

## Tooele City Council Business Meeting Minutes

**Date:** Wednesday, August 17, 2022

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

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

### **City Council Members Present:**

Justin Brady

Maresa Manzione

Tony Graf

David McCall

### **City Council Members Excused:**

Ed Hansen

### **Planning Commission Members Present:**

Chris Sloan

### **City Employees Present:**

Mayor Debbie Winn

Jim Bolser, Community Development Director

Adrian Day, Police Department Chief

Roger Baker, City Attorney

Shannon Wimmer, Finance Director

Michelle Pitt, City Recorder

Holly Potter, Deputy City Recorder

Jamie Grandpre, Public Works Director

Paul Hansen, City Engineer

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

Justin Brady, Present

Maresa Manzione, Present

Dave McCall, Present

Ed Hansen, Excused

### **3. Public Comment Period**

There were no public comments.

### **4. Resolution 2022-74 a Resolution of the Tooele City Council Adopting the Proposed Tax Rate for Fiscal Year 2022-2023**

*Presented by Shannon Wimmer, Finance Director*

Ms. Wimmer presented Resolution 2022-74 for the proposed tax rate for fiscal year 2022-2023. The certified tax rate does not allow the City to capture additional revenue when home values increase. The property tax received does go into the general fund and is not used for enterprise funds. In 2018, Tooele City agreed to do an 82% increase. In 2019, there was a 6% increase. There was no increase in 2020 and 2021. The proposed tax rate of .002411, a 20% increase over the certified tax rate, will allow the City to receive an additional amount of \$1,148,827. The funds will pay for an increase of public safety pay, implement recommendations for Fire Fighters, and building a fire station. Since bringing on the Economic Development Director, he has secured \$1,355,000 in grant funds. The Fire station was a recommendation that came from the fire study with the design phase beginning and being payed from the impact fees. Once that phase is complete, the Council will decide when to build.

**Council Member Manzione motioned to approve Resolution 2022-74 a Resolution of the Tooele City Council Adopting the Proposed Tax Rate for Fiscal Year 2022-2023.** Council Member McCall seconded the motion. The vote was as follows: Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye." The motion passed.

### **5. Resolution 2022-75 a Resolution of the Tooele City Council Adopting the Final Budget for Tooele City for Fiscal Year 2022-2023**

*Presented by Shannon Wimmer, Finance Director*

Ms. Wimmer presented the final budget for Tooele City fiscal year 2022-2023. The budget is available on the City website for the public to review.

**Council Member McCall motioned to approve Resolution 2022-75.** Chairman Brady seconded the motion. The vote was as follows: Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye." The motion passed.

### **6. Public Hearing & Motion on Ordinance 2022-29 an Ordinance of Tooele City Reassigning the Land Use Designation for Approximately 8.5 Acres of Property Located at Approximately 2520 and 2540 North 600 East from Medium Density Residential (MDR) to High Density Residential (HDR)**

*Presented by Jim Bolser, Community Development Director*

Mr. Bolser presented a reassignment proposal for the Land Use Map for the property north of Liddiards. The current Land Use Map assignment is identified as Regional Commercial, High Density Residential, and Medium Density Residential. The change for the subject property is to change a section of the MDR to HDR. The Planning Commission has forwarded a unanimous positive recommendation.

The public hearing was open. No one came forward. The public hearing was closed.

**Council Member McCall motioned to approve Ordinance 2022-29.** Council Member Manzione seconded the motion. The vote was as follows: 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 2022-30 an Ordinance of Tooele City Reassigning the Zoning for Approximately 8.5 Acres Located at Approximately 2520 and 2540 North 600 East from R1- 7 Residential to the MR-16 and MR-12 Multi-Family Residential Zoning Districts**

*Presented by Jim Bolser, Community Development Director*

Mr. Bolser presented a Zoning Map Amendment for the same property north of Liddiards. The current zoning is Regional Commercial, MR-20, and R1-7. The change is from R1-7 to MR-16 and MR-12. The Planning Commission has heard this item and forwarded a positive recommendation.

The public hearing was opened.

Ms. Pearse shared concern for water.

The public hearing was closed.

The Council addressed the public concern. With any development, the water rights are brought to the City. The City is continuously working to develop new water sources.

Mr. Baker addressed the public. The developer cannot build anything until they conveyed the water rights.

**Council Member Graf motioned to approve Ordinance 2022-30, an Ordinance of Tooele City Reassigning the Zoning for Approximately 8.5 Acres Located at Approximately 2520 and 2540 North 600 East from R1- 7 Residential to the MR-16 and MR-12 Multi-Family Residential Zoning Districts.** Council Member McCall seconded the motion. The vote was as follows: Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye." The motion passed.

**8. Public Hearing & Motion on Ordinance 2022-31 an Ordinance of Tooele City Amending Tooele City Code Chapters 7-4 and 7-11A Regarding Parking for Multi-Family Developments**

*Presented by Jim Bolser, Community Development Director and Roger Baker, City Attorney*

Mr. Bolser presented information on a City Code text amendment in regards to parking in multi-family residential developments. There were concerns surrounding multi-family residential areas, specifically about garages. A temporary ordinance came forward in March that allowed the City to properly address the issue on an interim basis. The City needed a balanced approach that was clear and understandable allowing them to maintain public safety and the design aspect from the developers. The changes were to Table 7-4-1 and section 7-11a-13 to clarify and mitigate potential issues. The Planning Commission has heard this item and forwarded a positive recommendation.

The public hearing was opened. No one came forward. The public hearing was closed.

**Chairman Brady motioned to approve Ordinance 2022-31.** Council Member McCall seconded the motion. The vote was as follows: 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 2022-32 an Ordinance of the Tooele City Council Vacating a Dedicated Public Utility Easement on Lot 354A of the Shetland Meadows No. 3 Subdivision**

*Presented by Jim Bolser, Community Development Director*

Mr. Bolser presented an Ordinance to vacate the public utility easement for the property located in the Shetland Meadows development. The homeowner has requested the easement be vacated to put in an accessory building. They have done the leg work from all utilities companies and they have signed off.

The public hearing was opened. No one came forward. The public hearing was closed.

**Council Member Manzione motioned to approve Ordinance 2022-32 an Ordinance of the Tooele City Council Vacating a Dedicated Public Utility Easement on Lot 354A of the Shetland Meadows No. 3 Subdivision.** Council Member McCall seconded the motion. The vote was as follows: Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye." The motion passed.

**10. Resolution 2022-72 a Resolution of the Tooele City Council Awarding the Public Defender Contract to Linares Law Office and Bonewell Morris & Associates**

*Presented by Roger Baker, City Attorney*

Mr. Baker presented the Public Defender contract. The U.S. and Utah Constitution's guarantee of indigent defendants' representation by legal counsel when they can't afford it. The government

must provide it at taxpayer expense. Most recently the City has had two public defenders from two different law firms. The public defender contract rate of pay has not been raised in seven years. The City must make sure they pay the public defenders sufficiently to maintain the contract and provide indigent defendants with effective assistance of counsel. The proposed Public Defender contract is for Linares Law Office and Bonewell Morris & Associates.

**Council Member Graf motioned to approve Resolution 2022-72.** Council Member McCall seconded the motion. The vote was as follows: Council Member Graf, “Aye,” Council Member Brady, “Aye,” Council Member Manzione, “Aye,” Council Member McCall, “Aye.” The motion passed.

**11. Resolution 2022-73 a Resolution of the Tooele City Council Approving and Ratifying a Contract Change Order No.2 with Broken Arrow Inc. for the 2022 Roadway Improvement Project Presented by Paul Hansen, City Engineer**

Mr. Hansen presented a change order to ratify and approve the contract for the Sunset roadway with Broken Arrow. The contract is to replace the water main, curb and gutter. In an emergency situation, they did approve the contractors to extend the water main. During the work, the concrete park strip does not fit. This resolution allowed them to remove and replace the park strip. The contract is approving the amount of \$50,128.85.

**Chairman Brady Resolution 2022-73.** Council Member Manzione seconded the motion. The vote was as follows: Council Member Graf, “Aye,” Council Member Brady, “Aye,” Council Member Manzione, “Aye,” Council Member McCall, “Aye.” The motion passed.

**12. Minutes**

There are no changes to the minutes.

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

**13. Invoices**

Ms. Pitt presented the following invoices:

Tooele County Sherriff's Department for 3<sup>rd</sup> quarter dispatch fees in the amount of \$80,364.75.  
Veolia for service and repair of rotor at the wastewater treatment plant in the amount of \$34,992.00.

Nickerson Company for a motor tube and shaft for the Berra deep well in the amount of \$68,148.00.

Nickerson Company for a motor tube and shaft for the Red Del Papa deep well in the amount of \$98,170.00.

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

**14. Adjourn**

Chairman Brady adjourned the meeting at 7:47pm.

*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 7<sup>th</sup> day of September, 2022

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Justin Brady, City Council Chair