or if the Council was approving the P.U.D. with that change.

The Council Members discussed the configuration of the buildings and possibly adding a park or gazebo. They were amenable to two buildings with at least two parking spaces per unit. Mr. Coombs recommended the Council approve the P.U.D. with the condition the density has to remain at seven units plus the number of units they wished to approve with the number of parking stalls they felt were necessary. He stated the actual format to arrange the units can be worked out with City staff through the subdivision process. Councilman Hutchins asked Mr. Parker if he thought this project would work with twelve apartments instead of the proposed fifteen. Mr. Parker answered they would have to redesign it. His biggest issue was not to have to go through this process again.

Motion: Councilman Hutchins made a motion to approve a Resolution 2020-24 approving the P.U.D. for David Parker and Dave Webster for property located at 328 East Main Street in the RM-7 zone with the condition of no more than twelve units total and a minimum of two parking stalls per unit.

Second: Councilman Stice seconded the motion.

Discussion: Councilwoman Allen asked if the City Council would be able to review the plan before they move forward. Mayor Marshall suggested tabling the next item until it is brought back. He felt that would give the Council an opportunity to look at it. Mr. Coombs agreed.

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.

5. Consideration of Resolution 2020-23 approving the development agreement for the P.U.D. for David Parker and Dave Webster at 328 East Main Street.

Motion: Councilman Stice made a motion to table Resolution 2020-23 approving the development agreement for the P.U.D. for David Parker and Dave Webster at 328 East Main Street until they bring back their plan.

Second: Councilwoman Allen seconded the motion.

Discussion: Councilman Hutchins asked if they were okay with this. Mr. Parker requested an explanation. Mayor Marshall answered the Council was allowing them to design the property to have twelve units with a minimum of twenty-four parking stalls and the development agreement will show the layout of the facility so they can make the final approval. Councilman Hutchins

stated the Council just voted unanimously for the P.U.D. with those conditions. He felt if they adjust the plan they have, the Council will not demand changes above and beyond what was just approved conditionally. Mr. Parker asked if they will have to go before the Planning Commission again. Mr. Coombs answered no, it has already been to the Planning Commission. It will come to the City Council for approval.

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 2020-41 adopting the 2020-2021 fiscal year budget and setting the tax levy.

Mayor Marshall reported the certified tax rate for fiscal year 2020-2021 is .001945, which is down from .002167 last fiscal year. He reported this rate gives us the Auditor's Certified Rate Revenue of \$1,496,596.00 which is \$81,269.00 higher than the previous year. The Mayor stated this rate allows us to restore the Police Department budget and helps cover some of the revenue shortfalls we are facing this year. He said we are anticipating a mid-year budget adjustment when we have more data on the sales tax revenue. He added this will be a challenging year. And the main priority for the City is to continue to provide essential services to our citizens.

Mayor Marshall explained the item being restored to the Police Department budget is the purchase of the Spillman Program. He stated that every other Police Department in Tooele County operates on Spillman except for Grantsville. He reported it creates a lot of problems for the Law Enforcement Agency as they receive communication from Dispatch. Chief Enslin stated the Department has had many problems with their current system. He reported our techs know more about the system than the technical assistants they call for help. He is looking forward to moving to the Spillman system.

Mayor Marshall stated this budget did not include raises for the City employees. He said he would look at the sales tax numbers mid-year to see if they cannot provide some kind of COLA or merit raise to the employees.

Councilwoman Allen asked where the addition for the Spillman Program could be found in the budget. Sherrie Broadbent answered it is found on line 10-54-63, dues and fees. She stated we are contracting with Spillman over a period of five years so it does not hit us all at once. Councilman Stice inquired how much it is per year. Mrs. Broadbent did not have a per year cost with her at the meeting. She reported the total lease is \$128,000 which includes the maintenance fees for five years. She added that because the maintenance fees are in with the lease, you will not see an increase on them. She stated you will pay interest on those but you will end up saving money because they won't increase. Councilman Stice clarified this was under "dues and fees". Mrs. Broadbent answered that was where Fatpot was, so she kept it on the same line. She said she could separate it out. Councilman Stice felt it should be on a separate line because of the amount.

Councilwoman Allen inquired about line 10-41-61 under General Government, there was an increase from \$195.34 to \$1,500. Mrs. Broadbent explained the actual budget for the previous year was \$2,000 and it was decreased to \$1,500. She reported the \$195.34 was the amount spent from that line the year before. She stated the line was decreased because the funds were not used. Councilwoman Allen asked for an example of what those expenses could be. Mayor Marshall answered they could be used to purchase a gift for an employee who retires such as a plaque.

Councilwoman Allen asked if we were assuming the Old Folks Sociable will not need money because we already had the funds earmarked. Mrs. Broadbent answered the Old Folks Sociable is still in the budget; it is under line 10-65-70. It was moved to list all of the donations together. This makes it very visible how money is donated to different organizations. Councilwoman Allen pointed out the Old Folks Sociable is now called the Sociable.

Councilman Stice stated a number of years ago we talked about how the certified tax rate went down and how everybody's taxes should go down and then the County re-assessed the property values in Grantsville and taxes went up. He asked if they were planning on doing the re-assessments this year. Mayor Marshall answered he believed our community was being re-assessed this year. Councilman Stice commented that even though our tax rate was going down, taxes may go up.

Councilwoman Allen thanked the staff for being able to add the Animal Control line. She felt it has made a difference in our City. Councilman Hutchins confirmed we are anticipating a \$150,000 reduction in the sales tax revenue. Mrs. Broadbent said we are expecting a ten percent (10%) decline. She reported the last time the economy tanked, it went down about eight percent (8%), so she budgeted for ten percent. Councilman Hutchins asked if we have an estimate of where we need to get to give at least a cost of living increase to employees. Mayor Marshall answered they are anticipating the coming month will be the last month that we see a decrease. He is hoping from then on, we will see an increase. Councilman Hutchins stated he would prefer to provide those increases sooner rather than later.

Councilman Stice commented on the irrigation assessment. He said it will probably go up again next year.

Motion: Councilwoman Sparks made a motion to approve Resolution 2020-41 adopting the 2020-2021 fiscal year budget and setting the tax levy.

Second: Councilman Hutchins seconded the motion.

Discussion: Councilwoman Sparks thanked Sherrie and Mayor Marshall for the work they have done on the budget. She stated she always feels confident, knows that Sherrie is conservative, and that we are in good hands. She said the auditors tell them every year how awesome our budgeting process is and the way we are responsible for our finances. Mayor Marshall commented this year was different trying to do the budget. He hoped next year's budget is back

to the process we have had in recent years. He stated Sherrie does an excellent job and he does not think she realizes how much he appreciates her.

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 2020-42 amending the 2019-2020 fiscal year budget.

Mayor Marshall stated this is the adjustments on the budget. Councilwoman Sparks felt it was important for citizens to know it is heartbreaking for her to not have our normal 4th of July celebration. She added that it was not an easy decision for them to make, but the bottom line is not so much about people gathering; it is about the budget. She pointed out the budget has about \$46,000 towards the 4th of July and right now we are in a crunch. She stated we want to retain all of our employees and not have to let anybody go. She encouraged residents to get together with their families to celebrate and pay respect to our nation.

Motion: Councilwoman Allen made a motion to approve Resolution 2020-42 amending the 2019-2020 fiscal year budget.

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.

8. Consideration of Resolution 2020-43 confirming the re-appointment of Willard Hammond as a member of the Grantsville City Board of Adjustment.

Mayor Marshall reported that Willard Hammond has agreed to continue to serve on the Board of Adjustment.

Motion: Councilman Stice made a motion to approve Resolution 2020-43 confirming the re-appointment of Willard Hammond as a member of the Grantsville City Board of Adjustment.

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.

9. Consideration of Resolution 2020-44 confirming the re-appointment of Jaime Topham as a member of the Grantsville City Planning Commission.

Mayor Marshall stated he talked with Jaime Topham. She has graciously agreed to continue to serve on the Planning Commission. He felt that she does a tremendous job. The Council Members agreed.

Motion: Councilwoman Sparks made a motion to approve Resolution 2020-44 confirming the re-appointment of Jaime Topham as a member of the Grantsville City Planning Commission.

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.

10. Consideration of Resolution 2020-45 approving the final plat for J Thomas Homes, LLC and Travis Taylor for the Northstar Ranch Subdivision, Phase 4 P.U.D., located at approximately 500 West Durfee Street for the creation of twenty-two (22) lots in the R-1-21 zone.

Travis Taylor was present on Zoom. He explained Phase 4 is in compliance with the development agreement approved at the last meeting. Councilman Hutchins asked if Mr. Taylor is running the HOA for Northstar Ranch. Mr. Taylor answered they have hired a professional management company to run the HOA, but he represents the board. Councilman Hutchins inquired if he has found the residents of the subdivision are concerned with the HOA. Mr. Taylor answered there was some concern in the beginning; they showed up at a meeting. He explained they have instituted an advisory board that is going to take over a lot of the board responsibilities. Mr. Taylor reported the advisory board will look at all of the yards, landscape plans, decks, and pools. He said the advisory board will become more involved as time goes on. Councilwoman Sparks pointed out that Mr. Taylor will have to eventually remove himself from the HOA board.

Mayor Marshall let Mr. Taylor know the City has received complaints on the water pressure in the subdivision. He stated Mr. Taylor will need to complete the loop so the water system is looped to maintain pressure in the subdivision. Mr. Taylor reported he has met with Shay Stark about this. He has also talked to Andy Jensen about the PRVs. He said they are at the upper end of that zone and it goes to 50 psi once it goes through the PRVs. He commented that pressure is set by the City and at the bottom of the zone, it gains about another 45 psi so the pressure runs between 50 pounds to about 95 pounds. Mr. Taylor stated they are looking at changing the fine line size from the meter into the house. He suggested to Andy not putting the pressure reducing valves inside the house at the upper ends of the zone. He reported he has heard the complaints and is attacking it on all fronts. They are upsizing the supply line even though the next phase is down well into the zone and they should not have pressure issues.

Councilman Hutchins felt anything Mr. Taylor could do to get that explanation out to the homeowners would be a great idea. Councilman Rowberry asked what the total number of

homes is with these twenty-two lots. Mr. Taylor answered this will make seventy-four lots. Councilman Rowberry inquired when the water tank will be installed. Mayor Marshall replied it is a way out, they are planning to bring a line from the South tank that will tie into the Wells Crossing Subdivision to allow them to do their last phase. Mr. Taylor and those developers will pay for it and upsize that line which will bring the line down the Mormon Trail. It will increase the amount of water that will be there.

Motion: Councilman Stice made a motion to approve Resolution 2020-45 approving the final plat for J Thomas Homes, LLC and Travis Taylor for the Northstar Ranch Subdivision, Phase 4 P.U.D., located at approximately 500 West Durfee Street for the creation of twenty-two (22) lots in the R-1-21 zone.

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.

11. Consideration of Resolution 2020-46 approving a development agreement for the 5 Center Street minor subdivision.

Barry Bunderson represented the Higleys on this item. He pointed out on line 1.14, there may be a carryover from a previous agreement. Mr. Coombs said it will be corrected.

Councilman Hutchins asked how we go about determining the value per acre. Mr. Coombs answered that according to code, the developer provides a certified appraisal of the property. He stated the number on the agreement is based on a certified appraisal we received from another developer in a different location. He explained that if a developer wants a different amount than the \$80,000 per acre, they may provide a certified appraisal and it can be changed. He talked to Shay Stark about it because he was concerned that you have the same amount across all of these. We are willing to change the appraisal amount if we receive additional information.

Motion: Councilman Hutchins made a motion to approve Resolution 2020-46 approving a development agreement for the 5 Center Street minor subdivision.

Second: Councilman Rowberry seconded the motion.

Discussion: Councilwoman Allen asked if we address backflow preventers in the development agreements. Mayor Marshall answered they are addressed in the building permit process.

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.

12. Consideration of Resolution 2020-47 approving a minor subdivision for Douglas and Roseanna Higley on the 5 North Center Street minor subdivision for the creation of three (3) single family lots in the RM-15 zone.

Councilwoman Sparks stated she was excited to see something being done on this property. Councilwoman Allen commended Mr. Coombs for updating the language on the driveways.

Motion: Councilwoman Allen made a motion to approve Resolution 2020-47 approving a minor subdivision for Douglas and Roseanna Higley on the 5 North Center Street minor subdivision for the creation of three (3) single-family lots in the RM-15 zone.

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.

13. Consideration of Resolution 2020-48 approving a development agreement for the Hale Place Subdivision.

Adam Geldmacher was present online. He reported this is a nine lot subdivision on the corner of North Street and Hale Street. He said he has been in the process for over a year on this development and was hoping to get it approved tonight. He stated he provided an email requesting amendments to the development agreement to Christine Webb and Brett Coombs. The email was received after the packets were sent out. Mr. Coombs explained this was the issue related to the public improvements. Mayor Marshall requested that Mr. Geldmacher share what the changes were. Mr. Geldmacher reported one was the date of recording. Another was the price of the appraisal for the open space. He said he provided an appraisal to the City and the amount in the development agreement was double what he sent.

Mayor Marshall inquired about the invoice on the sewer line that has not been paid. Mr. Geldmacher said he was told it would be part of the development agreement. Mayor Marshall did not see the sewer bill in the development agreement. Mr. Geldmacher stated in the DRC Meeting it was proposed that they complete the sewer line from Hale Street to the new sewer line because of the paving of Hale Street and a two year moratorium to dig in the street afterward. He said in the meeting it was proposed that the City share in the cost of those laterals being expedited. Mayor Marshall stated the Council is the only body who could approve sharing the cost. He reviewed the conversation he had with Mr. Geldmacher and Mr. Bunderson. Councilman Stice asked how much they were talking about. Mayor Marshall answered it was \$27,680. He reported we ran the sewer line from the main sewer line to the property lines with a stub up for them so that as this development moved forward, they would not have to tear the road up to put the sewer in. He stated the water line is located on the east side of road and should not affect the new asphalt. Mayor Marshall said they will have to move the power lines to the property line so that once the water line is installed, the road can be widened.

Mayor Marshall stated he thought they were pretty good on this and that the concerns had been addressed. He asked if Mr. Geldmacher agreed. Mr. Geldmacher answered yes, as long as he had an answer on the appraisal amount and if they are keeping the full price on the laterals. Mayor Marshall stated that was what the laterals cost the City. Mr. Geldmacher asked if they would make good on the offer from the DRC Meeting. Mayor Marshall answered that the only ones who could make that offer were the five members of the City Council. Mr. Coombs stated he listened to the minutes from that DRC Meeting and a member of the Public Works staff did not make an offer but said the City could look at possibly chipping in fifty percent (50%). There wasn't an offer and nothing was written. It was not relayed to anyone else. Mr. Coombs explained they have spoken to that employee and they understand they cannot make those kinds of statements. He clarified there was no offer made.

Motion: Councilman Stice made a motion to table Resolution 2020-48 approving a development agreement for the Hale Place Subdivision until the attorney can make the amendments to the agreement.

Second: Councilwoman Allen 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.

14. Consideration of Resolution 2020-49 approving the final plat for Adam Geldmacher on the Hale Place Subdivision located for the creation of nine (9) single family lots in the RM-7 zone.

Mr. Geldmacher reported the plat included all of the items asked for. He said there was a wording issue on the lot alignment. He asked whether they could adjust the plans to reflect the words in the development agreement. He said everything else was in line with the development agreement.

Councilman Hutchins stated in the Monday evening work meeting they discussed the traffic plan and there was mention of Hale Street. He asked if there are plans for Hale Street to head north. Councilman Stice said it is not a collector. Mayor Marshall confirmed that it moves straight to Vegas Street but that is it.

Motion: Councilwoman Sparks made a motion to approve Resolution 2020-49 approving the final plat for Adam Geldmacher on the Hale Place Subdivision located for the creation of nine (9) single family lots in the RM-7 zone.

Second: Councilman Rowberry seconded the motion.

Discussion: Mayor Marshall stated he received a comment from the Public Works Director, James Waltz. He reported the Planning and Zoning redlines needed to be updated. Mayor Marshall asked if there have been some changes. Mr. Coombs pointed out those are on the plat

in the packet. He said there are some written notes on them. Mayor Marshall requested that Mr. Geldmacher make those adjustments before the final plat can be recorded. He said it looked like they were minor adjustments on meter locations. Councilman Hutchins pointed out it was asking him to move the water meters no more than five feet from the property lines. And move them outside the property in front of the lots. Mr. Geldmacher stated he would make those corrections.

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. Consideration of Resolution 2020-50 approving a master development agreement for Cook Corner Subdivision.

Todd Castagno was online. He stated on 1.8 of the development agreement needs to be changes from Wise Management to Todd Castagno. Mayor Marshall asked if there were any other corrections that needed to be made. Mr. Castagno answered the signature block needs to be changed as well. Mr. Coombs will make that correction. Councilman Stice commented there was not a value listed for the open space. Mr. Castagno reported he thought the appraiser had sent the appraisal, but they did not. He felt that everything else was there other than the value and amount for the open space. Mayor Marshall asked who is doing the appraisal. Mr. Castagno answered that he had reached out to Scott Palmer for it.

Motion: Councilman Stice made a motion to table Resolution 2020-50 approving a master development agreement for Cook Corner Subdivision.

Second: Councilwoman Allen 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.

16. Consideration of Resolution 2020-51 approving the final plat for Todd Castagno on the Cook Corner Subdivision for the creation of five (5) single family lots in the RR-1 zone.

Mr. Castagno felt he had made all of the necessary corrections. Mayor Marshall said he did not see any open items left. He clarified that the corridor moving to the east on Durfee Street will still be protected. Mr. Castagno stated that was correct.

Motion: Councilman Stice made a motion to approve Resolution 2020-51 approving the final plat for Todd Castagno on the Cook Corner Subdivision for the creation of five (5) single family lots in the RR-1 zone.

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.

17. Consideration of Resolution 2020-52 approving a master development agreement for the Mustang Ridge Town Homes and Mustang Ridge Subdivision, Phases 3-5.

Mr. Coombs reported the developer wished to have this development agreement be for the Town Homes and Phase 3 rather than Phases 3-5. Brian Barrow and Shawn Holste were present online. Mr. Holste confirmed it was for Phase 3. He stated this agreement was straightforward and he was okay with it.

Motion: Councilman Stice made a motion to approve Resolution 2020-52 approving a master development agreement for the Mustang Ridge Town Homes and Mustang Ridge Subdivision, Phase 3.

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.

18. Consideration of Resolution 2020-53 approving the final plat for DRP and Shawn Holste on the Mustang Ridge Townhomes Subdivision for the creation of seven (7) townhome lots in the RM-7 zone.

Councilman Stice stated he understood that the Council had already approved this, but at that time it was as one unit. Now the town homes will be sold individually. He clarified this is not a whole new phase, they are splitting them up to be sold as separate units. Mayor Marshall added the sewer line will be the responsibility of the HOA or the tenants to maintain.

Motion: Councilman Stice made a motion to approve Resolution 2020-53 approving the final plat for DRP and Shawn Holste on the Mustang Ridge Townhomes Subdivision for the creation of seven (7) townhome lots in the RM-7 zone.

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.

19. Consideration of Resolution 2020-54 approving the final plat for DRP and Shawn Holste on the Mustang Ridge Subdivision, Phase 3 for the creation of twenty-eight (28) single family home lots in the R-1-12 zone.

Councilwoman Sparks asked what size lots are allowed in the R-1-12 zone. Mayor Marshall answered 12,000 sq. ft. He believed there were no issues with this. Councilman Hutchins asked if we have a plan to run the sewer. Mayor Marshall answered yes; it ties in on Main Street.

Motion: Councilwoman Allen made a motion to approve Resolution 2020-54 approving the final plat for DRP and Shawn Holste on the Mustang Ridge Subdivision, Phase 3 for the creation of twenty-eight (28) single family home lots in the R-1-12 zone.

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.

20. Consideration of Resolution 2020-55 approving a minor subdivision for Nathan Gardner to divide on the 255 South Park Street minor subdivision for the creation of three (3) single family lots in the RM-7 zone.

Nathan Gardner and Barry Bunderson were present online. Mr. Bunderson stated there were some things from the Planning Commission Meeting they wished to discuss with the Council. He explained there are two existing parcels that have houses on them included with this subdivision to make a third lot. He felt the fee in lieu of open space should only be on the third lot because they are only creating one new lot. Mayor Marshall asked what the other things he wanted to discuss were. Mr. Bunderson answered he thought that was it.

Councilwoman Allen asked a question she had on the memo from the Planning Commission Meeting. It was on a comment made by a neighbor who was not in favor of the action but it did not say why he was opposed to it. She asked if anyone knew why he was opposed to it. Mayor Marshall said maybe because he lives across the street. Councilwoman Allen asked if Mr. Bunderson knew why he was opposed. Mr. Bunderson stated there was no reason offered, otherwise they would address his concerns. He felt that if the man did not write a legitimate concern, then he may not have one.

Motion: Councilman Hutchins made a motion to approve Resolution 2020-55 approving a minor subdivision for Nathan Gardner to divide on the 255 South Park Street minor subdivision for the creation of three (3) single family lots in the RM-7 zone with the fee in lieu of the open space to be charged on the new lot only.

Second: Councilwoman Allen 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.

21. Consideration of approval of a Water Right Transfer and Banking Agreement with Robert T. Brown.

Mayor Marshall stated Mr. Brown is banking eighty-seven (87) acre feet of water into the City. He explained the Council has to approve the water right transfer and banking agreement. Councilman Stice commented that he tried to look for this earlier in the day and could not find it on the Division of Water Rights site. Mrs. Webb reported the change application has been approved by the State so it is in the City's name on their website.

Councilwoman Allen asked what it means to "bank" water. Mayor Marshall answered that Mr. Brown still owns the water but it has been certified and has title insurance, but it is in the City's name. Mr. Brown can sell the water to developers or others to use.

Motion: Councilman Stice made a motion to approve a Water Right Transfer and Banking Agreement with Robert T. Brown.

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.

22. Consideration of Resolution 2020-56 declaring certain property owned by Grantsville City as surplus and authorizing its disposal.

Mayor Marshall stated these were items at the Maintenance Shop. They have been determined to be surplus property. He proposed some of the items be sold at the next Ritchie Brothers Auction and the rest be sold at an auction at the Public Works Department.

Motion: Councilwoman Allen made a motion to approve Resolution 2020-56 declaring certain property owned by Grantsville City as surplus and authorizing its disposal.

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.

23. Consideration of Resolution 2020-57 approving an agreement with Off Duty Management for off-duty Police Officer management.

Mayor Marshall explained this is for special events held within the City limits, such as the lantern festival. In the past we have spent months trying to collect payment for the police officers and fire fighters when they have provided services at these events. This company (Off Duty Management) will pay the City for the officers and then collect for those services. Mayor

Marshall reported that Tooele City and Tooele County have gone to this agreement. Councilman Stice asked if our officers will be working for this company. Mayor Marshall answered no; they will be working for the City. This company will do the billing and collecting. They will then pay the City.

Mr. Coombs pointed out this will provide consistency on the cost between the departments in the County. He commented that in the past we have had a problem where different organizations have gone to the County or the cities and tried to get them to compete against one another for a price. Lieutenant Sager added our personnel spend time managing the billing.

Motion: Councilwoman Allen made a motion to approve Resolution 2020-57 approving an agreement with Off Duty Management for off-duty Police Officer management.

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.

24. Initial Consideration of Annexation Petition filed by Grantsville Soil Conservation District and RG IV, LLC (Lakeview West Annexation).

Mayor Marshall stated this is the panhandle property of the Romney Group, which was not originally in the City's Annexation Policy Plan. Councilman Stice commented that he did not want people to think that because there were thirty-two items on the agenda that they were just trying to kick them through, but this was a simple one.

Motion: Councilman Stice made a motion to approve the Annexation Petition filed by Grantsville Soil Conservation District and RG IV, LLC (Lakeview West Annexation).

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.

25. Initial Consideration of Annexation Petition filed by The Church of Jesus Christ of Latter-day Saints (Grantsville North Annexation).

Mayor Marshall reported this was another item that has had much discussion. This is the property on the east side of Sheep Lane and straddles Erda Way. Mr. Coombs stated there were a couple of property owners that have not signed on to it directly. He explained we have evaluated the amount of property and the value of the property and it qualifies for annexation under the statute. Councilwoman Allen asked what it means if they did not sign on. Mayor Marshall answered they don't have to because of the evaluation of the property. Mrs. Webb

pointed out that according to State Code an annexation cannot have a peninsula or an island created. She explained that if some of those property owners opted out, it would create one of those situations. Mr. Coombs added in his discussions with the Church they reportedly tried to reach out to those property owners and had no luck. Councilwoman Allen stated she had heard of some people saying they did not want to be part of the City. She asked how you balance that. Mayor Marshall answered that is where the valuation of the property comes in. He stated the Paulicks did not wish to be annexed. When he talked with Amy he let her know that the next one (the Brown Annexation) would bring them in anyway. He reported that she was alright with it. Councilwoman Allen inquired if there was a reason the agenda item stated this was an “initial consideration.” Mrs. Webb answered this is the first time the annexation comes before the City Council for consideration. There are more steps required by State Code before the final consideration and approval.

Motion: Councilman Hutchins made a motion to approve the Annexation Petition filed by The Church of Jesus Christ of Latter-day Saints (Grantsville North Annexation).

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.

26. Initial Consideration of Annexation Petition filed by Todd Castagno (Brown Annexation).

Mayor Marshall stated this annexation takes everything from Sheep Lane and SR-138 and then west to our City boundary. Councilman Stice asked if that was from Lamb Lane west. Mayor Marshall answered yes. Councilman Stice inquired which parts of the Titmus farm this takes in. He stated while talking to the Titmus’ there may be more on here than they agreed to. He confirmed that if they saw there was something on there they had not agreed to, they could still pull out. Mayor Marshall agreed as long as it does not create an island or a peninsula.

Motion: Councilwoman Sparks made a motion to approve the Annexation Petition filed by Todd Castagno (Brown Annexation).

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.

27. Consideration of Ordinance 2020-14 amending Grantsville City Code Chapter 7, Section 3, related to water system cross connections.

Mayor Marshall explained this is the ordinance that will address cross connections. Councilman Stice commented this is will require the back flow protectors to be installed. Councilwoman

Allen asked if this applies to existing homes. Mayor Marshall answered that it does apply to existing homes because you can contaminate the whole water system. He stated the Public Works Department has certified cross connection operators as required by State Code.

Motion: Councilwoman Allen made a motion to approve Ordinance 2020-14 amending Grantsville City Code Chapter 7, Section 3, related to water system cross connections.

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.

28. Consideration of Ordinance 2020-15 vacating a public utility easement.

David “Gumby” Gumucio was online. Councilman Stice commented that most people would just build their shed over the easement. He stated we are asking that people first ask for permission. Mayor Marshall commented Gumby has always come to the City when there has been a question or concern about different things going on to make sure they do not violate City Code. He expressed appreciation for Gumby doing this the correct way.

Motion: Councilman Stice made a motion to approve Ordinance 2020-15 vacating a public utility easement.

Second: Councilwoman Sparks seconded the motion.

Discussion: Councilwoman Allen asked for clarification. Councilwoman Sparks reported she brought this up at the last City Council Meeting. Mr. Gumucio has talked to the other utility companies and they do not have anything in the easement. South Willow Estates has a seven foot easement on all sides of the property and there are no utilities there.

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.

29. Consideration of Ordinance 2020-17 amending fireworks restriction within Grantsville City.

Mayor Marshall reported this brings the City into compliance with the State fireworks regulations for the dates when they can be set off. The area where fireworks may be lit has not changed.

Motion: Councilwoman Sparks made a motion to approve Ordinance 2020-17 amending fireworks restriction within Grantsville City.

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.

30. Consideration to approve a Request for Proposal (RFP) for residential and municipal solid and bulk waste collection and recycling services.

Mayor Marshall stated this is for the garbage contract. Councilman Stice remarked that as he has been reviewing the ordinances he said he would help clean up, he found an ordinance that says you cannot store junk on the sidewalk or the side of the road. He felt we will need to address that ordinance if we continue the bulk pick up program.

Motion: Councilwoman Allen made a motion to approve a Request for Proposal (RFP) for residential and municipal solid and bulk waste collection and recycling services.

Second: Councilwoman Sparks seconded the motion.

Discussion: Mayor Marshall pointed out we will continue to pay the tipping fees to the Tooele County Landfill. The reason is so we will not be charged an administrative fee for that and it gives us the opportunity to know how much we are putting across the scales. Councilman Rowberry asked how long it typically takes to receive the bids and approve a contract. Mayor Marshall answered thirty to sixty days. He anticipated entering a contract in late July or early August.

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.

31. Consideration of approval of a secondary access for Justin and Kristie McCarty located at 612 South Hackamore Road in the Anderson Ranch Subdivision on to Worthington Street.

Mayor Marshall reported the Council had a lengthy discussion about streets, collector streets, and secondary accesses at the work meeting on Monday evening. Councilman Stice commented all of his questions were answered when the engineers were here. He stated this is not just about maintaining the flow, it is about retainage, etc. He added this is another situation where homeowners have to get permission from the City before they do things. He did not think they could allow this to be approved. Councilwoman Sparks agreed. She stated if we allow this one, then it will cause problems in the long run. She commented that in talking with the engineers and looking at all of the different factors, we cannot allow these. Councilman Stice pointed out the situation with the homeowners to the north there was a doubt as to whether they had approval from a City staff member. On this one there was no doubt; they did not have approval from the City. Councilwoman Allen expressed appreciation for the discussion held regarding this

Approved

situation. Councilman Stice stated it boils down to the fact that it is the City's street and before you access it, you need to get approval from the City.

Mr. McCarty asked for a timeline on removing the secondary access. Mayor Marshall answered thirty days. Mr. McCarty requested forty-five to sixty days.

Motion: Councilman Stice made a motion to deny a secondary access for Justin and Kristie McCarty located at 612 South Hackamore Road in the Anderson Ranch Subdivision on to Worthington Street and allow him sixty (60) days to remove it.

Second: Councilman Rowberry seconded the motion.

Discussion: Mr. McCarty asked if he just needed to take out the culvert. He inquired whether he needed to remove the fence and the gate. Mayor Marshall answered he needs to remove the culvert and restore the swale, but did not need to remove the fence and gate.

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.

32. Adjourn.

Mayor Marshall requested to have a Special Meeting on June 24 at 7:00 p.m. for audit materials and a discussion on the Presidents Park Subdivision.

Motion: Councilman Stice made a motion to adjourn. Councilwoman Sparks seconded the motion. The meeting was adjourned at 9:23 p.m.