

**Tooele City Council
Business Meeting Minutes**

Date: Wednesday, March 6, 2019
Time: 7:00 p.m.
Place: Tooele City Hall, Council Chambers
90 North Main Street, Tooele, Utah

City Council Members Present:

Steve Pruden
Brad Pratt
Dave McCall
Scott Wardle
Melodi Gochis

City Employees Present:

Mayor Debbie E. Winn
Jim Bolser, Community Development Director
Chief Ron Kirby, Police Department
Roger Baker, City Attorney
Glen Caldwell, Finance Director
Paul Hansen, City Engineer
Stephen Evans, Public Works Director
Cylee Pressley, Deputy Recorder

Minutes prepared by Kelly Odermott

Chairman Pruden called the meeting to order at 7:02 p.m.

1. Pledge of Allegiance

The Pledge of Allegiance was led by Mayor's Executive Assistant Shilo Baker.

2. Roll Call

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

Chairman Pruden asked a local boy scout troop to introduce themselves. A member of Boy Scout Troop 1607 stated they were attending the meeting to work on merit badges.

3. State of the City

Presented by Mayor Debbie Winn

"Tooele City Council, department heads, staff and residents of Tooele City; I am grateful for the opportunity to address you this evening and inform you of the state of the city.

2018 proved to be an exciting but difficult year. After 36 years, the council and I were left with the daunting task of raising property taxes. We conducted many public meetings to explain what we had to do and why we had to do it. We were transparent in every aspect of the process. We asked our citizens to trust us and to understand. Many of you did just that. As elected officials, I believe that this was the toughest decision we have ever had to make. Although the certified tax rate was increased, it is still lower today than it was 20 years ago.

I would like to present to you, the results of the financial increase. We listened to you and made your requests a priority. We have hired two additional police officers to the department. We have also hired two civilian community service officers to help with community functions, VIN inspections, found property, graffiti, parking enforcement, and to assist with traffic control and at crime scenes. This will alleviate the workload of the patrol officers so that they can concentrate on more serious crime. They will also lessen the workload of administration by supporting crossing guards and animal control issues. Salaries and retirement benefits for police officers were increased to enable us to be competitive with other departments throughout the state; helping us to reduce the high turnover rate of trained officers in their first 5 years of service.

We are moving forward on the construction of a new police station. After 30 years of our officers and staff conducting business from an old temporary auto parts building, we will break ground on the new facility within the next few weeks. Residents can be proud of the finest police department in the state. Our officers respond to thousands of call every year. Each time they leave their homes, they put their lives on the line for each one of you. They truly deserve a new building to conduct business, a building that we can all be proud of.

We were able to purchase much needed equipment; including five police vehicles, electrical supplies and tools for our electrician, who was previously using his own equipment; an enclosed utility vehicle equipped with a snowplow and snow blower to remove snow from the sidewalks and parking areas of city owned properties, snowplow blades for our one ton trucks, backup camera systems for our plow trucks, an air conditioner unit for fire station #2, and we were able to install a new phone system at city hall replacing phones that were over 20 years old.

New playground equipment was installed at Linear Park last fall. A new concession building has been constructed at the Red Del Papa ball park and by spring, we will have the lights back on at the field thanks to a generous donation from Chartway Federal Credit Union. Residents and visitors will also enjoy a new restroom facility to be constructed at the park on 200 West and Vine Street when the Friday's on Vine concerts begin in June. A new pavilion at the golf course

is currently out to bid and should be ready by summer for all kinds of events that can be held at what I believe is the finest golf course in the valley. An automatic sprinkler system will be installed at Elton Park this year. Although it will be inconvenient for a few months, it will be worth the wait. And also at Elton Park, the old tennis courts that have been unusable for several years, will be renovated into pickle ball courts that will provide recreational opportunities for young and old! This project is on schedule to be completed by June 1st.

Not unlike other communities in our valley, we are also experiencing a great amount of growth. It is interesting to know that the majority of our growth comes from within. Many of our children and grandchild want to stay in Tooele City. We need to provide homes for them and for those who are coming from outside of our county. Affordable housing has become a hot topic that must be addressed. I'm not surprised that people want to move here. We live in an exceptional city. I appreciate all of our community members who welcome change and understand our efforts to manage the growth. We will continue to work with other elected officials in the county and state to address water and transportation issues.

At times, we take for granted, many of the services the city employees provide. We have clean, safe water when we turn on our faucets. We have excellent employees who literally have the dirtiest job in the city taking care of the waste that we send down our drains. I am proud of all of our dedicated employees who respond with excellent customer service.

We have received a record amount of snowfall this year and we are grateful for it. I would like to offer my sincere thanks to the dedicated city crews who have worked tirelessly for many days and hours to remove the snow from our streets, city owned parking areas and sidewalks. I am grateful to good citizens who have been patient and who have helped their neighbors remove the snow from sidewalks for elderly neighbors and cleared paths for our children as they walk to and from school. You are exceptional people and I thank you for your service.

President John F Kennedy said this to the American people during his inaugural address in 1961, "Ask not what your country can do for you- ask what you can do for your country". The same can be said for our city. It takes all of us working together to make our community the best it can be.

The greatest resource we have are our volunteers!

Tooele City residents can be proud of our excellent volunteer fire department. 50 active members of the department and over 30 senior firefighters give of their time and talents to protect all of you. They donate time away from family and friends to complete training on a weekly basis, attend fire school to become certified in all aspects of firefighting, educate hundreds of children about fire safety, and jump at a moment's notice, day or night, to respond to a fire call. During 2018, they responded to 402 calls. This year our department will celebrate 100 years as a department. Chief Harrison and his crews will hold an open house during July

where the community can join them in the celebration. 269 individuals have served on the department in the last 100 years and I am proud of each one of them.

During the past year, the Life's Worth Living Foundation conducted a fundraiser to place a statue in our Veterans Memorial Park to honor our veterans and bring awareness to the high rate of veteran suicide in our country. Volunteers and generous donations made this dream a reality. The statue will stand as a reminder of the sacrifices made by our veterans. Thank you veterans, for your preserving our freedoms.

The Ladies Community Club of Tooele purchased and planted beautiful flowers in the planters on Main Street and at the Senior Center. The Civic League added decorations to the planters after the summer was over. The Chamber of Commerce donated beautiful trees and lights to place in the planters for the holiday season. A local youth group decorated the trees and made them look beautiful! So many volunteers, giving of their time and money to make our downtown beautiful. I can't thank all of you enough for your efforts.

Recently the residents of the Westland Estates subdivision were concerned about their neighborhood. Over 40 neighbors got together on a Saturday morning and learned how to organize a neighborhood watch program with the help of our police department. They were concerned about many things in their neighborhood including crime, no street lights and abandoned homes. Rather than just call the city and complain, they came with a plan and a willingness to work together with city staff to improve their area. What a great group of volunteers!

Last May, staff and residents organized a spring cleanup campaign. We called it "Take Pride Tooele". We asked residents to clean up their own yards, sweep out the leaves and debris from the gutters (which by the way needs to be done again as soon as the snow clears!) We asked neighbors to help neighbors. We asked groups to help us clean up and organize our parks.

Individuals, families, civic organizations, religious congregations and school groups responded and "took pride" in their community. I appreciate the efforts of all those who participated and ask for your help again this year during the month of May to make our city beautiful.

Whether you are a lifelong resident of Tooele City, moved here recently, or somewhere in between; you are an important part of our community. The council, staff and I will continue to work with you to ensure that Tooele City is a place we can be proud of! Thank you!"

4. Mayors Youth Recognition Awards.

Presented by Mayor Winn, Stacy Smart, 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. Ms. Smart highlighted Communities That Care Programs including Second Step, QPR, and Guiding Good Choices.

Ms. Smart, Chief Kirby, and the Mayor then presented the Mayor's Youth Recognition Awards to the following students:

- Sophie Karren
- Michylla Krebs
- Zariah Haynie
- Jayden Lujan
- Elizabeth Blatnick
- Carson Droubay

5. **Communities That Care Second Step Substance Abuse Prevention Essay Award.**

Presented Stacey Smart and Sandy Medina

Tonight, we have the opportunity to recognize the Second Step Prevention Award. Prevention officers, Detective Cutler and Officer Young stepped forward. Ms. Medina stated that the Communities that Care is fortunate to have a great working partnership in Tooele School District. Each school year Tooele City Police Officers facilitate a substance abuse prevention curriculum to 6th grade students. Students were asked to write an essay based on healthy values and drug free lifestyle. Each teacher picked two top picks and they were entered in to a contest and judged by Communities that Care, officers and CTC board Members. There was a first-place winner in each of the seven elementary schools and a Grand prize winner amongst the seven first place winners. The grand prize winner was Teah Stewart from Settlement Canyon elementary.

Teah read her essay out loud to the audience.

6. **Public Comment Period.**

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

Chairman Pruden closed the public comment period.

7. **Resolution 2019-17 Regarding the Appointment of Darwin Cook to the Position of Director of Parks and Recreation.**

Presented by Mayor Debbie Winn

Mayor Winn stated that about five years ago the Parks Director of Tooele City retired. In the interest in saving a little bit of money an employee stepped up and served as the Parks Director and Golf Course Superintendent. Mr. Brian Roth has been doing two full time jobs for about the past five years. The city is now able to separate these positions. When asked Mr. Roth asked to stay at the golf course.

Mayor Winn stated that the Parks Director position was opened for applicants. There were 57 applicants for the job. The City has a new online application process and it automatically qualified 33 individuals. The Mayor interviewed 17 applicants for the position. It was difficult process to select from so many qualified individuals. Mr. Darwin Cook was selected. He is from Tooele and has a background in department management. Mr. Cook has worked for 20 years for the Transcript Bulletin. He is a boy scout of America Leader. He has a lot of experience in project management, equipment management and repair. He holds a B100 contractor license and is fluent in Spanish. He has a great love for the community and he understands the need for recreation. Mr. Cook will ensure that the parks, pool and City activities will be something to enjoy. Mayor Winn asks for support in the appointment of Mr. Darwin Cook.

Council Member Wardle motioned to approve Resolution 2019-17. Council Member Pratt seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Wardle, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Chairman Pruden, "Aye." The motion passed.

Mr. Cook thanked the Mayor and Council for the opportunity.

8. Resolution 2019-19 A Resolution of the Tooele City Council Approving a Contract with the Tennis & Track Company to Install Pickleball Courts at Elton Park.

Presented by Mayor Debbie Winn

Mayor Winn stated that City staff is asking for approval of a contract with The Tennis and Track Company, Inc to install pickleball courts at Elton Park. They will move quickly to get these installed. Mayor Winn stated that Mr. Larry Cramer has been a real advocate for the pickleball courts. He plays frequently at the Tooele Senior Center. The courts will hopefully bring an increase in tourism. The very first pickleball court was put indoors at the senior center. It has been very well used since. The amount of the contract is \$111,086.

Chairman Pruden asked if the Council had any questions or comments.

Council Member Gochis motioned to approve Resolution 2019-19. Council Member McCall seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Wardle, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Chairman Pruden, "Aye." The motion passed.

9. **Resolution 2018-45 A Resolution of the Tooele City Approving an Interlocal Agreement with Tooele County for Solid Waste Disposal.**

Presented by Mayor Debbie Winn

Mayor Winn stated that this is an interlocal agreement with Tooele County at the solid waste facility. Ace Disposal takes the garbage picked up in the City to the County facility and empties the trucks. The garbage is then transferred to different trucks to be taken to the Wasatch Regional Facility. This contract sets the rate for the tipping fees. Last year the rate was \$36 dollars a ton and has increased to \$37 and in 2020 it will be \$38 per ton. That is due to the increase in the cost of taking care of garbage. The agreement has been signed by the County Commission.

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

Council Member Pratt motioned to approve Resolution 2018-45. Council Member McCall seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Wardle, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Chairman Pruden, "Aye." The motion passed.

10. **Public Hearing and Motion on Ordinance 2019-02 An Ordinance of Tooele City Vacating Historic Public Rights-of-Way in Tooele City's Dow James Park Complex, and Reserving Easements.**

Presented by Roger Baker

Mr. Baker stated that Tooele City has reached an agreement with the Tooele County School District for the Dow James Baseball field. As part of creating a parcel that can be conveyed by deed, there needs to be a subdivision plat. In doing the title research, it was discovered the Dow James Park including the baseball field is crisscrossed with historic rights-of-way. More than a century ago, strips of land were set aside for future roads and dedicated to Tooele City. Those roads were 400 West, 450 West, and 500 North. These are rights-of-way that will never be used for transportation purposes and currently encumber the property with encumbrances and easements that are not necessary and are determinantal to the property. There are some utilities that are under one strip of right-of-way and the City will retain an easement to protect the right to access to maintain the infrastructure. A map of the easements was shown to the Council and the public. By vacating the rights-of-way, the parcel can be subdivided into two clean parcels the Dow James Park and the ball field. The ball field will be conveyed by deed to the school district. State law requires a public hearing before vacating the easements

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

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

Council Member Wardle thanked the Tooele County School District for working with them and forming a great partnership for this transaction.

Council Member Wardle motioned to approve Resolution 2019-02. Council Member Pratt seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Wardle, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Chairman Pruden, "Aye." The motion passed.

11. Public Hearing and Motion on Resolution 2019-18 A Resolution of the Tooele City Council Approving Budget Adjustments to the Fiscal Year 2018-2019 Budget.

Presented Glenn Caldwell

Mr. Glenn Caldwell stated occasionally the approved budget needs to be adjusted. For clarification to the Council, Mr. Caldwell stated that when a donation is received it is recorded in a trust account. In the general fund junior golf trust \$7,586 was moved into the golf budget. After the current budget was adopted the employee benefits were reduced. The line items in each budget were reduced in the amount of general fund \$139,228, water fund \$4,750, sewer fund \$3,019, and RDA \$2,069. Police Explorer program has a trust account, money was transferred to the Police Department to manage the program. The Fire Department received Insurance proceeds for fire trucks. Revenue was put into the budget to fix the trucks, in the amount of \$7,458. The Aquatic Center had a rebate from Rocky Mountain Power for the lights, in the amount of \$12,510. The Mayor had a Communities that Care award for the amount of \$100. There was a scheduled transfer from the general fund to the capital projects fund for \$70,000. Some monies were held out of the transfer in the amount of \$36,740 for salary for the new Parks Director for the rest of the year. A donation for Shop with a Cop in the amount of \$20,150. In the budget originally all the janitorial fees were allocated to City hall, but those have a been allocated to City hall, Police Department and Library. The PAR Tax fund increased the budget to \$30,710 to resurface the golf club house, railroad museum and dock project in the amount of \$31,000. The \$25000 to the bond for trees. The insurance reimbursement on police vehicle was put into the budget.

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

Chairman Pruden opened the public hearing for comments, there were none. Chairman Pruden closed the public hearing.

Council Member Pratt motioned to approve Resolution 2019-18. Council Member Gochis seconded the motion. The vote was as follows: Council Member McCall, “Aye,” Council Member Wardle, “Aye,” Council Member Pratt, “Aye,” Council Member Gochis, “Aye,” Chairman Pruden, “Aye.” The motion passed.

12. Public Hearing and Motion on Ordinance 2018-21 An Ordinance of the Tooele City Council Reassigning 21.66 Acres of Property Currently Zoned R1-7 to HDR High Density Residential, Creating a Planned Unit Development Zoning Overlay, and Assigning the Planned Unit Development Overlay to 36.11 Acres of Property Located at Approximately 1600 North Berra Boulevard

Presented by Jim Bolser

Mr. Bolser stated that this application was first heard by the Planning Commission in October with a public hearing and the City Council has been provided a complete set of minutes from that meeting. A map of the property was shown on screen. This is a rezone of the property, including a small triangle parcel that is owned by the City and landlocked by the applicant. The original application was originally submitted for a rezone of two areas. The lower zone would be zoned for R1-7 PUD. Currently the zoning for the entire property is R1-7. By adding the PUD designation there would be no additional units or density granted, only the ability to realign the configuration with property sizes and setbacks in exchange for open spaces. The upper portion was proposed for a reassignment to an HDR, High Density Residential zone currently in the City Code. On February 1 of 2019, the applicant exercised their right to file an amendment to the application. It did not change the nature of the request, just modified the portions of acreage assigned to each density zone, HDR or R1-7 PUD. Originally the HDR was intended to have combination of townhomes and apartment buildings according to the concept plan. The revised application would have R1-7 PUD portion be 12.2 acres larger than the original application. The HDR would be 12.2 acres smaller. In this concept plan the plan eliminated the townhomes.

Mr. Bolser stated that the Planning Commission held a public hearing on the original application. They forwarded an alternate recommendation to City Council, that the entirety of the property be assigned to the R1-7 PUD and the developer perform a traffic study, and the development be required to place a six-foot masonry wall against the railroad tracks.

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

Chairman Pruden opened the public hearing.

Mr. Ben Clayton a resident of Overlake stated he had several questions that he had yet to have answered. The questions are what is the current likelihood of an auto accident or incident with a pedestrian when built as zoned? What is that risk and how does it increase with the proposed

rezoning? The traffic study earlier did not address this and City Council are making a decision without that information. He stated that believed that when City Council makes this decision without that information, that members of the Council are not considering the safety of the residents of Overlake and especially the children of the residents of Overlake. His opinion, making that decision without that information is putting the interests of few individuals or developer above the residents and children of Overlake. Mr. Clayton that Council is not considering public safety. Mr. Clayton stated that he responded to the traffic study after only reviewing it for an hour and found that the field observations by the field engineer did not match the information that was presented in the table. It was incorrect. The report had been rewritten so many times that there was static information in the report. Mr. Clayton recommend that it needed to be removed. He stated that he thought that it was, but he didn't think it was reviewed before it was presented to the Council. He doesn't know why those simple errors were not caught. In fact, it described the condition where an individual could drive straight across 1000 North when that is physically impossible. Chairman Pruden asked Mr. Clayton if he was aware of the new traffic study that has been commissioned. Mr. Clayton stated that he has asked for the new one, but has not seen it. Chairman Pruden stated that it has not been received yet. Mr. Clayton stated you are making a decision without it. Chairman Pruden stated that the traffic report is going to be for the entire Overlake Development projected out to its completion and buildout. Mr. Clayton stated that Council are making a decision before that. One of the things that keeps getting brought up is traffic, sewer, and water, but safety is our number one issue. Mr. Clayton stated he thinks the Council are not evaluating the safety or thinking about it. Chairman Pruden stated that Mr. Clayton's time was up, as the timer for two minutes had rung.

Mr. Jason Stinquist a resident of Overlake stated he has a unique perspective since he lives across the street from the current apartment complex in Overlake, the Cove. He has submitted a letter to City Council and he appreciates the responses from that letter. He wanted to point out a couple of things that he see's being across the street from the apartments. A year after his family moved in, the apartments were built. For the past five years there has been City mandates for no street parking or storage. Continually that is not being enforced. There are cars on the corner of Berra and Drysdale. When driving down Drysdale, the apartment residents are parking on both sides of the street basically making it a one-way street. There have been several instances of children out playing, there have been several instances of car accidents out there. Every year Mr. Stinquist feels obligated to help out some of the people and shovel out their cars after the plows have plowed. There have been several cars damage due to the plows, which is no fault of the City. There is the City Ordinance of nuisance animals. There are continually animal droppings in his yard due to the pet friendly community. In looking at the Cove and the proposal for high density, Mr. Stinquist stated he sees it as a hazard for the current Overlake residents. Chairman Pruden stated that they are looking at the traffic flow around the Cove.

Mr. James Clayton stated he is not opposed to development and growth. Many of the residents of Overlake would not be in the community if were not for development and growth. He sees that there is no shortage of space to develop, specifically to the north and west. However,

cramming that number of units into the area, there is no amount of egress. The development is up against the train tracks and highway 36 viaduct. The possibility for future exits is very low. Mr. Clayton stated that it was mentioned by Mr. Stinquist the issues that have arisen in the traffic patterns by residents of the Cove. Berra is a much larger street and has more capability of handling the volume. This development is nestled between the railroad and Aaron Drive. That is a bit narrower and a bit of a blind curve. Mr. Clayton stated he would be interested in the conclusions of the traffic study. It seems to be cramming too many units into too small of a space with no possibility of the future.

Mr. Russ Scribner stated he has served on Planning Commissions before, just not in Tooele. He has lived in Tooele for 12 years. The way he understands the proposal is that developers are almost doubling the number of current residents that are in Overlake and they are not increasing the green space. He stated that there are going to be high density apartments right across the street from single family homes. There will be no improvement in the egress to get all those people in and out of Overlake. To have people in high density apartments it is very important to have amenities that are within walking distance. Walmart is more than a mile away unless they hop the tracks. There is no public transportation in and out of that area. Apartment residents are going to have to carry groceries for more than a mile. He stated the residents of Overlake do want the development, they are not sure they want to keep the field. It is dangerous and an eye sore. Mr. Scribner stated he would really like carefully planned building that conforms to the City plan and that needs to be thought about. He stated he likes the members of City Council and voted them into office and trusts them to build something that is reasonable.

Mr. Brandon Ushio stated he moved to Tooele with a five-year plan but now they are looking to stay 20 years. His family loves the community, love how the government is run, love taxes with services that are provided. He stated straight on to statistics that were in the Tooele Transcript. Tooele City is the fastest growing City in the state. In 2018 Tooele City approved 235 building permits for single family dwellings; 60 of those were high density behind Macey's. The City is approving high density. That 19 acre, in Overlake under high density zoning will be allowed 314 apartments. That is more than the entire units approved last year. 2018 was an increase of units 158% over 2017. Mr. Ushio stated that the Planning Commission recommend keeping the property R1-7 and everyone he has talked to is okay with that. He asked the Council to follow the guidance of Planning Commission. He stated that the residents of Overlake were told there is another traffic study and they haven't seen that. He stated that they were told there would be talks with the Hospital. Chairman Pruden stated they had talked to the hospital. Mr. Ushio stated he is really concerned about his kids playing in the neighborhood.

Mrs. Heather Herrman stated she lives in Overlake. She wanted to share some reasons why approving the application is not an acceptable option. Number one the traffic study has been done, but it was advised to get a second one. The second one is not done. The first one had already addressed traffic issues and safety with the Hospital, the gas station, and the future high school. The fact with the hospital, the intersection is going to have traffic all hours of day and

night. There will be traffic in addition to high density housing. It doesn't make sense to her. She stated that it was brought up in the Planning Commission Meeting, that there is a lack of water pressure. When Overlake was built, the water was built with a lower standard than most homes, because developers were planning on secondary water. Secondary water has not been received. She stated her house has the plumbing for it in the yard, but it is still not there, until that gets there she doesn't think it's acceptable to keep stressing the water supply. Mrs. Herrman further stated that it is a rather high risk to have apartments next to train tracks. She previously lived in the apartments right on the other side of the train tracks for about a year and a half. Her son climbed the fence on a regular basis. A six-foot-high fence is not going to do much. When she told her son, the plan was to build a ten-foot fence, he stated he would bring a couple of friend's and they would climb it. It's going to be safety issues with kids that close to the tracks, especially with kids in apartments. She stated further that having been in an apartment complex a lot of parents do not watch their kids or keep track of what their kids are doing. They are the ones that don't pay attention. Mrs. Herrman stated that she cannot see how the Council can allow such a development in such a dangerous place.

Mr. John Sloagh stated that he has lived in Overlake a couple of years. He is a retired Peace Officer from San Diego. One of the major programs he worked in San Diego was environmental design, which included approving plans for developments like this. He stated that in all of his experience every time there was a large development like this, eventually it turns into a ghetto. There will be drugs, and prostitution. That will cause the City to hire more police officers. It will cause more crime, more traffic, and it will cause more accidents. Mr. Sloagh stated that the Council should really consider that property should all be residential, not high density.

Ms. Kari Scribner stated she wanted to give a comparison to think about the size. The Gateway Apartments are approximately 132 apartments. The Cove is 120 apartments and this application is looking at 314 apartments. She still thinks it is too much in too little space.

Ms. Whitney Sivill stated she is an Overlake resident for 12 years. She wanted to bring up that Tooele County School District has a problem keeping up with the current population of students that they have already. Bringing in high density housing because there is no room for them in the District. People in apartments have children too. Without the single-family homes, we are talking about more families than single-family homes. Ms. Sivill stated that if the Council wants to have an example of a city that went downhill super-fast after allowing a whole bunch of apartments, look at West Valley City. She stated ask anyone who has lived there for 40 plus years, right after the City allowed apartment buildings, the city went into the toilet. Crime goes up because a lot of residents in apartments are transient. She asked the Council to reconsider. Ms. Sivill stated she wouldn't mind single family homes. People have an invested interest in the community when they have a home that they own, but not when they live in apartments.

Mr. Parker Lyons stated that he has been in the Overlake for about two years. His family moved to Tooele looking for a great place away from this kind of stuff. That is why they moved to

Tooele. Mr. Lyons stated that Tooele has small town community feel, all the amenities needed, and close to everything, but far enough away. He stated that what he finds concerning are several different things. Adding this many apartments into such a small space it seems like we found the deepest darkest corner to try and dump all these units. He stated that there is so much space, but why must the apartments be fit all of this in one tiny corner. Why? He stated that he didn't understand why there can't be single family homes since the area is already zoned for single family and aligns with the rest of the development. Mr. Lyons questioned a statement made that the State is forcing high density housing. What is the percentage? What is the number? This is a huge amount to throw into a little space. The discussions are talking about doubling the neighborhood. He asked if the City is meeting thresholds, exceeding the threshold, or blowing it out of the water. He stated that this seems crazy. This much of a percentage for that small of the area. Mr. Lyons wanted to echo the comments that were made about the high school and the traffic. There is not just an increase in traffic from the units, but there is also the high school that is going to be built in the area very soon and probably needs to be built sooner rather than later. He asked what is the impact, is there a need for another elementary school, or two. There are costs associated with those type of things. It seems that this is being rushed to the forefront without having all the information, such as additional traffic studies. Mr. Lyons asked if the Council is jumping steps before considering all the items he has discussed. He further stated that he understands this is progress, he is good with progress, and okay with more housing opportunities, but cramming also of these apartments into a small space is a big thing. Mr. Lyons further stated that Overlake is a particular area in the community and property values are good. If a large amount of apartments are added to the area, he is concerned with the property values of his home and others. He further stated that Overlake children walk to school, they are not bussed. Adding that many more children to the walk to school is dangerous.

Mr. Raymond Dickson stated that he is not a resident of Overlake. He travels 100 East to try and avoid Main Street because he has almost been killed four times since Christmas on 1000 North and Main. The light turns red going north and south and he has tried to cross after other cars had gone. He stated that he was almost hit by a gravel truck or a semi that chooses not to stop at that light. He stated that he worked in law enforcement for 27 years in Tooele County and the Deseret Chemical Depot for nearly 20 years, so he can estimate speed pretty well. He stated that cars traveling on Main Street are traveling at speeds of 50 and 55 mile an hour. Mr. Dickson stated that he has talked with the Mayor and she was going to take care of that. Mr. Dickson related a story of him traveling down 100 East at the same time as Scholar Academy was released from school. He stated that multiple parents were double parked on both sides of the street blocking traffic and that is illegal. Mr. Dickson stated that he lives just West of Middle Canyon Elementary and he struggles to get in and out of his driveway do to parents parked in the way. He further stated that he does not understand why the City snow plows blow snow so far hitting himself and children. He further stated that he thinks the apartments in Overlake are a bad idea because he knows that adding the apartments on 100 East will add to the congestion already in place due to Scholar Academy.

Mr. Tony Graf stated he is a resident of Overlake. He stated that he has concerns with the project since he heard it in October while sitting on the Planning Commission. He stated that the Planning Commission recommendations was not to have high density housing. One of the concerns brought up in the hearing, that concerns him is the railroad tracks behind the development. There is not a way to have egress. That makes the project unique in Tooele City. He stated that those railroad tracks border the whole proposed project and that concerned him. The Planning Commission made a recommendation that passed for there not to be high density housing. Mr. Graf stated that he thinks high density housing is really important. Tooele City needs it, but to put it in this particular area, which is not suited for high density housing just because of how the egress is limited. He urged the Council not to adopt the application.

Mr. Ryan Olson stated he lives in Overlake and has for 18 years. He has some questions and some of them he knows the answers too and some of them he doesn't. He has searched for the answers, but was unable to find answer. He further stated that his questions are not meant to belittle anyone, or be speculative. Has this parcel already been sold or is the sale contingent on the rezoning? Two have any of the Council Members been made aware of any litigation that this doesn't get rezoned? Has the Council decided on this before hearing the public hearing? He stated that one of the Council Members at the 5pm session stated that this is an excellent application, who is it excellent for, the developer, the City's bottom line, the residents of Overlake? Mr. Olson stated that the question that was raised in October was are there more taxes created by having high density or single-family homes. Chairman Pruden stated he did not have the answer for that question. Mr. Olson asked how often does the City Council not follow the recommendation of the Planning Commission and what are the reasons for doing so? Mr. Olson stated that he is deeply concerned about water. At his house the water pressure is greatly decreased by taking a shower and running the dishwasher at the same time. He stated that he is deeply concerned about water in Overlake. He has spent hundreds of dollars and hours rerouting sprinklers because nothing works. Mr. Olson stated that he understands growth is coming and knows that and to a certain degree welcomes that, but having that many people crammed into that little corner with the railroad track behind them seems really irresponsible and unnecessary to him.

Mr. Alan Snarr stated that he is a resident of Overlake. Many of the concerns that he has have been expressed tonight. Some of that area was going to be a park one day. He is grateful for Tooele providing single family residential that he stated that he has sent his child to college at great expense so that she could take pride in single family ownership. That is what he wants in Tooele. He wants a community neighborhood of people who take pride in their neighborhood. Mr. Snarr stated that there is a need for high density housing, but this is not the area and this is not the place. There is already high-density housing in Overlake and with those apartments it can be difficult at times. He stated that he can't imagine easing that situation with the creation of more and triple the volume of apartments that this plan entails.

Mr. Ben Sandgren stated he wanted to read some comments from Tooele City's General Plan which is put together with not just Overlake residents, but focus groups for all residents in the City. He stated that he feels the general plan gives feedback to Tooele City Officials and how they should plan. "Transportation and land use should be well coordinated. East West running roads are a problem to be dealt with. Highway 36 should be preserved as the main north south artery, running from Tooele to I-80. It should not be overrun with commercial uses and access points. The first and last mile from home should be given careful consideration. The Tooele Valley quality of life should be maintained and preserved. The nice small town community feeling is highly valued and should be preserved." Mr. Sandgren stated that the words are words not just of those in Overlake but from the broader City and cramming all of these homes in there is not preserving the small town feeling. He also stated the development falls within the one-mile boundaries that have been described by these residents and expressed concern. Mr. Sandgren once again quoted from the general plan "The need to address development and growth is imminent as it places stress on Tooele Valley, especially water." He stated that as written right in the plan but as it has been mentioned there are already troubles with the water in the neighborhood. He stated that he is not confident that the water issues have been resolved and he is concerned with the development.

Mr. Matt Stringham stated he and his family moved into Overlake to have a Home Owner's Association. He stated that he pays a fee for the Home Owner's Association. He further stated that he knows that the apartments will not have a Home Owner's Association and apartment residents will not care about the neighborhood. The residents will trash the neighborhood and make things look bad. Mr. Stringham stated that he knows this from the Cove apartments already in the neighborhood. There are cars parked in the street and there are some that are dead there. He stated that he knows that the cars are dead because they have snow around them and don't move for days. If Overlake residents have a dead car in front of their property, the HOA tells us to move it. That will not happen with the apartments. He stated that the residents of the proposed apartments will trash the neighborhood, so why should Overlake residents who pay HOA fees still pay the fees. The high density will ruin the neighborhood even more. Mr. Stringham stated that he pays more money just to live in Overlake and have a nice neighborhood. It is probably one of the nicest neighborhoods in Tooele. He stated that if an individual visits another neighborhood in Tooele City it will not be as nice as his neighborhood due to the HOA fees. He also stated that without additional exits to the proposed development it will be awful getting out of the neighborhood.

Ms. Sarah Westora stated she is a small business owner and she lives in Overlake. She wanted to know if the Council will be answering the questions tonight? Chairman Pruden stated that questions will be addressed at the end.

Mr. Brian Herrman an Overlake resident asked since Tooele has a volunteer fire department and the Council is looking at approving more homes, how is the volunteer fire department going to respond in time especially if there is a four-story structure fire? Does the Council have the safety

of our community in mind or is there going to be a full time fire department in the City? Mr. Herrmann stated that the area is too small for the size of proposed dwellings. He stated that he is a retired law enforcement officer and that area is just way to small for that many apartments. He further stated that he loves Overlake but if the development comes, he will move and he doesn't want to.

Ms. Malory Sandgren stated she moved in ten years ago and planned on staying for three, but her family fell in love with the area. She stated that there are some things that are making them reconsider living here. She stated that she was reviewing the City's general plan earlier in the day and one section stood out to her, "development constraints, there is not enough water to support both residential development and agricultural. Tooele Valley is not part of the Central Utah Project. CUP which would provide better access to water. There is little opportunity to supply water from outside of the community." Ms. Sandgren stated that there is obviously a big concern of water as we have heard existing water rights are over appropriated. Growth and development should be based on water and protecting the aquifer. Septic systems limit development almost as much as water. She stated that in looking at the map of the city there are already places zoned for high density residential and adding on top of those designated spots creates problems with the City plan. She stated that she doesn't understand why the Council would want to burden our resources anymore. There is high density housing closer to the Hospital already and it may seem like a good idea, but it impedes traffic. Mrs. Sandgren added that putting in another entrance to the North of the Hospital will still limit the access for residents to the south due to the traffic. She added that another exit off Highway 36 would just add to the congestion.

Mr. David Manzione stated he is a resident of Tooele City and Overlake. He supports affordable housing. He stated that he has a son who attends Utah States and intends to move back to Tooele after graduating. He stated that he also has two other children and when he looks at the cost to rent them an apartment he sees that it is a fallacy to state apartments are affordable housing. He stated that his kids pay more for their apartments than he pays for his mortgage. He stated that his concern is that this development will not be affordable and he thinks single homes would be more affordable than apartments.

Mr. Steven Emmett stated he is a resident of Overlake for 20 years. He stated that it was a bit of a surprise when his wife wanted to look for housing in Tooele. Upon looking at a plan that was presented in Overlake, they purchased a home. He stated that they thought the Overlake community looked beautiful. He further stated that the land under questions was once supposed to be a park. Mr. Steven stated that he feels that so much of the plan for Overlake has not been realized and that safety in that area is a significant thing for him. He further stated that there is a quite a wait to exit Overlake on 2000 North and the commute on Highway 36 shows that it is well beyond capacity. He stated that this doesn't seem like the right tie or the right balance for Overlake.

Mr. Troy Wynn stated that he lives in Overlake and is not related to the Mayor. High Density next to the rail road tracks is just not going to be a great neighborhood. He stated that it worries him quite a bit and he hopes the Council does not support rezoning.

Chairman Pruden asked if there were any other comments, there were none.

Chairman Pruden stated that on behalf of the City Council and Mayor, we appreciate everyone coming to the meeting. We do listen to what you are saying and this is not something that we have come into this meeting with our minds already made up. We wanted to listen to you and the experts. He wanted to address a few of the questions. Chairman Pruden stated that the Council has commissioned a nonpartisan, unaffiliated traffic study at the cost of \$8,000 to get a perspective of the whole build out of Overlake. The Council hoped it would be done by the meeting, but it is not done. That study is not just for the problematic intersection which is Aaron and 2000 North. He further stated that he and the Mayor have met with the CEO of the Hospital. We realize that when the high school is added that will also cause problems. We are hoping the high school will enter the property from Home Depot. As far as the property, in discussion tonight that was supposed to be according to the master plan a park. The Council can't control what the property owner does with the property. As much as the Council would love for it to be a park, it is not going to be a park. Consequently, the Council is left with the task of making a decision on what we allow the developer to do with that property. That is a tough thing. One of the questions that was asked tonight, was one of the times that the Council has overridden a recommendation from the Planning Commission. Chairman Pruden stated that this is my last year on the Council, in 16 years, he cannot remember a time when the Council overruled the Commission, but it is possible it had happened. He further stated the whole City is the Council's concern. They try to meet all the requirements and fall short in some areas, but try to balance the best they can. He stated that there are some laws that govern what the Council can and can't do. Luckily the charter that we have and love affords us some flexibility. Chairman Pruden allowed the other members of the Council to make statements about their opinions.

Mr. Baker stated he wanted to clear up a possible misunderstanding of what the law requires for the Council tonight. The Council has an application before them and under state law they have to vote on that application. The Council can consider the concerns from the Planning Commission, but the motion must be for or against the actual application. Chairman Pruden stated right, the Council is just approving or denying the application before them tonight.

Council Member Wardle, stated that after reading all the comments from the Planning Commission about the major safety concerns; some of the concerns come with apartments and some don't come with apartments. He stated that cars parked on the street is a problem on streets all over Tooele City. That is an enforcement issue and something he hadn't realized was a problem of as much significance as it became apparent in the hearings. Council Member Wardle addressed the traffic study and stated it was asked for, for two reasons, the comments from Octobers hearing, but also the comments made by Mr. Clayton. The Council needs to see

the entire picture of the area to make better decisions for growth in the area. He stated that the entrance to Hospital doesn't work and there needs to be a solution as soon as possible. That is why there are these discussions. Council Member Wardle stated that the issue about the rail road tracks and high density is actually recommended at times to transition high density housing. He stated that he understands the concerns with the schools and capacity, but it is an issue for the School Board and not the City. The Council knows that the City is growing and will continue to see growth, the Council is attempting to do the best for the City.

Council Member McCall stated that h has been thinking about the application a lot since he heard it in the Planning Commission meeting in October. He stated that even though the developer has reduced the amount of dwellings in the application, there are still issues with traffic. The traffic is not just for the high density in that corner of Overlake, but to look at the Overlake area as a whole. He shared a story of going to the other side of the Mountain and seeing the traffic situation on a part of Redwood Road in Riverton and feeling that it is a madhouse over there. Council Member McCall stated that the Council has been told by the stated that the population of Tooele will be 80,000 by 2040. The growth is coming and this will not be the last time the Council will need to make difficult decisions about housing in areas that are controversial. He stated that the Council has already approved an apartment complex near Settlement Canyon Apartments. He further stated that he thinks the traffic study will not just help today, but will help with the area as a whole to help plan correctly. He stated that regardless of the action taken in the meeting, there will be a problem in Overlake with the two exits. It is something that needs to be considered in future development in the City.

Council Member Gochis stated the purpose for the Council to be in the meeting hearing about this application is to make a decision on the request of a developer through the application process. She stated that the Council respects the rights of the property owner, and appreciates their compromise on this project with the amended application. She stated that she had listened to the concerns of the audience and Overlake residents. The Council did commission a traffic study and unfortunately it was not done in time for the meeting, but it was also done for the greater purpose of looking to the future \Council Member Gochis thanked the concerned citizens for their input. She stated that this process has not been taken lightly and the Council is trying to serve the best interest of the City in the best possible way.

Council Member Pratt, stated he was the one who stated this was a good application, but hat comes with reservations. He stated that he has visited the property on the application several times and was in fact on the property earlier in the day. He stated that has seen tremendous growth in the community and remembers when the first traffic light went in on Vine and Main Street. He stated that he does have concerns for apartments in the proposal. He would like to see a 10 foot masonry fence instead of a six foot fence for safety and sound barrier of the residents who could live in the apartments. He further stated that there are serious issues with cars parking on the street throughout the City. He has had to have cars towed from in front of his home and he doesn't live in the Overlake area. He stated that growth is coming ad he sees the

need for affordable housing. He stated that we need to have housing not only for those who want to come to Tooele, but those in our community that are growing here. He stated that all of his children still live here and that growth needs to be considered too. There needs to be affordable situations for those who live in the Community. He shared a personal story of his daughter who recently moved across town. She sold her home quickly and she had to move out of her home before she had somewhere to go. They looked and looked for some place to go for interim, but there was nowhere to go. Council Member Pratt expressed that there is difficulty in taking care of all the needs and necessities of the community. The Council needs to make sure the planning and placement of developments can be met with transportation, water, and other needs. He stated that that is why he has concerns. He thanked all for their comments and concern for the community.

Chairman Pruden stated that since this came before the Council in October, he has never been in favor of expanding it past the R1-7 zoning and after listening to everyone tonight, he is even more convinced.

Council Member Wardle asked Mr. Hansen if the City knows when the traffic study will be back. Mr. Hansen stated that there was a progress meeting in the morning. Council Member Pratt asked if that was a progress meeting and not a final product. Mr. Hansen stated just progress. Council Member Wardle, asked if the applicant was requesting a vote tonight or can it be tabled until the traffic study was complete. The applicant stepped forward. Council member Wardle asked the applicant if they needed a vote tonight or if the Council could table the application. The applicant stated they are in a position with the seller that a decision needs to be made at the meeting.

Council Member Wardle made a motion to adopt Resolution 2019-21 for the following reasons; number 1 that the medium price for housing in Tooele is \$274,000 and that is \$1,800 dollars a month, which is less than the cost of an apartment. Council Member Wardle asked if the applicant will be phasing the project. The applicant stated that they will be phasing the project, most likely starting with the single-family homes.

Council Member Wardle motion to adopt the resolution with the fact that the traffic study is coming back and there will be time to mitigate the traffic situation, secondly the fact is there will be affordable housing down in this area. The motion was seconded by Council Member Pratt.

Council Member Wardle motioned to approve Ordinance 2018-21 Council Member Pratt seconded the motion. The vote was as follows: Council Member McCall, "No," Council Member Wardle, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "No," Chairman Pruden, "No." The motion did not pass.

Council Member McCall stated he was against because of the traffic study pending. Council Member Wardle stated that he would have voted to table, but a decision was needed during the

meeting. Council Member also stated that he would have tabled if the decision was not needed during the meeting.

13. Public Hearing and Motion on Ordinance 2019-03 An Ordinance of the Tooele City Council Reassigning the Zoning Classification to the MDR Medium Density Residential Zoning District for .58 Acres of Property Located at 350 North 50 West

Presented by Jim Bolser

Mr. Bolser stated that this application is within the infill area. A map of the property was shown on screen. It is behind and just north of the current Police Station and the zoning is R1-7. The applicant is requesting the rezone for two pieces of property because the pieces fall just short of the requirement to put in four units and he would like to do so. The Planning Commission has forwarded a unanimous positive recommendation in accordance with the conditions and found I favor of findings listed in the Staff Report.

Council Member McCall asked if there is a house already on the property. Mr. Bolser stated there is not.

Chairman Pruden stated that the infill is desirable because the utilities are already available and the requests attempt to help residents revitalize the area. This is a wonderful thing.

Chairman Pruden opened the public hearing.

Mr. Andy Warr the designer stated that this request only adds one more unit than is currently allowed. It is in the infill zone and keeps development costs low for the City and tax payers. Mr Warr stated that Council Member McCall mentioned the new home being built just down the street. That and this new area will help to energize the neighborhood and provide a precedent opportunity for other landowners to do the same. It is close to town, walkable It affords all the benefits of living in the city. There are a lot of people who need to live in apartment, but maybe they don't want to. Maybe they want a space to garden. Maybe they want something they can call their own. I think that the people who live in that type of housing want to stay longer and be good citizens. On this parcel it would be two duplexes. There is still ample room to provide parking and guest parking. This applicant has a demonstrated in this city a project that use property in an infill mater. The property does meet design standards and provides affordable housing in the community.

Chairman Pruden closed the public hearing.

Council Member McCall motioned to approve Ordinance 2019-03. Council Member Gochis seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council

Member Wardle, “Aye,” Council Member Pratt, “Aye,” Commissioner Gochis, “Aye,” Chairman Pruden, “Aye.” The motion passed.

14. Subdivision Plat Amendment for Providence at Overlake Subdivision, Phase 2 Located at approximately 400 West 1200 North in the R1-7 Residential zoning district for the purposes of adjusting the property boundaries of seven lots and a storm water detention basin parcel on 1.74 acres.

Presented by Jim Bolser

Mr. Bolser stated that this is an application that started last summer, with the approval of the Providence at Overlake subdivision Phase 2. A map of the property was shown on the screen. The amendment before the Council this evening only affects the properties backing onto 400 West. At the time that this was under review by the Council, there was discussion regarding the transition between the right-of way improvements along 400 West and how that would transition south out of the North Tooele Improvement Service District. Through those discussions it was agreed upon that the applicant would provide an additional 5 feet strip off the back of the seven lots and retention basin for the purpose of transitioning the park strip area improvements. This is the completion of the process to amend the plan that was approved. Planning Commission has forwarded a unanimous positive recommendation based on the findings and conditions proposed in the Staff Report.

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

Council Member McCall asked about the strip along 400 West, is there a bike lane for that road? Mr. Hansen says it is not stripped.

Council Member McCall motioned to approve Subdivision Plat Amendment for Providence at Overlake Subdivision, Phase 2. Council Member Gochis seconded the motion. The vote was as follows: Council Member McCall, “Aye,” Council Member Wardle, “Aye,” Council Member Pratt, “Aye,” Council member Gochis, “Aye,” Chairman Pruden, “Aye.” The motion passed.

15. Minor Subdivision Final Plat for Andrew Caldwell located at 1762 North Broadway in the HDR High Density Residential zoning District for the purposes of splitting on 0.55 acre parcel into 3 lots.

Presented by Jim Bolser

Mr. Bolser stated that this application is right on the corner of where Broadway Ave. intersects at the corner of Copper Canyon Elementary. The subject property was shown on screen. The existing zoning is HDR. It was originally established as a single larger parcel with the intention of having some commercial property there. The property owner has decided to request a split to

the property. It would be split into three lots that would each accommodate a single-family unit. Those three lots meet the design standards and size standards for the HDR zone. The Planning Commission has heard this and forwarded a unanimous positive recommendation based on the findings and conditions listed in the Staff Report.

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

Council Member Pratt motioned to approve the Minor Subdivision Plat for Andrew Caldwell located at 1762 North Broadway in the HDR High Density Residential zoning district for the purpose of splitting one 0.55 acre parcel into 3 lots. Council Member McCall seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Wardle, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Chairman Pruden, "Aye." The motion passed.

16. Minutes

Chairman Pruden asked if the Council had any comments or questions to the minutes dated February 20, 2019, there were none.

Council Member Pratt motioned to approve minutes from the Council meeting held February 20, 2019. Council Member McCall seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Wardle, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Chairman Pruden, "Aye." The motion passed.

17. Approval of Invoices

Presented by Mrs. Pressley

An invoice in the amount of \$42,601, to State Fire DC Specialists LLC, for fire equipment.

An invoice in the amount of \$104,588, to Ken Garff West Valley Ford, for the purchase of police vehicles.

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

18. Adjourn

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

The meeting adjourned at 9:27 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 20th day of March, 2019

Steve Pruden, Tooele City Council Chair