

# **AGENDA ITEM #2**

## **Summary Action Items.**

- a. Approval of Minutes from the  
July 7, 2021 Regular City  
Council Meeting.
- b. Approval of Bills.

**MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL,  
HELD ON JULY 7, 2021 AT THE GRANTSVILLE CITY HALL, 429 EAST MAIN  
STREET, GRANTSVILLE, UTAH AND ON ZOOM. THE MEETING BEGAN AT 7:00  
P.M.**

**Mayor and Council Members Present:**

Mayor Brent Marshall  
Krista Sparks, excused  
Scott Stice  
Jeff Hutchins  
Jewel Allen  
Darrin Rowberry

**Appointed Officers and Employees Present:**

Christine Webb, City Recorder  
Dan England, City Engineer  
Brett Coombs, City Attorney  
Jacob Wnslen, Police Chief

**Citizens and Guests Present:**

Monte Kingston  
Derek Ellis  
Scott Bevan  
Dan England  
Travis Taylor  
Paul Linford  
Dave Kizerian  
Dean & Betty Matthews  
Krista Hutchins  
Neil Critchlow

There were many members of the community who attended the meeting through Zoom.

Mayor Marshall asked the new City Engineer, Dan England, to lead the Pledge of Allegiance.

**AGENDA:**

**1. Public Comments.**

Mayor Marshall asked if there were any comments from the public.

Whit Cook spoke on agenda item 13. He reviewed the concerns he shared at the December 9, 2020 Work Meeting. He shared some of his current thoughts and concerns.

Councilman Stice stated the Mixed Use Zone has to have a P.U.D. approved. He read from the City Code that developments in Mixed Use Zones shall be designed so as to integrate the residential and commercial components into one harmonious development and be compatible with the existing or anticipated use of the surrounding properties.

No comments were received by email.

**2. Summary Action Items.**

- a. Approval of Minutes from the June 16, 2021 Regular Meeting.
- b. Approval of Bills for the amount of \$467,387.59
- c. Approval of Change Order to add Drinking Water to the CFP, IFFP, and IFA Proposal with Ensign Engineering.

Councilwoman Allen asked questions about the bills. Mayor Marshall provided answers.

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

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

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

**3. Consideration of approval of noise variance on July 31, 2021 until midnight for the NASA Utah 6 Hour Endurance Race at Utah Motorsports Campus.**

Dave Kizerian was present. He reported this is their ninth annual running of this race. He shared information about the race and its history. Mayor Marshall emphasized they will need to be shut down by midnight.

**Motion:** Councilman Stice made a motion to approve a noise variance on July 31, 2021 until midnight for the NASA Utah 6 Hour Endurance Race at Utah Motorsports Campus.

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

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

**4. Final Legislative Hearing on 358 Wrangler Court.**

Mr. McCurdy was not present. Mayor Marshall stated photos were taken earlier this morning. The Mayor and Council expressed concern about the car parked in the front yard. They discussed that the sidewalk is four inches thick and cannot withstand the

weight of a car driving over it. The Council recalled making it clear the swale needed to be put back in. They requested that Mr. Coombs send Mr. McCurdy a summons to appear at the next City Council Meeting with photos.

**Motion:** Councilman Hutchins made a motion to table this item and to have Attorney Coombs subpoena Mr. McCurdy to the next City Council Meeting. Attorney Coombs was asked to notify Mr. McCurdy there is to be no parking on the front yard.

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

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

**5. Consideration of Ordinance 2021-33 amending the official zoning map of Grantsville City, Utah to rezone 60.18 acres for Dean and Betty Matthews located at approximately 499 South Quirk Street to go from an A-10 zone to an R-1-21 zone.**

Dean Matthews was present. This was discussed at the May 26, 2021 City Council Work Meeting. The Council agreed this fits with the zoning in this area.

**Motion:** Councilman Hutchins made a motion to approve Ordinance 2021-33 amending the official zoning map of Grantsville City, Utah to rezone 60.18 acres for Dean and Betty Matthews located at approximately 499 South Quirk Street to go from an A-10 zone to an R-1-21 zone.

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

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

**6. Consideration of Resolution 2021-43 approving the final plat on the Northstar Ranch P.U.D. Subdivision, Phase 7 at approximately 500 West Durfee Street for the creation of eighteen single-family lots in the R-1-21 zone.**

Travis Taylor was present. He explained this is the continuation of the area that was approved by the City Council. There were eight phases approved with this P.U.D. Mr. Taylor expressed interest to have a discussion on the next water zone in this area. He reported they have laid out approximately eighty percent (80%) of the lots as an overview. The Council will schedule a work meeting sometime in August for a discussion on this.

**Motion:** Councilman Stice made a motion to approve Resolution 2021-43 approving the final plat on the Northstar Ranch P.U.D. Subdivision, Phase 7 at approximately 500 West Durfee Street for the creation of eighteen single-family lots in the R-1-21 zone.

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

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

**7. Consideration of Resolution 2021-44 approving a master development agreement for the Peak Crossing Subdivision.**

Paul Linford was present. Councilman Stice commented on the pond diagram. He asked about the open space. Paul Watson was present on Zoom. Mr. Watson explained the increased acreage is because they wanted the corridor going down both sides of the channel (natural drainage) to keep it protected. They would also like to create a detention basin on the front of it to handle any storm events that come through the area. Councilman Stice asked how we get 3.96 acres of open space that is useful. He pointed out that drainage is not counted as open space. Mr. Watson thought the drainage could be counted for open space, but stated if not, they will pay the fee in lieu of open space.

Mr. Coombs explained that basins do not count as open space unless they are developed and have amenities. Mr. Linford stated they plan to add amenities. Councilman Stice commented that will cover 1.68 acres and asked how they plan to come up with the additional amount to make up the 3.96 acres of open space. Mr. Watson stated they will have to pay the fee in lieu of to make up the difference. Mayor Marshall asked Mr. Coombs to add that into the addendum of the master development agreement.

Councilman Hutchins stated we need the drainage basin. There was a short discussion on the storm drainage. Mr. Watson explained their plan for this development. The Council discussed the recent flooding in the west area of the City.

**Motion:** Councilman Stice made a motion to approve Resolution 2021-44 approving a master development agreement for the Peak Crossing Subdivision with the inclusion on section 3 for the fee in lieu of open space on Addendum 1.

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

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

**8. Consideration of Resolution 2021-45 approving the final plat on the Peak Crossing Subdivision, Phase 1 for the creation of twenty-four single-family lots in the R-1-21 zone.**

**Motion:** Councilman Hutchins made a motion to approve Resolution 2021-45 approving the final plat on the Peak Crossing Subdivision, Phase 1 for the creation of twenty-four single-family lots in the R-1-21 zone.

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

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

**9. Consideration of Resolution 2021-46 declaring certain property owned by Grantsville City as surplus and authorizing its disposal.**

Mayor Marshall stated this will be taken to the auction at Ritchie Bros.

**Motion:** Councilman Stice made a motion to approve Resolution 2021-46 declaring certain property owned by Grantsville City as surplus and authorizing its disposal.

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

**Discussion:** Councilwoman Allen pointed out a typo on the model of the vehicle.

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

**10. Consideration of Resolution 2021-47 awarding Jones and Demille a contract to perform engineering and scoping studies and obtain funding for Grantsville City's targeted stream systems.**

Mayor Marshall explained this is a FEMA grant. He stated there are culverts on the flood control ditch that fill with gravel and/or silt each year when there is a storm. This is a contract for them to do the engineering work and obtain funding to correct these problems. Councilman Stice asked how we determined who the best firm to complete this work was. Mayor Marshall answered the bids were submitted and then scored.

Councilman Stice inquired how much this will cost. He commented that he was not in favor of approving an open-ended contract. Mr. Coombs stated the funding for this will need to be broken up a bit. This part of the award is the engineering firm helping us to fill out the FEMA grant application. Mr. Coombs reported it will likely take up to a year for FEMA to review it and award the grant. At that point the actual work will begin on the project. He explained they will charge us \$7,500 to do the work on the FEMA grant. The Council will have to approve a contract and amount for the work to be done on the project. Mr. Coombs stated he did not have the \$7,500 cost at the time he drafted the resolution to approve the contract.

Councilwoman Allen asked if we were guaranteed to receive the grant if we apply. Mayor Marshall answered there is never a guarantee, but the probability is high that we will because we have had flooding in both of these areas. Mr. Coombs pointed out if we receive the grant, we will have to fund twenty-five percent (25%) of it.

**Motion:** Councilwoman Allen made a motion to approve Resolution 2021-47 awarding Jones and Demille a contract to perform engineering and scoping studies and obtain funding for Grantsville City's targeted stream systems.

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

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

**11. Consideration of Resolution 2021-48 approving a Memorandum of Lease with SBA Monarch Towers I, LLC.**

Mayor Marshall stated we have two towers in the City limits as well as relay equipment on our wells and storage tanks. He explained they pay a yearly fee to the City for that. Councilman Hutchins asked if this will obstruct anything. Mayor Marshall answered no, they are existing.

**Motion:** Councilman Hutchins made a motion to approve Resolution 2021-48 approving a Memorandum of Lease with SBA Monarch Towers I, LLC.

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

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

**12. Consideration of Resolution 2021-49 amending the master development agreement for the Parkinson Meadows Subdivision.**

Mayor Marshall explained some information was not on the original addendum with the master development agreement. Councilman Hutchins reviewed the amendments.

**Motion:** Councilman Hutchins made a motion to approve Resolution 2021-49 amending the master development agreement for the Parkinson Meadows Subdivision.

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

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

**13. Consideration of Resolution 2021-50 approving a Memorandum of Understanding between Grantsville City and Mountain Vista Development, Inc. concerning the Old Lincoln Highway Mixed Use Project.**

Monte Kingston and Derek Ellis were present. Councilman Stice asked about the 20% commercial possibly being relocated across the street. He asked if that might be for the

truck stop for the Wal-Mart drivers. Mr. Kingston and Mr. Ellis answered yes, that is what it is for. Councilman Stice felt that was a good idea because it will get them off the street.

Mayor Marshall reported the commercial property would be approximately thirty (30) acres and they are in discussion with the property owners across the street to purchase that property. They have talked about moving the commercial across the street rather than having it in the neighborhood. He pointed out the number of residential units will be limited to 1,292. Mayor Marshall explained they could have legally developed over 3,000 residential units. He expressed appreciation to Mr. Ellis and Mr. Kingston for their willingness to try to limit the number of homes in this development.

Councilman Stice recalled discussing the road in Silver Fox dead ending in the cul-de-sac. He asked for the developers thoughts on it. Mr. Ellis stated it should dead end. They are not planning to carry it through. The map was submitted but has nothing to do with roads.

Councilwoman Allen pointed out we do not typically approve an MOU for a development and asked why we are in this situation. Mayor Marshall answered it is partly because this will be a P.U.D. and partly because it outlines what the developer and the City are willing to give. He remarked they can put over 3,000 homes there but the MOU restricts them to just under 1,300 homes. It will also afford them the ability to move the commercial to property across the street if they can purchase it. Mr. Ellis explained this allows them set the maximum number of units before they do any engineering or R&D design. He felt this was far more reasonable. He added they wanted to make sure the City was willing to approve a P.I.D. because it is a new concept. It will allow a higher grade of construction to be put in. Mayor Marshall stated the infrastructure will be on the developer. Councilwoman Allen asked what P.I.D. stands for. Mr. Coombs answered a P.I.D. is a Public Infrastructure District. He stated our new engineer, Dan England could probably explain it.

Mr. Ellis stated this project is going to be too big from them. They will have to work on a portion of it and have another party work on a portion. He requested that the Council make the agreement re-assignable if possible. He pointed out the P.U.D. will need approval so it does not give anything to anyone that is not already there.

Councilman Hutchins commented on the clauses in the agreement that outline the P.I.D. He wished to make sure we are comfortable with exercising rights to the P.I.D. Act. Mr. Coombs reported that he worded it to allow the developer to seek the P.I.D. He stated if someone comes in to apply for a P.I.D., he will provide some general training outlining the process. He explained the Council gets to make all of the decisions on how the P.I.D. is run, creates the governing document, and determines who will be on the board. Mr. Coombs stated the main benefit for the City to create a P.I.D. is when bonding is required for infrastructure, the district can bond for it. The City's ability to bond will not be tied



up in it. He reported the way it is worded in the MOU that the developer can seek a P.I.D., it does not guarantee the Council will grant it.

Councilman Stice asked Mr. England if he could help on this. Mr. England stated he is not familiar with this project. He asked if the residents who move in will be paying for the utilities that will need to be installed. Mr. Ellis answered yes, over time. Mr. England asked if that is for the installation or continual maintenance. Mr. Coombs answered it will be for the installation. After the infrastructure is installed and paid for, it would then revert to the City.

**Motion:** Councilman Stice made a motion to approve Resolution 2021-50 approving a Memorandum of Understanding between Grantsville City and Mountain Vista Development, Inc. concerning the Old Lincoln Highway Mixed Use Project with a clause added that it is assignable.

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

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

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

The Council did not go into a closed session.

#### **15. Adjourn.**

**Motion:** Councilwoman Allen made a motion to adjourn. Councilman Stice seconded the motion. The meeting was adjourned at 7:59 p.m.