

**Tooele City Council and TCWSSD  
Business Meeting Minutes**

**Date:** Wednesday, March 2, 2022

**Time:** 7:00 p.m.

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

**City Council Members Present:**

Ed Hansen

Justin Brady

Maresa Manzione

Tony Graf

Dave McCall

**City Employees Present:**

Mayor Debbie Winn

Jim Bolser, Community Development Director

Adrian Day, Police Department Chief

Roger Baker, City Attorney

Shannon Wimmer, Finance Director

Darwin Cook, Parks and Recreation Director

Michelle Pitt, City Recorder

Braxton Roberts, Information Technology Assistant-Director

Minutes prepared by Katherin Yei

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

**1. Pledge of Allegiance**

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

**2. Roll Call**

Tony Graf, Present

Ed Hansen, Present

Justin Brady, Present

Maresa Manzione, Present

Dave McCall, Present

**3. Mayor's Youth Recognition Awards**

*Presented by Debbie Winn, Mayor & Stacy Smart, Communities That Care Supervisor*

Mayor Winn, Stacy Smart, and Chief Day presented the Mayor's Youth Recognition Awards to the following students:

Trevin Stewart  
Abran Lavato

#### **4. Public Comment Period**

Lorina Bishop, representative from the Chamber of Commerce shared her appreciation for the Council. She shared information on what the Chamber of Commerce would be doing in the coming months.

Doug Newell shared his positive opinion on needing High-Density on the community.

#### **5. Public Hearing & Motion on Ordinance 2021-16 An Ordinance of Tooele City Reassigning the Land Use Designation from Medium Density Residential (MDR) to High Density Residential (HDR) for Approximately 7.4 Acres of Property Located at 602 and 603 West Three O' Clock Drive (tabled on 05/19/21)**

*Presented by Jim Bolser, Community Development Director*

Mr. Bolser presented information for the proposed Land Use Amendment from Medium Density Residential to High Density Residential for the Three O'Clock Drive project. The zoning is Regional Commercial. High Density Residential supports multi-family zones, allowing up to MR-25. The site plan shows 72 town homes, 10-12 units per acre and would fall under the MR-16. The Planning Commission has heard this item and forwarded a negative recommendation.

Chairman Brady opened the public hearing.

Ken Olson, the applicant, shared the work they have put in with the traffic study and working with UDOT. He believes the townhomes will bring newness and vibrancy to the neighborhood. They plan to do zero-scape in yards and the open space.

Doug Newell shared his positive recommendation of Mr. Olsen and the project.

Chairman Brady closed the public hearing.

The City Council had a discussion regarding the following:

Concerns with traffic on Three O'Clock Drive and Highway-36, a gap in the City Code moving from MR-8 to MR-16, and clarification on how to do a density cap with the developer.

Mr. Baker addressed the City Council's concerns. The Council can take the initiative to create a new zoning district, and does not need to wait for a public request. Votes on the land use plan and zoning give opportunity for approval for the Council to require a specific project design and unit cap. The Council can impose restrictions or conditions on any land use or zoning approval.

The Council discussed creating a new zone for MR-10 & MR-12.

Council Member Graf would prefer to be consistent and not finagle a zone. Instead of having an open door for special agreements, the work should be put in to do it correctly.

Council Member Manzione motioned to approve land use amendment change from medium to high based on concept that has been presented with maximum of MR-10. Council Member McCall seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Naye," Council Member McCall, "Aye," Chairman Brady, "Aye." The motion passed.

**6. Public Hearing & Motion on Ordinance 2021-19 An Ordinance of the Tooele City Council Reassigning the Zoning Classification to the MR-16 Multi-Family Residential Zoning District for Approximately 14.3 Acres of Property Located at Approximately 300 West 1000 North (tabled on 06/16/21)**

*Presented by Jim Bolser, Community Development Director*

Mr. Bolser presented a Zoning Map Amendment on the property located at 300 West 1000 North. The Land Use Map shows it as High Density Residential with the current zoning as GC, General Commercial. If the application is successful it will become MR-16. The applicant did provide a conceptual site plan. The Planning Commission has seen this item and forwards a positive recommendation.

Chairman Brady opened the public hearing. No one came forward. The public hearing was closed.

**Council Member Hansen motioned to approve Ordinance 2022-19.** Council Member Manzione seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye." The motion passed.

**7. Public Hearing & Motion on Ordinance 2021-21 An Ordinance of the Tooele City Council Reassigning the Zoning Classification to the MR-16 Multi-Family Residential Zoning District for Approximately 4.3 Acres of Property Located at Approximately 740 West McKellar Street (tabled on 07/07/21 & 08/04/21)**

*Presented by Jim Bolser, Community Development Director*

Mr. Bolser presented a Zoning Map Amendment for the property located at 740 West McKellar Street. The Land Use Map identifies the property as High Density Residential with the current zoning as MR-8. The request is to have it reassigned to MR-16. The Planning Commission has heard this item and forwards a positive recommendation with a 4:3 vote.

Council Member Manzione, Chairman Brady, and Council Member McCall shared their concerns of having high density in this area and would like to MR-8.

Chairman Brady opened the public hearing.

Johnathan Aubrey shared reasoning for not wanting MR-8.

Chairman Brady closed the public hearing.

**Council Member Manzione motioned to deny the rezone approve Ordinance 2021-21.**

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

**8. Public Hearing & Motion on Ordinance 2022-07 An Ordinance of Tooele City Reassigning the Land Use Designation from Regional Commercial (RC) to Light Industrial (LI) for Approximately 3.0 Acres of Property Located at Approximately 385 South 1200 West**

*Presented by Jim Bolser, Community Development Director*

Mr. Bolser presented a Land Use Map Amendment for the property located at 385 South 1200 West. It is currently assigned as Regional Commercial with the request to change it to Light Industrial. It is currently zoned Research and Development. The Planning Commission heard this item and voted 6:1 to forward a positive recommendation.

Chairman Brady opened the public hearing. No one came forward. The public hearing was closed.

**Council Member Hansen motioned to approve Ordinance 2022-07.** Council Member Graf seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye." The motion passed.

**9. Public Hearing & Motion on Ordinance 2022-08 An Ordinance of Tooele City Reassigning the Zoning Map Designation From (RD) Research and Development to (IS) Industrial Service for Approximately 3 Acres of Property Located at 385 South 1200 West**

*Presented by Jim Bolser, Community Development Director*

Mr. Bolser presented a Zoning Map Amendment for the property located at 385 South 1200 West. It is currently zoned Research and Development with the request to change it to the Industrial Service zone. The Planning Commission heard this item and forwarded a positive recommendation.

Chairman Brady opened the public hearing. No one came forward. The public hearing was closed.

**Council Member Manzione motioned to approve Ordinance 2022-08.** Council Member Hansen seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye." The motion passed.

**10. Public Hearing & Motion on Ordinance 2022-04 An Ordinance of Tooele City Amending Tooele City Code Sections 7-1-5 and 7-2-19 Regarding Musical Instruction Home Occupations**

*Presented by Roger Baker, City Attorney*

Mr. Baker presented information on musical instruction as a home occupation. The recommendation is to allow one to seven students as a permitted use; eight to sixteen students would be allowed with a conditional use permit. The impacts for the neighborhood would be examined on a case-by-case basis. A definition and restrictions have been added.

Chairman Brady opened the public hearing. No one came forward. The public hearing was closed.

**Council Member Graf motioned to approve Ordinance 2022-04 An Ordinance of Tooele City Amending Tooele City Code Sections 7-1-5 and 7-2-19 Regarding Musical Instruction Home Occupations.** Council Member McCall seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye." The motion passed.

**11. Resolution 2022-08 A Resolution of the Tooele City Council Announcing Its Intent to Renew the Current Tax for Parks, Arts, and Recreation (PAR Tax) and to Place Before Tooele City Voters an Opinion Question About a 1/10th of 1% Sales Tax to Fund Cultural and Recreational Organizations and Facilities in Tooele City**

*Presented by Roger Baker, City Attorney*

Mr. Baker presented the renewal of the PAR tax, allowing it to be on the ballot in November. It has gone through the first step of getting approval from Tooele County allowing the City to pursue it.

**Council Member McCall motioned to approve Resolution 2022-08.** Council Member Hansen seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye." The motion passed.

**12. Resolution 2022-14 A Resolution of the Tooele City Council Authorizing the Tooele City Purchasing Agent to Dispose of Surplus Personal Property (Impalas)**

*Presented by Michelle Pitt, City Recorder*

Ms. Pitt presented resolution 2022-14 to declare two Public Works vehicles as surplus and allow them to go to outside auction.

**Council Member Manzione motioned to approve Resolution 2022-14.** Council Member Hansen seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye." The motion passed.

**13. Resolution 2022-15 A Resolution of the Tooele City Council Approving and Ratifying an Agreement with Americom Technology, LLC, for Fiber Optic Cable Installation**

*Presented by Braxton Roberts, Assistant Information Technology Director*

Mr. Roberts presented information on the fiber glass project. It will connect five City buildings together, including the fire station. It will help with infrastructure, security, and speed. This project is in correlation with the County's project, giving the City a 60% cost saving. The project will be paid with ARPA funds and cost \$216,117.86.

**Council Member Graf motioned to approve Resolution 2022-15.** Council Member Hansen seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye." The motion passed.

**14. Resolution 2022-16 A Resolution of the Tooele City Council Approving an Agreement with Broken Arrow Inc., for the Dow James PRV and Meter Vault Project**

*Presented by Darwin Cook, Parks & Recreation Director*

Mr. Cook presented information on the irrigation system for Dow James and the meter vault project. The City has 711 shares of irrigation water with the facility being at the end of the line. There have been issues with the water hammer causing damage to the sprinkler system. The original part of the resolution was to meter the 3 sites with an air valve and a PRV. It is a PAR tax project with the approved budget numbers. Broken Arrow had the lowest bid of \$49,352 with a 5% contingency.

**Council Member Manzione motioned to approve Resolution 2022-16 A Resolution of the Tooele City Council Approving an Agreement with Broken Arrow Inc., for the Dow James PRV and Meter Vault Project.** Council Member McCall seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye." The motion passed.

**15. Resolution 2022-17 A Resolution of the Tooele City Council Approving a Change Order to an Agreement with Mountain Heights Flooring for the Youth Center Building Floor Replacement Project**

*Presented by Darwin Cook, Parks & Recreation Director*

Mr. Cook presented information on the change order to an agreement with Mountain High Flooring to replace the floor in the Teen Center. The budget was approved of \$90,000 for the playground. Those structures are 4-6 months out. The playground would be pushed out until next year. The cost is \$77,622 for the floor with a 5% contingency from the PAR tax.

**Council Member Hansen motioned to approve Resolution 2022-17 A Resolution of the Tooele City Council Approving a Change Order to an Agreement with Mountain Heights**

**Flooring for the Youth Center Building Floor Replacement Project.** Council Member McCall seconded the motion. The vote was as follows: Council Member Hansen, “Aye,” Council Member Graf, “Aye,” Council Member Brady, “Aye,” Council Member Manzione, “Aye,” Council Member McCall, “Aye.” The motion passed.

### **16. Minutes**

*January 19, 2022 City Council Work and Business Meeting*

*February 2, 2022 City Council Work and Business Meeting*

*February 4, 2022 Mayoral Budget Retreat*

There are no changes to the minutes.

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

### **17. Invoices**

Ms. Pitt presented the following invoices:

Napa for 4 posts heavy duty lift system for shops in the amount of \$39,825

Mountain land supply for water meters in the amount of \$56,930.20

Broken Arrow for culinary irrigation connection in the amount of \$23,962.50

Tooele County Sheriff's Office for dispatch services in the amount of \$88,764.00

Elemtech for a bulk water fill station for \$35,500.00

**Council Member Hansen motioned to approve the invoices.** Council Member Manzione seconded the motion. The vote was as follows: Council Member Hansen, “Aye,” Council Member Graf, “Aye,” Council Member Brady, “Aye,” Council Member Manzione, “Aye,” Council Member McCall, “Aye.” The motion passed.

### **18. Tooele City Water Special Service District Resolution 2022-01 A Resolution of the Tooele City Water Special Service District Board Approving a Temporary Water Right Lease Agreement with GeoFortis Utah Minerals LLC**

*Presented by Roger Baker, City Attorney*

Mr. Baker presented information on the Tooele City Water Special Service District.

The City has an approved agreement with GeoFortis to lease a small amount of water rights that Tooele City owns near Mercur. The State division of water rights declined a change application from GeoFortis to move the point of diversion for the water rights to their operation further south. Until they get approval, they are asking to reduce their rent. They have been paying the full amount without using the water. By approving the resolution, it would reset the term of 5 years.



**Council Member Manzione motioned to approve Resolution 2022-01.** Council Member Graf seconded the motion. The vote was as follows: Council Member Hansen, “Aye,” Council Member Graf, “Aye,” Council Member Brady, “Aye,” Council Member Manzione, “Aye,” Council Member McCall, “Aye.” The motion passed.

**19. Adjourn**

Chairman Brady adjourned the meeting at 8:17pm.

*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 16<sup>th</sup> day of March, 2022

---

Justin Brady, City Council Chair