

PUBLIC NOTICE

Notice is Hereby Given that the Tooele City Council will meet in a Business Meeting on Wednesday, October 16, 2019, at the hour of 7:00 p.m. The meeting will be held at the Tooele City Hall Council Room, located at 90 North Main Street, Tooele, Utah.

1. **Pledge of Allegiance**
2. **Roll Call**
3. **Mayor's Youth Recognition Awards**
4. **Public Comment Period**
5. **Resolutions 2019-75** A Resolution of the Tooele City Council Approving a Contract Change Order with Hydro Resources Rocky Mountain, Inc. for Drilling of Three Test Wells
Presented by Paul Hansen
6. **Resolution 2019-74** A Resolution of the Tooele City Council Accepting the Completed Public Improvements Associated with the Canyon Village Rust Phase 2 Subdivision
Presented by Paul Hansen
7. **Buffalo Pass Final Plat Subdivision** by Land Development, LLC, Located at 150 West 600 North, 6 Lots, 1.1 Acres in the R1-7 Residential Zoning District
Presented by Jim Bolser
8. **Buffalo Ridge Final Plat Subdivision** by Land Development, LLC, Located at 204 West 600 North, 6 Lots, 1 Acre in the R1-7 Residential Zoning District
Presented by Jim Bolser
9. **Linda Vista Subdivision Phase 1 Plat Amendment** by Jack Walters, Located at 240 South 1250 East, 12 Lots, 5.6 Acres in the R1-7 Residential Zoning District
Presented by Jim Bolser
10. **Resolution 2019-73** A Resolution of the Tooele City Council Approving Poll Workers & Polling Places for the 2019 Tooele City Municipal Election
Presented by Michelle Pitt
11. **Minutes**
12. **Invoices**
13. **Adjourn**

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 435-843-2113 or michellep@tooelecity.org, Prior to the Meeting.

TOOELE CITY CORPORATION

RESOLUTION 2019- 75

A RESOLUTION OF THE TOOELE CITY COUNCIL APPROVING A CONTRACT CHANGE ORDER WITH HYDRO RESOURCES ROCKY MOUNTAIN, INC. FOR DRILLING OF THREE TEST WELLS.

WHEREAS, by Resolution 2018-22, Tooele City entered into a contract with Hydro Resources Rocky Mountain, Inc. for drilling of the Fire Station well; and,

WHEREAS, Tooele City abandoned completion of the Fire Station well due to unsuitable groundwater development conditions; and,

WHEREAS, the project was left with a remaining unexpended approved balance of Six hundred Twenty-nine thousand Six hundred Forty-one dollars (\$629,641.00); and,

WHEREAS, the City desires to complete a test well drilling program to help identify the best options for development of additional culinary water sources to help meet the growth demands of the City in accordance with the City's adopted Culinary Water Master Plan; and,

WHEREAS, upon completion of the test well drilling program, the City will have additional information to assist in determining where and how best to develop full production wells; and,

WHEREAS, Hydro Resources-Rocky Mountain, Inc., has submitted a cost proposal of Seven hundred Twenty-two thousand Twenty dollars (\$722,020.00) for drilling and construction of the three test wells (see cost proposal attached as Exhibit A); and

WHEREAS, taking into consideration the remaining current contract amount and the proposed change in scope of work and price, the net increase of the proposed Change Order is calculated to be Ninety-two thousand Three hundred Seventy-nine dollars (\$92,379.00).

WHEREAS, the City Administration requests that the previously authorized contingency approved with Resolution 2018-22 be increased to a total of Sixty-three thousand One hundred dollars (\$63,100.00), which amount represents 5% of the total revised contract amount as contingency for potential change orders that may arise during the Project, as reviewed and authorized by the Mayor; and,

WHEREAS, the additional funding for this Change order will be from the Water Impact Fee revenue fund:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOEELE CITY COUNCIL that the Mayor is hereby authorized to sign a contract change order (attached as Exhibit B) with Hydro Resources-Rocky Mountain, Inc. for drilling of three test wells for a sum not to exceed Seven hundred Twenty-two thousand Twenty dollars (\$722,020.00), and that the previously authorized contingency approved with Resolution 2018-22 is hereby increased to a total of Sixty-three thousand One hundred dollars (\$63,100.00), which may be used as necessary for changed conditions as reviewed and authorized by the Mayor.

This Resolution 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 _____, 2019.

TOOELE CITY COUNCIL

(For)

(Against)

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

ATTEST:

Michelle Y. Pitt, City Recorder

S E A L

Approved as to Form:

Roger Evans Baker, Tooele City Attorney

Exhibit A

Cost Proposal

Exhibit B

Change Order No. 1



Hydro

resources - Rocky Mountain, Inc.

July 12, 2019

Tooele City Corporation
90 N. Main St.
Tooele, UT84074

ATTN: Mr. Paul Hansen, P.E. – City Engineer

Project: Tooele Exploratory Test Holes
Subject: Proposal for Well Drilling Services

Mr. Hansen:

Hydro Resources (HR) is pleased to present the following proposal for well drilling services for the potential exploratory test well program for Tooele. HR wishes to outline our understanding of the scope of work.

Before reviewing the project details, HR would first like to stress our commitment to providing Tooele with a company committed to making Health & Safety our number one priority on this project. HR has broken down the proposal into the following units:

- I. Key Equipment to be supplied to the Project
- II. Technical Approach
- III. Unit Cost Breakdown

I. Key Equipment to be supplied to the Project

HR intends to mobilize the following equipment to the Tooele site:

- The primary drilling rig will be a Challenger 320 drilling rig. The Challenger 320 rig has a 72' mast rated at 150,000 lbs. with an 18" Howard Turner rotary table.
- The rig will be equipped with 1,500ft of appropriate-sized drill pipe, a Sullair 900 CFM compressor and a Sullair 375 CFM compressor. HR has assumed a support truck for pipe and miscellaneous parts to complete the work.
- The drilling package includes a three-man drilling crew working 24 hours per day.
- The rig will be equipped with the proper pumping equipment and tooling to perform the zone tests.



Hydro

resources - Rocky Mountain, Inc.



The equipment listed above will be dedicated to this project on a full-time basis and all the equipment is up to date with annual inspections and certifications.

II. Technical Approach

HR is providing the following summary of our technical approach regarding expected geology and drilling plan.

Well Drilling

- The Challenger 320 rig will be mobilized to the site and set up over the first well site. The associated cuttings tank and frac tank will be arranged accordingly.
- A 20" conductor casing will be installed to approximately 40'.
- Drill 14.75" hole to 1,200'.
- Perform geophysical logging of hole.
- Perform up to three zone pumping tests working up from the bottom of the hole (logging/engineer to determine zones). Install 6" casing w/ 30' of perforated screen into zone and assume airlifting for 12 hours in each zone. A submersible pump would then be installed and pumped for 6 hours at 50 GPM. Pull full water quality samples in each zone.
- The well will be abandoned. Assuming HR drills a 14 3/4" borehole to 1,200' and performs 3 zone samples, HR would expect to pump cement from 500' to surface. HR will need to provide data of where the 3 bentonite seals were placed and that they were 10' seals across the clay formations to the state.
- Assume moving over to another site within 10 miles following the first test hole drilling.



III. Unit Cost Breakdown

HR is providing the unit price estimate below.

Tooele Exploratory Test Wel+C3:H13I Program (Grid 1, Grid 5, & Grid 10 Sites)					
Item #	Description	Unit	Qty.	Unit Cost	Total Cost
1	Mobilization/Final Demobilization	LS	1	\$ 72,000.00	\$ 72,000.00
2	Install Conductor Casing	FT	40	\$ 320.00	\$ 12,800.00
3	Geophysical Logging	LS	1	\$ 9,000.00	\$ 9,000.00
4	Drill 14.75" Drillhole	FT	1160	\$ 94.00	\$ 109,040.00
5	Zone Testing	EA	3	\$ 13,500.00	\$ 40,500.00
6	Disposal	LS	1	\$ 10,000.00	\$ 10,000.00
7	Well Abandonment	FT	1200	\$ 10.00	\$ 12,000.00
Total Cost for Grid 1 Site					\$ 265,340.00
8	Move to next test well site	LS	1	\$ 35,000.00	\$ 35,000.00
9	Install Conductor Casing	FT	40	\$ 320.00	\$ 12,800.00
3	Geophysical Logging	LS	1	\$ 9,000.00	\$ 9,000.00
4	Drill 14.75" Drillhole	FT	1160	\$ 94.00	\$ 109,040.00
5	Zone Testing	EA	3	\$ 13,500.00	\$ 40,500.00
6	Disposal	LS	1	\$ 10,000.00	\$ 10,000.00
7	Well Abandonment	FT	1200	\$ 10.00	\$ 12,000.00
Total Cost for Grid 5 Site					\$ 228,340.00
1	Move to next test well site	LS	1	\$ 35,000.00	\$ 35,000.00
2	Install Conductor Casing	FT	40	\$ 320.00	\$ 12,800.00
3	Geophysical Logging	LS	1	\$ 9,000.00	\$ 9,000.00
4	Drill 14.75" Drillhole	FT	1160	\$ 94.00	\$ 109,040.00
5	Zone Testing	EA	3	\$ 13,500.00	\$ 40,500.00
6	Disposal	LS	1	\$ 10,000.00	\$ 10,000.00
7	Well Abandonment	FT	1200	\$ 10.00	\$ 12,000.00
Total Cost For Grid 10 Site					\$ 228,340.00
Total Cost to Install 3 Test Wells (1,200' ea)					\$ 722,020.00

Utilizing the results of the Geophysical Survey, the estimated solid bedrock depth for the wells are as follows:

- 1) Grid 1 – 900'
- 2) Grid 5 – 700'
- 3) Grid 10 – 1,250'

Based upon these estimated depths the costs of the actual borings would be as follows:

- 1) Grid 1 - \$233,740
- 2) Grid 5 - \$176,340
- 3) Grid 10 - \$233,540

The total project cost based on the results of the geophysical survey data would be \$643,620.



Hydro

resources - Rocky Mountain, Inc.

Clarifications:

- HR has assumed access for the drill rig (level site, approx. 150' x 200'). Ability to dig pits.
- HR has included all fuel costs.
- The Drilling Derived Waste assumed to be non-hazardous waste and has been assumed to be removed from the site and disposed of.
- HR has assumed there is a water source available from Tooele. HR will haul the water.
- HR assumes Client has the proper permits in place for the scope of work.
- The bid is a complete package and cannot be modified without prior written authorization from HR. Also, this is an estimate and the final invoice will reflect actual quantities utilized in the field which are properly documented multiplied by the unit rates quoted.
- A mutually agreeable written contract will be negotiated prior to mobilization.
- HR has assumed working 24 hours a day.

We are confident that Tooele will be impressed with our professional water supply services and look forward to the opportunity to provide this service. Please contact our office at your earliest convenience with any questions or concerns you may have.

Sincerely,

Hydro Resources

Jason Barnum

Jason Barnum
Business Development Manager
Rocky Mountain and West Regions
jbarnum@hydroresources.com

TOOELE CITY CORPORATION

RESOLUTION 2019-74

A RESOLUTION OF THE TOOELE CITY COUNCIL ACCEPTING THE COMPLETED PUBLIC IMPROVEMENTS ASSOCIATED WITH THE CANYON VILLAGE RUST PHASE 2 SUBDIVISION.

WHEREAS, Tooele City previously approved a subdivision final plat for the Canyon Village-Rust II subdivision (the "Subdivision"); and,

WHEREAS, Tooele City Code §7-19-35 requires that public improvements constructed in connection with an approved subdivision be accepted by Resolution of the City Council following verification by the City Engineer or the Director of Public Works that all the public improvements have been satisfactorily completed in accordance with the approved engineering plans and specifications and City standards; and,

WHEREAS, Land Development LLC and Monument Title Insurance Company have provided a proper Financial Institution Guaranteed Bond agreement with Tooele City for the portion of the Subdivision's public improvements located within existing public rights-of-way, dated March 21, 2019, in the amount of \$14,191.50, with a warranty bond for all of the Subdivision's public improvements, in the amount of \$60,182.63; and,

WHEREAS, both of the above-referenced bond agreements contain the following language:

under the Tooele City Code, the Improvements must be completed, inspected, and accepted prior to the issuance of a building permit for the land use approval or prior to the recordation of a subdivision final plat, as the case may be, except that a subdivision final plat may be recorded prior to the completion, inspection, and acceptance of the Improvements where the Applicant has completed an approved bond agreement and provided an associated bond

; and,

WHEREAS, the required verification that all of the Subdivision's public improvements have been completed has been provided by way of the Certificate of Completion of Public Works, attached as Exhibit A:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL as follows:

1. the completed public improvements associated with the Canyon Village-Rust II subdivision are hereby accepted, those improvements being reflected in the Bond Agreement dated March 21, 2019, and the Certificate of Completion of Public Works, attached hereto as Exhibit A; and,
2. the one-year warranty period on all accepted public improvements shall begin as of the date of approval of this Resolution.

This Resolution shall become effective immediately on the date of passage, without further publication, by authority of the Tooele City Charter.

Approved this ____ day of _____, 2019.

TOOELE CITY COUNCIL

(For)

(Against)

ABSTAINING: _____

MAYOR OF TOOELE CITY

(For)

(Against)

ATTEST:

Michelle Y. Pitt
Tooele City Recorder

S E A L

Approved as to Form: _____
Roger Evans Baker, Tooele City Attorney

Exhibit A

Certificate of Completion of Public Works

TOOELE CITY CORPORATION
90 NORTH MAIN
TOOELE, UTAH 84074
(435) 843-2130



Certificate of Completion of Public Works

(Start of One-Year Warranty)

Date: 08/28/2019

Permit No: P17-714		Public Work Elements	Completed	Not Complete	Not Required
Project Name:	Canyon Village Rust Phase 2	Culinary Water	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Address:	1800 North Copper Canyon Tooele, UT 84029	Secondary Water	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Sewer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Storm Drain / Pond	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Roads	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Curb & Gutter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Owner/Developer:	Rust Pine Canyon Land Partners, LLC 292 Big Canyon Ln. Wanship, UT 84017	Sidewalk	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Street Lights	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Landscaping	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Other / Comments:

*Note: * The above Public Work Elements are general in nature. See Public Works for detailed descriptions and comments:*

Based upon review of documentation provided by the Developer/Owner, inspection records on file with the Community Development Department and upon site review, the above referenced public improvements for this project have been satisfactorily completed in accordance with the approved construction plans and specifications and Tooele City Standards.

Recommended By	Title	Date
	Civil Inspector	8/28/2019, 10/3/19
	City Engineer	8/28/19
	Public Works	8/29/19
	Community Development	10/7/19

Acknowledged and Accepted _____ **City Council, Chair** _____ **Date** _____

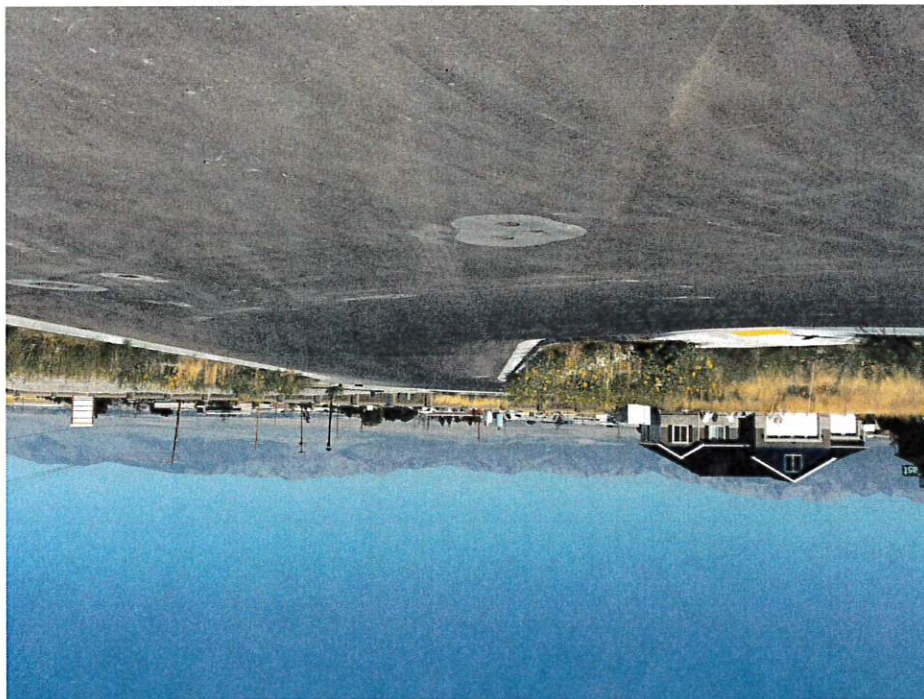
Scheduled Date for End of Warranty Final inspection: 08/27/2020 8-4-2020

TOOELE CITY CORPORATION
90 NORTH MAIN
TOOELE, UTAH 84074
(435) 843-2130

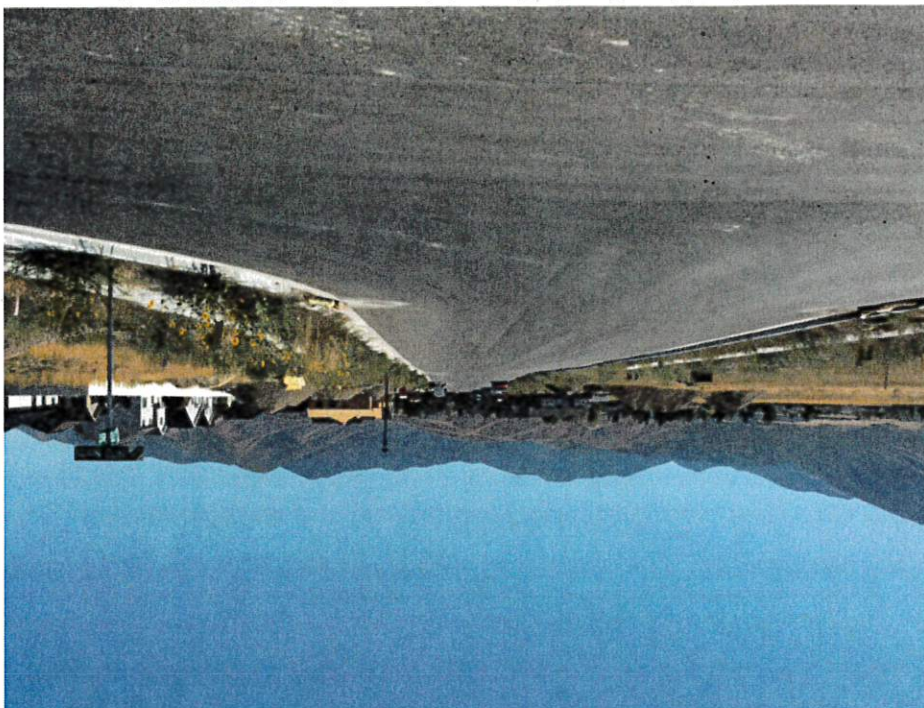


Certificate of Completion of Public Works
(Start of One-Year Warranty)

Permit No: P17-714
Page 2 of 2



1970 North Looking West From Intersection At 370 East



370 East Looking South From Intersection At 1970 North

Tooele, UT

90 N Main St
Tooele, UT 84074
<http://tooelecivity.org/>

P Case #: P17-714

Date of Inspection: 08/27/2019

Inspected By: Alder, Brad

Address of Inspection: 1800 N Copper Canyon, Tooele, UT 84074

Owner / Property Manager: _____

Occupant / Tenant: _____

Building Inspection

<i>Clearances</i>	<i>Status</i>	<i>Notes</i>
Sewer Lateral		
Water Lateral		
Meter Vault		
Electricity		
Other:		
<i>Building: Subrough</i>	<i>Status</i>	<i>Notes</i>
Excavation		
Footings		
Foundation		
Electrical		
Mechanical		
Plumbing		
SE Conduit		
Other:		
<i>Building: Rough</i>	<i>Status</i>	<i>Notes</i>
Building		
Electrical		
Power to Panel		
Mechanical		
Plumbing		
Gas Line		
Bond Beam		
Weather Resistive Barrier		
Insulation		
Drywall		
Other:		
<i>Building: Final</i>	<i>Status</i>	<i>Notes</i>
Building		
Electrical		
Mechanical		
Plumbing		
Water Meter Box		

Grading / Excavation	Other:	Approved	Subdivision Refinal 6
Status: Pass	Comments:		
Faults noted on subdivision final inspections dated 08/02/2019, 07/25/2019, 07/09/2019, 03/11/2019, 03/01/2019, and 01/17/2019. Have been corrected. No faults noted. Recommended to start warranty. Pine Canyon Road improvements shall be completed at a later date under the direction of Tooele County.			

Bruce Allen

Signature: _____

Date: 08/27/2019

STAFF REPORT

September 18, 2019

To: Tooele City Planning Commission
Business Date: September 25, 2019

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator

Re: Buffalo Pass – Final Plat Subdivision Request

Application No.: P19-384
Applicant: Adam Nash, representing Land Development LLC
Project Location: 150 West 600 North
Zoning: R1-7 Residential Zone
Acreage: 1.1 Acres (Approximately 47,916 ft²)
Request: Request for approval of a Final Plat Subdivision in the R1-7 Residential zone regarding the creation of a 6-lot single-family residential subdivision.

BACKGROUND

This application is a request for approval of a Final Plat for approximately 1 acre located at 150 West 600 North. The property is currently zoned R1-7 Residential. The applicant is requesting that a Preliminary Plan be approved to permit the subdivision of an existing 1 acre parcel into 6 single-family residential lots.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Residential land use designation for the subject property. The property has been assigned the R1-7 Residential zoning classification, supporting approximately five dwelling units per acre. The purpose of the R1-7 zone is to “provide a range of housing choices to meet the needs of Tooele City residents, to offer a balance of housing types and densities, and to preserve and maintain the City’s residential areas as safe and convenient places to live. These districts are intended for well-designed residential areas free from any activity that may weaken the residential strength and integrity of these areas. Typical uses include single family dwellings, two-family dwellings and multi-family dwellings in appropriate locations within the City. Also allowed are parks, open space areas, pedestrian pathways, trails and walkways, utility facilities and public service uses required to meet the needs of the citizens of the City.” The R1-7 Residential zoning designation is identified by the General Plan as a preferred zoning classification for the Residential land use designation. Properties to the west, east and south are all zoned R1-7 Residential. Property to the north is zoned MR-8 Multi-Family Residential. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

Subdivision Layout. This is a straight forward subdivision of an existing 1 acre parcel into 6 single-family residential lots ranging in size from 7600 square feet up to 8600 square feet. Each lot within the subdivision meets or exceeds all ordinance requirements regarding minimum lot size, lot width and lot frontages as required by the R1-7 Residential zoning code.

The applicant will be required to install the necessary road improvements to 150 West. Currently 150 West is a unpaved dirt road and terminates into 670 North. The applicant will be installing sidewalk, park strip, curb, gutter and 30 feet of asphalt thus completing the majority of the 60 foot right of way. The eastern remnant of the road will be completed when that property develops. The applicant will also be installing approximately 25 feet of asphalt where the new road will connect with 670 North east of the existing Johnson parcel.

Each lot will contain a 7 foot sump drainage system that will be protected in an easement in hopes to prevent property owners from altering the drainage system.

Fencing. There are not any ordinance requirements for fencing with this development.

Criteria For Approval. The procedure for approval or denial of a Subdivision Preliminary Plat request, as well as the information required to be submitted for review as a complete application is found in Sections 7-19-8 and 9 of the Tooele City Code.

REVIEWS

Planning Division Review. The Tooele City Planning Division has completed their review of the Preliminary Plan submission and has issued a recommendation for approval for the request with the following proposed comments:

1. All lots within the proposed subdivision meet or exceed minimum lot standards regarding lot size, lot width and lot frontages and conforms to all other applicable codes and development standards as required by Tooele City codes.

Engineering Review. The Tooele City Engineering and Public Works Divisions have completed their reviews of the Preliminary Plan submission and have issued a recommendation for approval for the request.

STAFF RECOMMENDATION

Staff recommends approval of the request for a Final Plat Subdivision by Adam Nash, representing Land Development, LLC, application number P19-384, subject to the following conditions:

1. That all requirements of the Tooele City Engineering and Public Works Divisions shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
2. That all requirements of the Tooele City Building Division shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
3. That all requirements of the Tooele City Fire Department shall be satisfied throughout the development of the site and the construction of all buildings on the site.
4. That all requirements of the geotechnical report shall be satisfied throughout the development of the site and the construction of all buildings on the site.

This recommendation is based on the following findings:

1. The proposed development plans meet the intent, goals, and objectives of the Tooele City General Plan.

2. The proposed development plans meet the requirements and provisions of the Tooele City Code.
3. The proposed development plans will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.
4. The proposed development conforms to the general aesthetic and physical development of the area.
5. The public services in the area are adequate to support the subject development.

MODEL MOTIONS

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Buffalo Pass Final Plat Subdivision Request by Adam Nash, representing Land Development LLC for the purpose of creating 6 new single-family residential lots, application number P19-384, based on the findings and subject to the conditions listed in the Staff Report dated September 18, 2019:”

1. List any additional findings and conditions...

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Buffalo Pass Final Plat Subdivision Request by Adam Nash, representing the Land Development LLC for the purpose of creating 6 new single-family residential lots, application number P19-384, based on the following findings:”

1. List any findings...

EXHIBIT A

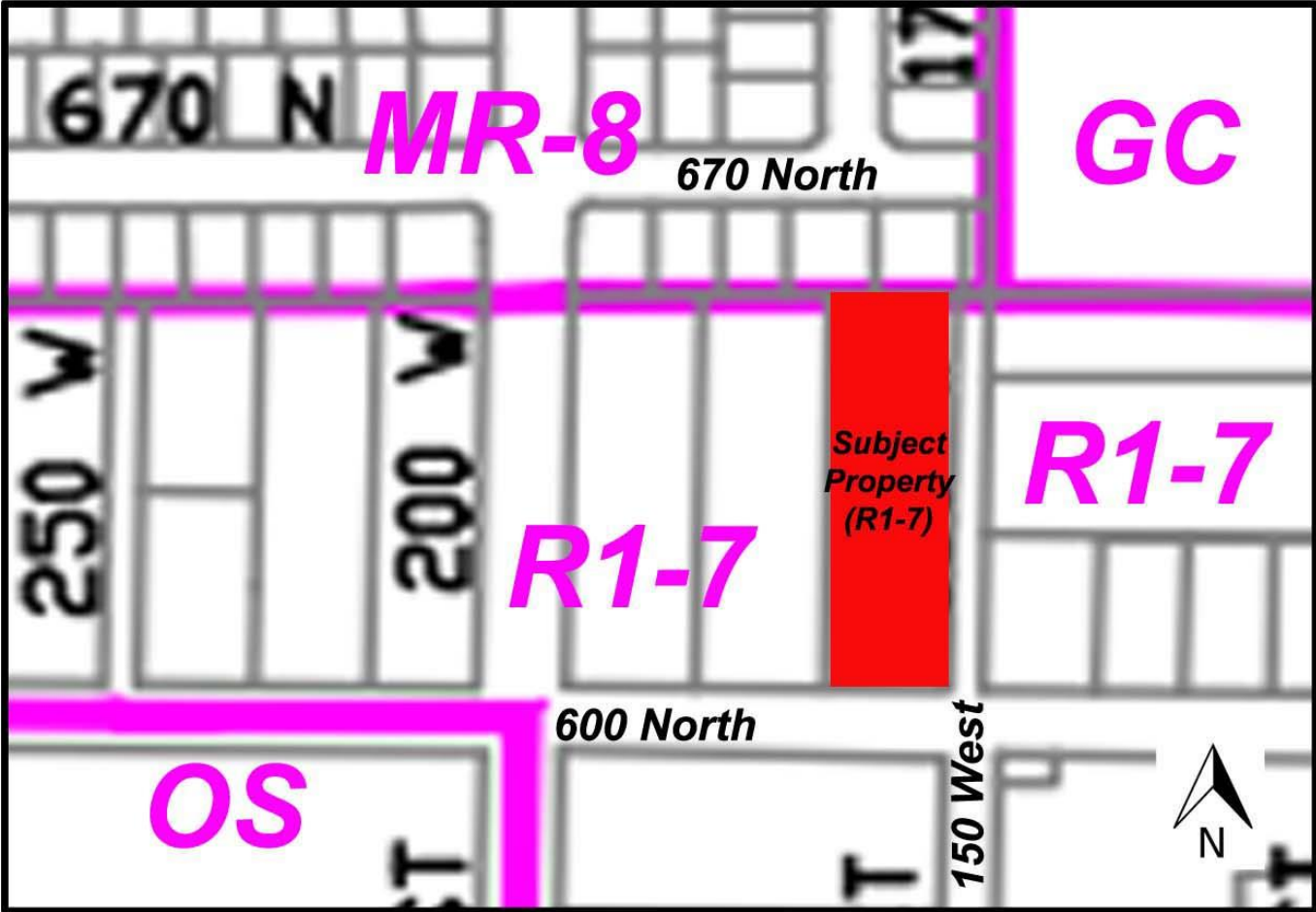
MAPPING PERTINENT TO THE BUFFALO PASS FINAL PLAT SUBDIVISION

Buffalo Pass Final Plat Subdivision



Aerial View

Buffalo Pass Final Plat Subdivision



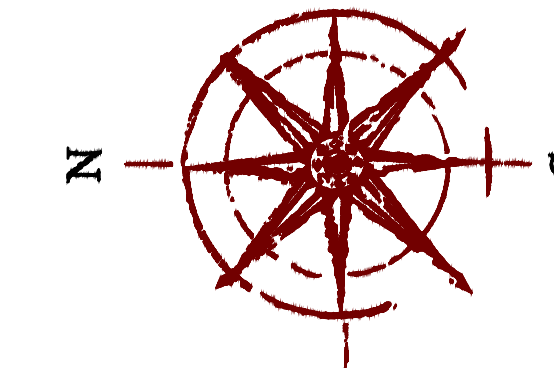
Current Zoning

EXHIBIT B

PROPOSED DEVELOPMENT PLANS

BUFFALO PASS SUBDIVISION

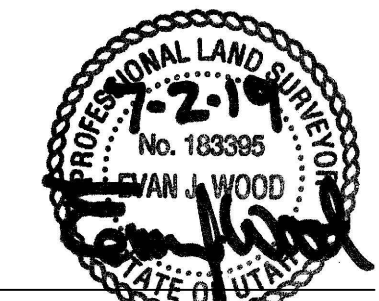
FINAL PLAT
 LOCATED IN THE SW1/4 & NW1/4 OF SECTION 21, T3S, R4W,
 SALT LAKE BASE & MERIDIAN
 TOOELE CITY, TOOELE COUNTY, UTAH



GRAPHIC SCALE
 (IN FEET)
 1 inch = 30 ft.

SURVEYOR'S CERTIFICATE

I, Evan J. Wood, do hereby certify that I am a Professional Land Surveyor, and that I hold Certificate No. 183395 in accordance with Title 58, Chapter 22 of Utah State Code. I further certify by authority of the owner(s) that I have completed a Survey of the property described on this Plat in accordance with Section 17-23-17 of said Code, and have subdivided said tract of land into lots, parcels, streets, and easements, to be known as BUFFALO PASS SUBDIVISION and the same has, or will be correctly surveyed, staked and monumented on the ground as shown on this Plat, and that this Plat is true and correct.



July 02, 2019
 DATE

EVAN J. WOOD
 PROFESSIONAL LAND SURVEYOR
 CERTIFICATE NO. 183395

BOUNDARY DESCRIPTION

Easterly Third of Block 72, Plat "A", Tooele City Survey, includes area located between the Quarter Section line and the South Line of Shetland Meadows No. 3 Subdivision, recorded as Entry #104101, Book 481, Page 454 in the Office of the Tooele County Recorder. More particularly described as follows:

Beginning at a point on the easterly line of Block 72, Plat "A", Tooele City Survey, said point being S89°42'14"W 2,680.38 feet along the quarter section line from the East Quarter Corner of Section 21, Township 3 South, Range 4 West, Salt Lake Base and Meridian, and running thence S00°52'56"W 404.13 feet along the easterly line of said Block 72 to the southeast corner of said Block 72; thence N89°11'43"W 121.59 feet along the southerly line of said Block 72 to a line established as the easterly third of said entire Block 72; thence N01°00'35"E 401.81 feet along said line established as the easterly third of said Block 72 to the quarter section line; thence N01°00'35"E 12.02 feet to the southerly line of said Shetland Meadows No. 3 Subdivision; thence N89°44'34"E 120.70 feet along said Shetland Meadows No. 3 Subdivision to the westerly right of way line of 150 West Street; thence S00°52'56"W 11.94 feet along said westerly right of way to the point of beginning.
 Contains: 50,263 square feet or 1.15 acres and six (6) lots.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND HAVING CAUSED SAME TO BE SUBDIVIDED INTO LOTS AND STREETS TOGETHER WITH EASEMENTS TO BE HEREAFTER KNOWN AS

BUFFALO PASS SUBDIVISION

DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL STREETS SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. THE UNDERSIGNED OWNERS ALSO HEREBY CONVEY TO TOOELE CITY AND TO ANY AND ALL PUBLIC UTILITY COMPANIES A PERPETUAL, NON-EXCLUSIVE EASEMENT OVER THE PUBLIC UTILITY AND DRAINAGE EASEMENTS SHOWN ON THIS PLAT, THE SAME TO BE USED FOR DRAINAGE AND FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF UTILITY LINES AND FACILITIES.

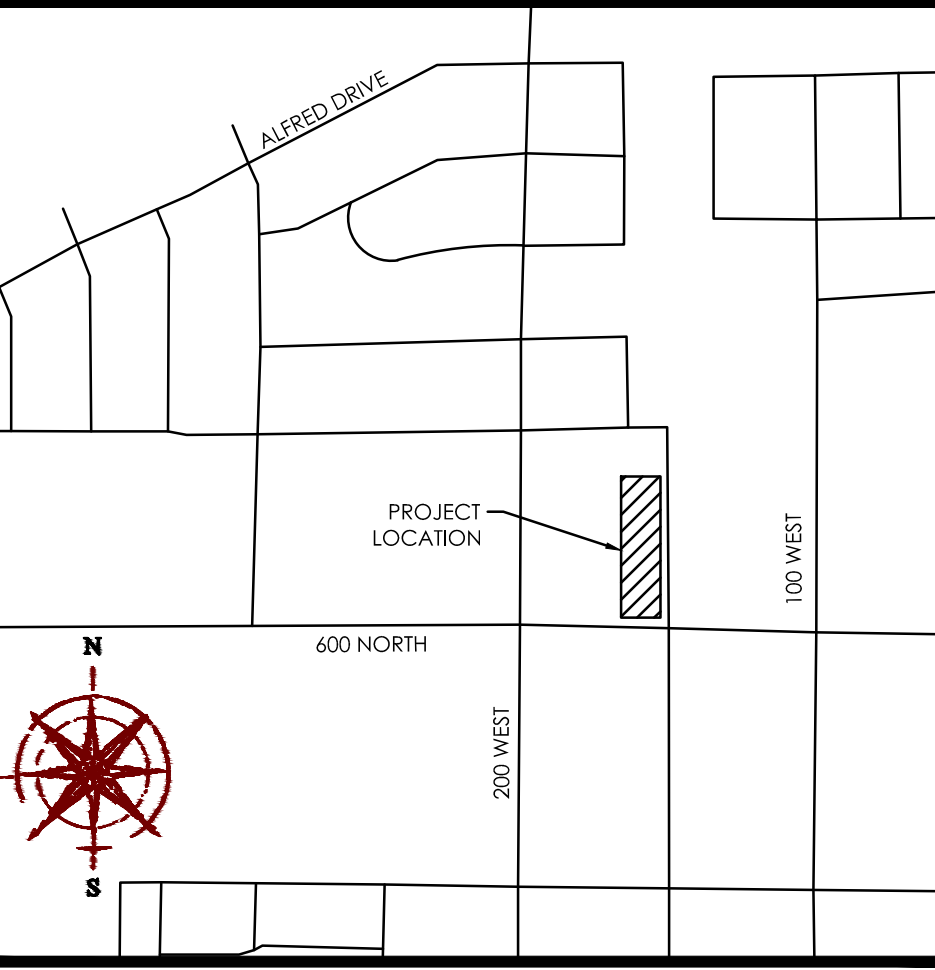
IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HAND THIS ____ DAY OF ____ A.D. 20__

LAND DEVELOPMENT L.L.C.

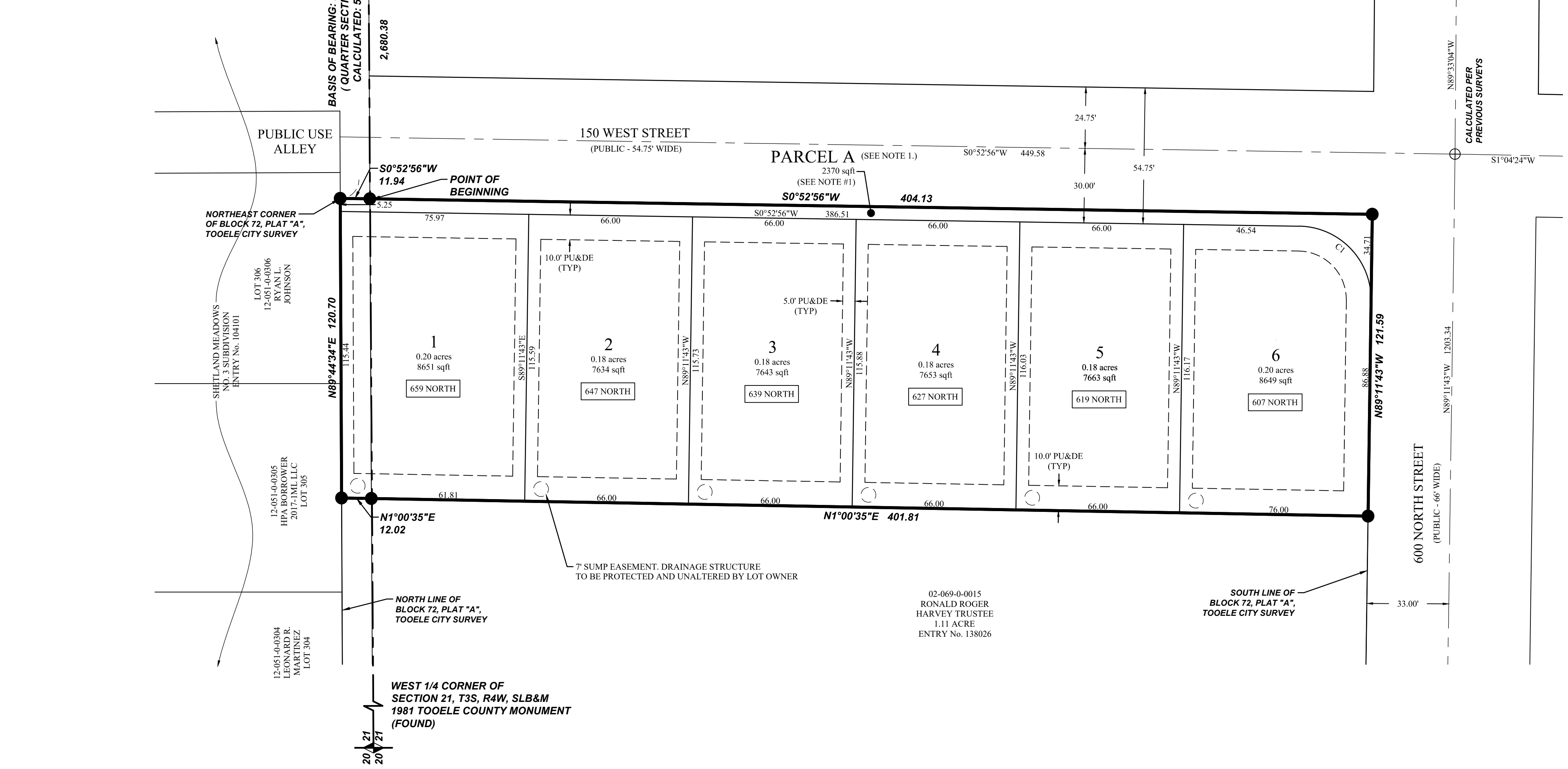
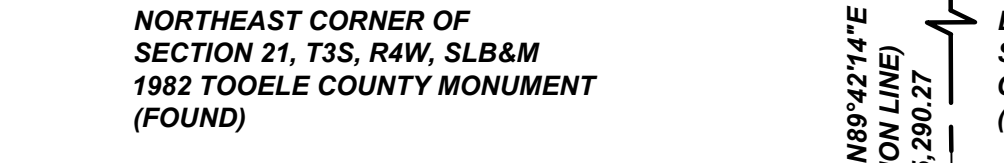
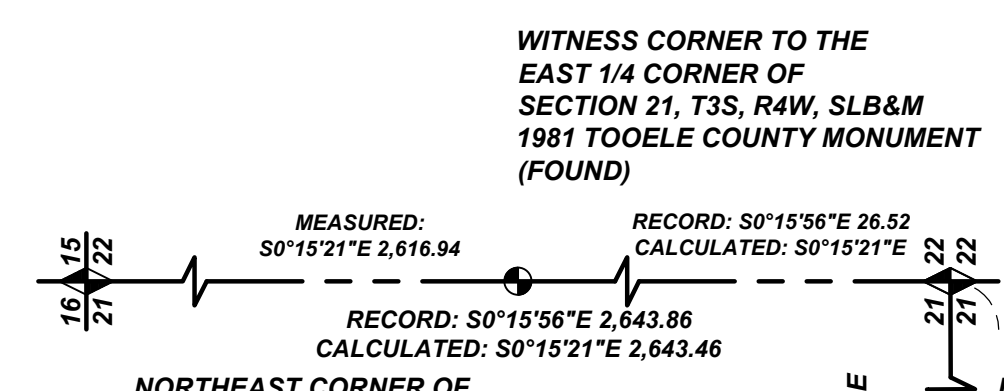
LIMITED LIABILITY ACKNOWLEDGMENT

STATE OF UTAH
 S.S.
 COUNTY OF _____
 ON THE ____ DAY OF _____ A.D. 20__ PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR THE COUNTY OF _____, IN SAID STATE OF UTAH, _____, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE/SHE IS THE _____ OF LAND DEVELOPMENT L.L.C., A UTAH L.L.C. AND THAT HE/SHE SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF SAID LIMITED LIABILITY COMPANY FOR THE PURPOSES THEREIN MENTIONED.

MY COMMISSION EXPIRES: _____ A NOTARY PUBLIC COMMISSIONED IN UTAH RESIDING IN _____ COUNTY
 MY COMMISSION No. _____ PRINTED FULL NAME OF NOTARY



VICINITY MAP
 N.T.S.



LEGEND

- BOUNDARY
- SECTION LINE
- PUBLIC UTILITY AND DRAINAGE EASEMENT
- RIGHT-OF-WAY LINE
- BUILDING SETBACK
- EXISTING PROPERTY LINE
- LOT LINE
- WITNESS CORNER MONUMENT (FOUND)
- SECTION MONUMENT (NOT FOUND)
- SECTION MONUMENT (FOUND)
- STREET MONUMENT (CALCULATED LOCATION)
- BOUNDARY MARKERS

Curve Table

CURVE	RADIUS	DELTA	LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	29.50	89°55'21"	46.30	N45°50'37"E	41.69

- ### NOTES:
- PARCEL "A" IS HEREBY DEDICATED TO TOOELE CITY AS PUBLIC RIGHT OF WAY.
 - 150 WEST IS A DEDICATED 40' RIGHT OF WAY. THIS DEVELOPMENT DEDICATES HALF OF THE BALANCE (5.25') TO WIDEN 150 WEST TO A STANDARD 30' HALF WIDTH.
 - 58" x 24" REBAR WITH SURVEY CAP (FOCUS ENG.) TO BE PLACED AT ALL LOT CORNERS. OFF-SET PINS TO BE PLACED IN THE BACK OF THE CURB WHERE APPLICABLE, IN LIEU OF REBAR AND CAP AT FRONT CORNERS.

AVERAGE LOT SIZE: 7,982 SQUARE FEET
 MINIMUM LOT SIZE: 7,634 SQUARE FEET

DOMINION ENERGY UTAH

QUESTAR GAS COMPANY DBA DOMINION ENERGY UTAH, HEREBY APPROVES THIS PLAT SOLELY FOR THE PURPOSES OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS, DOMINION ENERGY UTAH MAY REQUIRE ADDITIONAL EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THE APPROVAL DOES NOT CONSTITUTE ABROGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS OR LIABILITIES INCLUDING PRESCRIPTIVE RIGHTS AND OTHER RIGHTS, OBLIGATIONS OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL OR ACKNOWLEDGMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET FORTH IN THE OWNERS DEDICATION OR THE NOTES, AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OR CONDITIONS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION CONTACT DOMINION ENERGY UTAH'S RIGHT-OF-WAY DEPARTMENT AT 801-366-8532.

QUESTAR GAS COMPANY
 DBA DOMINION ENERGY UTAH

APPROVED THIS ____ DAY OF ____ A.D. 20__

BY: _____

TITLE: _____

ROCKY MOUNTAIN POWER

ROCKY MOUNTAIN POWER, A DIVISION OF PACIFICORP APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. ROCKY MOUNTAIN POWER MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABROGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS, OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL OR ACKNOWLEDGMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET FORTH IN THE OWNERS DEDICATION AND THE NOTES AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OF ELECTRICAL UTILITIES SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT ROCKY MOUNTAIN POWER AT 1-800-469-3981.

APPROVED THIS ____ DAY OF ____ A.D. 20__

ROCKY MOUNTAIN POWER

BY: _____

TITLE: _____

PREPARED FOR
LAND DEVELOPMENT, LLC
 6076 S. 900 E. STE. 100
 SALT LAKE CITY, UT 84121

COUNTY HEALTH DEPARTMENT

APPROVED THIS ____ DAY OF ____ A.D. 20__ BY THE TOOELE COUNTY HEALTH DEPARTMENT.

TOOELE COUNTY HEALTH DEPARTMENT

COUNTY TREASURER

APPROVED THIS ____ DAY OF ____ A.D. 20__ BY THE TOOELE COUNTY TREASURER.

TOOELE COUNTY TREASURER

PREPARED BY
FOCUS
 ENGINEERING AND SURVEYING, LLC
 6949 SOUTH HIGH TECH DRIVE SUITE 200
 MIDVALE, UT 84047 PH: (801) 352-0075
 www.focusutah.com

PLANNING COMMISSION

APPROVED THIS ____ DAY OF ____ A.D. 20__ BY THE TOOELE CITY PLANNING COMMISSION.

CHAIRMAN, TOOELE CITY PLANNING COMMISSION

CITY ENGINEER

APPROVED AS TO FORM THIS ____ DAY OF ____ A.D. 20__

CITY ENGINEER

COMMUNITY DEVELOPMENT

APPROVED AS TO FORM ON THIS ____ DAY OF ____ A.D. 20__

TOOELE CITY COMMUNITY DEVELOPMENT

COUNTY SURVEY DEPARTMENT

RECORD OF SURVEY #:

APPROVED THIS ____ DAY OF ____ A.D. 20__ BY THE TOOELE COUNTY SURVEY DEPARTMENT.

TOOELE COUNTY SURVEY DIRECTOR

CITY ATTORNEY

APPROVED AS TO FORM THIS ____ DAY OF ____ A.D. 20__

TOOELE CITY ATTORNEY

CITY COUNCIL

APPROVED THIS ____ DAY OF ____ A.D. 20__ BY THE TOOELE CITY COUNCIL.

ATTEST: CITY RECORDER

BUFFALO PASS SUBDIVISION
 LOCATED IN THE SW1/4 & NW1/4 OF SECTION 21, T3S, R4W,
 SALT LAKE BASE & MERIDIAN
 TOOELE CITY, TOOELE COUNTY, UTAH

TOOELE COUNTY RECORDER

ENTRY NO. _____
 STATE OF UTAH, COUNTY OF TOOELE, RECORDED & FILED AT THE REQUEST OF

DATE _____ TIME _____

FEE \$ _____ TOOELE COUNTY RECORDER

STAFF REPORT
September 19, 2019

To: Tooele City Planning Commission
Business Date: September 25, 2019

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator

Re: **Buffalo Ridge – Final Plat Subdivision Request**

Application No.: P19-383
Applicant: Adam Nash, representing Land Development LLC
Project Location: 204 West 600 North
Zoning: R1-7 Residential Zone
Acreage: 1 Acre (Approximately 43,560 ft²)
Request: Request for approval of a Final Plat Subdivision in the R1-7 Residential zone regarding a 6-lot single-family residential subdivision.

BACKGROUND

This application is a request for approval of a Final Plat Subdivision for approximately 1 acre located at approximately 204 West 600 North. The property is currently zoned R1-7 Residential. The applicant is requesting that a Preliminary Plan Subdivision be approved to permit the subdivision of an existing 1 acre lot into 6 single-family residential lots.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Residential land use designation for the subject property. The property has been assigned the R1-7 Residential zoning classification, supporting approximately five dwelling units per acre. The purpose of the R1-7 zone is to “provide a range of housing choices to meet the needs of Tooele City residents, to offer a balance of housing types and densities, and to preserve and maintain the City’s residential areas as safe and convenient places to live. These districts are intended for well-designed residential areas free from any activity that may weaken the residential strength and integrity of these areas. Typical uses include single family dwellings, two-family dwellings and multi-family dwellings in appropriate locations within the City. Also allowed are parks, open space areas, pedestrian pathways, trails and walkways, utility facilities and public service uses required to meet the needs of the citizens of the City.” The R1-7 Residential zoning designation is identified by the General Plan as a preferred zoning classification for the Residential land use designation. Properties to the east and west are both zoned R1-7 Residential. Property to the north is zoned MR-8 Multi-Family Residential and property to the south is zoned OS Open Space. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

Subdivision Layout. The subdivision is fairly straight forward, splitting a 1 acre parcel into 6 single-family lots. Lots within the subdivision range in size from 7,347 square feet up to 8,260 square feet. Each lot within the subdivision meets or exceeds minimum lot width, lot frontage and lot size as required by the R1-7 Residential zone.

Currently, 200 West has approximately 25 feet of asphalt at this stretch of road. The applicant will be

constructing sidewalk, park strip, curb, gutter and remaining asphalt between the curb and existing asphalt essentially finishing the western side of the road at this bottleneck location. The eastern side will be completed when that property develops.

Each lot will contain a 7” sump easement for storm water drainage. These drainage structures will need to remain unaltered by the lot owner.

Fencing. There is no fencing required by ordinance with this subdivision.

Criteria For Approval. The procedure for approval or denial of a Subdivision Preliminary Plat request, as well as the information required to be submitted for review as a complete application is found in Sections 7-19-8 and 9 of the Tooele City Code.

REVIEWS

Planning Division Review. The Tooele City Planning Division has completed their review of the Preliminary Plan Subdivision submission and has issued a recommendation for approval for the request with the following proposed comments:

1. All lots within the proposed subdivision meet or exceed minimum lot standards regarding lot size, lot width and lot frontages and conforms to all other applicable codes and development standards as required by Tooele City codes.

Engineering Review. The Tooele City Engineering and Public Works Divisions have completed their reviews of the Preliminary Plan Subdivision submission and have issued a recommendation for approval for the request.

STAFF RECOMMENDATION

Staff recommends approval of the request for a Final Plat Subdivision by Adam Nash, representing Land Development LLC, application number P19-383, subject to the following conditions:

1. That all requirements of the Tooele City Engineering and Public Works Divisions shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
2. That all requirements of the Tooele City Building Division shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
3. That all requirements of the Tooele City Fire Department shall be satisfied throughout the development of the site and the construction of all buildings on the site.
4. That all requirements of the geotechnical report shall be satisfied throughout the development of the site and the construction of all buildings on the site.

This recommendation is based on the following findings:

1. The proposed development plans meet the intent, goals, and objectives of the Tooele City General Plan.
2. The proposed development plans meet the requirements and provisions of the Tooele City Code.
3. The proposed development plans will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.

4. The proposed development conforms to the general aesthetic and physical development of the area.
5. The public services in the area are adequate to support the subject development.

MODEL MOTIONS

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Buffalo Ridge Final Plat Subdivision Request by Adam Nash, representing Land Development LLC for the purpose of creating 6 new single-family residential lots, application number P19-383, based on the findings and subject to the conditions listed in the Staff Report dated September 19, 2019:”

1. List any additional findings and conditions...

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Buffalo Ridge Final Plat Subdivision Request by Adam Nash, representing Land Development LLC for the purpose of creating 6 new single-family residential lots, application number P19-383, based on the following findings:”

1. List findings...

EXHIBIT A

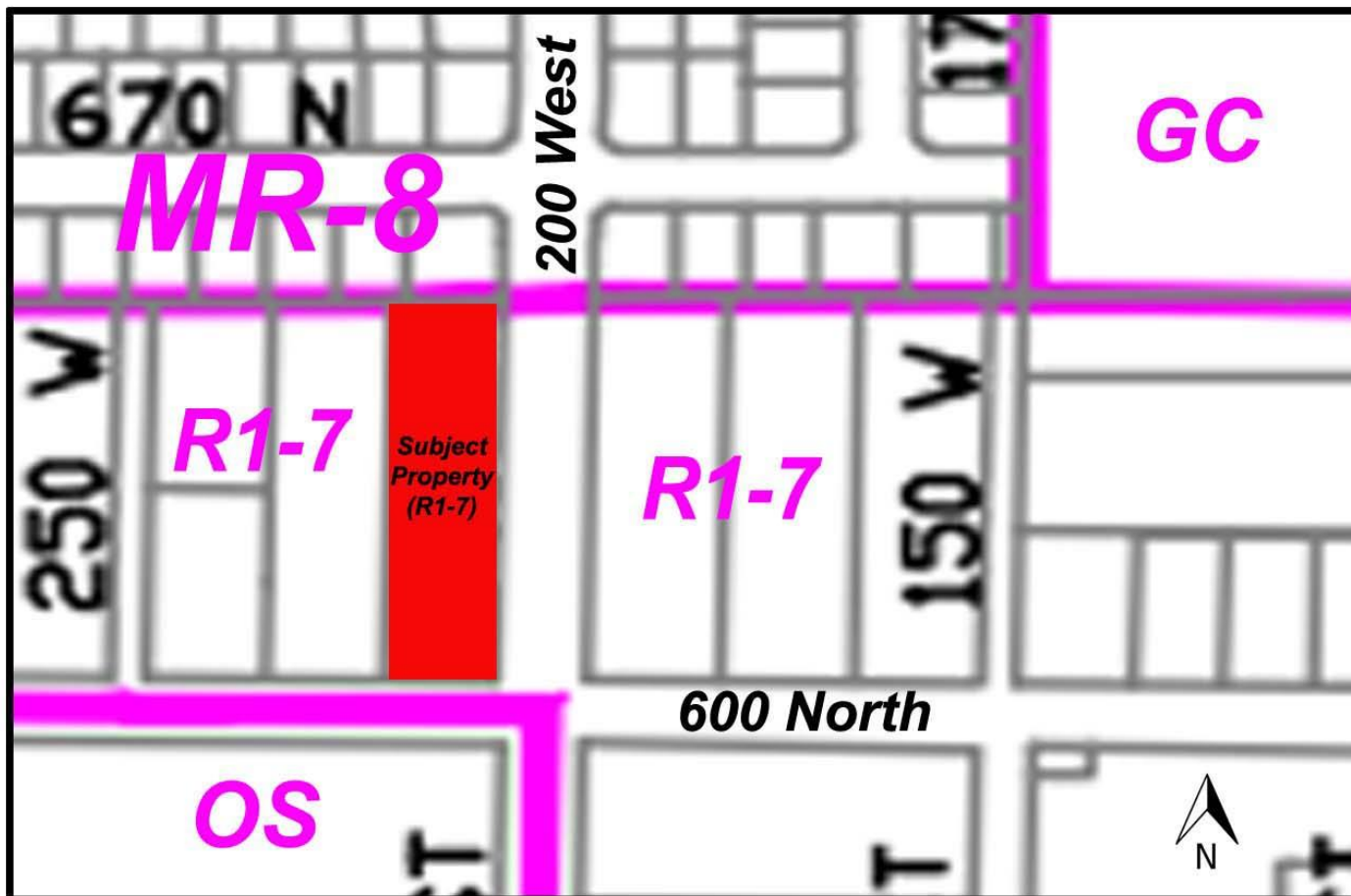
MAPPING PERTINENT TO THE BUFFALO RIDGE FINAL PLAT SUBDIVISION

Buffalo Ridge Final Plat Subdivision



Aerial View

Buffalo Ridge Final Subdivision Plat

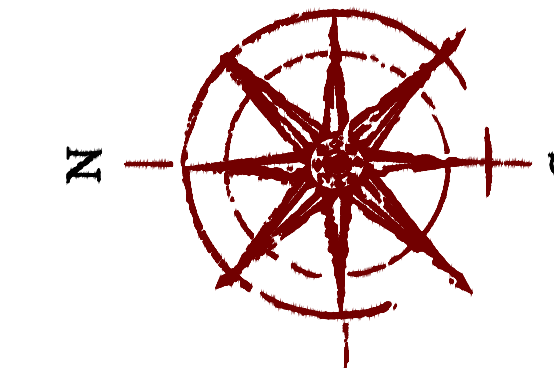


Current Zoning

EXHIBIT B
PROPOSED DEVELOPMENT PLANS

BUFFALO RIDGE SUBDIVISION

FINAL PLAT
 LOCATED IN THE SW1/4 & NW1/4 OF SECTION 21, T3S, R4W,
 SALT LAKE BASE & MERIDIAN
 TOOELE CITY, TOOELE COUNTY, UTAH

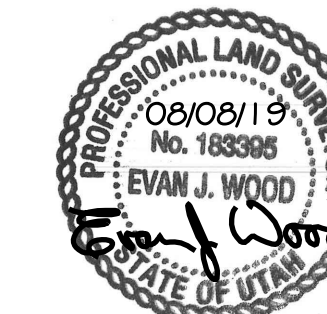


GRAPHIC SCALE

(IN FEET)
 1 inch = 30 ft.

SURVEYOR'S CERTIFICATE

I, Evan J. Wood, do hereby certify that I am a Professional Land Surveyor, and that I hold Certificate No. 183395 in accordance with Title 58, Chapter 22 of Utah State Code. I further certify by authority of the owner(s) that I have completed a Survey of the property described on this Plat in accordance with Section 17-23-17 of said Code, and have subdivided said tract of land into lots, parcels, streets, and easements to be known as Buffalo Ridge Subdivision, and the same has, or will be correctly surveyed, staked and monumented on the ground as shown on this Plat, and that this Plat is true and correct.



EVAN J. WOOD
 PROFESSIONAL LAND SURVEYOR
 CERTIFICATE NO. 183395

August 08, 2019
 DATE

BOUNDARY DESCRIPTION

Easterly Third of Block 73, Plat "A" Tooele City Survey, includes area located between the Quarter Section line and the South Line of Shetland Meadows No. 1 Subdivision, recorded as Entry #93860, Book 449, Page 383 in the Office of the Tooele County Recorder, and the South Line of Shetland Meadows No. 3 Subdivision, recorded as Entry #104101, Book 481, Page 854 in the Office of the Tooele County Recorder. More particularly described as follows:

Beginning at a point on the easterly line of said Block 73, Plat "A" Tooele City Survey, said point being S89°42'14"W 3,125.09 feet along the quarter section line from the East Quarter Corner of Section 21, Township 3 South, Range 4 West, Salt Lake Base and Meridian, and running thence S01°16'08"W 395.69 feet along the easterly line of said Block 73 to the southeast corner of said Block 73; thence N89°19'31"W 110.96 feet along the southerly line of said Block 73 to a line established as the easterly third of said entire Block 73; thence N01°04'43"E 393.78 feet along said line established as the easterly third of said Block 73 to the quarter section line; thence N01°04'43"E 12.31 feet to the southerly line of said Shetland Meadows No. 1 Subdivision; thence N89°44'34"E 111.61 feet along said Shetland Meadows No. 1 Subdivision, and to and along the southerly line of said Shetland Meadows No. 3 Subdivision to the westerly right of way line of 200 West Street; thence S02°10'32"E 12.24 feet a long said westerly right of way to the point of beginning.

Contains: 45,431 square feet or 1.04 acres and six (6) lots.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND HAVING CAUSED SAME TO BE SUBDIVIDED INTO LOTS AND STREETS TOGETHER WITH EASEMENTS TO BE HEREAFTER KNOWN AS

BUFFALO RIDGE SUBDIVISION

DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL STREETS SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. THE UNDERSIGNED OWNERS ALSO HEREBY CONVEY TO TOOELE CITY AND TO ANY AND ALL PUBLIC UTILITY COMPANIES A PERPETUAL, NON-EXCLUSIVE EASEMENT OVER THE PUBLIC UTILITY AND DRAINAGE EASEMENTS SHOWN ON THIS PLAT, THE SAME TO BE USED FOR DRAINAGE AND FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF UTILITY LINES AND FACILITIES.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HAND THIS ____ DAY OF _____ A.D. 20 ____

LIMITED LIABILITY ACKNOWLEDGMENT

STATE OF UTAH
 COUNTY OF _____

ON THE ____ DAY OF _____ A.D. 20 ____ PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR THE COUNTY OF _____, IN SAID STATE OF UTAH, _____, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE/SHE IS THE _____ OF _____ L.L.C., A UTAH L.L.C. AND THAT HE/SHE SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF SAID LIMITED LIABILITY COMPANY FOR THE PURPOSES THEREIN MENTIONED.

MY COMMISSION EXPIRES: _____ A NOTARY PUBLIC COMMISSIONED IN UTAH RESIDING IN _____ COUNTY

MY COMMISSION No. _____ PRINTED FULL NAME OF NOTARY _____

ROCKY MOUNTAIN POWER

- PURSUANT TO UTAH CODE ANN. 54-3-27 THIS PLAT CONVEYS TO THE OWNER(S) OR OPERATORS OF UTILITY FACILITIES A PUBLIC UTILITY EASEMENT ALONG WITH ALL THE RIGHTS AND DUTIES DESCRIBED THEREIN.
- PURSUANT TO UTAH CODE ANN. 17-27a-603(4)(c)(ii) ROCKY MOUNTAIN POWER ACCEPTS DELIVERY OF THE PUE AS DESCRIBED IN THIS PLAT AND APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS AND APPROXIMATES THE LOCATION OF THE PUBLIC UTILITY EASEMENTS, BUT DOES NOT WARRANT THEIR PRECISE LOCATION. ROCKY MOUNTAIN POWER MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT AFFECT ANY RIGHT THAT ROCKY MOUNTAIN POWER HAS UNDER:
 - A RECORDED EASEMENT OR RIGHT-OF-WAY
 - THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS
 - TITLE 54, CHAPTER 8a, DAMAGE TO UNDERGROUND UTILITY FACILITIES OR
 - ANY OTHER PROVISION OF LAW

APPROVED THIS ____ DAY OF _____ A.D. 20 ____

ROCKY MOUNTAIN POWER

BY - _____

TITLE - _____

BUFFALO RIDGE SUBDIVISION

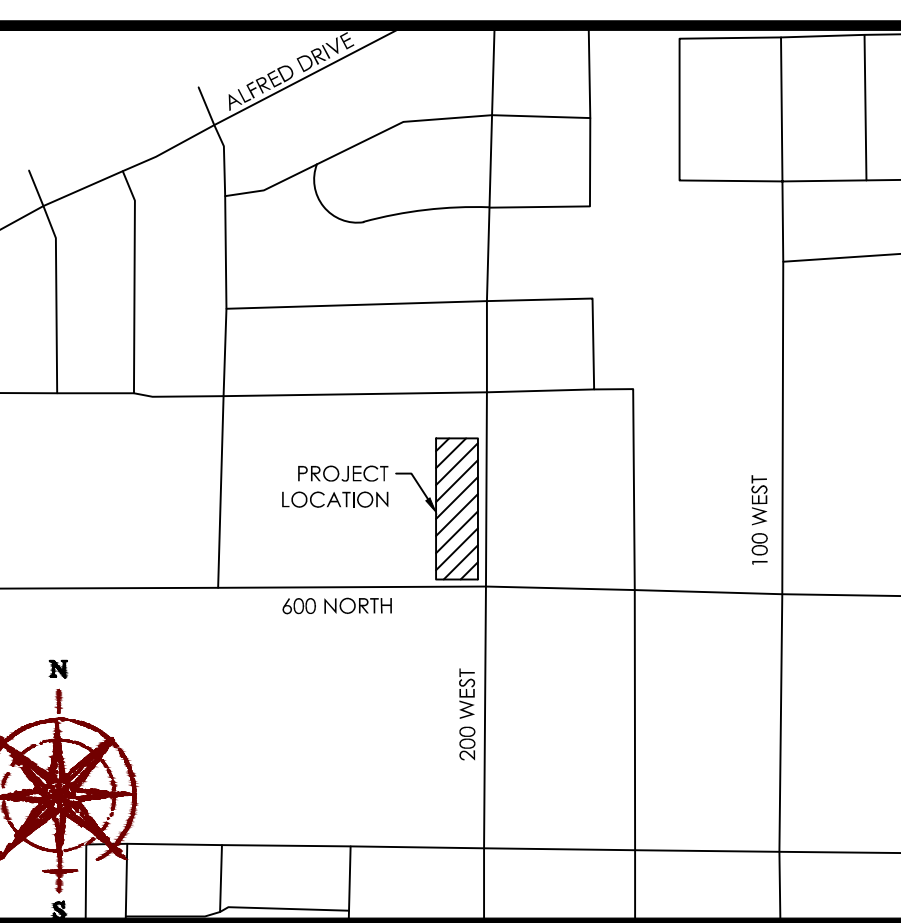
LOCATED IN THE SW1/4 & NW1/4 OF SECTION 21, T3S, R4W,
 SALT LAKE BASE & MERIDIAN
 TOOELE CITY, TOOELE COUNTY, UTAH

TOOELE COUNTY RECORDER

ENTRY NO. _____
 STATE OF UTAH, COUNTY OF TOOELE, RECORDED & FILED AT THE REQUEST OF _____

DATE _____ TIME _____

FEE \$ _____ TOOELE COUNTY RECORDER



VICINITY MAP

N.T.S.

Curve Table				
CURVE	RADIUS	DELTA	LENGTH	CHORD DIRECTION
C1	29.50	89°24'21"	46.03	N45°58'19"E
			41.50	

AVERAGE LOT SIZE: 7491 SQUARE FEET
 MINIMUM LOT SIZE: 7298 SQUARE FEET

NOTE:
 1. #5x24" rebar & cap (FOCUS ENG) to be set at all boundary corners unless noted otherwise. Off-set pins to be placed in the back of the curb.
 2. Parcel A hereby dedicated to Tooele City for Public ROW.

LEGEND

- BOUNDARY
- SECTION LINE
- PUBLIC UTILITY/DRAINAGE EASEMENT
- RIGHT-OF-WAY LINE
- BUILDING SETBACK
- EXISTING PROPERTY LINE
- LOT LINE
- WITNESS CORNER MONUMENT (FOUND)
- SECTION MONUMENT (NOT FOUND)
- SECTION MONUMENT (FOUND)
- PROPOSED STREET MONUMENT
- EXIST. STREET MONUMENT (FOUND)
- STREET MONUMENT (CALCULATED LOCATION)
- BOUNDARY MARKERS

DOMINION ENERGY UTAH:
 QUESTAR GAS COMPANY DBA DOMINION ENERGY UTAH, HEREBY APPROVES THIS PLAT SOLELY FOR THE PURPOSES OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. DOMINION ENERGY UTAH MAY REQUIRE ADDITIONAL EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THE APPROVAL DOES NOT CONSTITUTE ABROGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS OR LIABILITIES INCLUDING PRESCRIPTIVE RIGHTS AND OTHER RIGHTS, OBLIGATIONS OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL OR ACKNOWLEDGMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET FORTH IN THE OWNERS DEDICATION OR THE NOTES, AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OR CONDITIONS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION CONTACT DOMINION ENERGY UTAH'S RIGHT-OF-WAY DEPARTMENT AT 801-366-8532.

QUESTAR GAS COMPANY
 dba DOMINION ENERGY UTAH

Approved this ____ DAY OF _____ A.D. 20 ____

By: _____

Title: _____

PREPARED FOR
LAND DEVELOPMENT, LLC
 6076 S. 900 E. STE. 100
 SALT LAKE CITY, UT 84121

COUNTY HEALTH DEPARTMENT
 APPROVED THIS ____ DAY OF _____ A.D. 20 ____ BY THE TOOELE COUNTY HEALTH DEPARTMENT.

COUNTY TREASURER
 APPROVED THIS ____ DAY OF _____ A.D. 20 ____ BY THE TOOELE COUNTY TREASURER.

PREPARED BY

FOCUS
 ENGINEERING AND SURVEYING, LLC
 6949 SOUTH HIGH TECH DRIVE SUITE 200
 MIDVALE, UT 84047 PH: (801) 352-0075
 www.focusutah.com

PLANNING COMMISSION
 APPROVED THIS ____ DAY OF _____ A.D. 20 ____ BY THE TOOELE CITY PLANNING COMMISSION.

CITY ENGINEER
 APPROVED AS TO FORM THIS ____ DAY OF _____ A.D. 20 ____

COMMUNITY DEVELOPMENT
 APPROVED AS TO FORM ON THIS ____ DAY OF _____ A.D. 20 ____

COUNTY SURVEY DEPARTMENT
 RECORD OF SURVEY #: _____
 APPROVED THIS ____ DAY OF _____ A.D. 20 ____ BY THE TOOELE COUNTY SURVEY DEPARTMENT.

CITY ATTORNEY
 APPROVED AS TO FORM THIS ____ DAY OF _____ A.D. 20 ____

CITY COUNCIL
 APPROVED THIS ____ DAY OF _____ A.D. 20 ____ BY THE TOOELE CITY COUNCIL.

ATTEST: CITY RECORDER

STAFF REPORT

September 19, 2019

To: Tooele City Planning Commission
Business Date: September 25, 2019

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator

Re: Linda Vista Phase 1 – Subdivision Plat Amendment Request

Application No.: P19-7
Applicant: Jack Walters
Project Location: Approximately 240 South 1250 East
Zoning: R1-7 Residential Zone
Acreage: Approximately 5.64 Acres (Approximately 245,678 ft²)
Request: Request for approval of a Subdivision Plat Amendment in the R1-7 Residential zone regarding the creation of two additional lots in an existing subdivision.

BACKGROUND

This application is a request for approval of a Subdivision Plat Amendment for approximately 5.64 acres located at approximately 240 South 1250 East. The property is currently zoned R1-7 Residential. The applicant is requesting that a Subdivision Plat Amendment be approved to allow for the development of a “future development” parcel included in the Phase 1 subdivision plat. The Phase 1 subdivision plat originally included 10 lots along with a 1 acre parcel located to the north listed on the plat as “future development.” The applicant’s intentions at the time was to preserve this portion of the subdivision for development at a later time. They have now submitted this plat amendment to include two additional lots and public right-of-way.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Residential land use designation for the subject property. The property has been assigned the R1-7 Residential zoning classification, supporting approximately five dwelling units per acre. The purpose of the R1-7 zone is to “provide a range of housing choices to meet the needs of Tooele City residents, to offer a balance of housing types and densities, and to preserve and maintain the City’s residential areas as safe and convenient places to live. These districts are intended for well-designed residential areas free from any activity that may weaken the residential strength and integrity of these areas. Typical uses include single family dwellings, two-family dwellings and multi-family dwellings in appropriate locations within the City. Also allowed are parks, open space areas, pedestrian pathways, trails and walkways, utility facilities and public service uses required to meet the needs of the citizens of the City.” The R1-7 Residential zoning designation is identified by the General Plan as a preferred zoning classification for the Residential land use designation. Properties to the north, west and east are all zoned R1-7 Residential. Properties to the south are zoned R1-12 Residential. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

Subdivision Layout. Phase 1 of the Linda Vista Subdivision consists of 10 lots with additional property,

near 1 acre in size, located to the north. The public road terminates at the northern most lot of the Phase 1 subdivision into the future development parcel. The applicant is proposing to split the future development parcel into two new residential lots, construct a cul-de-sac turn around, and reconfigure subdivision boundaries so as to not include the north eastern corner property in the subdivision until Droubay Road improvements facilitate development of the remnant parcel.

Lot 110 is proposed by be 8770 square feet and lot 111 is proposed to be 11,937 square feet. Each lot as proposed meets or exceeds minimum lot standards for lot size, lot width and lot frontages as established by the R1-7 Residential zoning code as well as Tooele City's Subdivision ordinance. It should be noted that lot 111 is encumbered by a 15 foot 100 year drainage overflow swale easement that must be preserved.

Criteria For Approval. The criteria for review and potential approval of a Subdivision Plat Amendment request is found in Sections 7-19-10 and 11 of the Tooele City Code.

REVIEWS

Planning Division Review. The Tooele City Planning Division has completed their review of the Subdivision Plat Amendment submission and has issued a recommendation for approval for the request with the following comments:

1. Lots 111 and 112 meet or exceed all standards for lot size, lot width, and lot frontages as required by the R1-7 Residential zoning code and the Tooele City Subdivision Ordinance.

Engineering Review. The Tooele City Engineering and Public Works Divisions have completed their reviews of the Subdivision Plat Amendment submission and have issued a recommendation for approval for the request.

STAFF RECOMMENDATION

Staff recommends approval of the request for a Subdivision Plat Amendment by Jack Walters, application number P19-7, subject to the following conditions:

1. That all requirements of the Tooele City Engineering and Public Works Divisions shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
2. That all requirements of the Tooele City Building Division shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
3. That all requirements of the Tooele City Fire Department shall be satisfied throughout the development of the site and the construction of all buildings on the site.
4. That all requirements of the geotechnical report shall be satisfied throughout the development of the site and the construction of all buildings on the site.

This recommendation is based on the following findings:

1. The proposed development plans meet the intent, goals, and objectives of the Master Plan.
2. The proposed development plans meet the intent, goals, and objectives of the Tooele City General Plan.

3. The proposed development plans meet the requirements and provisions of the Tooele City Code.
4. The proposed development plans will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.
5. The proposed development conforms to the general aesthetic and physical development of the area.
6. The public services in the area are adequate to support the subject development.

MODEL MOTIONS

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Linda Vista Phase 1 Subdivision Plat Amendment Request by Jack Walters, for the creation of two additional lots, application number P19-7, based on the findings and subject to the conditions listed in the Staff Report dated September 19, 2019:”

1. List any additional findings and conditions...

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Linda Vista Phase 1 Subdivision Plat Amendment Request by Jack Walters, for the creation of two additional lots, application number P19-7, based on the following findings:”

1. List findings...

EXHIBIT A

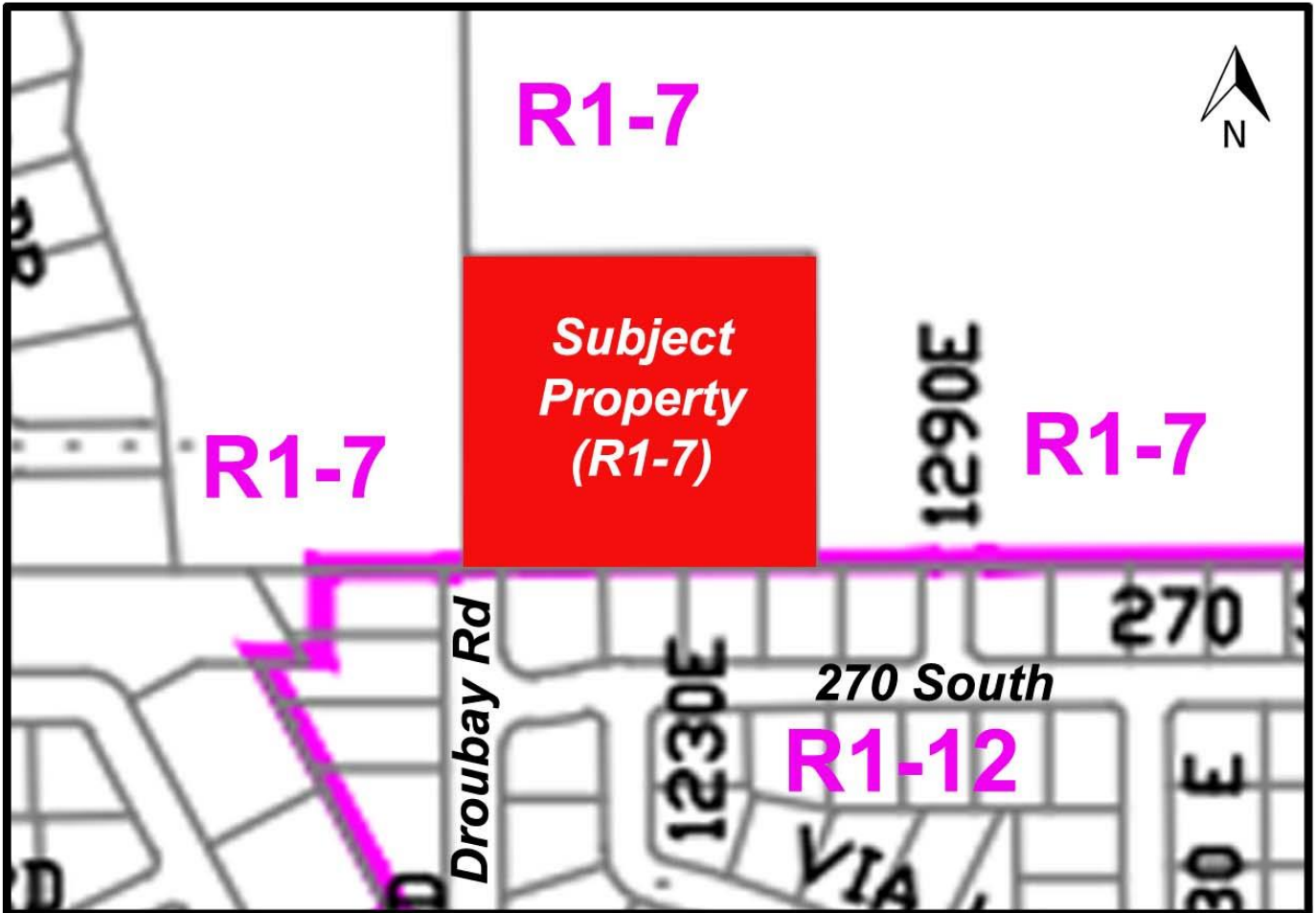
MAPPING PERTINENT TO THE LINDA VISTA PHASE 1 SUBDIVISION PLAT AMENDMENT

Linda Vista Phase 1 Plat Amendment



Aerial View

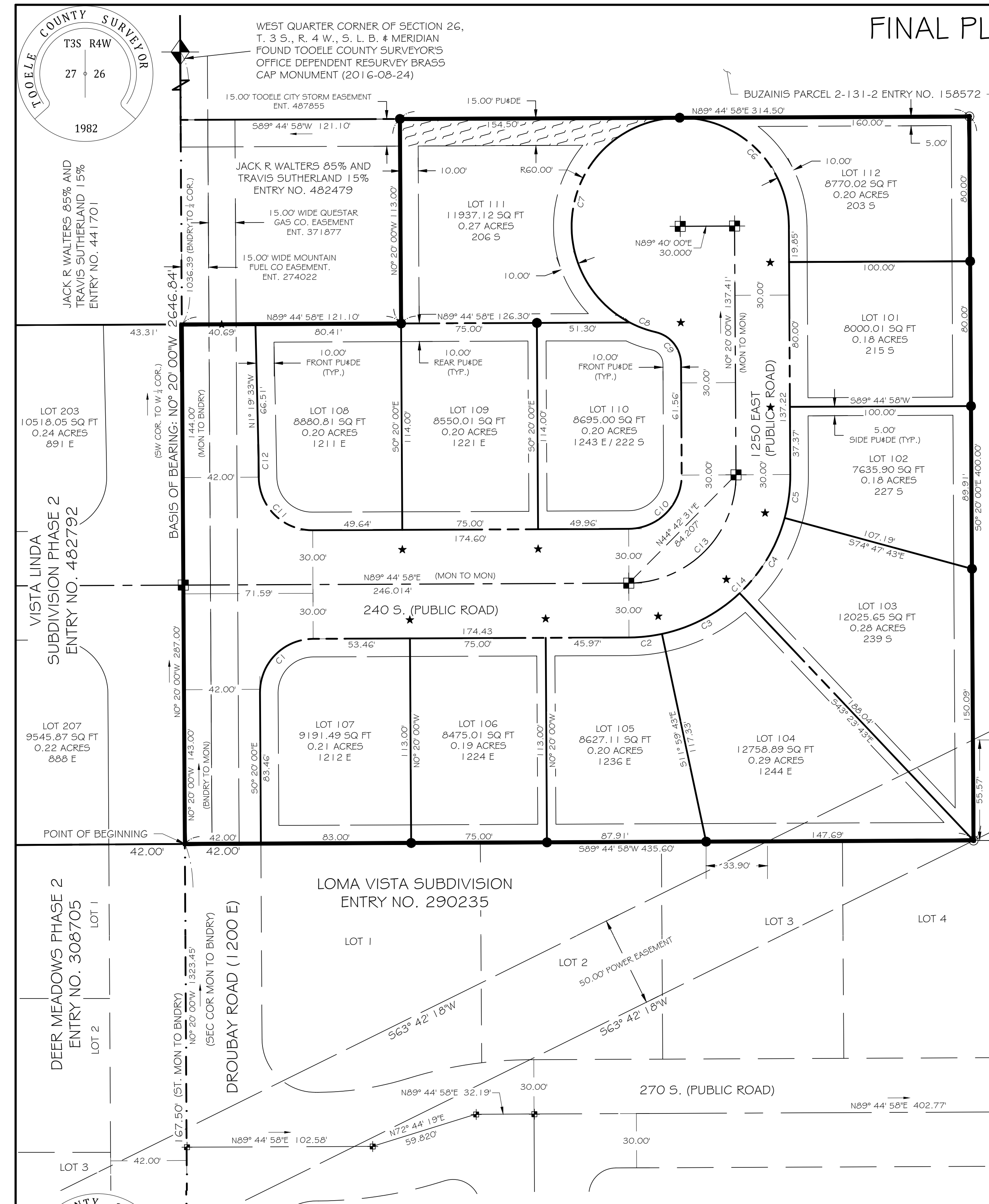
Linda Vista Phase 1 Plat Amendment



Aerial View

EXHIBIT B

PROPOSED DEVELOPMENT PLANS



DOMINION ENERGY

DOMINION ENERGY APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. DOMINION ENERGY MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABROGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS, OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL, OR ACKNOWLEDGMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET FORTH IN THE OWNERS DEDICATION AND THE NOTES AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT DOMINION ENERGY RIGHT-OF-WAY DEPARTMENT AT 1-800-366-8532.

APPROVED THIS _____ DAY OF _____ A.D. 20____

DOMINION ENERGY
BY - _____
TITLE - _____

ROCKY MOUNTAIN POWER

1. PURSUANT TO UTAH CODE ANN. S 54-3-27 THIS PLAT CONVEYS TO THE OWNER(S) OR OPERATORS OF UTILITY FACILITIES A PUBLIC UTILITY EASEMENT ALONG WITH ALL THE RIGHTS AND DUTIES DESCRIBED THEREIN.

2. PURSUANT TO UTAH CODE ANN S 17-27a-603(4)(c)(ii) ROCKY MOUNTAIN POWER ACCEPTS DELIVERY OF THE P.U.E. AS DESCRIBED IN THIS PLAT AND APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS AND APPROXIMATES THE LOCATION OF THE PUBLIC UTILITY EASEMENTS, BUT DOES NOT WARRANT THEIR PRECISE LOCATION. ROCKY MOUNTAIN POWER MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT AFFECT ANY RIGHT THAT ROCKY MOUNTAIN POWER HAS UNDER:

(1) A RECORDED EASEMENT OR RIGHT-OF-WAY
(2) THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS
(3) TITLE 54, CHAPTER 86 DAMAGE TO UNDERGROUND UTILITY FACILITIES OR
(4) AN OTHER PROVISION OF LAW

APPROVED THIS _____ DAY OF _____ A.D. 20____

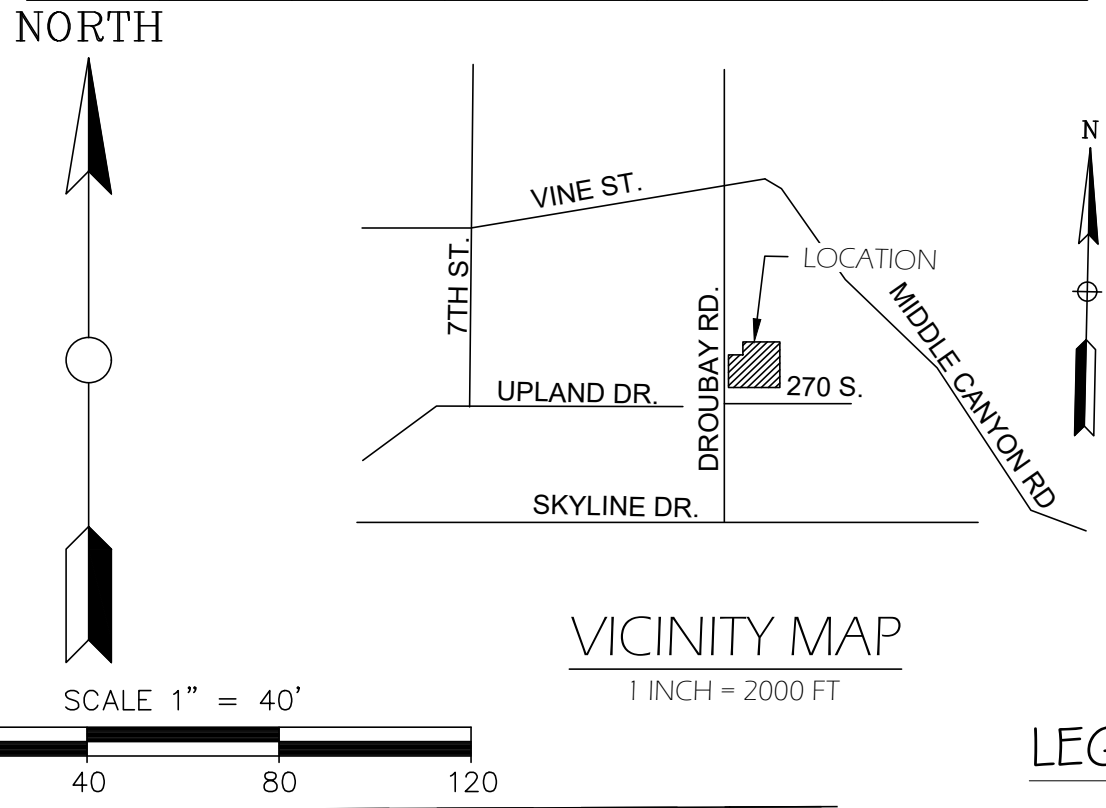
ROCKY MOUNTAIN POWER
BY - _____
TITLE - _____

FINAL PLAT - LINDA VISTA SUBDIVISION

VACATING AND AMENDING VISTA LINDA SUBDIVISION PHASE 1 AND CREATING LOT 111 & 112
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE MERIDIAN TOOELE COUNTY, TOOELE CITY, UTAH

Curve Table

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	46.38	29.50	90° 04' 59"	S44° 42' 28"W	41.75
C2	18.35	89.50	11° 44' 41"	S83° 52' 38"W	18.31
C3	49.05	89.50	31° 24' 00"	S62° 18' 17"W	46.44
C4	49.05	89.50	31° 24' 00"	S30° 54' 17"W	46.44
C5	24.27	89.50	15° 32' 17"	S7° 26' 09"W	24.20
C6	94.48	60.00	90° 13' 32"	N45° 13' 15"W	85.02
C7	159.13	60.00	151° 57' 39"	S13° 41' 09"W	116.43
C8	15.41	60.00	14° 42' 43"	S69° 39' 02"E	15.36
C9	24.07	18.00	76° 37' 13"	N38° 37' 39"W	22.32
C10	46.38	29.50	90° 04' 58"	N44° 42' 29"E	41.75
C11	46.09	29.50	89° 30' 36"	S45° 29' 44"E	41.54
C12	18.26	1042.00	1° 00' 14"	N0° 49' 41"W	18.26
C13	93.55	59.50	90° 05' 00"	N44° 42' 31"E	84.21
C14	140.72	89.50	90° 04' 58"	N44° 42' 29"E	126.66



- LEGEND**
- SET 3/8" REBAR, 24 INCH LONG WITH ALUMINUM CAP MARKED "RICHARDSON SURVEYING, INC PLS 152050"
 - SET 3/8" REBAR, 24 INCH LONG WITH ORANGE PLASTIC CAP MARKED "RICHARDSON SURVEYING, INC PLS 152050"
 - EASEMENT
 - - - SECTION LINE
 - PROPERTY LINE
 - CENTERLINE
 - ⊕ SET STREET MONUMENT PER CITY STANDARDS
 - ★ SET LEAD & MAG NAIL IN CURB ON LOT LINE EXTENDED
 - ▨ 100 YEAR DRAINAGE OVERFLOW SWALE AREA
 - ⊕ FOUND BRASS CAP STREET MONUMENT

- NOTES:**
- PROPERTY CORNERS AT THE FRONT OF LOTS ARE REFERENCED BY OFFSET LEAD AND MAG NAILS PLACED IN THE CURB.
 - PUADE = PUBLIC UTILITY AND DRAINAGE EASEMENT
 - THE INFORMATION HEREON IS SUBJECT TO AND CONDITIONAL UPON EASEMENTS, RIGHTS-OF-WAY, CODES, COVENANTS, CONDITIONS, AGREEMENTS, OBLIGATIONS, RESTRICTIONS OF RECORD, HISTORICAL USE, AND ACCORDING TO THE EXCEPTIONS AS DETAILED BY THE OWNERS' RECORDS AND SUBSEQUENT TITLE INSURANCE POLICIES WHICH ARE HEREBY MADE A PART OF THIS SURVEY. THIS SURVEY IS SUBJECT TO ANY FACTS, CONFLICTS OR DISCREPANCIES WHICH WOULD BE DISCLOSED BY THE DETAILS OF A CORRECT TITLE INSURANCE POLICY.
 - THIS SURVEY DOES NOT INCLUDE LOCATION NOR EVALUATION OF HAZARDOUS, DELETERIOUS NOR ENVIRONMENTAL CONDITIONS WHICH MAY EXIST DUE TO THE CURRENT OR PRIOR USES OF THIS PROPERTY, OR DUE TO THE FORCES OF NATURE OR BY REASON OF THE LOCATION OF THIS PROPERTY IN OR NEAR SUCH HAZARDOUS, DELETERIOUS OR ENVIRONMENTAL CONDITIONS, WHETHER MAN-MADE OR NATURAL. THIS SURVEY DOES NOT INCLUDE LOCATION NOR EVALUATION OF MINERAL RIGHTS, WATER RIGHTS NOR WATER FACILITIES.
 - THE OWNER OF LOT 110 SHALL BE RESPONSIBLE TO MAINTAIN ALL PARK STRIPS ALONG ALL OF LOT 110 FRONTAGE.
 - OWNER OF LOT 111 IS RESTRICTED FROM PLANTING DEEP ROOTED VEGETATION OVER THE DRAINAGE EASEMENT AT THE NORTHERN MOST 15 FEET OF THE LOT OR BLOCKING/FILLING PATHWAY OF 100 YEAR STORM FLOOD ROUTING THAT FOLLOWS SAID EASEMENT.
 - THE INFORMATION ON THIS SUBDIVISION PLAT IS DEPENDENT UPON THE DETAILS OF OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY COMMITMENT FILE NO. 1936427G, AMENDED JUNE 10TH, 2019, AND ANY AMENDMENTS THERETO, IS/ARE HEREBY MADE A PART OF THIS SURVEY. SEE TITLE COMPANY RECORDS FOR INFORMATION REGARDING SPECIAL EXCEPTIONS #9-25, INC., ETC., AS MAY BE APPLICABLE.

OWNER'S DEDICATION

In witness whereof, Tooele City having an interest in the roads and easements of the previously dedicated Vista Linda Subdivision Phase 1, has caused this instrument to be executed by its proper officer(s) thereunto duly authorized, this _____ day of _____, 20____.

TOOELE CITY MAYOR

ACKNOWLEDGMENT

STATE OF UTAH }
COUNTY OF TOOELE }

On the _____ day of _____, 20____, personally appeared before me, _____ who, being by me duly sworn, did say that she/he is the Mayor of Tooele City, a municipal corporation of the State of Utah, and the within and foregoing instrument was signed in behalf of said corporation and said Mayor acknowledged to me that said corporation executed the same.

Witness my hand and official stamp as of the date in this acknowledgment.

notary public # _____

My commission expires _____.

SURVEYOR'S CERTIFICATE

I, Joseph Don Richardson, Professional Land Surveyor No. 4265 (152050), State of Utah, as President of RICHARDSON SURVEYING, INC., a Utah corporation, certify that by authority of the owners, I have made a survey of the tract of land shown on this plat and described hereon, and have subdivided said tract of land into lots and streets, together with easements, hereafter to be known as LINDA VISTA SUBDIVISION, VACATING AND AMENDING VISTA LINDA SUBDIVISION PHASE 1 AND CREATING LOTS 111 & 112 and that the same has been correctly surveyed and monumented on the ground as shown on this plat.

BOUNDARY DESCRIPTION

Beginning at a point North 00°20'00" West 1323.45 feet along the Section line from the Southwest Corner of Section 26, Township 3 South, Range 4 West, Salt Lake Base and Meridian and running thence North 00°20'00" West 287.00 feet along said Section line; thence North 89°44'58" East 121.10 feet; thence North 0°20'00" West 113.00 feet; thence North 89°44'58" East 314.50 feet; thence South 0°20'00" East 400.00 feet to the northerly boundary of Loma Vista Subdivision, recorded 8/1/2007 as Entry Number 290235 of the Tooele County Recorder's office; thence South 89°44'58" West 435.60 feet along last said northerly boundary to the point of beginning.

Containing 3.69 Acres, m/l.

The basis of bearing of this description is North 00°20'00" West 2646.84 feet from a Tooele County Surveyor's Office Dependent Resurvey brass cap monument representing the Southwest Corner of said Section 26 to a Tooele County Surveyor's Office Dependent Resurvey brass cap monument representing the West Quarter Corner of said Section 26. Subject to and together with agreements, conditions, restrictions, easements, rights, rights-of-way, reservations, and covenants of record, or apparent use, or enforceable in law or equity.

OWNER'S DEDICATION

Know all men by these presents that I/we, the under-signed owner(s) of the above described tracts of land, having caused same to be subdivided into lots and street, together with easements, hereafter known as the

LINDA VISTA SUBDIVISION

VACATING AND AMENDING VISTA LINDA SUBDIVISION PHASE 1 AND CREATING LOTS 111 & 112

do hereby dedicate to Tooele City all those tracts of land designated on this plat as streets, the same to be used as public thoroughfares forever. The undersigned Owner(s) also hereby convey(s) to Tooele City and to any and all public utility companies a perpetual, non-exclusive easement over the public utility and drainage easements shown on this plat, the same to be used for drainage and for the installation, maintenance and operation of public utility service lines and facilities.

In witness whereof I/we have hereunto set my/our hand(s) this ___ day of _____ A.D., 20____.

By: Bart Powell
By: Jack Walters

ACKNOWLEDGMENT

By: _____
STATE OF UTAH
COUNTY OF TOOELE

On the _____ day of _____ A.D., 20____,

personally appeared before me, the undersigned Notary public, in and for said County of _____ in State of Utah, who after being duly sworn, acknowledged to me that He/She/They signed the Owner's Dedication, _____ in number, freely and voluntarily for the purposes therein mentioned.

My commission expires _____
residing in _____ Notary Public

PREPARED BY:
RICHARDSON SURVEYING, INC.
3448 SOUTH 100 WEST
BOUNTIFUL UTAH 84010
PHONE: (801) 518-6572
EMAIL: rsurvey@gmail.com

CIVIL PROJ-EX, INC
ENGINEERS * PLANNERS
96 SOUTH QUIRK STREET
GRANTSVILLE, UTAH 84029

OWNER: BART POWELL, JACK WALTERS
435-840-3010
1094 NORTH MAIN ST. TOOELE, UT 84074

DRN: BVB DATE: 2019.09.19 SCALE: AS SHOWN
DES: BVB DATE: 2019.09.19
CKD: JDR DATE: JOB # 16-45008

V-101
NO. 1 OF 1

TOOELE COUNTY HEALTH DEPT.	TOOELE CITY ATTORNEY
APPROVED THIS _____ DAY OF _____ A.D. 20____ BY THE TOOELE COUNTY HEALTH DEPARTMENT.	APPROVED AS TO FORM ON THIS _____ DAY OF _____ A.D. 20____.
_____ TOOELE COUNTY HEALTH DEPARTMENT	_____ TOOELE CITY ATTORNEY
TOOELE CITY COUNCIL	TOOELE CITY ENGINEER
APPROVED THIS _____ DAY OF _____ A.D. 20____ BY THE TOOELE CITY COUNCIL.	APPROVED AS TO FORM ON THIS _____ DAY OF _____ A.D. 20____.
_____ ATTEST: CITY RECORDER	_____ CITY ENGINEER
TOOELE CITY PLANNING COMMISSION	TOOELE CITY COMMUNITY DEV.
APPROVED THIS _____ DAY OF _____ A.D. 20____ BY THE TOOELE CITY PLANNING COMMISSION.	APPROVED AS TO FORM ON THIS _____ DAY OF _____ A.D. 20____.
_____ CHAIRMAN TOOELE CITY PLANNING COMMISSION	_____ TOOELE CITY COMMUNITY DEVELOPMENT
TOOELE COUNTY TREASURER	TOOELE COUNTY SURVEY DEPT.
APPROVED THIS _____ DAY OF _____ A.D. 20____ BY THE TOOELE COUNTY TREASURER.	APPROVED THIS _____ DAY OF _____ A.D. 20____ BY THE TOOELE COUNTY SURVEY DEPT.
_____ TOOELE COUNTY TREASURER	_____ RECORD OF SURVEY FILE # 2019-0083.
	DATE: _____ TOOELE COUNTY SURVEY DIRECTOR

LINDA VISTA SUBDIVISION
VACATING AND AMENDING VISTA LINDA SUBDIVISION PHASE 1 AND CREATING LOTS 111 & 112

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 26 TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE MERIDIAN, CITY OF TOOELE, TOOELE COUNTY, UTAH

TOOELE COUNTY RECORDER

RECORDED # _____
STATE OF UTAH, COUNTY OF TOOELE, RECORDED AND FILED AT THE REQUEST OF: _____
DATE: _____ TIME: _____ BOOK: _____ PAGE: _____
FEES: _____
TOOELE COUNTY RECORDER

TOOELE CITY CORPORATION

RESOLUTION 2019-73

A RESOLUTION OF THE TOOELE CITY COUNCIL APPROVING POLL WORKERS AND POLLING PLACES FOR THE 2019 TOOELE CITY MUNICIPAL ELECTION.

WHEREAS, Utah Code Annotated (UCA) Section 20a-5-403 requires the election officer (the City Recorder for a municipal election) to obtain the municipal legislative body's approval of municipal election polling places; and,

WHEREAS, UCA Section 20a-5-602 requires the municipal legislative body to approve municipal election poll workers at least 15 days prior to a municipal election; and,

WHEREAS, pursuant to agreement with the Tooele County Clerk, the polling places and poll workers are as indicated on the attached Exhibit A:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that the Tooele City municipal election polling places and poll workers, as shown on Exhibit A, attached hereto and made a part hereof, are hereby approved.

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

Passed this ____ day of _____, 2019.

TOOELE CITY COUNCIL

(For)

(Against)

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

ATTEST:

Michelle Y. Pitt, City Recorder

S E A L

Approved as to Form:

Roger Evans Baker, City Attorney

Exhibit A

Approved Polling Places and Poll Workers

TOOELE CITY MUNICIPAL ELECTION--NOVEMBER 5, 2019

Polling Place	Poll/Election Worker	Position
Tooele County Administration Building, 47 South Main Street, Tooele City	Philip Parish	Poll Manager
	Chris Holland	Ballot Clerk
	Cheryl Caldwell	Poll Book Clerk
	Katie Redmond	Greeter/Provisional
	Valerie Shumway	Greeter/Provisional
Grantsville Fire Station, 26 North Center Street, Grantsville City	Tamara Hutchins	Poll Mgr
	Carla Chamberlain	Ballot Clerk
	Lindsay Critchlow	Ballot Clerk
	Joan Parkinson	Poll Book Clerk
	RaNae Blaisure	Poll Book Clerk
	Tammy Wright	Greeter/Provisional
	Sherlene Lawton	Greeter/Provisional
Middle Canyon Elementary School, 751 East 1000 North, Tooele City	Susan Howard	Poll Mgr
	Barbara Lemmon	Ballot Clerk
	Amber Greenup	Poll Book Clerk
	Roseann Crabtree	Greeter/Prov.Clerk
	Lee Lemmon	Greeter/Prov.Clerk
	Margie Jensen	Greeter/Prov.Clerk
Stansbury High School, 5300 Aberdeen Lane, Stansbury Park	Ruth Mott	Poll Manager
	Caroline Shields	Ballot Clerk
	Judy Fowler	Poll Book Clerk
	Colleen Johnson	Greeter/Prov. Clerk
	Susan Kroff	Help at the office
	Debbie Smart	
	Marilyn Christiansen	
	Aubrey Taron	
	Kathy Gilson	
	Linda McBeth	

**Tooele City Council
Business Meeting Minutes**

Date: Wednesday, October 2, 2019

Time: 7:00 p.m.

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

City Council Members Present:

Brad Pratt

Melodi Gochis

Scott Wardle

Steve Pruden

Council Members Excused:

Dave McCall

City Employees Present:

Jim Bolser, Community Development Director

Chief Ron Kirby, Police Department

Roger Baker, City Attorney

Glenn Caldwell, Finance Director

Steve Evans, Public Works Director

Darwin Cook, Parks Department Director

Paul Hansen, City Engineer

Michelle Pitt, City Recorder

Cylee Pressley, Deputy Recorder

Minutes prepared by Kelly Odermott

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

1. Pledge of Allegiance

The Pledge of Allegiance was led by Mr. Darwin Cook, Parks Director.

2. Roll Call

Steve Pruden, Present

Scott Wardle, Present

Brad Pratt, Present

Melodi Gochis, Present

3. Mayor's Youth Recognition Awards

Presented by Mayor Winn, Council Member Pratt, and Police Chief Ron Kirby.

Mayor Winn welcomed visitors for the Mayor's Youth Awards and introduced Tooele City Police Chief Ron Kirby and thanked him for his collaboration. Council Member Pratt highlighted Communities That Care Programs including Second Step, QPR, and Guiding Good Choices.

Council Member Pratt, Chief Kirby, and the Mayor then presented the Mayor's Youth Recognition Awards to the following students:

- Emily Wolf
- Harbor Landgrebe
- Owen Whitehouse
- Harmonie Wolfe
- Charlize Sandoval
- Maezie Chaplin

Chairman Pruden stated that the City wanted to recognize Steve Howe, the reporter who covers City business. He is moving back to New York. Chairman Pruden thanked him for his service.

4. 2019 – 2020 Library Bookmark Art Contest Winners

Presented by Bethany Cruz

Ms. Cruz stated that she is a program specialist at the Tooele City Library. August 9, is National Book Lover Month, to honor that day the Library held its Second Annual Bookmark Art Contest. Library users were asked to share their artistic interpretation of the theme "Books Make Good Friends." Twenty local book lovers shared their talent during the contest. In September the Library Board and Teen Advisory Council helped with the judging. There was one winner in each of the three age categories.

- Sunny Blake - 0-11 year old category
- Chloe Roth – 12-18 year old category
- Levi Selway – 19+ category

5. Introduction of the 2019-2020 Library Teen Advisory Council

Presented by Emily Spilker

Ms. Spilker thanked the Council and Mayor for allowing them to present at the meeting. She stated that she is a program specialist with the Library and one of the Teen Advisory Council Advisors. The Teen Advisory Council also known as TAC, is a help to the library. They help plan and implement teen activities for the library and perform service around the City. Last year they completed over 150 service hours combined. Ms. Spilker turned the time over to the Library Board Members who presented each of the teens.

- Olivia Cruz – President
- Claire Cruz
- Benjamin Graham

- Cadence Christensen
- Josh Lawrence
- Anna Brimhall
- Anna Barry
- Wyatt Barry
- Savannah Toohey
- Jace Baxter
- Haley Miles

6. **Public Comment Period.**

Chairman Pruden invited comments from the public, there were none.

Chairman Pruden closed the public comment period.

7. **Resolution 2019-70 A Resolution of the Tooele City Council Accepting the Completed Public Improvements Associated with the Providence at Overlake Phase 3 Subdivision.**

Presented by Paul Hansen

Mr. Hansen stated per City Code that when a development completes public improvements; road, sewer, water, or any improvements that the City will own and maintain; the City Council will be presented a Resolution to formally accept the improvements. The next two items are in compliance with that City requirement. The Providence at Overlake Phase3 Subdivision is a 43 lot subdivision that is located at approximately 350 West 1200 North. It is just south of the existing Overlake Development. The developer has completed the City improvements and the City inspectors have verified that the improvements are complete. The City staff asks for acceptance of the improvements to start the one year warranty period.

Chairman Pruden asked if there were questions or comments from Council, there were none.

Council Member Pratt motioned to approve Resolution 2019-70. Council Member Gochis seconded the motion. The vote was as follows: Council Member Pratt, "Aye," Council Member Gochis, "Aye," Council Member Wardle, "Aye," Chairman Pruden, "Aye." The motion passed.

8. **Resolution 2019-72 A Resolution of the Tooele City Council Accepting the Completed Public Improvements Associated with the Home Towne Court Development.**

Presented by Paul Hansen

Mr. Hansen stated that this development is a little unique in that the Home Towne Court Development was first platted in 1995. It is a private development, with private streets, however

the water and sewer are public. The development was not fully built out and in 2008 there was an amendment to the plat that modified some of the lot layouts and configurations to reflect the current conditions. The developer has most recently completed the underground water and sewer for the remaining units. The City is only accepting the underground utilities. The City has inspected and is asking for the acceptance to start the one year warranty period.

Chairman Pruden asked the Council if there were any questions or comments.

Chairman Pruden asked if the development was off of Utah Avenue. Mr. Hansen stated that it is approximately 370 West, just north of Utah Avenue.

Council Member Gochis motioned to approve Resolution 2019-72. Council Member Wardle seconded the motion. The vote was as follows: Council Member Pratt, "Aye," Council Member Gochis, "Aye," Council Member Wardle, "Aye," Chairman Pruden, "Aye." The motion passed.

9. **Resolution 2019-71 A Resolution of the Tooele City Council Naming the City Hall South Driveway as "Dunlavy Way".**

Presented by Brad Pratt

Council Member Pratt stated the Resolution was written at the time that Mayor Dunlavy left office. The Council at that time voted unanimously to place a sign on the corner of the driveway coming in on the south end of City Hall and named that Dunlavy Way. It was discovered earlier this year that the Resolution that was written, but was never voted on. It is being brought forward at this time for adoption. Council Member Pratt read a few lines of the Resolution recognizing Mayor Dunlavy's service for the City.

Chairman Pruden asked the Council if there were any questions, there were none.

Council Member Pratt motioned to approve Resolution 2019-71. Council Member Wardle seconded the motion. The vote was as follows: Council Member Pratt, "Aye," Council Member Gochis, "Aye," Council Member Wardle, "Aye," Chairman Pruden, "Aye." The motion passed.

10. **Public Hearing and Motion on Ordinance 2019-27 An Ordinance of Tooele City Amending Tooele City Code Sections 7-1-5; Definitions and 7-2-19; Home Occupations related to Home Based Day Cares and Pre-School Businesses.**

Presented by Jim Bolser

Mr. Bolser stated that the Ordinance does a couple of things. A few years ago, there was an Ordinance that changed a few of the sections under this Ordinance. The laws that previously modified this Ordinance have been changed. There is now a shortfall of licensed care providers.

The proposal increases the number of children that are allowed in a home based preschool or daycare with a maximum of 16 children. Seven children or less, the daycare or preschool becomes a permitted use, and would still have to obtain a business license. If there are 8-16 children there is a need for a Conditional Use Permit, but is still allowed within the home. The proposed changes allow preschools and daycares to have one employee that does not live in the home. Currently there is not an allowance for this. Daycares and preschools would require a traffic and parking plan. Proposed changes limit preschools to two sessions per day and prohibits two licensed daycares or preschools requiring a Conditional Use Permit from locating within 300 feet of each other. The 300 foot barrier is proposed to address potential traffic and neighborhood concerns and would only relate to facilities that require a Conditional Use Permit. The proposed Ordinance changes clarify that licensees and employee children, if they are under the care of the licensee while operating the business, those children would count towards the total allowable children within the daycare or preschool setting. The Planning Commission heard a public hearing over these changes and it was a positive and healthy discussion. They have forwarded a positive and unanimous recommendation.

Chairman Pruden asked the Council if there were any questions or comments, there were none.

Chairman Pruden opened the public hearing.

Ms. Kat Martinez stated she was in attendance as an employee of Child Care Licensing with the Department of Health. She stated that the Department of Health supports any Ordinances that are coming in closer in harmony with state laws. It makes it easier for providers to get through the process and understand the rules and regulations. There is a lack of licensed childcare across the state and it is a major problem. The department is in favor of expanding the ratio in order for more children to be in the care of licensed childcare, rather than in illegal childcare. She thanked the Council for their action. Chairman Pruden stated that the Council is grateful this Ordinance is in compliance with state rules and regulations.

Chairman Pruden closed the public hearing.

Council Member Pratt motioned to approve Ordinance 2019-27. Council Member Gochis seconded the motion. The vote was as follows: Council Member Pratt, "Aye," Council Member Gochis, "Aye," Council Member Wardle, "Aye," Chairman Pruden, "Aye." The motion passed.

11. Public Hearing and Motion on Ordinance 2019-24 An Ordinance of Tooele City Amending Tooele City Code Chapter 7-14 Residential Zoning Districts Related to Property Frontage Requirements in the In-Fill Zoning Overlay District.

Presented by Jim Bolser

Mr. Bolser stated that a number of years ago the Council had a discussion about the nature of growth in the community. Part of that discussion centered around the fact that the more the City can develop from within, the better it is for the community. What was done at the time, was to adopt an overlay which is a zoning classification that applies over the top of another zoning classification. That allows for additional regulation and capabilities to the base zoning classification. The overlay provides for differing standards, such as smaller setbacks, smaller property areas, that properties can use to more helpfully utilize portions of their property. One of the reasons that this is an issue is the historic center of the community is historic and things were measured out in rods. As properties have been divided over the years, using rods, the City has properties that are significantly smaller by nature and do not conform to the current zoning classifications. The infill was designed as a method to bridge that gap and allow for some greater flexibility and developability of the properties.

Mr. Bolser showed a map of the overlay areas on the screen. There are two overlay areas, Area A and Area B. Area A is toward the center of the community and straddles Main Street, north of 400 South and south of 600 North. There are two areas of Area B on either side. The difference in Area A and Area B, is that Area A allows for greater flexibility. The overlay standards apply to residential properties, not commercial properties. Within the two infill areas there are almost 3000 total parcels of which 2367 are zoned residential. That is 81% and of those 81% about 2334 parcels are zoned R1-7 Residential. In looking at the 2334 lots, there are 469 in Area A and 1865 in Area B. Mr. Bolser showed a slide of the parcels colored in that do not meet the minimum frontage requirements. There are a lot of underutilized properties that do not meet the frontage requirements.

Mr. Bolser showed several slides with analysis of the properties and frontage reductions. The proposal is to establish a reduction of frontage to 80% in Area A to allow up to 93% of properties would be developable. In Area B reduction of frontage to 90% allows up to 82% of all properties to be developable. The Planning Commission held a public hearing and forwarded a unanimous positive recommendation.

Chairman Pruden thanked Mr. Bolser for his efforts and stated that he thinks that this will be good for the community. Mr. Bolser thanked the GIS department for their work on the project.

Chairman Pruden opened the public hearing, there were no comments. Chairman Pruden closed the public hearing.

Council Member Wardle motioned to approve Ordinance 2019-24. Council Member Pratt seconded the motion. The vote was as follows: Council Member Pratt, "Aye," Council Member Gochis, "Aye," Council Member Wardle, "Aye," Chairman Pruden, "Aye." The motion passed.

12. Oristrusts Minor Subdivision Plat by Bear All, LLC Located at 2400 North 600 East, 1 Lot, 8.8 Acres in the GC General Commercial Zoning District.

Presented by Jim Bolser

Mr. Bolser stated that this is a unique situation. It is a one lot subdivision. An aerial of the property was shown on the screen. It is on the east end of 2400 North and to the southeast of Liddiards furniture. The Zoning Map is part of the GC General Commercial zone. The owner is taking an existing lot of record and formalizing it through the mechanism of a plat. This is done for a variety of reasons. The Planning Commission has reviewed this and forwarded a unanimous positive recommendation.

Council Member Gochis motioned to approve Oristruts Minor Subdivision Plat by Bear All, LLC. Council Member Pratt seconded the motion. The vote was as follows: Council Member Pratt, "Aye," Council Member Gochis, "Aye," Council Member Wardle, "Aye," Chairman Pruden, "Aye." The motion passed.

13. Minutes

Chairman Pruden asked if the Council if there were any comments or questions, there were none.

Council Member Pratt motioned to approve minutes from the City Council September 19, 2019. Council Member Gochis seconded the motion. The vote was as follows: Council Member Pratt, "Aye," Council Member Gochis, "Aye," Council Member Wardle, "Aye," Chairman Pruden, "Aye." The motion passed.

14. Approval of Invoices

Presented by Michelle Pitt

An invoice in the amount of \$305,539.54, to Mountain West Truck Center for two dump trucks and dump truck beds for the water and sewer departments.

An invoice in the amount of \$26,557.77, to Tooele County Clerk for the Primary Election.

An invoice in the amounts of \$42,605.54, to Bonneville Equipment Company for a Kubota for the cemetery.

An invoice in the amount of \$65,000, to Broken Arrow for an open PO for road salt.

An invoice in the amount of \$42,475, to Ken Garff West Valley Ford for a F250 water truck.

Council Member Gochis motioned to approve invoices. Council Member Pratt seconded the motion. The vote was as follows: Council Member Pratt, "Aye," Council Member Gochis, "Aye," Council Member Wardle, "Aye," Chairman Pruden, "Aye." The motion passed.

15. Adjourn

Council Member Pratt moved to adjourn the City Council meeting. Council Member Gochis seconded the motion. The vote was as follows: Council Member Pratt, "Aye," Council Member Gochis, "Aye," Council Member Wardle, "Aye," Chairman Pruden, "Aye." The motion passed.

The meeting adjourned at 8:00 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 16th day of October, 2019

Steve Pruden, Tooele City Council Chair

DRAFT

**Tooele City Council
Work Session Meeting Minutes**

Date: Wednesday, October 2, 2019
Time: 5:00 p.m.
Place: Tooele City Hall, Large Conference Room
90 North Main St., Tooele, Utah

City Council Members Present:

Steve Pruden
Scott Wardle
Brad Pratt
Melodi Gochis

City Employees Present:

Mayor Debbie Winn
Roger Baker, City Attorney
Glenn Caldwell, Finance Director
Michelle Pitt, Recorder
Jim Bolser, Community Development Director
Steve Evans, Public Works Director
Paul Hansen, City Engineer
Darwin Cook, Parks and Recreation Director
Ron Kirby, Police Chief
Kaylene Young, Assistant to the Chief

Minutes prepared by Michelle Pitt

1. Open Meeting

Chairman Pruden called the meeting to order at 5:00 p.m.

2. Roll Call

Steve Pruden, Present
Scott Wardle, Present
Brad Pratt, Present
Melodi Gochis, Present
Dave McCall, Excused

3. Discussion:

- Water Department/Street Department Equipment Discussion
Presented by Steve Evans

Mr. Evans indicated that the water department's 1987 front end loader was recently tagged out due to safety concerns. He explained that when it stalls, or gets plugged up, the engine stalls and the breaks don't work. He said that he saw the loader stall and it started rolling backwards. An employee jumped on the equipment, between the tires, and put the bucket down to stop it. He tagged out the loader from future use. Mr. Evans got a bid for a new machine at \$137,000, which can come out of the water fund. The street department's frontend loader went to the shop and it was discovered that brakes are due because they were metal on metal. A new loader would be about \$150,000 to replace that one. This can be taken out of the street enterprise fund.

Mr. Evans explained that the City rented the County's equipment during the recent water line break. The water and streets departments need equipment to do their jobs.

Mr. Evans added that the City needs to clean ditches, which requires an excavator at \$72,000. He stated that this can be taken out of the storm drain fund.

The Council agreed to allow these purchases.

- Resolution 2019-70 A Resolution of the Tooele City Council Accepting the Completed Public Improvements Associated with the Providence at Overlake Phase 3 Subdivision
Presented by Paul Hansen

Mr. Hansen indicated that this is a development that has been completed. Inspectors and the water department have verified that the improvements have been completed. The City is recommending approval and that the one-year warranty begin.

- Resolution 2019-72 A Resolution of the Tooele City Council Accepting the Completed Public Improvements Associated with the Home Towne Court Development
Presented by Paul Hansen

Mr. Hansen stated that this development is a private street development on Utah Avenue between Coleman and Main Streets. This completes some water and sewer improvements for the final 2-3 lots on that street. The City inspectors have certified that the improvements are complete. The City will hold a 10% warranty bond and begin the one-year warranty period.

- Police Station Budget Update
Presented by Paul Hansen

Mr. Hansen stated that the Municipal Building Authority obligated funds to building the new police station, but there are a number of additional expenditures outside the scope of the building. The City is at a point where we are ready to order things like a phone system, 50 desks, antenna system, furnishings, appliances, equipment for the lab, evidence lockers, computers, server upgrades, etc.

Mr. Hansen further explained that the phone system will be the same as City Hall's and will allow us to transfer calls back and forth. Mr. Hansen listed some of the estimates:

45

Phone system \$45,000.

Antenna system \$15,000.

Furnishings and appliances \$460,000 – recommending Midwest Furniture to supply furniture similar to what City Hall has,

Computers and servers \$106,000

Copy machine \$15,000

Mr. Hansen stated that there is a total of about \$936,000 in expenses for furnishings and the items listed above. He said that \$362,801 will come from impact fees, \$431,850 from the bond payment, and a fund transfer from the 53 fund at \$500,000. This would leave a \$357,956 balance in those funds. Mr. Hansen said that the budget is in good shape and is below what was thought. He said that he is asking for the Council's support as invoices are brought for approval.

Chief Kirby added that they are only buying computers to replace the computers that are three years and older. They will keep the computers on the rotation replacement program.

Chairman Pruden said that the Council is committed to make sure the police department has everything they need. He asked what the police department was doing with the old building and furnishings. The Mayor indicated that the building is being appraised. The Chief said that some file cabinets are being moved to the new building. The furniture is hand-me-downs and not worth much. Mr. Hansen said that a city-wide email will be sent out to see if anyone wants or needs any of the leftover furniture.

There was a question about the camera security system. Mayor Winn indicated that it will be discussed at next month's meeting. She added that City Hall's security system did not get approved in the budget.

The Council agreed that expenses for the new police department can be brought to the Council as invoices.

- Buffalo Pass Final Plat Subdivision by Land Development, LLC, located at 150 West 600 North, 6 Lots, 1.1 Acres in the R1-7 Residential Zoning District
Presented by Jim Bolser

AND

- Buffalo Ridge Final Plat Subdivision by Land Development, LLC located at 204 West 600 North, 6 Lots, 1 Acre in the R1-7 Residential Zoning District
Presented by Jim Bolser

Mr. Bolser stated that this is the area north of the rodeo grounds. Developers are proposing to subdivide these properties in to six lots each. This will finish the improvements on the west side of the roads.

Mr. Ed Hansen expressed concern about traffic issues already in this area, saying that this development will make it worse, particularly allowing cars to back onto these roads. Mr. Bolser said that the current Ordinance allows for this type of development in this area.

Representatives from the Utah Housing Authority was present. They said that they are excited to have this project move ahead to build 12 rent to own homes.

- Linda Vista Subdivision Phase 1 Plat Amendment by Jack Walters, located at 240 South 1250 East, 12 Lots, 5.6 Acres in the R1-7 Residential Zoning District
Presented by Jim Bolser

Mr. Bolser stated that this is a relatively simple subdivision. The developers are changing the name from Vista Linda to Linda Vista, adding two previously undevelopable lots into the plat, and completing the first two phases of the subdivision.

- Domestic Violence Advocacy Discussion
Presented by Chief Ron Kirby

Chief Kirby said that in the late 90s Tooele City was a leader in Domestic Violence advocacy. He stated that Roger Baker was instrumental in bringing the first domestic violence advocate to the City. The position has grown from part time to full time. In 2011, the County Attorney's office picked up a VOCA grant, which is bigger than the City's VAWA grant. The VAWA grant is more narrow and specific. The VOCA grant is specifically for court advocacy, focusing on helping victims to know what is happening in the court system. The County Attorney's office was going to drop that grant and the City picked it up which began a partnership with the City, County and Valley Behavioral Health (VBH).

Chief Kirby further explained that the County Attorney's office shifted all of their advocacy programs to VBH in 2013. These services have grown in the City and the County. The police department became frustrated with VOCA grant because they were spending \$80,000 in order to get a \$20,000 grant. With that \$20,000 grant, came a huge amount of work to administer and monitor the conditions of the grant. Chief Kirby indicated that he met with the State grantors, Grantsville City Police and VBH to look at other options.

Chief Kirby proposed a partnership with VBH, explaining that the police department will retain the VOCA grant and provide office space in the new building for an advocate from VBH to help victims that walk in the station. He feels that victims will not see a difference in service, and neither will the police officers. Valley already provides these services to the sheriff's office, Grantsville and Wendover City.

Council Member Wardle expressed appreciation to VBH for their efforts in this and drug issues. He felt that victims will have more access to more services through this program.

Mayor Winn expressed appreciation for the opportunity to continue to work with VBH. She disclosed that Teresa Winn, VBH Director, is her sister-in-law.

- City Hall Ramp
Presented by Mayor Debbie Winn

Mayor Winn indicated that a ramp in front of City Hall for ADA services has been discussed for several years. The City has done some small projects with concrete this year and asked for a bid for this project too. The bid came in at \$3,500 to put in the ramp. It will need a railing, so the estimate is \$1,500-1,800. The company completed the concrete project between City Hall and the fire station. The Mayor asked for about \$5,000 to come out of the Council line item for these projects and indicated that the ramp could be done before the downtown trick or treat. The parks department will move the sprinklers. Council Member Pratt said that he would be glad to see that the sprinklers would no longer be watering the City Hall building, causing hard water on the bricks.

Chairman Pruden suggested taking the \$5,000 out of the 41 fund balance for this project.

- Tooele Army Depot Swimming Pool
Presented by Roger Baker

Mr. Baker stated that the 1992 BRAC surplus or excess 1,700 acres of property and buildings in two different areas, including the industrial area and the administration area. The Army Depot swimming pool is operated by MWR. The Army had some facilities that they didn't want to let go of, within those 1700 acres, and asked that they be allowed to lease those areas from the City. The pool was conveyed to the RDA, then conveyed to Mathew Arbshay's company. Mr. Arbshay talked to the City about the City having ownership of that building so the City took ownership of it. The City does not have any rights to possess, alter, or do anything to the pool or the pool building. The Army has decided, for internal reasons, that it will no longer maintain the pool and would like to fill it in. Since the City is the property owner, the Army would like the City's permission to do that.

Mayor Winn stated that the pool has not been open for two years. It needs extensive repair. The Army doesn't have the money to repair or maintain the pool because of funding cuts. It is a liability. They would like fill the pool with dirt.

Council Member Gochis said she attended the school bond meeting. There is not a plan for a pool in the new proposed high school. That will cause another school to want to use the City pool for another swim team. Council Member Gochis asked if the school board should be approached to see if they would be interested in this pool. Mayor Winn said that this is an outdoor pool, and swimming competitions take place in the winter.

Council Member Wardle asked if they would be removing all the piping for the chlorination, so that there wasn't a liability to the City. Mr. Cook said that they chlorination is a shared system with the hot tub, which the Army is leaving. The system will stay so that they can continue to use the hot tub. Mr. Baker said that the Army has all environmental liability for property that

they own or operate. The Army doesn't have to ask for our permission to fill the pool, and he's not sure why they are asking, but feels they are including the City as a show of good faith.

Mayor Winn added that all of the property that surrounds that building, such as the Eagle's Nest, is owned by the National Guard. She indicated that she discussed with them several weeks ago if they were interested in purchasing that property from the City, or in doing a trade. The National Guard will eventually get rid of their building they have that is located in the City.

The Council was in agreement to fill the pool.

- Medical Cannabis Act
Presented by Roger Baker

Mr. Baker stated that there was a ballot initiative that passed, and legislation that followed, to implement the growing, production, and dispensing of medical cannabis. Bill 1002 came out of last week's special session to resolve some difficulties with municipal control of these facilities. Mr. Baker said that an Ordinance may need to be brought before the Council allowing a medical cannabis production facility as a permitted use in industrial and agricultural zoning districts.

Council Member Wardle asked if there was a proximity to schools clause. Mr. Baker said that there wasn't that he knew of, and that the City can't require a minimum distance between one facility and another, like they can with smoke shops. Chairman Pruden said he would like to impose a minimum distance between schools.

Mr. Baker said that there will be a minimum of about 12 medical cannabis pharmacies throughout the State. The State will be dividing the territory up so that all populations can be served. He added that there may not be any of these facilities in Tooele. Council Member Wardle asked if there is sales tax on these facilities. Mr. Baker stated that he will find out about that, and about the proximity of schools.

Mr. Baker added that State law restricts the type and size of signage that a production facility and dispensary can have, but that it must include a green cross.

- Water Rights for Irrigation Water
Presented by Roger Baker

Mr. Baker stated that in 2015 a comprehensive amendment of the City's water rights chapter was brought to the Council for approval. One of the new provisions that was recommended, and was implemented, was a provision allowing property owners to satisfy their outdoor irrigation water right requirement by dedicating a share of irrigation water stock. It didn't have to be conveyed to the City provided that if the City become aware that they had stopped using that secondary water and were replacing it with culinary water, and they didn't provide water rights or impact fees, the City could bill them or ask them to provide water rights.

Mr. Baker went on to say that there are a number of challenges with trying to impose this provision. The Ordinance does not require those shares of stock to be tied to the property. Quite

frequently people sell their land to one person, and then sell their irrigation stock to another. This would then allow a development that does not have any culinary water rights, and they have subverted the requirements. The current Ordinance is very difficult to enforce and administer, and there's no mechanism to monitor whether people are using their irrigation water or culinary water.

Mr. Bolser stated that there are cases where people are utilizing the irrigation shares, then they move and take their irrigation shares with them. This leaves no water rights for the new homeowners and causes an issue that is unexpected for new home buyers. Mr. Bolser added that it has been a very good year for water for the irrigation company, but that is not always the case. Sometimes the irrigation company shuts off water in mid-July then people desire culinary water. Sometimes there are illegal cross-connections done in these situations.

Mr. Hansen gave an example of most of the applications the City has seen, as: someone wants to build a home, or subdivide. They want to supply the entire subdivision with water from irrigation. New residents don't know that they're buying this deal. He said that he didn't want to discredit the value of irrigation shares, but when a home is built, it is supplied with full power capability from Rocky Mountain Power. If the homeowner then decides to install solar panels, it becomes a personal use. There may be a question of whether the City should consider irrigation shares as a secondary source, instead of the primary source, to reduce the culinary demand.

Mr. Baker asked if the City should require all developments to provide culinary water, then, if they choose secondary water shares that they own, it would reduce their rates. He felt this would be a more defensible and an easier policy to administer.

Council Member Wardle said that he struggles with this change. He pointed out that he owns Settlement Canyon shares, and so does the Mayor. As an owner in that he has a hard time, and asked if there was a different way to do it. He added that when someone has a secondary water connection, by title, they have to show that that water goes with it. He asked if people show they are using secondary water, would they receive a rebate each year. Chairman Pruden said that there would just be a savings in their culinary water bill. He asked if the properties that are served by Settlement Canyon irrigation could have something on the title of every new development, so that when buying and selling, homeowners would know. Council Member Wardle asked how many lots were affected by this. Mr. Baker answered that there were seven lots recently. Mr. Hansen added that five more are requesting to use Middle Canyon shares, and that they are seeing a larger interest in developers want to use this as a cost savings. Council Member Wardle asked if the City should bring in Settlement Canyon Irrigation Company for a discussion. Council Member Gochis indicated that she has a meter, but Council Member Wardle does not. The percentage of the community who is on Settlement Canyon shares is small.

It was decided to give the City administration a month to talk with the irrigation company, look at options, and bring this matter back to the Council in the 2nd meeting in November. It was suggested that he talk with Riverton, West Jordan, and Grantsville to get their policies. Mr. Hansen cautioned that not all districts are the same, and that some of them do not require water rights because the water is supplied by the company. Comparisons may not be apples to apples.

4. Close Meeting to Discuss Litigation and Property Acquisition,

There was not a closed meeting.

5. Adjourn

Council Member Gochis moved to close the meeting. Council Member Pratt seconded the motion. The vote was as follows: Council Member Wardle “Aye,” Council Member Pratt “Aye,” Council Member Gochis “Aye,” and Chairman Pruden “Aye.”

The meeting adjourned at 6:28 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 14th day of October, 2019

Steven Pruden,
Tooele City Council Chairman