

Tooele City Council Business Meeting Minutes

Date: Wednesday, March 15, 2023

Time: 7:00 p.m.

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

City Council Members Present:

Ed Hansen

Justin Brady

Maresa Manzione

Tony Graf

Dave McCall

City Employees Present:

Mayor Debbie Winn

Jim Bolser, Community Development Director

Adrian Day, Police Department Chief

Roger Baker, City Attorney

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

Minutes prepared by Katherin Yei

Chairman Brady called the meeting to order at 7:00 p.m.

1. Pledge of Allegiance

The Pledge of Allegiance was led by Chairman Brady.

2. Roll Call

Tony Graf, Present via phone

Ed Hansen, Present

Justin Brady, Present

Maresa Manzione, Present

Dave McCall, Present

3. National Vietnam War Veterans Day Proclamation 2023

Presented by Debbie Winn, Mayor

Mayor Winn presented the National Vietnam War Veterans Day Proclamation 2023.

4. Mayor's Community Recognition Award

Presented by Debbie Winn, Mayor

Mayor Winn presented the Mayor's Community Recognition Award to the following:
Christy Johnson

5. Public Comment Period

The public hearing was opened. No one came forward. The public hearing was closed.

6. Public Hearing & Motion on Ordinance 2023-11 An Ordinance of Tooele City Reassigning the Land Use Designation for Approximately 0.39 Acres of Property Located at 60 South Main Street from Community Commercial (CC) to Mixed Use (MU)

Presented by Jim Bolser, Community Development Director

Mr. Bolser presented a Land Use Map Amendment for the old Gordan furniture building, at 60 South Main Street. The Land Use is Community Commercial. The zoning is GC, General Commercial. The end goal of the application is a Zoning Map Amendment to the assignment of MU-G, Mixed-Use General. The Planning Commission has heard this item and forwarded a unanimous positive recommendation. A public comment was received and forwarded to the City Council.

The Council asked the following questions:

Was the police department ever called out for the issues mentioned in the public comment email?

Chief Day addressed the Council. To his recollection, police has not been called to that particular location. Though they have received calls about the homeless in that area. The mobile home in the parking lot is on private property.

Mayor Winn spoke on the mobile home in the private parking lot.

The public hearing was opened. No one came forward. The public hearing was closed.

Council Member Hansen motioned to approve Ordinance 2023-11 An Ordinance of Tooele City Reassigning the Land Use Designation for Approximately 0.39 Acres of Property Located at 60 South Main Street from Community Commercial (CC) to Mixed Use (MU).

Council Member McCall seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye." The motion passed.

7. Ordinance 2023-08 An Ordinance of Tooele City Amending Tooele City Code Chapter 5-20 Regarding Alcohol Licensing

Presented by Roger Baker, City Attorney

Mr. Baker presented an amendment to the Tooele City Code Chapter 5-20 regarding alcohol licensing. Due to the state regulating alcohol licensing, staff would like to use the limited

resources in other needed areas. They invite involvement from the Health Department. As well calling attention to special event permits. All business will need to work with the State and follow their rules and guidelines. The police will still continue to make sure businesses do not sell to under age people. This item was discussed in the previous work session.

Council Member Manzione motioned to approve Ordinance 2023-08 An Ordinance of Tooele City Amending Tooele City Code Chapter 5-20 Regarding Alcohol Licensing.

Council Member McCall seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye." The motion passed.

8. Resolution 2023-19 A Resolution of the Tooele City Council Authorizing Payment of a Fee-in-Lieu of Water Rights Conveyance for Microtel Moda Hotel Project

Presented by Roger Baker, City Attorney

Mr. Baker presented a payment fee-in-lieu of water rights conveyance for Microtel Moda Hotel for 8 acre-feet of water. The economic development impacts are listed in the resolution. Mr. Baker also raised the larger policy issue of whether to put a sunset date on the fee-in-lieu approvals: The City does not want to be used for market speculation. At the suggestion of the Council, there is often a deadline added for developers wanting to pay the fee-in-lieu. The time is a two-year limit starting on the resolution approval date.

The City Council asked the following:
Does the acre-feet amount have a limit?

Mr. Baker addressed the Council's questions and concerns. The current policy does allow an applicant to pay for no more than 20 acre-feet with a cap for all applicants of 50 acre-feet per year. If someone is far enough along in the process to request the benefit of the fee-in-lieu, they should be far enough along to do the other steps, including getting a building permit. The 50 acre-foot per year was established in 2015. The Council is within their discretion to add a time-limit to this application, and to adjust the annual caps in its policy.

The Council is in favor of the two-year limit from the date the fee-in-lieu it is approved.

Council Member McCall motioned to approve Resolution 2023-19 A Resolution of the Tooele City Council Authorizing Payment of a Fee-in-Lieu of Water Rights Conveyance for Microtel Moda Hotel Project with a sunset of two-year from the approval date.

Council Member Hansen seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye." The motion passed.

Mr. Baker asked for further direction. The Council instructed Mr. Baker to prepare a draft amendment to the current policy [June 1, 2022].

9. Ordinance 2023-12 An Ordinance of the Tooele City Council Providing for the Distribution of P.A.R. Tax Revenues

Presented by Michelle Pitt, City Recorder

Ms. Pitt stated that Tooele City residents voted to renew the Tooele City Parks, Arts, and Recreation (PAR) Tax on November 8, 2022. State law requires the Tooele City Council, by Ordinance, to impose the PAR Tax and to provide for the distribution of the PAR tax revenues received by the Utah Tax Commission. The tax will begin to be collected on April 1, 2023 and continue to be collected for 10 years.

Council Member Manzione motioned to approve Ordinance 2023-12 An Ordinance of the Tooele City Council Providing for the Distribution of P.A.R. Tax Revenues. Council Member Hansen seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye." The motion passed.

10. Invoices & Purchase Orders

There are no invoices or purchase orders to present for approval.

11. Minutes

There are no changes to the minutes.

Council Member Hansen motioned to approve Minutes. Council Member McCall seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye." The motion passed.

12. Adjourn

Chairman Brady adjourned the meeting at 7:42pm.

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 5th day of April, 2023

Justin Brady, City Council Chair