

Tooele City Council Business Meeting Minutes

Date: Wednesday, September 7, 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

Adrian Day, Police Department Chief

Jim Bolser, Community Development Director

Shannon Wimmer, Finance Director

Paul Hansen, City Engineer

Matthew Johnson, Assistant City Attorney

Darwin Cook, Parks and Recreation Director

Michelle Pitt, City Recorder

Holly Potter, Deputy City Recorder

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 at 7:06PM

3. Public Comment Period

Brent Lindstrom with Leisure Villas shared information for a consideration of a Fee-in-lieu of water for the senior living area off of 1000 North. They are nearing the end of Phase 1, but need help with finding the appropriate water.

4. Public Hearing on a Petition for the Canyon Springs Annexation of 61.16 Acres at Approximately 750 North Droubay Road by Howard Schmidt

Presented by Jim Bolser, Community Development Director

Mr. Bolser presented a petition for annexation. This is only a public hearing item, not a decision item. The annexation is a lengthy process. The subject property is located near Droubay Road. The expansion area map does show the area being included in the City's expansion plan. The areas included are identified for the City to decide to petition. The property does not include a land use designation, but the surrounding areas are a medium-density residential. It is identified to support highest density for single-family homes. The zoning map will have to be decided by the Council. The map shows the surrounding areas as R1-7. A concept plan has been provided including 172 single-family dwelling lots compliant with the R1-8 zone. The process is governed by State Code, with full discretion by the Council. Studies have been submitted for the Council and Staff to review.

Emails have been received from the public in regard to the proposed annexation and have been read for the recorded video of the meeting. They were received from the following:

Zion Farms LLC

Scott Bradshaw

John and Sherry Roberts

John Williams

Linden Greenhalgh and Dean Lavender

The public hearing was opened. The public shared concerns about the benefits to the community and impact to Tooele.

Valerie Peterson shared questions and concerns regarding the contribution to the parks within the City, Staffing the Police Department, and having enough teachers.

Dave Bresnahan addressed the water pressure within the homes, fire safety, and developing on the land within the Tooele City boundaries.

Scott Peterson shared concerns regarding traffic, the housing market, and schools.

Sherry Roberts concerns of the rural property and farms disappearing if the development is approved.

The public hearing was closed.

Chairman Brady addressed the public's concerns. This annexation is not considered lightly. They have asked for multiple studies and the impacts to the City. The contribution is an agreement that a trail system be developed. As well as a \$250,000 contribution for Parks. There will be an additional contribution for affordable housing within the community. The developer does have rights for water and will be used within the subdivision. The water master plan gives an idea of

growth and water sources. This annexation feels like a natural addition. This is a move-up subdivision.

Council Member Graf addressed the public. He is not in favor for the annexation for many reasons including losing the buffer zones, water, infill, fire safety, cost of building infrastructure, lack of green spaces, and the unknown answers of the contributions.

Mr. Schmidt addressed the Council and the public's concerns. The trail system is being worked on with the county. UDOT has donated the small section of property. There will be detention ponds alongside Droubay Road with beautiful street-scapes.

5. Public Hearing & Motion on Ordinance 2022-33 an Ordinance of Tooele City Amending the Tooele City Zoning Map to Reassign Approximately 9.12 Acres Located at Approximately 800 North 100 East From the MR-25 Multi-Family Residential Zoning District to the MR-20 Multi-Family Residential Zoning District

Presented by Jim Bolser, Community Development Director

Mr. Bolser presented information on a City generated application for a Zoning Map Amendment located at the Legacy Apartments. The Land Use is assigned to the High Density Residential. Currently, this is the only project assigned to the MR-25. There are 12 apartment buildings and a clubhouse building. This is a housekeeping effort since the City Council removed the MR-25 zone from the City Code. The project will be in compliance as MR-20. The Planning Commission has heard the item and forwarded a positive recommendation.

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

Council Member Manzione motioned to approve Ordinance 2022-33 an Ordinance of Tooele City Amending the Tooele City Zoning Map to Reassign Approximately 9.12 Acres Located at Approximately 800 North 100 East From the MR-25 Multi-Family Residential Zoning District to the MR-20 Multi-Family Residential Zoning District. 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.

6. Public Hearing & Motion on Ordinance 2022-34 an Ordinance of the Tooele City Council Vacating a Dedicated Public Utility Easement on Lot 5 of the Smart Subdivision

Presented by Jim Bolser, Community Development Director

Mr. Bolser presented a Public Utility Easement asking to be vacated. When subdivisions are approved, there are public utility easements to have an area designation for utilities. The easements are not utilized. The City Council can review requests to remove the easements and the restrictions that they may present. The application is for a non-residential property located near 2000 North. The Plat was record in 1990. They have provided letters from utility companies that state they do not use the easements.

The Council asked what they would be using the area for?

Mr. Bolser addressed the Council's question. They will be adding an accessory structure for further operations.

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

Council Member Hansen motioned to approve Ordinance 2022-34 an Ordinance of the Tooele City Council Vacating a Dedicated Public Utility Easement on Lot 5 of the Smart Subdivision. 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. Resolution 2022-76 a Resolution of the Tooele City Council Acknowledging the Mayor's Appointment of Jon Proctor to the Planning Commission

Presented by Debbie Winn, Mayor

Mayor Winn presented the appointment of Jon Proctor to the Planning Commission.

Council Member Graf motioned to approve Resolution 2022-76 a Resolution of the Tooele City Council Acknowledging the Mayor's Appointment of Jon Proctor to the Planning Commission. Commissioner 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.

8. Resolution 2022-77 a Resolution of the Tooele City Council Approving an Agreement with Smith and Loveless Inc. for the Purchase of Grit Removal Equipment at the Tooele City Water Reclamation Facility

Presented by Paul Hansen, City Engineer

Mr. Hansen presented an agreement with Smith and Loveless for the purchase of the grit removal equipment for the expansion of the City Water Reclamation Facility in the amount of \$802,500. The life of the equipment is about 20 years.

Council Member McCall motioned to approve Resolution 2022-77 a Resolution of the Tooele City Council Approving an Agreement with Smith and Loveless Inc. for the Purchase of Grit Removal Equipment at the Tooele City Water Reclamation Facility. 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.

9. Resolution 2022-78 a Resolution of the Tooele City Council Approving an Agreement with Huber Technology Inc. for the Purchase of Coarse Screening Equipment at the Tooele City Water Reclamation Facility

Presented by Paul Hansen, City Engineer

Mr. Hansen presented an agreement with Huber Technology to purchase coarse screening equipment in the amount of \$352,589.

Council Member Hansen motioned to approve Resolution 2022-78 a Resolution of the Tooele City Council Approving an Agreement with Huber Technology Inc. for the Purchase of Coarse Screening Equipment at the Tooele City Water Reclamation Facility. move item number 6 before item number 4. 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.

10. Resolution 2022-79 a Resolution of the Tooele City Council Approving an Agreement with Staker & Parsons Companies for the 2022 Roadway Maintenance Project – Part 3, Light Weight Aggregate Chip Seal

Presented by Paul Hansen, City Engineer

Mr. Hansen presented an agreement with Staker & Parsons Companies for the 2022 roadway maintenance project in the amount of \$650,600. The product used is favorable, they would like to preserve more roads within Tooele City. The company would be able to move forward within the next two-weeks.

Council Member Manzione motioned to approve Resolution 2022-79 a Resolution of the Tooele City Council Approving an Agreement with Staker & Parsons Companies for the 2022 Roadway Maintenance Project – Part 3, Light Weight Aggregate Chip Seal. 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 2022-80 a Resolution of the Tooele City Council Approving and Ratifying an Agreement with CDC Restoration and Construction for the Pratt Aquatic Center Floor Resurfacing Project

Presented by Darwin Cook, Parks & Recreation Director

Mr. Cook presented a ratification to an agreement with CDC Restoration and Construction in the amount is \$58,100. The company was brought in during the two-week shutdown. This project completes the three-year plan, except the front entry way.

Council Member Hansen motioned to approve Resolution 2022-80 a Resolution of the Tooele City Council Approving and Ratifying an Agreement with CDC Restoration and Construction for the Pratt Aquatic Center Floor Resurfacing Project. 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.

12. Resolution 2022-81 a Resolution of the Tooele City Council Authorizing Payment of a Fee-in-Lieu of Water Rights Conveyance for a New Commercial Development at 1000 North and 200 West

Presented by Paul Hansen, City Engineer

Mr. Hansen presented a payment of fee-in-lieu of water for the commercial development near 1000 North and 200 West. The applicant has been working diligently to be able to move forward including traffic studies. They would like to purchase up to 20 acre/feet of water. With the purchase price increasing, they are asking for a reduced fee amount. They have been working with the City diligently to be successful in the project. Administration supports the request for the commercial development because it provides employment, additional taxes, and places to people to stay when they are in the City. Administration is also asking to authorize and set a price for the future restaurant and commercial area as well. The proposed is to approve the fee amount, but not have a transaction until the application is submitted.

Council asked for clarification regarding the size and amount that the application is asking for.

Mr. Hansen addressed the Council. The rate will be same across the board for all figures happening on the property. They will only pay for what they actually use. The Council can put a condition on the motion to only use the allowance on this property with no extra credit.

Mayor Winn addressed the Council's concerns. The initial request was made for up to 20 acre feet for the hotel, restaurant, and commercial area. They have looked back in history to see if other applications have asked with no other applications or requests being found.

Mr. Johnson asked to specify an amount in the motion.

Council member Manzione made a motion to approve Resolution 2022-81 a Resolution of the Tooele City Council Authorizing Payment of a Fee-in-Lieu of Water Rights Conveyance for a New Commercial Development at 1000 North and 200 West specific to the items listed in the resolution up to 20-acre/feet with a price of \$15,000 per acre feet.

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.

13. Ordinance 2022-35 an Ordinance of Tooele City Adopting the 2022 Tooele City Waste-Water Collection System Master Plan

Presented by Paul Hansen, City Engineer

Mr. Hansen presented the Tooele City Waste-Water Collection System Master Plan. Planning Commission has made a favorable recommendation to adopt the plan. If this is approved, this will be stamped and moved to be adopted.

Council Member Graf motioned to approve Ordinance 2022-35 an Ordinance of Tooele City Adopting the 2022 Tooele City Waste-Water Collection System Master Plan. 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.

14. Minor Subdivision Request for the W & R Minor Subdivision by W & R Enterprises, LC, to Subdivide Approximately 8.6 Acres Located at the Northeast Corner of 400 East 2400 North into 6 Commercial Lots in the GC General Commercial Zoning District

Presented by Jim Bolser, Community Development Director

Mr. Bolser presented information on a subdivision request involving the undeveloped property located 400 East 2400 North. It is zoned GC, General Commercial. The subdivision proposes to split the property into six commercial lots. There will be frontage improvements. Some of those improvements will be put in when the commercial lots become occupied. The Planning Commission has heard this item and forwarded a positive recommendation.

Council Member Graf motioned to approve Minor Subdivision Request for the W & R Minor Subdivision by W & R Enterprises, LC, to Subdivide Approximately 8.6 Acres Located at the Northeast Corner of 400 East 2400 North into 6 Commercial Lots in the GC General Commercial Zoning District. 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. Preliminary Subdivision Plan Request for the Lexington Greens Lot 107 Subdivision by Lex Townhomes, LLC, to Subdivide 1.27 Acres Located at the Northeast Corner of 680 West 1200 North into 18 Townhome Lots in the MR-16 Multi-Family Residential Zoning District

Presented by Jim Bolser, Community Development Director

Mr. Bolser presented a preliminary subdivision plan for the long narrow parcel located northeast of 650 West apart of the Lexington Green area. The site plan review design has been approved. The property is zoned MR-16. The plan proposes to subdivide the land into 18-lots. Each lot is the footprint of townhomes. The plat proposes limited common areas. It will be owned and maintained by the HOA. The Planning Commission has heard this item and forwarded a positive recommendation.

Chairman Brady motioned to approve Preliminary Subdivision Plan Request for the Lexington Greens Lot 107 Subdivision by Lex Townhomes, LLC, to Subdivide 1.27 Acres Located at the Northeast Corner of 680 West 1200 North into 18 Townhome Lots in the MR-16 Multi-Family Residential Zoning District. 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.

16. Minutes

There are no changes to the minutes.

Council Member Hansen motioned to approve Minutes. 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.

17. Invoices

Ms. Pitt presented the following invoices:

Performance Ford Lincoln Bountiful for a 2019 Ford Ranger for the Police Department in the amount of \$37,582.00

Toole City Arts Council for FY 2022-2023 Arts Council Funding in the amount of \$131,000

Council Member Graf motioned to approve the invoices. 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.

18. Adjourn

Chairman Brady adjourned the meeting at 8:40pm.

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 ___ day of September, 2022

Justin Brady, City Council Chair