

## PUBLIC NOTICE

Notice is hereby given that the Tooele City Council will meet in a Business Meeting on Wednesday, December 6, 2023, at the approximate hour of 7:00 p.m., or immediately following the Municipal Building Authority meeting. The meeting will be held in the Tooele City Hall Council Chambers, located at 90 North Main Street, Tooele, Utah. The complete public notice is posted on the Utah Public Notice Website [www.utah.gov](http://www.utah.gov), the Tooele City Website [www.tooelecity.gov](http://www.tooelecity.gov), and at Tooele City Hall. To request a copy of the public notice or for additional inquiries please contact Michelle Pitt, City Recorder at (435)843-2111 or [michellep@tooelecity.gov](mailto:michellep@tooelecity.gov).

We encourage you to join the City Council meeting electronically by visiting the **Tooele City YouTube Channel**, at <https://www.youtube.com/@tooelecity> or by going to YouTube.com and searching "Tooele City Channel". If you are attending electronically and would like to submit a comment for the public comment period or for a public hearing item, please email [cmpubliccomment@tooelecity.gov](mailto:cmpubliccomment@tooelecity.gov) anytime up until the start of the meeting. Emails will be read at the designated points in the meeting.

## AGENDA

1. **Pledge of Allegiance**
2. **Roll Call**
3. **Mayor's Youth Recognition Awards**
4. **Public Comment Period**
5. **FY23 Audit Presentation**  
*Presented by Jon Haderlie with Larson and Company*
6. **Resolution 2023-99** A Resolution of the Tooele City Council Acknowledging the Mayor's Re-Appointments of Melanie Hammer and Jon Proctor, and New Appointment of Kelley Anderson to the Planning Commission  
*Presented by Mayor Debbie Winn*
7. **Resolution 2023-100** A Resolution of the Tooele City Council Re-Appointing Matt Robinson to the Tooele City Planning Commission  
*Presented by Council Chair Justin Brady*
8. **Resolution 2023-101** A Resolution of the Tooele City Council Consenting to the One-Time Payment of a Retention Bonus to School Resource Officers (SROs) Assigned on a Regular Full-Time Basis to a School for the 2023-2024 School Year  
*Presented by Police Chief Adrian Day*
9. **Resolution 2023-102** A Resolution of the Tooele City Council Increasing Garbage Can Fees  
*Presented by Shannon Wimmer*
10. **Invoices & Purchase Orders**  
*Presented by Michelle Pitt, City Recorder*
11. **Minutes**
12. **Adjourn**

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Michelle Y. Pitt, Tooele City Recorder

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations should notify Michelle Y. Pitt, Tooele City Recorder, at 435-843-2111 or [michellep@tooelecity.gov](mailto:michellep@tooelecity.gov), prior to the meeting.

**TOOELE CITY CORPORATION**

**RESOLUTION 2023-99**

**A RESOLUTION OF THE TOOELE CITY COUNCIL ACKNOWLEDGING THE MAYOR'S APPOINTMENTS OF MELANIE HAMMER, JON PROCTOR, AND KELLEY ANDERSON.**

WHEREAS, Tooele City Charter Section 5-01 and Tooele City Code §2-3-3 states that there shall be seven members of the Tooele City Planning Commission, three of whom shall be appointed by the City Council, and four of whom shall be appointed by the Mayor; and,

WHEREAS, pursuant to Tooele City Code §2-3-3, the City Council and Mayor may each appoint an alternate Planning Commission member, to act with full authority for an absent member; and,

WHEREAS, all appointments to the Planning Commission extend through December 31<sup>st</sup> of alternating odd-numbered years in order to preserve a balanced rotation of member terms (TCC §2-3-3); and,

WHEREAS, Doug Newell has resigned from position as an alternate on the Planning Commission, and Mayor Winn has appointed Kelley W. Anderson to replace him and to fill his remaining term, ending December 31, 2025; and,

WHEREAS, Mayor Debra E. Winn has reappointed Melanie Hammer and Jon Proctor for additional four-year terms, ending December 31, 2027; and,

WHEREAS, it is desirable for the City Council to acknowledge the Mayor's appointments to the Planning Commission by resolution so as to maintain an accurate record of all Planning Commission appointments and terms; and,

WHEREAS, terms of the various members of the Planning Commission are shown in the table attached as Exhibit A:

NOW, THEREFORE, BE IT ADKNOWLEDGED BY THE TOOELE CITY COUNCIL that Mayor Debra E. Winn has appointed Melanie Hammer, Jon Proctor, and Kelley Anderson to the Planning Commission for the terms indicated in the table below.

This Resolution shall take effect immediately by authority of the Tooele City Charter, without further publication.

IN WITNESS WHEREOF, this Resolution is passed by the Tooele City Council this \_\_\_ day of \_\_\_\_\_, 2023.

## Exhibit A

<b>Planning Commission Member</b>	<b>Term Begin Date</b>	<b>Term End Date</b>	<b>Date of First Appointment</b>
Matt Robinson (Council)	01-01-2020	12-31-2023	05-19-2010 (alternate)
Melanie Hammer (Mayor)	01-01-2020	12-31-2027	01-01-2010 (alternate)
Tyson Hamilton (Mayor)	01-01-2022	12-31-2025	02-03-2018 (alternate)
Jon Proctor (Mayor)	09-07-2022	12-31-2027	09-07-2022
Chris Sloan (Council)	01-01-2022	12-31-2025	02-16-2011 (alternate)
Melodi Gochis (Mayor)	01-01-2022	12-31-2025	01-01-2022 (alternate)
Weston Jensen (Council)	01-01-2022	12-31-2025	01-20-2021 (alternate)
Kelley Anderson (Alternate) (Mayor)	12-06-2023	12-31-2025	12-06-2023 (alternate)
Allison Dunn (Alternate) (Council)	01-19-2022	12-31-2025	01-19-2022 (alternate)

TOOELE CITY COUNCIL

(For)

(Against)

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ABSTAINING: \_\_\_\_\_

MAYOR OF TOOELE CITY

(For)

(Against)

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ATTEST:

\_\_\_\_\_  
Michelle Y. Pitt, City Recorder

S E A L

Approved as to form:

\_\_\_\_\_  
Roger Evans Baker, Tooele City Attorney

**TOOELE CITY CORPORATION**

**RESOLUTION 2023-100**

**A RESOLUTION OF THE TOOELE CITY COUNCIL RE-APPOINTING MATT ROBINSON TO THE TOOELE CITY PLANNING COMMISSION.**

WHEREAS, Tooele City Charter Section 5-01 and Tooele City Code §2-3-3 states that there shall be seven members of the Tooele City Planning Commission, three of whom shall be appointed by the City Council, and four of whom shall be appointed by the Mayor; and,

WHEREAS, pursuant to Tooele City Code §2-3-3, the City Council and Mayor may each appoint an alternate Planning Commission member, to act with full authority for an absent member; and,

WHEREAS, all appointments to the Planning Commission extend through December 31<sup>st</sup> of alternating odd-numbered years in order to preserve a balanced rotation of member terms (TCC §2-3-3); and,

WHEREAS, the City Council desires to re-appoint Matt Robinson to the Planning Commission, for a four-year term, ending December 31, 2027; and,

WHEREAS, terms of the various members of the Planning Commission are shown on Exhibit A:

NOW, THEREFORE, BE IT ACKNOWLEDGED BY THE TOOELE CITY COUNCIL that Matt Robinson is hereby re-appointed to the Planning Commission, for a term ending December 31, 2027, as shown in Exhibit A.

This Resolution shall take effect immediately by authority of the Tooele City Charter, without further publication.

IN WITNESS WHEREOF, this Resolution is passed by the Tooele City Council this \_\_\_ day of \_\_\_\_\_, 2023.

## Exhibit A

<b>Planning Commission Member</b>	<b>Term Begin Date</b>	<b>Term End Date</b>	<b>Date of First Appointment</b>
Matt Robinson (Council)	12-06-2023	12-31-2027	05-19-2010 (alternate)
Melanie Hammer (Mayor)	12-06-2023	12-31-2027	01-01-2010 (alternate)
Tyson Hamilton (Mayor)	01-01-2022	12-31-2025	02-03-2018 (alternate)
Jon Proctor (Mayor)	12-06-2023	12-31-2027	09-07-2022
Chris Sloan (Council)	01-01-2022	12-31-2025	02-16-2011 (alternate)
Melodi Gochis (Mayor)	01-01-2022	12-31-2025	01-01-2022 (alternate)
Weston Jensen (Council)	01-01-2022	12-31-2025	01-20-2021 (alternate)
Kelley Anderson (Alternate) (Mayor)	12-06-2023	12-31-2025	12-06-2023 (alternate)
Allison Dunn (Alternate) (Council)	01-19-2022	12-31-2025	01-19-2022 (alternate)

TOOELE CITY COUNCIL

(For)

(Against)

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ABSTAINING: \_\_\_\_\_

MAYOR OF TOOELE CITY

(For)

(Against)

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ATTEST:

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Michelle Y. Pitt, City Recorder

S E A L

Approved as to form:

\_\_\_\_\_  
Roger Evans Baker, Tooele City Attorney

## TOOELE CITY CORPORATION

### RESOLUTION 2023-101

#### **A RESOLUTION OF THE TOOELE CITY COUNCIL CONSENTING TO THE ONE-TIME PAYMENT OF A RETENTION BONUS TO SCHOOL RESOURCE OFFICERS (SROs) ASSIGNED ON A REGULAR FULL-TIME BASIS TO A SCHOOL FOR THE 2023-2024 SCHOOL YEAR.**

WHEREAS, Tooele City renewed a contract with the Tooele County School District to provide school resource officer services at select upper-level schools located within Tooele City pursuant to Utah Code 53G-8-702, and the contract requires regular presence of a sworn officer during school hours; and,

WHEREAS, prior to renewing the contract, City officials met with Tooele County School District Administrators to discuss the costs to employ a sworn law enforcement officer, the cost increases reflected in the 2023-2024 proposal, and the costs and time needed to hire and train additional SROs should the District desire to have an SRO at Deseret Peak High School; and,

WHEREAS, during that meeting discussion took place regarding ongoing challenges the Tooele City Police Department is experiencing in providing school resource officer services, including the following:

- Tooele City Police Department has experienced diminished interest from current officers in the SRO assignment and high turnover after officers accept the SRO assignment, and designating an uninterested or unqualified officer for the SRO assignment would not be not beneficial to Tooele City or the Tooele County School District;
- Tooele City Police Department has experienced continuing turnover of sworn law enforcement officers, impacted by the effect of market competition on law enforcement recruitment and retention;
- The SRO contract diverts critical resources away from Tooele City Police Department's efforts to provide sufficient patrol and investigative staffing, compounded by ongoing law enforcement recruitment and retention challenges;
- Delays associated with mandatory Peace Officer Standards and Training (POST) training and with the completion of officer Field Training programs further compound TCPD's resource allocation challenges;
- Alternative opinions regarding the scope of SRO duties;
- Tooele City concerns about SROs working alone as a solo officer, school administrators expecting SROs to function as truancy officers or vocational instructors, and the responsibilities placed upon SROs by Utah Code 53G-8-703 (e.g., 703(2)(a)(i): SROs "shall...provide and maintain a safe, healthy, and productive learning environment in a school");



- The need for additional SROs to cover absences when SROs exercise their statutory and policy rights to time off such as under the Family Medical Leave Act, other medical and sick leave, attendance at required training, unplanned absence due to sickness/illness/injury, or absence due to use of accrued paid leave; and,
- The resource burden on Tooele City Police Department supervisory staff to oversee and manage the SRO program.

WHEREAS, recognizing the above-stated challenges, but also the beneficial interest to the public for dedicated SROs, as well as the District's limited options outside of Tooele City Police Department for SRO services, Tooele City signed an SRO contract for the 2023-2024 school year; and,

WHEREAS, the above-stated challenges have only escalated in recent months, and Tooele City Police Department is struggling to maintain adequate patrol and investigation staffing; and,

WHEREAS, the Tooele City Police Department has explored options to meet the SRO contractual obligation for the 2023-2024 school year and continues its discussions about the SRO program; and,

WHEREAS, some SROs have requested transfer from the SRO assignment back to police patrol, have expressed interest in leaving Tooele City to escape the position, have desired to use their statutory entitled leave, and have requested that the department reallocate work duties to better balance increased demands of SRO coverage and program management with other work assignments; and,

WHEREAS, Tooele City desires to retain current full-time regular SROs assigned to a school and to incentivize officers to work the SRO assignment should a vacancy occur by making a one-time retention bonus payment as follows:

- \$0 bonus will be paid to any SRO who voluntarily resigns from SRO assignment at any time during the 2023-2024 school year;
- \$3,000 lump sum payment will be paid to any current full-time regular SRO assigned to a school who completes the entire 2023-2024 school year SRO assignment pursuant to the City's contract with the Tooele County School District, excluding any legal entitlement to protected leave such as workers compensation leave or Family and Medical Leave Act protected leave;
- In the event a full-time regular SRO assignment becomes open or the City initiates the movement of a SRO to a new department assignment, the City will prorate the \$3,000 (on monthly basis) and provide a prorated lump sum payment to the officer who is assigned on a full-time regular basis to complete the remainder of 2023-2024 school year SRO contract; and,
- Any bonus payment will be made after the last day of the school year contract but before the end of the City's fiscal year.

WHEREAS, the anticipated total cost of the proposed retention bonus is expected to be paid from currently budgeted salary and benefit costs not expended due to ongoing staffing shortages and structural reorganization; and,

WHEREAS, Tooele City Policies & Procedures Manual Section 9: Compensation, Part A states: "This Section does not identify every compensation-related matter that may arise. Tooele City reserves the right to otherwise address such matters in a manner that best meets the City's needs and complies with applicable laws"; and,

WHEREAS, Tooele City Policies & Procedures Manual Section 9: Compensation, Part A, provides the City Administration with the ability to make the one-time retention bonus adjustment, however, City Administration recognizes the significance of the SRO retention bonus, desires to be transparent in the business need to make the retention bonus payment this year, and desires to have a written record that provides historical context as to why the one-time retention bonus was offered and made to SROs:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOEELE CITY COUNCIL that consent is hereby given to the Mayor to authorize a one-time payment of a retention bonus to SROs for the 2023-2024 school year contractual obligation with the Tooele County School District, as described herein.

This Resolution is necessary for the immediate preservation of the peace, health, safety, or welfare of Tooele City and shall become effective upon passage, without further publication, by authority of the Tooele City Charter.

IN WITNESS WHEREOF, this Resolution is passed by the Tooele City Council this \_\_\_\_ day of \_\_\_\_\_, 2023.

TOOELE CITY COUNCIL

(For)

(Against)

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ABSTAINING: \_\_\_\_\_

TOOELE CITY MAYOR

(Approved)

(Disapproved)

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ATTEST:

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Michelle Y. Pitt, City Recorder

S E A L

Approved as to Form:

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Roger Evans Baker, Tooele City Attorney

**TOOELE CITY CORPORATION**

**RESOLUTION 2023-102**

**A RESOLUTION OF THE TOOELE CITY COUNCIL INCREASING GARBAGE CAN FEES.**

WHEREAS, on December 15, 2021, the Tooele City Council approved Resolution 2021-110, approving an agreement with Ace Disposal for the removal of residential refuse from Tooele City; and,

WHEREAS, the current garbage removal fee is \$11/month for the first can and \$5.50/month for a second (or additional) can; and,

WHEREAS, to cover the increased costs of garbage removal and disposal, and of replacement garbage cans, the City Administration recommends that the fee for the first can be increased to \$13/month, and the fee for the second (or additional) can be raised to \$6.50/month; and,

WHEREAS, this Resolution does not affect the fees for participation in the City's recycling program:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that the fees for garbage pick-up are hereby increased to \$13/month for the first can and \$6.50/month for a second (or additional) can.

This Resolution shall take effect immediately upon passage, by authority of the Tooele City Charter, without further publication.

IN WITNESS WHEREOF, this Resolution is passed by the Tooele City Council this \_\_\_ day of \_\_\_\_\_, 2023.

TOOELE CITY COUNCIL

(For)

(Against)

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ABSTAINING: \_\_\_\_\_

MAYOR OF TOOELE CITY

(For)

(Against)

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ATTEST:

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Michelle Y. Pitt, City Recorder

S E A L

Approved as to form:

\_\_\_\_\_  
Roger Evans Baker, Tooele City Attorney