

Approved

**MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL,
HELD ON AUGUST 4, 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
Scott Stice
Jeff Hutchins
Jewel Allen
Darrin Rowberry

Appointed Officers and Employees Present:

Dan England, City Engineer
Brett Coombs, City Attorney
Jacob Enslen, Police Chief
Sherrie Broadbent, Finance Director
Jesse Wilson, Treasurer/Human Resources Director

Citizens and Guests Present:

Ira Malmgren	Judy Malmgren	Max Hunt
Nadine Hunt	Ken Goodrich	Twila Goodrich
Valinda Child	Monte Kingston	Joe White
Jolene Jenkins	Barry Bunderson	Rhett Butler
Dusten Hansen	Martha Hansen	Clayton Barney
Michelle Barney		

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

Mayor Marshall asked Dan England to lead the Pledge of Allegiance.

AGENDA:

Mayor Marshall announced that item 8 was removed from this agenda and will be on the next City Council Meeting agenda.

1. Public Comments.

Mayor Marshall asked if there were any comments from the public. No comments were offered.

No comments were received by email.

2. Summary Action Items.

- a. Approval of Minutes from the July 21, 2021 Regular Meeting.
- b. Approval of Bills for the amount of \$618,327.98

The Council did not receive a copy of the bills. Mayor Marshall shared the copy he had and Sherrie Broadbent provided copies. Mayor Marshall reported the Department Heads had reviewed them at the pre-council meeting held in the afternoon. The Council asked questions they had about the bills and the Mayor answered them.

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

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.

3. Final Legislative Hearing on 358 Wrangler Court.

Mr. McCurdy was present. Mayor Marshall commented that there were three rocks in front and a car parked off to the side. He stated it had been discussed that the front yard was not going to be used for parking. Mr. McCurdy explained he had an expansion of the driveway; he was opening the width of the driveway. Mayor Marshall read from the minutes of a previous meeting. He pointed out Mr. McCurdy had proposed six to seven boulders, but there are only three. Mr. McCurdy stated that he could add more. He added they are still landscaping up the backside and need access.

Mayor Marshall, Mr. McCurdy, and the Council Members discussed their concerns about the swale, the parking, and the width of the driveway. Mr. Coombs explained the City can regulate the drive approach, but what people do with the vehicles once they get on their own property is up to them. He pointed out the problem with this situation is that the curb was removed. He explained that the City cannot regulate where he parks his vehicle and whether Mr. McCurdy gets to the parking spot by the drive approach. Mr. Coombs stated they could regulate the approach, drainage, and curb and gutter. He reported the Council needs to decide if Mr. McCurdy has complied. The Council agreed that they had decided not to require that he replace the high-backed curb and that he had completed everything they had asked. They then talked about who will be responsible if the sidewalk cracks from being driven over. Mr. McCurdy explained his plan is to pave the expanded driveway.

Motion: Councilman Hutchins made a motion to close the Legislative Hearing at 358 Wrangler Court with agreement that if the sidewalk in front of the area used as an expansion of the driveway breaks, Mr. McCurdy will replace it.

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 2021-52 approving a preliminary plat on the Camelot West Subdivision at approximately 440 West Apple Street for the creation of thirty (30) lots in the R-1-12 zone.

Barry Bunderson was present on this item. Mayor Marshall stated this has gone through the Planning Commission and there are no issues. Councilman Stice asked about the easement. Mr. Coombs explained the City does not own Apple Street and this easement will allow the residents of this subdivision to access their homes over that road. Mayor Marshall added the road ends at the church boundary as far as the City’s ownership.

Motion: Councilwoman Sparks made a motion to approve Resolution 2021-52 approving a preliminary plat on the Camelot West Subdivision at approximately 440 West Apple Street for the creation of thirty (30) lots in the R-1-12 zone.

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.

5. Consideration of Resolution 2021-53 approving the final plat on the Scenic Slopes P.U.D. Subdivision, Phase 2 located on the Mormon Trail north of Wells Crossing for the creation of thirty-three (33) lots in the R-1-21 zone.

Monte Kingston was present for Mountain Vista Development. The Council discussed the water line for this subdivision with Mr. Kingston. Councilwoman Allen requested that Mr. Kingston point out the open space. The open space is part of Phase 1. Councilwoman Allen commented that Gary Pinkham had a long memo on this. She stated Mr. Pinkham is a real asset to the Planning Commission.

Motion: Councilman Stice made a motion to approve Resolution 2021-53 approving the final plat on the Scenic Slopes P.U.D. Subdivision, Phase 2 located on the Mormon Trail north of Wells Crossing for the creation of thirty-three (33) 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”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried.

6. Consideration of Resolution 2021-54 approving the final plat on the Wells Crossing Subdivision, Phase 6 located on the Mormon Trail for the creation of twenty-six (26) lots in the R-1-21 zone.

Mayor Marshall commented this was ready for approval.

Motion: Councilwoman Allen made a motion to approve Resolution 2021-54 approving the final plat on the Wells Crossing Subdivision, Phase 6 located on the Mormon Trail for the creation of twenty-six (26) 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.

7. Consideration of Ordinance 2021-34 amending the official zoning map of Grantsville City, Utah to rezone 104.76 acres of land for Greg DeHaan located at 4585 Hwy 112 to go from an A-10 zone to a Mixed Use zone.

Barry Bunderson was representing Mr. DeHaan. Mayor Marshall stated this is a rezone of property. He believed Mr. DeHaan wished to rezone it to match the property across the street. This property is part of the Deseret Peak Planning Area according to the General Plan. Mr. Bunderson reported that UDOT has approved an access point. The Council discussed this area. They expressed concern about making sure the rezone would fit with the zoning already in the area. It was pointed out they had recently approved a rezone on Matt Brown’s property for half-acre zoning. The Council felt the General Plan did not designate this property for Mixed Use and were not comfortable approving this. There was a discussion on the various Planning Areas throughout the City.

Motion: Councilman Stice made a motion to remand this item back to the Planning and Zoning Administrator to have her look at the process.

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.

8. Consideration of Ordinance 2021-35 amending the official zoning map of Grantsville City, Utah to rezone 17.52 acres of land for Marlo Meno located on the east corner of Willow Street and Durfee to go from an RR-5 zone to an R-1-12 zone.

This item was moved to the next City Council Meeting agenda.

9. Consideration of agreement with Tooele County to create annexation peninsula on Sun Valley Drive.

Mayor Marshall explained this is the potential annexation of the Lewis property without including Sun Valley Drive. This will create a peninsula. In order to move forward with the annexation and create a peninsula, you have to get the County to agree to accept it. This was on the agenda for the County Council, however, their meeting was cancelled. The Mayor reported that if the City Council approves this, the City will write a letter to the County asking them to accept the peninsula. Sun Valley Drive is outside of the City boundaries. Councilman Stice recalled when they first talked about this, Joe White asked for permission to run the sewer from Lakeview to this subdivision east of Sun Valley, and that he was told he needed to bring Sun Valley in. Councilman Stice stated that he did not agree with creating a peninsula.

Mr. White was present. He stated the Romney Group was putting their main trunk line through his property and he did not wish to have the sewer there with no access to the service. He has a service agreement with Grantsville City to provide water and sewer to that property. Mr. White commented the directive was to talk to the residents on Sun Valley. He talked to as many as would talk to him and felt he spoke with two-thirds of the homeowners. He stated six families were okay to sign something but did not wish to do something that put their neighbors upset with them. He reported the majority of those he spoke with said they realized that it is probably inevitable someday but did not want to be the one to instigate it. Mr. White stated this is a solution for them to stay in the County.

Councilwoman Allen commented there was some shaking of heads in the audience. She wished that she could have had some feedback from those families affected by this. It was pointed out that no public comments were made at the beginning of the meeting. Councilwoman Allen asked if it was true that if they are not annexed now, they would potentially be annexed someday. Mr. Coombs answered there is a provision in State Law that if property is left as a peninsula, the City could annex them in after a year and there is a process to go through. He explained you would have to look at what services are provided to the area by the City that it makes sense to bring them into the City. Councilman Hutchins asked what services Sun Valley Drive is receiving from the City. They get water, the City plows the road, and Police and Fire have responded.

Mayor Marshall stated the County Council still has to agree to allow the peninsula. Councilman Stice agreed. He thought they should be part of the City. Mayor Marshall commented they he knew one of the concerns was that the City would require them to hookup to the sewer line. He pointed out we have not forced one home to hook to the sewer system.

Mayor Marshall asked for one spokesman from those present. Clayton Barney stood as spokesman. Mayor Marshall asked him why he is so opposed to being annexed into

Grantsville City. Mr. Barney answered it was about the sewer. Mayor Marshall stated that has been addressed and no one will be forced to hook to the sewer system. He pointed out there are multiple homes throughout the City that are not on the system and we have never forced them to hook onto it. Councilman Stice added that it would cost so much to hook up to it that it is not worth it. Mr. Barney stated another concern is the number of animal units allowed for the zoning. Mayor Marshall remarked the animal units allowed in Grantsville City is greater than the County; the County is stricter than the City. Councilman Stice asked Mr. Barney how long he has lived in his home. Mr. Barney answered for twenty-one years. Mayor Marshall explained the sad part is that as improvements are made, the citizens of Grantsville pay for them while those on Sun Valley Drive receive benefits. Mr. Barney felt that would be the same for them if they were annexed with the sewer. They would be paying for the maintenance of a system they were not using.

Motion: Councilman Stice made a motion to deny the creation of an annexation peninsula on Sun Valley Drive.

Second: Councilwoman Allen seconded the motion.

Vote: The vote was as follows: Councilman Rowberry, "Opposed", Councilwoman Allen, "In Favor", Councilman Hutchins, "Opposed", Councilman Stice, "In Favor", and Councilwoman Sparks, "Opposed". The motion failed.

Motion: Councilman Hutchins made a motion to accept the creation of an annexation peninsula on Sun Valley Drive.

Second: Councilwoman Sparks seconded the motion.

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

10. Consideration of RFP for the 2021 Street Maintenance and Repair Project.

Councilman Stice stated that was a lot of information. He asked about the cemetery parking.

Motion: Councilman Stice made a motion to approve the RFP for the 2021 Street Maintenance and Repair Project.

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.

Approved

11. Closed Session (Personnel, Real Estate, Imminent Litigation).

The Council did not go into a closed session.

12. Adjourn.

Councilwoman Allen thanked Mayor Marshall for allowing comments to be made on item 9.

Motion: Councilwoman Allen made a motion to adjourn. Councilman Rowberry seconded the motion. The meeting was adjourned at 8:20 p.m.