

**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 hared 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