

PUBLIC NOTICE

Notice is hereby given that the Tooele City Council, and the Tooele City Redevelopment Agency will meet in a Work Session, on Wednesday, September 20, 2017 at the hour of 5:00 p.m. The meeting will be held at the Tooele City Hall Large Conference Room located at 90 North Main Street, Tooele, Utah.

1. Open City Council Meeting

2. Roll Call

3. Discussion:

- **Long Range Parks Plan
Presented by Brian Roth**
- **Code Enforcement Update
Presented by Jim Bolser**
- **Bernice Heritage Minor Subdivision – Final Plat Request
Presented by Jim Bolser**
- **Ordinance 2017 – 27 An Ordinance of Tooele City Enacting Street Improvement Standards for Certain In-fill Overlay District Streets
Presented by Jim Bolser**
- **Green Bags Discussion**

4. Council Reports

5. Close Meeting

- **Litigation**
- **Property Acquisition**

6. Adjourn

Michelle Y. Pitt
Tooele City Recorder/RDA Secretary

Pursuant to the Americans with Disabilities Act, Individuals Needing Special Accommodations Should Notify Michelle Y. Pitt, Tooele City Recorder, at 843-2110 or michellep@tooelecity.org, Prior to the Meeting.

EXHIBIT A

**MAPPING PERTINENT TO BERNICE HERITAGE MINOR SUBDIVISION FINAL
PLAT**



TOOELE CITY CORPORATION

ORDINANCE 2017-27

AN ORDINANCE OF TOOELE CITY ENACTING STREET IMPROVEMENT STANDARDS FOR CERTAIN IN-FILL OVERLAY DISTRICT STREETS.

WHEREAS, the concept of encouraging in-fill development includes the development of vacant and underutilized parcels of residential and/or commercial land that have resisted development or redevelopment due to various considerations including geography, cost, and market disadvantages; and,

WHEREAS, encouraging in-fill development and redevelopment allows for greater utilization of underutilized residential land, more efficient utilization of existing public infrastructure (e.g., water, sewer, and roads), and more efficient utilization of public services (e.g., fire and police); and,

WHEREAS, on December 16, 2015, the City Council approved Ordinance 2015-25, enacting a regulation encouraging in-fill development through clear statements of purpose, clear definitions, clear and rational in-fill development standards, and clear and rational in-fill development incentives (Ordinance 2015-25 is hereby incorporated into this Ordinance in its entirety by this reference); and,

WHEREAS, in recommending approval of Ordinance 2015-25, the City Administration recommended encouraging in-fill development through the application of in-fill development standards and incentives in particular geographic areas, including Geographic Area A and Geographic Area B (see Geographic Areas A and B depicted in TCC Chapter 7-14 Figure 1 and in Ordinance 2015-25, also attached to this Ordinance as Exhibit A); and,

WHEREAS, Geographic Areas A and B contain portions of three public streets designated as 150 West, 50 West, and Garden Street (or 50 East) (collectively the "In-Fill Streets"), that are classified as Local streets (as opposed to alleys) and that lack sufficient right-of-way width to support the horizontal improvements required for local class streets by TCC Chapter 4-8 (Road and Bridge Construction Standards), specifically Section 4-8-2 (Street Design) and Section 4-8-4 (Street Improvements); and,

WHEREAS, the In-Fill Streets typically are not the streets from which residences and businesses have their primary access, but typically provide only secondary access; and,

WHEREAS, the platted rights-of-way for the In-Fill Streets vary between 49.5 feet and 33 feet, posing limitations on the horizontal improvements that can be constructed within the improved In-Fill Street rights-of-way; and,

WHEREAS, the In-Fill Streets have been encroached upon by fences, sheds, barns, coops, garages, and other structures, in some cases houses, increasing the

hurdles for clearly establishing delineated rights-of-way and constructing horizontal street improvements within those rights-of-way; and,

WHEREAS, requiring adjacent property owners to dedicate a 30-foot right-of-way half-width for a regular Local street would require the removal of numerous fences, accessory structures, and, in some cases, primary structures, including houses; and,

WHEREAS, requiring adjacent property owners to construct full horizontal street improvements, to include sidewalks, landscaped park strips, curbs, gutters, and full asphalt street widths would both create hardships for owners of existing primary and accessory structures, as well as hardships for owners of vacant properties who may wish to obtain a building permit for the construction of new primary structures, which hardships are magnified due to the fact of the In-Fill Streets providing predominantly secondary access to adjoining properties, and which hardships create serious disincentives to in-fill development; and,

WHEREAS, the City Council desires to clarify the horizontal and vertical street improvements applicable to the In-Fill Streets, to the extent located in Geographic Areas A and B, in such a manner as to minimize the hardships and disadvantages described above and to further incentivize in-fill development in Geographic Areas A and B, while at the same time assuring the construction of adequate horizontal and vertical street improvements to serve and protect adjoining properties and to protect city infrastructure; and,

WHEREAS, this Ordinance establishes legislative policies for the regulation of land use development and the construction of public right-of-way improvements, and is supported by the fairly debatable points contained herein; and,

WHEREAS, the Planning Commission convened a public hearing, as required by U.C.A. §10-9a-205 for land use ordinances and by T.C.C. §7-1A-6 for revisions to the City land use (zoning) ordinances, on _____, and voted to recommend approval of this Ordinance to the City Council (see the Planning Commission minutes attached as Exhibit B); and,

WHEREAS, the City Council convened a public hearing, as required by T.C.C. §7-1A-6 for revisions to the City land use ordinances, on _____:

NOW, THEREFORE, BE IT ORDAINED BY TOOELE CITY that Sections 4-8-2.1 and 7-14-1.2 are hereby enacted, as shown in Exhibit C.

This Ordinance is necessary for the immediate preservation of the peace, health, safety, or welfare of Tooele City and shall become effective upon passage, without further publication, by authority of the Tooele City Charter.

IN WITNESS WHEREOF, this Ordinance is passed by the Tooele City Council this ____ day of _____, 2017.

TOOELE CITY COUNCIL

(For)

(Against)

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

ATTEST:

Michelle Y. Pitt, City Recorder

S E A L

Approved as to Form: _____
Roger Evans Baker, City Attorney

Exhibit A

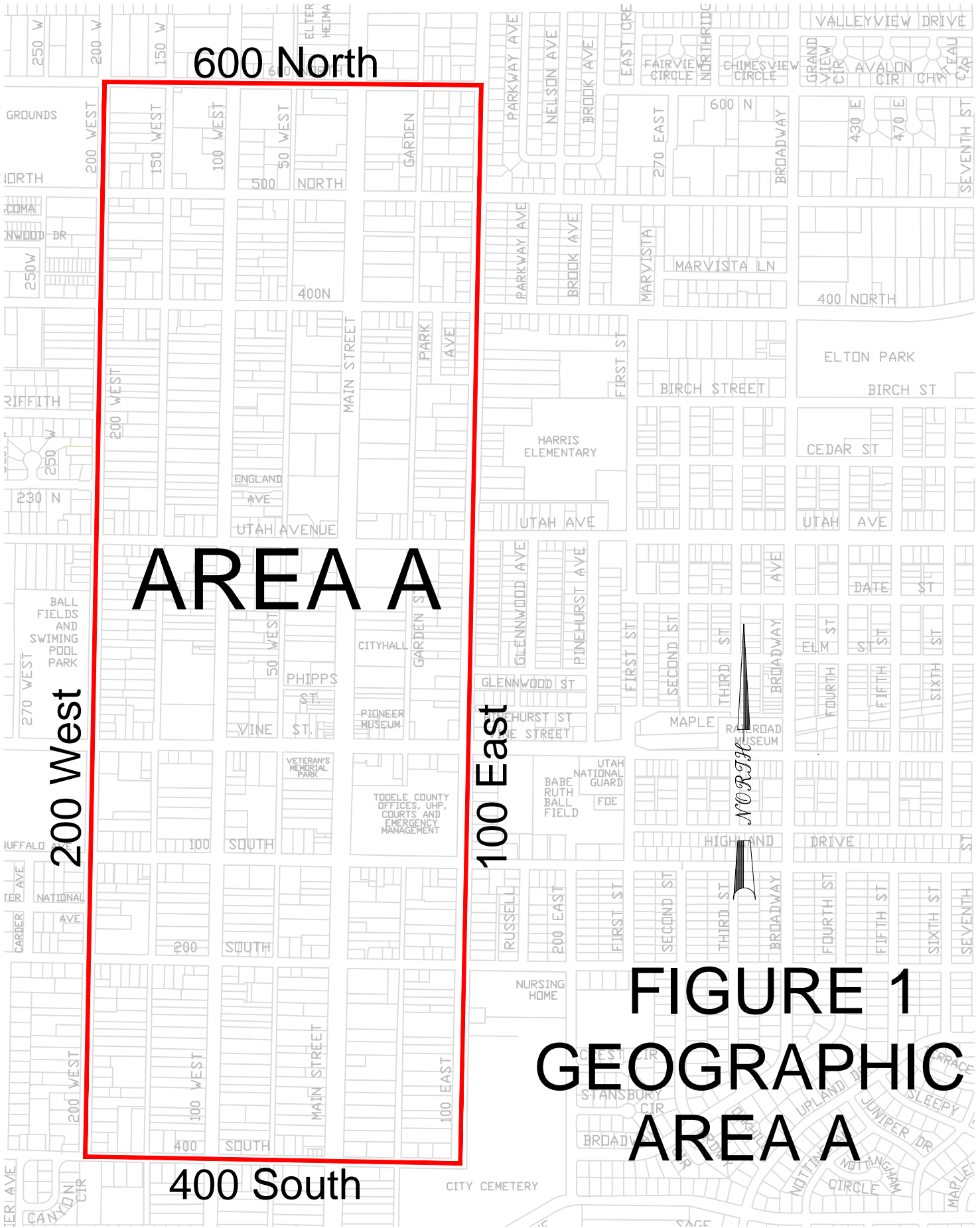
In-Fill Geographic Areas A and B

RESIDENTIAL ZONING DISTRICTS

Figure 1: Geographic Area A

Figure 2: Geographic Area B

(Ord. 2015-25, 12-16-2015)



600 North

AREA A

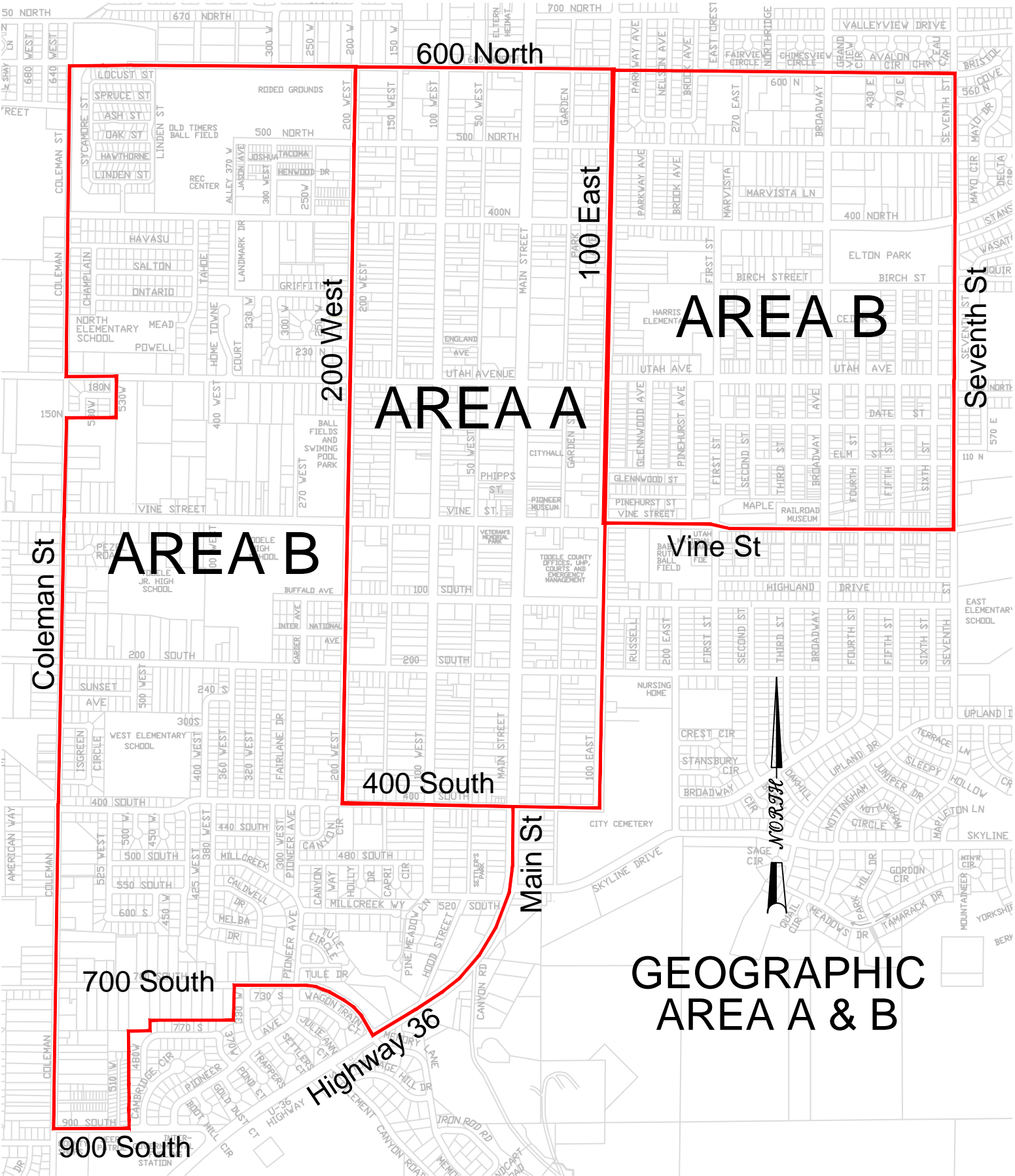
200 West

100 East

400 South

NORTH

FIGURE 1
GEOGRAPHIC
AREA A



600 North

200 West

100 East

Seventh St

AREA B

AREA A

AREA B

Vine St

Coleman St

400 South

Main St

NORTH

700 South

GEOGRAPHIC AREA A & B

Highway 36

900 South

Exhibit B

Planning Commission Minutes

Exhibit C

Proposed Tooele City Code
Section 4-8-2.1
Section 7-14-1.2

CHAPTER 8. ROAD AND BRIDGE CONSTRUCTION STANDARDS

- 4-8-1. Specifications Adopted - Amendments.
- 4-8-2. Street Design.
- 4-8-2.1. Infill Overlay District Street Design.
- 4-8-3. Street Widths.
- 4-8-4. Street Improvements.
- 4-8-5. Fire Hydrants.
- 4-8-6. Street Lighting.
- 4-8-7. Alleys.
- 4-8-8. Blocks.
- 4-8-9. Street Names and Signage.
- 4-8-10. Building Address Numbers.
- 4-8-11. Bridge Standards and Design.

4-8-2.1. In-Fill Overlay District Street Design.

- (1) Intermediate Local Class Streets within the In-Fill Overlay District, as identified in Section 7-14-1.2, shall be required to maintain a minimum asphalt width of 30 feet with curb and gutter on each side. Parkstrips and sidewalks shall not be required.
- (2) Secondary Local Class Streets within the In-Fill Overlay District, as identified in Section 7-14-1.2, shall be required to maintain a minimum asphalt width of 26 feet. Curb and gutter, parkstrips, and sidewalks shall not be required.
- (3) Except as provided in this Section, street improvement standards for Local Class Streets, as outlined in Section 4-8-4, shall be applicable to all Intermediate Local Class Streets and Secondary Local Class Streets within the In-Fill Overlay District. Required minimum asphalt widths for Intermediate Local Class Streets and Secondary Local Class Streets within the In-Fill Overlay District shall be provided within a dedicated public right-of-way.

CHAPTER 14. RESIDENTIAL ZONING DISTRICTS

- 7-14-1. Residential Zoning Districts.
- 7-14-1.1. In-Fill Overlay District.
- 7-14-1.2. In-Fill Overlay District Streets.
- 7-14-2. Residential Zoning Districts Purpose.
- 7-14-3. Uses Allowed within the Residential Zoning Districts.
- 7-14-4. Table of Allowed Residential Density and Table of Residential Site Planning and Development Standards.
- 7-14-5. Table of Minimum Residential Dwelling Unit Size.
- 7-14-6. Accessory Structure Requirements.
- 7-14-7. Porches.
- 7-14-8. Off-Street Parking Requirements.
- 7-14-9. Keeping of Animals and Household Pets.
- 7-14-10. Apiaries

7-14-1.1. In-Fill Overlay District.

The In-Fill Overlay special purpose zoning district is formulated to appropriately encourage residential development and redevelopment on lots and parcels of record that may be nonconforming or surrounded by developed land in order to more efficiently utilize residential land, existing public infrastructure, and public services. Table 5 to this Chapter establishes development standards designed to fulfill the purpose of the In-Fill Overlay district.
(Ord. 2015-25, 12-16-2015)

7-14-1.2. In-Fill Overlay District Streets.

- (1) Intermediate Local Class Streets within the In-Fill Overlay District shall be identified as Garden Street north of 100 South.
- (2) Secondary Local Class Streets within the In-Fill Overlay District shall be identified as 50 West and 150 West and Garden Street south of 100 South.

TABLE 5
IN-FILL OVERLAY DISTRICT DEVELOPMENT STANDARDS

Development Standard	Geographic Area A	Geographic Area B	Nonconforming Lot/Parcel
Min. Front Yard Setback	May reduce to 65% of underlying zoning district	May reduce to 80% of underlying zoning district	May reduce to 90% of underlying zoning district, or to historic foundation line, whichever is less
Min. Garage Setback	25 Ft.	25 Ft.	25 Ft.
Min. Rear Yard Setback (interior lot)	May reduce to 65% of underlying zoning district	May reduce to 80% of underlying zoning district	May reduce to 90% of underlying zoning district, or to historic foundation line, whichever is less
Min. Rear Yard Setback (corner lot)	May reduce to 65% of underlying zoning district	May reduce to 80% of underlying zoning district	May reduce to 90% of underlying zoning district, or to historic foundation line, whichever is less
Min. Side Yard Setback (interior lot)	May reduce to 65% of underlying zoning district, or to 5 Ft., whichever is greater	May reduce to 80% of underlying zoning district, or to 5 Ft., whichever is greater	May reduce to 90% of underlying zoning district, or to 5 Ft., whichever is greater, or to historic foundation line
Min. Side Yard Setback (corner lot)	May reduce to 65% of underlying zoning district, or to 5 Ft., whichever is greater	May reduce to 80% of underlying zoning district, or to 5 Ft., whichever is greater	May reduce to 90% of underlying zoning district, or to 5 Ft., whichever is greater, or to historic foundation line
Total Lot Coverage (all buildings)	May increase to 135% of underlying zoning district	May increase to 120% of underlying zoning district	May increase to 110% of underlying zoning district
Roadway Improvements Required	As required by Tooele City Code, for only the subject lot/parcel side of the roadway	As required by Tooele City Code	As required by Tooele City Code
Water Rights (payment of fee in lieu of conveyance)	Pay 50% of the fee-in-lieu established by the City	Pay 75% of the fee-in-lieu established by the City	Pay 100% of the fee-in-lieu established by the City

PUBLIC NOTICE

Notice is hereby given that the Tooele City Council and the Tooele City Redevelopment Agency, will meet in a Business Meeting on Wednesday, September 20, 2017 at the hour of 7:00 P.M. The meeting will be held in the Tooele City Hall Council Room located at 90 North Main Street, Tooele, Utah.

1. **Pledge of Allegiance**
2. **Roll Call**
3. **Library Teen Advisory Council Introduction**
Presented by Bethany Cruz, Emily Spilker, and the Library Board
4. **Public Comment Period**
5. **Resolution 2017 – 36 A Resolution of the Tooele City Council Consenting to the Appointment of Amanda Plazier and Donilyn Leary and the Reappointment of Julie Thomas to the Library Board of Directors**
Presented by Jami Carter
6. **Minutes**
- September 6, 2017
7. **Invoices**
Presented by Michelle Pitt
8. **Adjourn**

Michelle Y. Pitt
Tooele City Recorder/RDA Secretary

Pursuant to the Americans with Disabilities Act, Individuals Needing Special Accommodations Should Notify Michelle Y. Pitt, Tooele City Recorder, at 843-2110 or michellep@tooelecity.org, Prior to the Meeting.

TOOELE CITY CORPORATION

RESOLUTION 2017-36

A RESOLUTION OF THE TOOELE CITY COUNCIL CONSENTING TO THE APPOINTMENT OF AMANDA PLAZIER AND DONILYN LEARY AND THE REAPPOINTMENT OF JULIE THOMAS TO THE LIBRARY BOARD OF DIRECTORS.

WHEREAS, the Tooele City Council created the library board of directors by Ordinance 89-13, and thereby ordained, among other things, that board members would serve three-year terms, that members cannot serve more than two full terms in succession, that the terms are to be staggered such that two expire one year, three expire the next year, and three expire on a third year; and,

WHEREAS, the City Council's consent is required to the Mayor's appointments to the Board members pursuant to Tooele City Code §2-1-4; and,

WHEREAS, the Mayor, with the support of the Library Director, wishes to appoint Amanda Plaizier to replace Candy Wilson, to appoint Donilyn Leary to replace Tracy Norwood, and to reappoint Julie Thomas for a second term, to the Library Board of Directors; and,

WHEREAS, the appointees will begin their new full terms as shown in the table, below; and,

WHEREAS, the City Council finds it to be in the best interest of Tooele City to consent to the Mayor's appointments:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that consent is hereby given to the Mayor's appointment of Donilyn Leary and Amanda Plaizier, and the reappointment of Julie Thomas, to the Library Board of Directors to serve three-year terms, as follows:

Board Members	Original Appointment	Original Expiration	Present Appointment	Present Term Expiration
Vera Zaccardi	07-01-2012	06-30-2015	07-01-2015	06-30-2018
Ray Ashby	10-07-2015	06-30-2018	10-07-2015	06-30-2018
Susan Callihan	10-07-2015	06-30-2018	10-07-2015	06-30-2018
Stephanie Statz	07-20-2016	06-30-2019	07-20-2016	06-30-2019
Karen Belmonte	07-20-2016	06-30-2019	07-20-2016	06-30-2019
Julie Thomas	10-07-2015	06-30-2017	09-20-2017	06-30-2020
Amanda Plaizier	09-20-2017	06-30-2020	09-20-2017	06-30-2020
Donilyn Leary	09-20-2017	06-30-2020	09-20-2017	06-30-2020
Dave McCall (City Council)	01-01-2010			

The appointees are authorized to exercise the powers specifically delegated to members of the library board by the Tooele City Council, as declared in the Tooele City Code.

This Resolution shall become effective on the date of passage, without additional publication, by authority of the Tooele City Charter.

Passed this ____ day of _____, 2017.

TOOELE CITY COUNCIL

(For)

(Against)

ABSTAINING: _____

MAYOR OF TOOELE CITY

(For)

(Against)

ATTEST:

Michelle Y. Pitt, City Recorder

S E A L

Approved as to Form:

Roger Evans Baker, Tooele City Attorney

**Tooele City Council and the
Tooele City Redevelopment Agency of Tooele City, Utah
Work Session Meeting Minutes**

Date: Wednesday, September 6, 2017
Time: 5:00 p.m.
Place: Tooele City Hall, Large Conference Room
90 North Main St., Tooele, Utah

City Council Members Present:

Chairwoman Debbie Winn
Scott Wardle
Brad Pratt
Steve Pruden

Excused: Dave McCall

City Employees Present:

Mayor Patrick Dunlavy
Glenn Caldwell, Finance Director
Michelle Pitt, Recorder
Roger Baker, City Attorney
Jim Bolser, Community Development and Public Works Director
Brian Roth, Parks and Recreation Director
Ron Kirby, Police Chief
Randy Sant, Economic Development and Redevelopment Agency Director
Paul Hansen, City Engineer

Minutes prepared by Michelle Pitt

1. Open Meeting

Chairwoman Winn called the meeting to order at 5:00 p.m.

2. Roll Call

Debbie Winn, Present
Scott Wardle, Present
Brad Pratt, Present
Steve Pruden, Present
Dave McCall, Excused

3. Discussion:

- Eagle Scout Project – Purple Heart Parking Designation
Presented by Alex Anderson

Mr. Anderson explained that for his Eagle Scout project, he would like to designate parking for wounded warriors or veterans who have received a Purple Heart. Mr. Anderson said that he would place signs or posts, if needed. The signs would be similar to a disabled parking sign. Mr. Anderson indicated that his troop would be painting the designated parking space purple, or with a purple heart. He added that he would either put up new posts, or add a designation to existing posts. Mr. Anderson indicated he had already spoken to, and received approval from, the County to designate parking spaces there. He said he will contact Stansbury and Grantsville as well. In Tooele City, he would like to paint parking spaces at Veteran Memorial Park and city hall. Mr. Anderson said he felt it was important to honor wounded warriors because Tooele City is a military town, with 4,084 veterans in the County.

Mr. Baker asked if it involved installing new stalls, or converting disabled parking stalls to dual use. Mr. Anderson said he would work with the City to determine if a new space needed to be created. If so, he would put in a new post. Mr. Bolser said that he had looked at City hall's parking stalls, and the required amount of disabled parking spaces. City hall has four disabled stalls, at least two of those are van accessible, which meets the criteria. Even with counting the spaces along the south end of the parking lot that the City has designated as a row of parking for City-owned vehicles, the requirement for City hall is still only two spaces, with one being van accessible. Mr. Bolser indicated that one of the disabled parking spaces could be designated as wounded warrior parking stall. Councilman Wardle asked if they could be dual use. Mr. Bolser answered yes. Mr. Bolser said that he has seen this type of dual designation as leaving the blue symbol that is already painted, then paint the rest of the stall purple with adding the Purple Heart symbol to the signage associated with the space. Councilman Pruden asked about designating parking stalls at the library and golf course. Mr. Bolser said that he believed spaces could be designated at both places.

The Council felt it was a good project. Mr. Anderson indicated that he would go to businesses to request funding for the project. Chairwoman Winn said that she thought it was heartwarming to recognize these individuals. Councilman Pruden said he hoped that the project would expand to other businesses.

- Infill Lots and Deferral Agreements

Chairwoman Winn stated that this item was discussed at the last Council meeting. She indicated that since the last meeting, Mr. Baker sent the Council four resolutions, and explained some of the history of the changes regarding infill lots. At the last meeting, the Council was asked to let staff know if they had any ideas regarding this issue. Chairwoman Winn asked the Council if they had any questions for staff. Councilman Pruden said that he had talked with Mr. Hansen who answered his questions. He felt that the Council needed to decide what to do. Councilman Pruden went on to say that the requirements that are currently on the books, don't seem to fit all of these streets. The City needs to decide how badly they want infill and how to facilitate being fair to the property owner, builders, and the City. He added that those streets are pretty worn.

Councilman Pruden asked if the City could apply chip seal or slurry seal to enhance them. The City needs to be sensitive to property owners having access, from garage to driveway, etc. Mr. Hansen said that the City could do something to enhance those roads, but it would just be cosmetic, especially on 150 West. Mr. Hansen added that most of those roads have never been paved, but have received pothole repair. The City could always do a lesser standard to make them look prettier, but the City needs to decide what to do structurally to those roads. Mr. Hansen pointed out that whatever was done would require a code change, and would need to be funded somehow. Councilman Pruden felt it was impractical to impose some of the requirements, such as sidewalks.

Councilman Wardle indicated that the City needed to decide if they were in favor of infill development, or not. He asked if the City could defer the public improvements until a decision was made. He felt it wasn't fair to make a developer wait while the City tried to decide what to do. The deferral seemed to be the only thing that works, with a notation placed on the title indicating that the developer will join the special improvement district when that happened.

Councilman Pratt stated that these roads had been used for different purposes over the years. There are width challenges. One standard can't be applied to all of those roads, or the City would end up going through barns and fence lines. He wondered if deferrals would be best until something else could be done. Councilman Pruden expressed concern about deferrals because when the City someday has enough funding to activate the deferrals to fix the streets, people might have built sheds, and fences by then making it even harder to try to fix the streets.

Councilman Wardle said that the City may, in the future, make those streets one-way. Financially the City doesn't have money to buy feet on the property. There's not another solution other than not letting them build. Councilman Wardle felt the only options were to either not let them build, or let them defer.

Mr. Bolser stated that all of these roads were local class streets and have utilities. Chairwoman Winn clarified that if someone decided to subdivide, they could connect to water and sewer, they wouldn't have to go all the way out to a bigger road. Chairwoman Winn said that she would like to see a map of all of these roads because the Council can't write something that fits all of them. She asked if the Council could make different rules for different areas. Mr. Baker said that it would be legal because the unique characteristics of each road provide for unique standards for those roads. Mr. Baker added that it would be a matter of figuring out what those standards would be.

Councilman Wardle asked about the process, and whether a subdivision would automatically go to the Planning Commission, and receive a deferral; and if there wasn't a subdivision, there wasn't a deferral. Mr. Baker said that when it came time to do a special improvement district, the City would look at each property and decide what to do.

Chairwoman Winn said that the deferral seemed to be the only thing that would work. Mr. Bolser said that a deferral is like kicking a can down the road. It forces the City to deal with the problem later. Mr. Bolser said that the City has a defined standard which included all the roads. Mr. Bolser offered a different option of looking at something more practical. Mr. Bolser said

that for these three roads, rather than having standard “X”, the City could require “X” feet of asphalt instead and then omit the curb, gutter, sidewalk and park strip from the requirement. The issue to any of these properties is access. Access is through the road. Mr. Bolser went on to say that the City could deal with the asphalt, not the curb, gutter and sidewalk, and make a standard of “X” feet of asphalt on the contiguous road. Councilman Wardle asked if this would be required on both sides of the property. Mr. Bolser answered that it would be for the length of the property, on the frontage side of the property. Councilman Wardle asked if it would create a runoff issue. Mr. Baker answered that if isolated sections of curbing kept being added, it might. Mr. Bolser disagreed, saying that if it was designed right, it should not create problems but where these roads currently don’t have curb and gutter not requiring it in the future wouldn’t change runoff issues.

Councilman Pruden said that for this particular project, on 400 South, the natural standard would apply. As it went around the bend, the asphalt was the only thing needing to be address, if it wasn’t already there. Councilman Wardle stated that if the City were to create a special improvement district in 20 years, the City wouldn’t have buy in from those property owners without deferral agreements. He asked if that would create another problem. The Mayor said that this happened near Utah State University, half-way to the entrance of the seminary building to end of Vine Street. That area needed to have a vote. There was 49% that said they didn’t want curb and gutter down there, and no sidewalk. The City needed at least 51% for it to pass.

Councilman Wardle said that he liked giving the property owners the right to decide. Mr. Baker added that the City could require a certain width of road, and then all the curb and gutter to be deferred until later. They could propose that as a hybrid option. Councilman Wardle said that the City may close the road down, but he didn’t see the City deciding later to improve the alleys. Mayor Dunlavy said that if the City closed the road, it would affect Road “C” monies. Chairwoman Winn said that homeowners don’t want the roads closed.

The Council liked the idea of requiring certain road widths for these “alleys” as Mr. Bolser suggested. Mr. Bolser said that he would prepare a draft for the next meeting.

Mr. Bevan felt it was a fair option.

Councilman Wardle stated that when the design standards were put in place, the City put developers on notice so that they could adjust to the change. He asked if that would apply now. He also asked if it was possible for the Bevans to move forward, or if they needed to wait for the City to approve an Ordinance. Mr. Bolser answered that the Bevans could move forward as they saw fit. He felt that by the time any sale went through and they were ready to build, the City could have something in place. Mr. Bevan said that it was not an immediate thing to get in place.

- Resolution 2017-37 A Resolution of the Tooele City Council Accepting the Completed Public Improvements Associated with the Strawberry Water Users Subdivision
Presented by Paul Hansen

Mr. Hansen indicated that this was the property located north of the railroad overpass, near 2200 North and 2400 North. It is a four lot subdivision. The medical building occupies one of the lots and Popeye's occupies one of the lots.

- Resolution 2017-32 A Resolution of the Tooele City Council Authorizing the Disposal of Lost or Mislaid Personal Property
Presented by Police Chief Ron Kirby

Chief Kirby said that the disposal of the list of items attached to the resolution was routine. Basically, the police department has a lot of junk and they need to get rid of it. Chief Kirby added that the West Valley City Fire Department approached the police department and asked for their unclaimed bikes. The West Valley City Fire Department fixes them up, sells them, and gives the money to the burn center. In the past, the police department has tried to get rid of the bikes, and other items, in other ways, such as a yard sale, or have someone else sell them with a portion coming back to the police department. Chief Kirby felt it hasn't been worth the trouble. Chief Kirby said that most of the other items have no value. The clothing goes to the Deseret Industries.

- Resolution 2017-33 A Resolution of the Tooele City Council Authorizing the Disposal of Property No Longer Needed as Evidence
Presented by Police Chief Ron Kirby

Chief Kirby said that this list of items include firearms. Some of firearms were used as evidence, but no longer needed. Not all the firearms were evidence. Chief Kirby added that the police department was approached by the state crime lab, asking that police departments around the state donate weapons for them to do research.

- Resolution 2017-38 A Resolution of the Tooele City Council Authorizing the Application for and Acceptance of Edward Byrne Justice Assistance Grant Funding for Police Department Equipment
Presented by Police Chief Ron Kirby

AND

- Resolution 2017-40 A Resolution of the Tooele City Council Approving and Ratifying an Interlocal Agreement between Tooele City and Tooele County for 2017 Byrne Justice Assistance Grant Funds
Presented by Police Chief Ron Kirby

Chief Kirby indicated that this is the grant that the police department applies for every year. The grant is offered to the City and the County, and the County has to sign it if they agree not to receive a portion of the funds. The Grant is for \$14,444. The Chief felt that there wasn't enough money in the grant to share with other agencies. The money will be used to purchase 40 mm launchers, commonly known as "bean bag" guns. The bean bag guns shoot a foam bullet that hurts, but is not a lethal force. There are a number of less lethal force weapons, such as tasers, and pepper ball guns. The advantage to the bean bag guns, is that they have a greater

range than the tasers or pepper ball guns. The police department would now be able to add bean bag guns to their equipment.

- Resolution 2017-39 A Resolution of the Tooele City Council Approving a Lease-Purchase Agreement with TCF Equipment Finance for the Purchase of a Toro Groundmaster 4100-D
Presented by Brian Roth

Mr. Roth indicated that on the parks side of his department, there are four larger area mowers. Two of those mowers are 2001-2002, and another one is a 2007. The parks department tried to make it through the summer with these mowers, but they lost two of them. One has a blown motor, and the other has significant repair costs to be able to put back into service. Mr. Roth said that it cost a lot to fix the mowers, and the mowers may not be worth it. The mowers need to be replaced. The new mower comes with a two year standard guarantee. The City will purchase another 2-3 years. Mr. Roth indicated that the parks department will begin a good maintenance program on these mowers.

- Resolution 2017-42 A Resolution of the Tooele City Council Approving an Audit Agreement with WSRP Certified Public Accountants
Presented by Glenn Caldwell

Mr. Caldwell stated that he received a contract from WSRP for the annual audit. The contract needs to be approved by resolution.

- Vista Linda Phase 1 and Phase 2 – Final Plat Request
Presented by Jim Bolser

Mr. Bolser reminded the Council that they heard this matter as a preliminary plat at the last meeting. The applicant has been appropriate in responses to City staff. The Planning Commission heard this matter two weeks ago. It will now be before the Council for approval during the business meeting. City staff recommends approval.

4. Close Meeting to Discuss Litigation and Property Acquisition

Councilman Wardle moved to close the meeting. Councilman Pratt seconded the motion. The vote was as follows: Councilman Wardle “Aye,” Councilman Pratt “Aye,” Councilman Pruden “Aye,” and Chairwoman Winn “Aye.”

Those in attendance during the closed session were: Glenn Caldwell, Mayor Patrick Dunlavy, Roger Baker, Paul Hansen, Michelle Pitt, Brian Roth, Chief Ron Kirby, Randy Sant, Councilman Wardle, Councilman Pratt, Councilman Pruden, and Chairwoman Winn.

The meeting closed at 5:47 p.m.

Randy Sant joined the meeting at 6:29 p.m.

No minutes were taken on these items.

5. Adjourn

Councilman Pratt moved to adjourn the meeting. Councilman Pruden seconded the motion. The vote was as follows: Councilman Wardle “Aye,” Councilman Pratt “Aye,” Councilman Pruden “Aye,” and Chairwoman Winn “Aye.”

The meeting adjourned at 6:54 p.m.

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 20th day of September, 2017

Debra E. Winn, Tooele City Council Chair

**Tooele City Council and
Tooele City Redevelopment Agency of Tooele City, Utah
Business Meeting Minutes**

Date: Wednesday, September 6th, 2017

Time: 7:00 p.m.

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

City Council Members Present:

Debbie Winn, Chairwoman

Steve Pruden

Brad Pratt

Dave McCall

Scott Wardle

City Employees Present:

Mayor Patrick Dunlavy

Roger Baker, City Attorney

Jim Bolser, Community Development and Public Works Director

Brian Roth, Parks and Recreation Director

Chief Ron Kirby, Police Department

Michelle Pitt, City Recorder

Glenn Caldwell, Finance

Paul Hansen, City Engineer

Minutes prepared by Amanda Graf

Chairwoman Winn called the meeting to order at 7:00 p.m.

1. Pledge of Allegiance

The Pledge of Allegiance was led by Mark Watson

2. Roll Call

Scott Wardle, Present

Brad Pratt, Present

Steve Pruden, Present

Dave McCall, Present
Debbie Winn, Present

3. Public Comment Period

Chairwoman Winn welcomed BSA Troup 1701 to the meeting.

Chairwoman Winn invited comments from the audience; there were not any. Chairwoman Winn closed the public comment period.

4. Ordinance 2017-19 An Ordinance of Tooele City Amending Tooele City Code Chapter 5-6 Regarding Home Occupations

Presented by Roger Baker

In the 2017 Utah Legislative Session they passed Senate Bill 81 which changed the rules statewide for home occupation businesses that are operated out of a home. The new rule is that a city can license these businesses but cannot charge them a business license fee. Tooele City charges \$40/year for licenses for home occupation businesses.

The only way the City can charge a home occupation a business a license fee is if the City can demonstrate empirically that the business being licensed creates a greater impact than a regular home otherwise would. In the City Council's packet is information regarding why this is an extremely difficult thing to demonstrate. For every business that operates out of a home one can find a home that doesn't have a home business that creates the same effect, for example, someone working in their personal woodshop.

This ordinance is written to comply with Senate Bill 81 which requires an amendment to the City Code regarding the business license fee section.

Chairwoman Winn asked the Council if they had any questions or comments on this item; there were no concerns.

Councilman McCall moved to adopt Ordinance 2017-19. Councilman Pratt seconded the motion. The vote was as follows: Councilman Wardle, "Aye," Councilman Pratt, "Aye," Councilman Pruden, "Aye," Councilman McCall, "Aye," and Chairwoman Winn, "Aye." The motion passed.

5. Resolution 2017-37 A Resolution of Tooele City Council Accepting the Completed Public Improvements Associated with the Strawberry Water Users Subdivision

Presented by Paul Hansen

Tooele City Code requires that once public improvements have been completed by a subdivider for the development of new property that the subdivider comes to the City to certify that those improvements are complete and in place. This specific subdivision is located north of the railroad overpass between approximately 2200 North and 2400 North and from SR 36 over to 400 East which is where the medical office buildings are located. The public improvements are not required along SR 36 as that is a state highway and the state did not want curb and gutter, sidewalks, or other improvements along the highway. In accordance with city ordinance this is being brought to the City Council for acceptance.

Chairwoman Winn asked the Council if they had any questions or comments on this item; there were no concerns.

Councilman Pratt moved to adopt Resolution 2017-37. Councilman Wardle seconded the motion. The vote was as follows: Councilman Wardle, "Aye," Councilman Pratt, "Aye," Councilman Pruden, "Aye," Councilman McCall, "Aye," and Chairwoman Winn, "Aye." The motion passed.

6. Resolution 2017-32 A Resolution of the Tooele City Council Authorizing the Disposal of Lost or Mislaid Personal Property

Presented by Police Chief Ron Kirby

Chief Kirby will discuss items six and seven together as they are very similar items. Item number six is a resolution to allow the police department to dispose of lost and mislaid unclaimed properties. The items were listed in the City Council packet. Most of the items listed are of little or no value. According to the law, they need the Council's permission to dispose of the property.

The police department was approached by the West Valley City Fire Department regarding the unclaimed bicycles. They have a program where they repair bicycles, sell them, and donate the proceeds to the University of Utah Burn Center. The City will donate their bicycles to this program. The rest of the unclaimed items will be disposed of or donated to Deseret Industries.

Item number seven on the agenda is regarding fire arms and ammunition. The state crime lab is doing some research and studies. They have requested that agencies around the State donate firearms that have little to no value to them for testing. Most firearms go back to owners after they have had them for an appropriate amount of time. If they are evidence they are often destroyed.

Chairwoman Winn asked the Council if they had any questions or comments on this item; there were no concerns.

Councilman McCall moved to adopt Resolution 2017-32. Councilman Pratt seconded the motion. The vote was as follows: Councilman Wardle, "Aye," Councilman Pratt, "Aye," Councilman Pruden, "Aye," Councilman McCall, "Aye," and Chairwoman Winn, "Aye." The motion passed.

7. Resolution 2017-33 A Resolution of the Tooele City Council Authorizing the Disposal of Property No Longer Needed as Evidence

Presented by Police Chief Ron Kirby

See item number six for a description of this Resolution.

Chairwoman Winn asked the Council if they had any questions or comments on this item; there were no concerns.

Councilman Wardle moved to adopt Resolution 2017-33. Councilman McCall seconded the motion. The vote was as follows: Councilman Wardle, "Aye," Councilman Pratt, "Aye," Councilman Pruden, "Aye," Councilman McCall, "Aye," and Chairwoman Winn, "Aye." The motion passed.

8. Resolution 2017-38 A Resolution of the Tooele City Council Authorizing the Application for and Acceptance of Edward Byrne Justice Assistance Grant Funding for Police Department Equipment

Presented by Police Chief Ron Kirby

This item is similar to agenda item number nine and will be discussed in conjunction with item number eight. Item number nine is a resolution of the Tooele City Council approving and ratifying an interlocal agreement between Tooele City and Tooele County for 2017 Bryne Justice assistance grant funds.

This is a routine grant that is received yearly. It's not a huge grant. The amount of the grant the year is \$14,555. The police department is proposing to use this grant money to purchase less lethal equipment. This equipment allows the department to safely take a suspect into custody who is violent without having to use deadly force. For example, you might have a suspect who is armed but non-compliant. Rather than use deadly force officers can use this equipment.

The device is called a launcher. It launches a foam or soft 40 millimeter round that is meant to hurt and distract the suspect so as to take them safely into custody. This becomes part of the other less lethal equipment they have such as tasers, pepper spray, etc. They plan to buy five of the launchers, one for each patrol team, and an extra that will be available as a back-up.

Part of the grant requires they enter into an interlocal agreement with Tooele County which is item number nine on the agenda. They are aware of the grant and approve of how the money is being spent.

Chairwoman Winn commented that it's nice to hear that not only is the police department applying for grant money to help them purchase equipment but that they are purchasing something that will save lives and help them to do their job.

Chairwoman Winn asked the Council if they had any questions or comments on this item; there were no concerns.

Councilman Wardle moved to adopt Resolution 2017-38. Councilman Pratt seconded the motion. The vote was as follows: Councilman Wardle, "Aye," Councilman Pratt, "Aye," Councilman Pruden, "Aye," Councilman McCall, "Aye," and Chairwoman Winn, "Aye." The motion passed.

9. **Resolution 2017-40 A Resolution of the Tooele City Council Approving and Ratifying an Interlocal Agreement between Tooele City and Tooele County for 2017 Byrne Justice Assistance Grant Funds**

Presented by Police Chief Ron Kirby

Chairwoman Winn asked the Council if they had any questions or comments on this item; there were no concerns.

Councilman Pratt moved to adopt Resolution 2017-40. Councilman McCall seconded the motion. The vote was as follows: Councilman Wardle, "Aye," Councilman Pratt, "Aye," Councilman Pruden, "Aye," Councilman McCall, "Aye," and Chairwoman Winn, "Aye." The motion passed.

10. **Resolution 2017-39 A Resolution of the Tooele City Council Approving a Lease-Purchase Agreement with TCF Equipment Finance for the Purchase of a Toro Groundmaster 4100-D**

Presented by Brian Roth

The Parks Department is asking for approval for financing for a large area rotary mower for the parks system. They currently have four of these large mowers that are anywhere in age from 10 to 16 years old. They have lost the use of two of those mowers in the past month; they're getting old and worn out. The Department needs to start replacing the mowers. They are requesting funds to purchase one of the mowers at this time.

Chairwoman Winn asked the Council if they had any questions or comments on this item.

Councilman Pruden asked them how soon they'd get the mower and Mr. Roth responded they'd get it tomorrow.

Councilman Pruden moved to adopt Resolution 2017-39. Councilman McCall seconded the motion. The vote was as follows: Councilman Wardle, "Aye," Councilman Pratt, "Aye," Councilman Pruden, "Aye," Councilman McCall, "Aye," and Chairwoman Winn, "Aye." The motion passed.

11. **Resolution 2017-42 A Resolution of the Tooele City Council Approving an Audit Agreement with WSRP Certified Public Accountants**

Presented by Glenn Caldwell

The State requires the City has an annual audit every year. It has to be performed by a certified accounting firm. The WSRP Company has submitted a letter of intent which is a contract that states what they will do in regarding to their reports, the codification, etc. They also request that the City is honest and forthright and prepares everything and gets it to them on a timely basis so they can complete their audit. The amount they will get paid is \$50,500.

Chairwoman Winn asked the Council if they had any questions or comments on this item; there were no concerns.

Councilman Pratt moved to adopt Resolution 2017-42. Councilman Pruden seconded the motion. The vote was as follows: Councilman Wardle, "Aye," Councilman Pratt, "Aye," Councilman Pruden, "Aye," Councilman McCall, "Aye," and Chairwoman Winn, "Aye." The motion passed.

12. Vista Linda Phase 1 and Phase 2—Final Plat Request

Presented by Jim Bolser

Three weeks ago at the last City Council meeting this project was before them for the preliminary plan. The developers have been quite responsive in preparing their final plat application which is the last step prior to recording the plat and beginning construction of the development . This project is located just north of Skyline Drive and Droubay Road. It is where Droubay Road ends to the north from Skyline Drive at approximately 240 South Droubay Road. This project will extend Droubay Road north to where the dirt road widens out. It will extend west to where it would meet the development located west of it. It will extend east to where it meets the subdivision to the east of it. It is a 17 lot subdivision and has met all of the requirements for plat approval. The Planning Commission has reviewed this plat and has forwarded a unanimous positive recommendation for their consideration. Phase 1 is west of Droubay; Phase 2 is east of Droubay.

Chairwoman Winn asked the Council if they had any questions or comments on this item; there were no concerns.

Councilman Pruden moved to approve the Final Plat Request for the Vista Linda Subdivision Phases 1 and 2. Councilman McCall seconded the motion. The vote was as follows: Councilman Wardle, "Aye," Councilman Pratt, "Aye," Councilman Pruden, "Aye," Councilman McCall, "Aye," and Chairwoman Winn, "Aye." The motion passed.

13. Minutes

Councilman Wardle moved to approve the minutes from the City Council Meeting dated August 16, 2017 and the special business meeting accepting the election canvas on August 23rd, 2017.

Councilman Wardle moved to accept the minutes. Councilman Pratt seconded the motion. The vote was as follows: Councilman Wardle, "Aye," Councilman Pratt, "Aye," Councilman Pruden, "Aye." Councilman McCall voted "Aye," but recused himself from voting to accept the August 23rd minutes as he was not in attendance at that meeting. Chairwoman Winn voted "Aye." The motion passed.

14. Invoices

Presented by Michelle Pitt

An invoice in the amount of \$22,669.00 for Young Chevrolet for a 2017 Chevrolet Express work van was presented.

Councilman Pruden moved to approve the invoice. Councilman McCall seconded the motion. The vote was as follows: Councilman Wardle, "Aye," Councilman Pratt, "Aye," Councilman Pruden, "Aye," Councilman McCall, "Aye," and Chairwoman Winn, "Aye." The motion passed.

15. Adjourn

Councilman Pratt moved to adjourn to the meeting. Councilman Wardle seconded the motion. The vote was as follows: Councilman Wardle, "Aye," Councilman Pratt, "Aye," Councilman Pruden, "Aye," Councilman McCall, "Aye," and Chairwoman Winn, "Aye." The motion passed. The motion passed.

The meeting adjourned at 7:26 p.m.

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 20th day of September, 2017.

Debra E. Winn, Tooele City Council Chair