

Tooele City Council Business Meeting Minutes

Date: Wednesday, August 3, 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
David McCall

Planning Commission Members Present:

Chris Sloan
Matt Robinson

City Employees Present:

Jim Bolser, Community Development Director
Adrian Day, Police Department Chief
Roger Baker, City Attorney
Paul Hansen, City Engineer
Shannon Wimmer, Finance Director
Darwin Cook, Parks and Recreation Director
Michelle Pitt, City Recorder
Holly Potter, Deputy City Recorder
Jami Grandpre, Public Works Director
Kami Perkins, HR Director

City Employees Excused:

Mayor Debbie Winn

Minutes prepared by Katherin Yei

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

1. Pledge of Allegiance

The Pledge of Allegiance was led by Chairman Brady.

2. Roll Call

Tony Graf, Present
Ed Hansen, Present
Justin Brady, Present
Maresa Manzione, Present

Dave McCall, Present

3. Public Comment Period

Curtis Bextrum followed up regarding the scooters within the community. He asked if they have been successful and if there have been any accidents.

Scooters will be removed from Tooele City.

4. Public Hearing on Tooele City Adopting the Proposed Tax Rate for Fiscal Year 2022-2023

Presented by Shannon Wimmer, Finance Director

Ms. Wimmer presented the certified tax rate. The County Auditor did present a few weeks ago regarding the information. The certified tax rate is based on last year's tax collection and current assessed values. The purpose of the certified tax rate is to make sure governments have a certified amount to provide items. The rate does not provide for inflation and increased costs. Tooele City had not raised taxes for over 20 years. Due to Covid-19, truth and taxation did not happen during 2020 and 2021, causing a decrease in rate. Property tax is divided with Tooele City receiving \$0.22 per dollar. There have been public budget meetings to discuss the proposed rate. The 20% increase will go into the general fund and general expenses, funding the police department, the fire department, and the new fire station. Additional costs are covered by other revenues and cuts within the departments. Residents can apply for abatements, deferrals, and exemptions within Tooele County to help with the tax increase. Over 80% of appeals for home evaluations are approved with Tooele County.

The public hearing was opened.

The public was not in favor of the tax increase. They shared their concerns about inflations and the economy. For additional information on who spoke during the public meeting, see attached roster.

The public hearing was closed.

The Council addressed the public's concerns.

Chairman Brady shared his understanding of the tax rate not being favorable for the citizens. The Council is dealing with decisions that past Council's have made. They have looked at the budget and make the best decisions for the City and the public.

Council Member Graf addressed the public. They understand and feel the inflation as well. As an elected official, they have to do the perceived best. They understand the dislike for the tax raise, but they need to look at the safety and concerns of the community.

Council Member Manzione shared her understanding what the community feels and is going through. They are paying and going through the same situations. With the increase of wages

within the County and the school district, the City is struggling to keep up. Big decisions are waited within the Council but have to be made for the betterment of the community.

Council Member Hansen addressed the public. They hear what is said and all of their concerns are valid. There could be discussions made within the City of where funds can go.

Council Member McCall spoke on the postponement of the taxes. The City has gone 30 years without increase and the City is paying the price. They are trying to make sure Tooele is a decent place to live and trying to take those steps to go in the right direction.

The vote is not happening in the meeting tonight. The vote will be in two weeks at the next meeting.

5. Public Hearing on Tooele City Adopting the Final Budget for Tooele City for Fiscal Year 2022-2023

Presented by Shannon Wimmer, Finance Director

The budget is a public budget and can be reviewed online by the public. Ms. Wimmer addressed the Council regarding the final changes to the budget.

The public hearing was opened. They shared additional concerns about the increasing tax raise, inflation, using the City budget appropriately, and applying for grants. They shared concerns of the Council not caring and hearing the public's concerns.

The public hearing was closed.

Chairman Brady addressed the public. Elected officials take care of many things the public does not always see. The City has applied for grants every opportunity they can. They are hesitant about putting the fire station off. The City has to hire an architect to design the station and use impact fees before the deadline. The City has fallen behind in the City safety and they are trying to catch up. Tooele City payed for Grantsville's library. That Lawsuit has a judgment levy tax to pay for that, but would be that exact amount asking for now. Discussions have been made to be transparent for the City.

Council Member Graf shared his care for the City. The Council does there best to make the right decision for the City. City employees are residents and they need to be able to live as well.

Council Member Manzione concurred with the thoughts of the other Council members. The Council does have discussions and do not all agree with each other. Each Council member comes from different walks of life and has a different view. Businesses are what make the taxes go down and keep residents from commuting to Salt Lake.

Council Member McCall addressed the public. Tooele City has a volunteer Fire Department. By providing safety gear and proper buildings, the department can do a good job. It is the Council's job to look at the best interest of all citizens in Tooele.

The vote is not happening in this meeting. The vote will be in two weeks at the next Council meeting.

6. Public Hearing & Motion on Ordinance 2022-26 an Ordinance of Tooele City Reassigning the Zoning from GC General Commercial and RR-5 Residential to Light Industrial LI and Industrial for Approximately 167 Acres Located at Approximately 2000 North 1400 West

Presented by Jim Bolser, Community Development Director

Mr. Bolser presented a rezone application for the property located near 2000 North and SR-112. The existing Land Use Map shows LI, Light Industrial and Industrial. The Zoning Map shows GC, General Commercial and RR-5 Residential. If it is approved, the Zoning Map will be changed to Industrial and Light Industrial. The Planning Commission has heard this item and forwarded a positive recommendation.

The Council asked the following questions:

By changing RR-5 to LI, can businesses come in and build?

Will the County trail be maintained?

Mr. Bolser addressed the Council. That is the exact intent, to have businesses come in. The County trail will be maintained.

The public hearing was opened. The public shared concern for water and the businesses taxes. The public hearing was closed.

The Council addressed the public's concerns. Businesses are always required to bring water. Part of the use of taxes is to find more water sources. They have done their best to bring businesses that require less water. More businesses create more revenue and one less dollar they have to add to taxes for the citizens. The trail is a part of the County system and not something the City will maintain. Tax incentives have been given by past Council, but this current Council has not.

Council Member Manzione motioned to approve Ordinance 2022-26, Reassigning the Zoning from GC General Commercial and RR-5 Residential to Light Industrial LI and Industrial for Approximately 167 Acres Located at Approximately 2000 North 1400 West.

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.

7. Resolution 2022-70 a Resolution of the Tooele City Council Approving and Ratifying a Real Estate Purchase Contract for the Purchase of Undeveloped Property Located on Skyline Drive

Presented by Roger Baker, City Attorney

Mr. Baker presented a real estate purchase contract for Council approval. The City owns and preserves about 2,000 acres of sensitive space. The Council has used some creative mechanisms to obtain these properties and maintain some of these areas, including purchase, trade, litigation settlement, and zoning. The City has an opportunity to acquire an additional 7.36 acres. The cost is \$299,000. Part of the packet is a list of ordinances and resolutions approved by past City Councils showing a long-standing policy to acquire, protect, and leave undeveloped critical open space. In the future, the City may provide passive recreational opportunity, such as foot trails. No structures will be built, with the exception of items like pavilions, picnic tables, and benches, and no motorized vehicles will be allowed.

The Council wants to preserve that property by not allowing any building or additional traffic on Skyline Drive. The funds come from other lands sold to purchase additional land. Developers wanted to put apartment buildings on the strip of land and the Council did not agree.

Council Member Graf motioned to approve Resolution 2022-70, a Resolution of the Tooele City Council Approving and Ratifying a Real Estate Purchase Contract for the Purchase of Undeveloped Property Located on Skyline Drive. 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.

8. Ordinance 2022-27 an Ordinance of Tooele City Adopting an Updated Purchasing Policy and Procedure

Presented by Michelle Pitt, City Recorder

Ms. Pitt presented the updated purchasing policy and procedure. This item was discussed during the work meeting on July 20. Ms. Pitt pointed out that since the July 20th meeting, one additional change was made. She is now able to approve purchase orders up to \$3000. This was a change the Mayor requested, that the Mayor approve requests for POs \$3,000 and above. In the purchasing policy, purchases can't be broken in to smaller purchases to avoid waiting for approval.

The Council has discussed this item for multiple years, maintaining transparency.

Council Member Hansen motioned to approve Ordinance 2022-27 an Ordinance of Tooele City Adopting an Updated Purchasing Policy and Procedure. 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.

9. Ordinance 2022-28 an Ordinance of Tooele City Amending Tooele City Code Chapters 1-5, 1-6, 1-14, 1-22 Regarding Authority to Approve Claims

Presented by Roger Baker, City Attorney

Mr. Baker presented an amendment to the City Code chapters 1-5, 1-6, 1-14, 1-22 regarding the authority to approve claims. The Mayor, as the executive branch of government, has the authority to spend money within the budget approved by the Council, the legislative branch of government. But the City Code gives the Council a check on the Mayor's spending authority: all claims (including contracts and invoices) of \$20,000 or above must be approved by the Council. When Mr. Baker began his city employment, the Mayor's authority was limited to \$8,000. In 2012, the amount was raised to \$20,000 due to inflation. With continuing inflation, the \$20,000 limit hinders the Mayor from efficiently conducting the City's day to day operations, having to come to the Council for all claims of \$20,000 or more. The City Administration recommends raising the Mayor's authority to \$30,000. It is being raised to help make the day to day jobs go smoother and carry on the City's operations.

Council Member Manzione motioned to approve Ordinance 2022-28 an Ordinance of Tooele City Amending Tooele City Code Chapters 1-5, 1-6, 1-14, 1-22 Regarding Authority to Approve Claims. Chairman Brady 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. Subdivision Plat Amendment Request by Lex Apartments, LLC, to Subdivide Lot 102 of the Existing Lexington at Overlake Subdivision into Two Lots Located at Approximately 1202 North Franks Drive in the MR-16 Multi-Family Residential Zone on 10.6 Acres

Presented by Jim Bolser, Community Development Director

Mr. Bolser presented a Subdivision Plat Amendment. The lot is an existing lot a part of the Lexington Greens development. The intent is to subdivide the property into two lots for ownership purposes. The property on the west is approximately 3 acres. The Planning Commission has heard and forwarded a positive recommendation.

Council Member Graf motioned to approve. 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. Preliminary Subdivision Plan Request by Hallmark Homes to Subdivide Approximately 4.6 Acres Located at the Northwest Corner of 2000 North Berra Boulevard into Townhome Lots, Limited Common Areas and Common Areas in the MR-8 Multi-Family Residential Zoning District

Presented by Jim Bolser, Community Development Director

Mr. Bolser presented a subdivision plan request for the Hallmark Homes near Overlake Elementary and Berra Boulevard. It is currently zoned MR-8. The intent is to subdivide the property and develop it into townhomes. The Planning Commission has forwarded a positive recommendation.

The Council asked the following questions:

Has there been a traffic study for the round-about, with a plan to address updating it?

Will there be parking on 2000 North?

The Developer does pay for the cost of infrastructure including gutter and sidewalk. The maintaining does come back to the City.

Mr. Bolser addressed the Council's questions. There have been studies, with no increase to the round-about. The plan is designed to accommodate the parking requirements the City Code has. This project will have double garages and double driveways.

Mr. Baker explained the land use laws. The developer is made to put the improvements in, but they are not made to maintain them.

Council Member McCall motioned to approve Preliminary Subdivision Plan Request by Hallmark Homes. 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, "Nay," Council Member McCall, "Aye." The motion passed.

12. Minutes

~Wednesday, July 20, 2022, City Council & RDA Work Meeting Minutes

~Wednesday, July 20, 2022, City Council Business Meeting Minutes

There are no changes to the minutes.

Council Member Hansen motioned to approve Minutes from July 20th. 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. Invoices

Ms. Pitt presented the following invoices:

Tooele City Arts Council for the 4th of July expenses in the amount of \$33,105.12

Coor & Main for water meters in the amount of \$85,551.

Mr. Baker addressed the question. The developer pays the initial water meter fee but the City needs to control the quality of what goes in and uses the fee to purchase the meters the City wants.

Ms. Wimmer addressed the question. In the water bill, there is a section that pays for the water meter. There is a difficulty to get them in and the City is losing revenue of the broken meters.

Council Member Graf 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.

17. Adjourn

Chairman Brady adjourned the meeting at 9:50pm.

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 17th day of August, 2022

Justin Brady, City Council Chair