

**Tooele City Council and the Tooele City Redevelopment Agency  
Work Meeting Minutes**

**Date:** Wednesday, May 3, 2023

**Time:** 5:30 p.m.

**Place:** Tooele City Hall, Council Chambers  
90 North Main Street, Tooele, Utah

**City Council Members Present:**

Justin Brady

Maresa Manzione

David McCall

Tony Graf

Ed Hansen

**City Employees Present:**

Mayor Debbie Winn

Andrew Aagard, Community Development Director

Adrian Day, Police Department Chief

Shannon Wimmer, Finance Director

Michelle Pitt, City Recorder

Holly Potter, Deputy City Recorder

Jamie Grandpre, Public Works Director

Paul Hansen, City Engineer

Darwin Cook, Parks and Recreation Director

Jared Stewart, Economic Development Director

Chris Nielson, I.T. Director

Kami Perkins, HR Director

Roger Baker, City Attorney, via phone

Minutes prepared by Katherin Yei

**1. Open City Council Meeting**

Chairman Brady called the meeting to order at 5:30 p.m.

**2. Roll Call**

Justin Brady, Present

Maresa Manzione, Present

David McCall, Present

Tony Graf, Present via phone at 5:30

Ed Hansen, Present

**3. Mayor's Report**

Mayor Winn reported on the following:

Surrounding areas have started flooding. Staff is watching canyons and neighborhoods for potential flooding. There are 6,000 filled sand bags ready to use. On Friday, 5/5, the Pratt Aquatic Center is having a 20-year celebration and the renaming of the lap pools. Spring cleanup is here with bulk waste pick up available. May 20<sup>th</sup> will be a City pick-up day.

#### **4. Council Member's Report**

The Council Members reported on the events they attended during the week.

#### **5. Discussion Items**

##### **A. Resolution 2023-23 A Resolution of the Tooele City Council Amending Its Policy Allowing Payment of a Fee In Lieu of Water Rights Conveyance**

*Presented by Roger Baker, City Attorney*

Mr. Baker presented an amendment to the policy allowing payment of a fee in lieu of water rights conveyance. There was a provision allowing a fee to be paid in lieu of those water rights included in the original 1998 water rights conveyance ordinance. The policy implementing that provision was first adopted in 2007, amended in 2008, amended and expanded in 2015, and amended in 2022 updating the price. Many of the items included are existing practice by City and staff. The items included and are listed in detail in the resolution recitals, which Mr. Baker addresses point by point.

The Council asked the following questions:

If the applicant used a majority of its water credits and reaches the deadline, does the water come back to the City?

Does every contract come back to the Council?

Mr. Baker addressed the Council. The remaining credits would revert back to the City. The development would have to come back and ask for additional water. Every request for a commercial development will come through resolution to the Council.

##### **B. Should Tooele City Impose a Fine for Candidates That Do Not File a Campaign Finance Statement in a Timely Manner as Per Utah Code 10-3-208(11)(a)(ii)**

*Presented by Michelle Pitt, City Recorder*

Ms. Pitt stated that the state legislature is allowing cities to impose a fine for candidates that do not file a campaign finance statement in a timely manner. Another change that the state legislature made is that instead of hard, fast deadlines for financial statements, there is now a 24-hour grace period. Ms. Pitt notifies candidates of deadlines of when financial statements are to be filed throughout the election season. The penalty for not filing on time, is being removed from the ballot or disqualification.

The Council asked if the fine applied to the all deadlines?

Michelle Pitt addressed the Council. The finance statement is filed before and after each election step. There would be a fine for each deadline missed. If the Council decided to impose the fine, an ordinance would be brought back to the Council to be added to the fee schedule and the City Code.

Mr. Baker addressed the City Council. There has only been one time a candidate did not meet a deadline. A pleading was filed with the district court to decide what should happen in removing a candidate from the ballot. The candidate was not removed from the ballot.

The Council is in favor of adding a fine because of the time staff puts in during the election.

### **C. Outdoor Landscaping Text Amendments**

*Presented by Andrew Aagard, City Planner*

Mr. Aagard presented an outdoor landscaping text amendment. They have emphasized and made provisions for more water wise landscaping. They would like to adopt specific provisions required by the state to be eligible for programs. There are many ordinances regarding landscaping requirements.

The amendments include the following:

park strip prohibit sod, requires drip systems instead of spray systems, authorizes artificial turf, prohibits the use of sod in off-street parking areas, general design review, design review in multi-family residential areas, preliminary plans to residential districts limiting 50% of natural lawn landscape, table of development standards allowing the developer to use trees from street tree guide, and subdivisions including tree spacing, drip style irrigations, and limiting sod.

The Tooele City street Tree selection guide amendments include recommendations of certain sizes depending on the projects, avoiding nuisance varieties, adding known performers and trees that tolerate the weather and surroundings areas making it easy to understand and read.

The Council asked the following:

Can they require them to put trees on private property?

Mr. Aagard addressed the Council's questions. They do require trees on private property for commercial areas.

The Council is in favor of the outdoor landscaping text amendments.

### **6. Closed Meeting - Litigation, Property Acquisition, and/or Personnel**

A closed meeting was held to discuss property acquisitions.

**Council Member Manzione motioned for a closed meeting.** Council member McCall Seconded. The vote was as follows: Council Member McCall "Aye," Council Member Manzione "Aye," Council Member Graf "Aye," Council Member Hansen "Aye," and Chairman Brady "Aye."

The meeting was recessed at 6:28.

Those in attendance during the closed session was: Mayor Debbie Winn, Council Member McCall, Council Member Manzione, Council Member Graf via phone, Council Member Hansen, Chairman Brady, Michelle Pitt, Shannon Wimmer, Jared Stewart, and Roger Baker via phone.

No minutes were taken during the closed meeting.

**7. Adjourn**

**Chairman Brady adjourned the meeting at 6:47 p.m.**

*The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.*

Approved this 17<sup>th</sup> day of May, 2023

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Justin Brady, City Council Chair