

**Tooele City Council
Work Session Meeting Minutes**

Date: Wednesday, November 18, 2020

Time: 5:30 p.m.

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

City Council Members Present:

Tony Graf

Melodi Gochis

Scott Wardle

Ed Hansen Present through Telephone

Justin Brady

City Employees Present:

Mayor Debbie Winn

Jim Bolser, Community Development Director

Police Chief Ron Kirby

Steve Evans, Public Works Director

Darwin Cook, Parks and Recreation Director

Shannon Wimmer, Finance Director

Roger Baker, City Attorney

Kami Perkins, Human Resource Director

Paul Hansen, City Engineer

Michelle Pitt, City Recorder

Cylee Pressley, Deputy City Recorder

Minutes prepared by Kelly Odermott

Council Member Brady was conducting and called the meeting to order at 5:30 p.m.

1. Open City Council Meeting

2. Roll Call

Tony Graf, Present

Melodi Gochis, Present

Scott Wardle, Present

Ed Hansen, Present through telephone

Justin Brady, Present

3. Mayor's Report

Mayor Winn invited the Council, staff and residents to the Virtual Tree Lightening Ceremony on Monday November 30, 2020 at 6:30pm on the Facebook Page. The lights will be turned on at the Veterans Memorial Park. Mayor Winn wished everyone a wonderful Thanksgiving Holiday.

4. Council Member's Report

Council Member Wardle stated he appreciated the edits he got from Council Member Graf on the Life and Civility Resolution. The textual edits will be made and he would like to bring it to the next meeting in December. The Council agreed. Secondly, he met with the attainable housing committee and they will be bringing forth the RSD item. Finally, he stated he sent an email and the election was certified the prior day. He will be resigning from City Council effective December 31, 2020. He thanked those who he has worked with and the time he has had with the City.

Council Member Graf stated there was a meeting on Friday night to discuss the CARES grant.

Council Member Gochis stated she attended the RDA executive board meeting and the CARES grant funding meeting. There were suggestions to make the application process to make it easier. She attended the Tooele City Arts Council meeting and there will be a virtual Christmas Concert featuring Thurl Bailey on December 7, 2020 7:00pm and two offerings on the consecutive Mondays after the live performance. There is a YouTube channel which is dedicated to the Tooele City Arts Council. She thanked Mr. Bolser with the Planning Commission meeting for technical assistance and congratulated the Planning Commission on the work on the General Plan. Council Member Gochis recognized Kelly Odermott for her completion of her Master's degree program.

Chairman Hansen thanked those who have worked on the application for covid grants for the businesses.

Council Member Brady stated he attended the Planning Commission meeting and he gave the Council Member report, which the Planning Commission appreciated, He also attended the CARES funding meeting.

5. Discussion Items:

- **Upgrades to Wastewater Reclamation Facility**
Presented by Steve Evans, Public Works Director

Mr. Evans stated that he was going over the packets that were handed out in the prior work session. The \$2,000,000 is budgeted for the 2020/2021 year for repairs. The \$8,000,000 is an improvement to the plant and the \$25,000,000 would be for an expansion. He has met with Justin Logan of Aqua Engineers which has put together the three items. He has also consulted with Steve

Williams with the Magana Water District which runs a similar plant and got suggestions for upgrades.

Council Member Gochis stated regarding the expansion of the plant, what is the capacity currently and the required capacity for expansion? Mr. Evans stated the plant is going through 2.1 to 2.2 million per day and 4.1 million is maximum capacity. If the plant reaches 75% of maximum capacity, the state requires the start of the expansion process. Council Member Gochis asked how much time until the expansion is needed? Mr. Evans stated he doesn't have the answer. Mayor Winn stated that a capital facilities plan could be put together with the financial advisors as to determine when and how to fund the projects.

Council Member Brady asked if there are any projections at how many years until this is required? Mr. Evans stated that is up to the Council. It is hard to project, with the annexations, it is too hard to know. The packet was provided for planning purposes.

Chairman Hansen stated with a lot of building, there isn't an estimate of reaching capacity? Mr. Evans stated he doesn't. Mayor Winn stated the sewer model is underway and will give some feedback for the future.

- **Resolution 2020-A Resolution of the Tooele City Council Issuing a Call for Increased Civility, Respect for Human Life, Freedom of Expression, & Property**

Presented by Council Member Wardle

Discussed under Council Reports

- **Abandoned Projects City Code Text Amendment**

Presented by Jim Bolser, Community Development Director

Mr. Bolser stated this is being brought to gauge the Council's interest for an amendment to address one specific issue. In the City Code there are existing provisions for expiration of certain applications, such as preliminary plans or recording a plat. What the City doesn't have is a mechanism by which applications are not followed through on and have not gone through an approval yet are expired? Currently it is fairly uncommon, but there are two applications which this would potential address. As an example, the applicants turn in a full application packet, went through a couple of redline processes and the applicants go quiet for whatever reason. That presents staff with issues, with no finalization of the application, or some level of due diligence to continue amendments for formal approval and code and laws change that don't apply to the applications,

but have to be tracked as the application is vested to the ordinances when the application was placed. The suggestion is to do something similar to a building permit, if an application doesn't have progress in 180 days then the application vacates.

Council Member Brady asked if the Council had questions.

Council Member Gochis asked about fees paid with the application and would those be refunded? Mr. Bolser stated the proposed language in the packet was if there is a situation that an application vacates, then it would have to reapply as if the fees never happened. Council Member Gochis asked who would make the determination. Mr. Bolser stated the fees are paid when filed. In this case with the entire fee being forfeited there wouldn't be a refund.

Council Member Graf asked if the application is intended to be amended to state the abandonment clause? Mr. Bolser stated it would and it wouldn't be invoking this clause without applicant notification.

Council Member Wardle stated that applicants can take longer than 180 days to get items done and what is their recourse? Mr. Bolser stated the recourse is through activity. If the applicant was to submit something it would restart the 180 days. The 180 days is rolling. Council Member Wardle stated examples of what would trigger the continuation of the application would be helpful. Council Member Wardle stated that discussed subdivision design and review and asked what other actions needs to be taken by the City Council and they have paid several thousand, there needs to be some flushing out what is given back as a refund. The application should not have to lose all the fees.

Council Member Brady stated he is concerned about refunding money and how to make that work. Mr. Bolser stated the department can do a refund and it has been done before in limited circumstances. The department can use the calendars and email to determine what funds have been expended in effort on the part of staff, then refund the balance.

Council Member Wardle asked if this is standard practice among other cities. Mr. Bolser stated some do this and some do not. Council Member Brady stated it is an appropriate item to discuss, but he doesn't want to create more work. Mr. Bolser stated they can get pretty close on the time. Chairman Hansen stated that h agrees that there should be a refund, but he agrees with the six months deadline.

Council Member Brady stated the Council appears to want a refund in the ordinance.

- **Police Department Surplus Property**

Presented by Police Chief Ron Kirby

Chief Kirby stated this is slightly different item and he wanted to discuss it with the Council. The Police Department typically recovers a lot of property and tries to dispose in the best way possible. Most things are junk, fire arms are used, and items can be converted to city use. He stated the Council has a list of items which is mostly jewelry and collector coins. The department has been collecting this for quite awhile and attempting to return it to owners. He is proposing to donate to the Explorer Program to give the Explorers a life experience and learn to value the items and bid the items. He wants to set a cap on the amount the Explorers receive just in the event that an item might be worth something.

Council Member Gochis asked if there was a cap? Chief Kirby stated he suggests \$5,000, in case there is a rare item.

Council Member Brady asked how the items would be auctioned? Chief Kirby stated he sees explaining the process to the Explorers and asking them to work through the process by contacting coin and jewelry dealers. Eventually working with a dealer to sell the items.

Council Member Graf stated that there was one item, a Nazis coin that may not be sold and may be disposed of if it has a nominal value. He agrees with the program suggestion. Chief Kirby stated he could explorer the coin and if there is no historical value it could be destroyed.

Council Member Gochis asked how long the items were held? Chief Kirby stated these were held a significant time, some for decades.

Chairman Hansen stated there was a comment on the Facebook asking what the Explorers program was. Chief Kirby stated that the Explorer Program is through the boy scouts of America, but is for life experience. This is for boys and girls from 14-21, so that they can explore the public safety program and gain life experience in law enforcement. Chairman Hansen stated he is for this going to the Explorer program.

Council Member Brady clarified the cap at 5000, the Council agreed.

- **Equipment Requests**

Presented by Darwin Cook, Parks & Recreation Director

Mr. Cook gave a brief overview of the work done to replace the bucket truck. City staff was able to find a demo vehicle that has 3,850 miles with a full warranty and had a reduced price from \$188,000 to \$135,000.

Council Member Gochis asked what the life expectancy for the truck? Mr. Cook satted it would be years. The last truck was owned for 30 years. This truck has many features which the City would never had been able to afford.

Council Member Graf commended Mr. Cook for thinking out of the box.

Council Member Wardle stated he echoes the prior comments and this process was time consuming. This allows the Council to be a little more educated and it is a great product. Out of the general fund. Mr. Cook stated that the money budgeted for the 400 West project, came in about \$88,000 under budget and this could use that budget.

There was a brief discussion about the funding over the \$80,000 and it was recommended that the Council be reimbursed for the \$88,000 so that the budget comes out of the General Fund.

The council agreed.

- **Cares Funding**

Council Member Brady stated this was discussed on Friday. Chairman Hansen stated there were changes discussed, taking the business license off of the applcaition, changing the amount from \$10,000 to \$20,000, taking off the loss percentage off the applcaition, and adding the third quarter to the applcaition.

There was a lengthy discussion about the business licenses and ranking the applications for monies. It was decided that all businesses that apply for grant monies have to have applied for a business license prior to the application. The ranking system would give 10 points for business that had a business license at the time of the loss and 5 points if it was applied for just prior to the application. The Council is committed to discussing capped amounts on the grants after the next applications are received to determine how much funding the Council would like to spend on the grants.

Council Member Gochis asked if the \$20,000 is per quarter. Council Member Brady stated there would have to be a ranking to place the businesses that have received funding below businesses that haven't received money.

Council Member Graf stated the City should use the electronic billboard to get the word out about the grants. Council Member Wardle asked if the City could partner with Tooele County to use the EOC boards.

Ms. Wimmer asked what the Council would like to do with the first round applications, which were only given \$10,000 and if those applicants have to refile for the additional \$10,000 since the amounts have been increased to \$20,000. The Council voted on the funding the first round of applications at \$20,0000 without an additional appclaition

Votes were Council Member Wardle, "Aye," Council Member Graf, "Nay," Council Member Brady, "Nay," Council Member Gochis, "Nay," Chairman Hansen, "Abstain."

Council Member Brady stated it stays as it is and the businesses can reapply.

6. Closed Meeting

No closed meeting

7. Adjourn

Council Member Brady adjourned the public meeting at 6:45pm.

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 2nd day of December, 2020

Ed Hansen, Tooele City Council Chair