

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

Date: Wednesday, March 6, 2019

Time: 5:02 p.m.

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

City Council Members Present:

Steve Pruden

Brad Pratt

Dave McCall

Scott Wardle

Melodi Wardle

City Employees Present:

Mayor Debbie E. Winn

Jim Bolser, Community Development Director

Chief Ron Kirby, Police Department

Roger Baker, City Attorney

Glen Caldwell, Finance Director

Paul Hansen, City Engineer

Stephen Evans, Public Works Director

Brian Roth, Golf Course Superintendent

Minutes prepared by Kelly Odermott

Chairman Pruden called the meeting to order at 5:02 p.m.

1. Open Meeting

Chairman Pruden called the meeting to order.

2. Roll Call

Steve Pruden, Present

Dave McCall, Present

Scott Wardle, Present

Brad Pratt, Present

Melodi Gochis, Present

3. Discussion:

- Resolution 2019-17 Regarding the Appointment of Darwin Cook to the Position of Director of Parks & Recreation

Mayor Winn stated for the past five years, Brian Roth has been Director of Public Works and Superintendent of the Golf Course. Those jobs are both full time positions and it has been decided to split the positions. When asked Mr. Roth wanted to stay on as Superintendent of the Golf Course. Interviews were held and tonight the Council will be asked to appoint Darwin Cook to the Position of Director of Parks and Recreation.

- Priority Projects Discussion for Congressional Requests

Mayor Winn stated a couple of Council Members will be traveling next week Washington DC to meet with congressmen. During the meetings, the Council Members will have monetary requests for a new fire station and equipment for the fire department, including air tanks. She asked the Council Members if they have additional requests, they would like to add to the letter being presented. Council Member Wardle mention that he would like to discuss 700 South water project for overflow and stormwater runoff. Mr. Hansen stepped forward and stated he has been in discussions with state emergency management officials and recommends that the City apply for state and federal funding for that project. Mayor Winn asked if Mr. Hansen had an estimate of the monetary needs of the project. Mr. Hansen did not have an estimate, but he would look into it and get back with the Mayor by Friday.

Council Member Pratt stated Council Member Wardle and he will be attending the National League of Cities and Towns Conference. The League has facilitated a meeting with Senators Romney and Lee. The other meeting the City has arrange is with Congressman Stewart. Congressman Stewart is aware of some of the requests coming and wants to help facilitate the requests. Council Member Wardle stated for public transparency that their wives are traveling but the Council Members will pay for the wives' portion of expenses. Council Member Wardle also added that there needs to be a discussion for water resource development which is critical for the Valley. Whether or not the City looks to join other conservancy districts, but how do we develop the water resources for the County. There needs to be preliminary discussions on how the City can look to the future for water.

- Resolution 2019-19 A Resolution of the Tooele City Council Approving a Contract with the Tennis & Track Company to Install Pickleball Courts at Elton Park

Mayor Winn stated that during the Council meeting a contract will be presented to get pickleball courts at Elton park. The courts will be in by the first part of June. The tennis courts that are up at Elton Park; one set will be turned into pickleball courts. Pickleball courts bring in tourism and it is a big deal in Utah. Council Member Pratt asked if the court will replace the tennis courts. Mayor Winn stated that it will replace one set. There will be six pickleball courts. The other side of tennis courts which will stay is not playable right now. If the pickleball courts are used the City could consider more courts in the future.

- Resolution 2018-45 A Resolution of the Tooele City Council Approving an Interlocal Agreement with Tooele County for Solid Waste Disposal

Mayor Winn stated this is a contract with the County for the solid waste disposal. This is for payment of tipping fees. Ace Disposal picks up the garbage and then takes it to the County. The County has a transfer station which means they take the garbage and load it into other vehicles in route to Wasatch Regional. The City pays the County for the transfer of the garbage. When this contract was first discussed last year the amount was reduced, but after looking at the fees, the County needed to increase fees due to more costs. The contract raises the fee to \$37 this year and \$38 next year. The contact expires June 30, 2021.

- Ordinance 2019-02 An Ordinance of Tooele City Vacating Historic Public Rights-of-Way in Tooele City's Dow James Complex & Reserving Easements

Mr. Baker stated the Council had previously approved the sale of the Dow James Baseball Field to Tooele County School District. In order to have a clean parcel to sell the District, the City must vacate historic rights-of-way that crisscross the current park. No one knew about these rights-of-way until work was done on the title search. There are no roads on the surface of the park, but the rights-of-way are 400 West, 450 West, and 500 North that crisscross the park and ball field. For these areas of the property both for the ball field and park the rights-of-way need to be vacated. The rights-of-way serve no transportation purpose today and never will. There is important infrastructure under some of the rights-of-way, and as part of the Ordinance, the City has reserved easements for future work. With the rights-of-way vacated the subdivision plat can be prepared to sell the ball field to the school district.

- Accessory Dwelling Units

Chairman Pruden stated the Accessory Dwelling Units was going to be moved to the bottom of the topic list to hopefully address later.

- Police Station Update

Mr. Hansen stated the site for the police department has been cleared, and the underground conduit has been installed which will allow removal of all utility lines which cross the site. Rocky Mountain Power has not yet installed their power line within the new conduit, but that is forthcoming. The signed Rocky Mountain Power contract was received earlier in the day for relocation of the existing power lines. The contract notes that their work is being done with no upfront cost to the City. The City is also preparing a subdivision plat to vacate and get rid of all existing lot lines and easements and to create new easements around the perimeter. That Plat is anticipated to be taken to the Planning Commission in next few weeks. Mr. Hansen noted that the Council went through a solicitation process for a general contractor in September. The company chosen was Big D as the strongest choice based on cost and experience. Big D has been a part of the project team since that time. The construction project was put out for bid for subcontractors for approximately three weeks and subcontractors bids were collected this last Thursday. On Tuesday March 12, City staff will meet with Big D to evaluate the bids for subcontracting to Big D. In two weeks, the contract

will then be brought back to the City Council. Mr. Hansen noted that this is the largest single capital project that the City has undertaken. This is a significant step for the City. Chairman Pruden stated he is excited for the community room and the police department deserves the new building. Mayor Winn added that City staff is working with the financial advisors to get the loan closed and the estimated closure is April the 3rd.

- Resolution 2019-18 A Resolution of the Tooele City Council Approving Budget Adjustments to the Fiscal Year 2018-2019 Budget

Mr. Caldwell stated he has given a copy of the adjustments to the Council for review. Chairman Pruden stated that the Council has requested to move money from the PAR tax to fund construction of a bathroom at the park on Vine, money to finish the dock at the railroad museum and some money for the Fridays on Vine entertainment.

- Discussion of Golf Carts

Mr. Roth stated that over the past couple years the staff at the golf course has been researching and costing out golf carts. The cart that would be the best mechanically and use for the public is the Yamaha. The golf course staff has consulted with other golf courses to see what brands they would recommend, and the Yamaha was highly recommended. The individual cart price was not the lowest, but Yamaha will give about \$20,000 more in trade-in value than the other manufacturers. The total cart purchase to finance would be \$246,960. Chairman Pruden asked how many carts would be purchased for that amount. Mr. Roth stated it is for 80 carts. It is the best way to go to not have bits and pieces of brands and carts. Yamaha has provided four different financing options to the City.

Option one – A no purchase option. The City would lease the cars for five years. It is just over \$19,000 a year, but at the end of the period the City owns nothing. Mr. Roth would not suggest that option.

Option two – A \$1.00 buyout. This would be five yearly payments and then at the end of the five years the City could purchase the carts for a \$1.00 each. The payment per year is just over \$54,000.

Option three – A \$600 buyout. The City would pay just over \$46,000 a year for five years and then \$600 per car which would be about \$48000.

Option four - If the City would like the payment to be a little lower there could be \$39,000 but that ups the buyout to \$1,100 and the last year the buyout would be \$88,000 to \$90,000.

Chairman Pruden asked Mr. Roth which option the golf course staff prefers. Mr. Roth stated that they like option three which would keep the payments similar for all six years. If there was a \$2.00 increase on the cart rental fee that would make about \$42,000 to \$43,000 a year. Chairman Pruden asked what the turnaround time is for the carts. Mr. Roth stated that is about 90 days. That would be a July 1 delivery date. Chairman Pruden asked if the carts that are currently at the course were purchased during the course expansion. Mr. Roth stated that part of

them were purchased then. Thirty were purchased in 2005. Forty were purchased in 2007. In 2013 and 2014 each year had about ten carts purchased.

Council Member Wardle asked what revenue stream will pay for the purchase. Mr. Roth stated that the staff has reviewed the cart rentals over the past three years. If the cart rental fee is increased, \$2.00 per nine holes, it would generate approximately \$40,000 to \$42,000. There may be room to increase that fee but not with carts that the golf course has now. There has also been talk of raising the green fees \$1.00, but with the cart increase the staff would probably increase one revenue each year.

Chairman Pruden clarified that there would be a credit on the purchased with the trade in for carts the City already has. Mr. Roth stated that Yamaha is giving a \$124,000 credit for trade in of the carts currently at the golf course. Council Member Gochis asked what the life span of the carts is? Mr. Roth stated that the average is 8 to 10 years, but the City has been stretching them. Chairman Pruden stated with a five-year payoff theoretically there would be five years of profit for the carts.

Council Member Wardle stated that moneys earned after the payoff could go towards the next purchase of carts.

Council Member McCall asked what the total cost for the carts would be? Mr. Roth stated the total cost is \$370,000 and the credit is \$124,000, so the financed amount is \$246,000. Mr. Roth stated that three years ago the carts were \$500 less and the trade-in value was \$15,000 more. Every year of delay increases cost.

Council Member Wardle stated that he appreciates the move the Mayor has been making to include capital improvements in the budget and this purchase would allow for that. Chairman Pruden asked Mr. Roth to see if the carts could be delivered by June 21.

- Ordinance 2018-21 An Ordinance of the Tooele City Council Reassigning 21.66 Acres of Property Currently Zoned R1-7 to HDR High Density Residential, Creating a Planned Unit Development Zoning Overlay, & Assigning the Planned Unit Development Overlay to 36.11 Acres of Property Located at Approximately 1600 North Berra Boulevard

Mr. Bolser stated that the staff has not received any additional information for this project since the last meeting. Chairman Pruden stated a traffic study was approved at the last meeting, but it is not completed. The traffic study and the development are two separate issues. The traffic study is for the Overlake area as a whole, but there is a responsibility to make a decision to the seller and the developer as to how the City would like the application to go.

Chairman Pruden asked if the Council had questions or comments on the item.

Council Member Wardle stated that he appreciates the information that has been given. Regardless of what happens with this property there is an issue that needs to be resolved and researched with the traffic study. The planning and the growth of the Overlake area is critical, and the City has been working with the School District and Hospital. He appreciates the willingness of the staff to answer questions and work on the issue.

Chairman Pruden stated the he and the Mayor had met with the CEO of the Hospital and discussed with him proposals that may pertain to the traffic study.

Council Member McCall stated he feels that the City really needs to be looking at traffic when determining growth for the City. He would really hate to see anything approved that would turn into a madhouse. He knows that Tooele will see growth and the Council needs to stay on top of the issues when looking at subdivision approval. Whether this was high density or not the Council needs to be more aware of growth and be better prepared to handle growth.

Council Member Wardle states that he doesn't think anyone in the state of Utah was prepared for the growth that has happened in the past several years. Growth is inevitable, but smart growth is the best practice to have. At the end of the day some of the things are out of the City's hands and with the state of Utah proposal to mandate affordable housing for funds the legislature is taking it out of local jurisdictions. Its important to be methodical and the process that has happened with this project shows the City is trying to be informed for decisions.

Council Member Gochis asked to review the original request for zoning and the changes that have been made with the revision to the application. Mr. Bolser stated the original application was for a rezone for three purposes. The current zone is R1-7 which would be 278 homes could be possible. It is 55.78 acres. The original application asked to reassign 23.9 acres into an R1-7 PUD. This would not increase the density nor number of units but would allow for a different configuration of those units. That acreage would be 119 single family dwellings. The reassignment of the remaining 31.8 acres into the HDR, High Density Residential zone which would have been a combination of townhomes and apartment buildings with a count of 492 units, with an overall count of 611 units for the entirety of the project. On February 1st the developer filed an amendment to the application. The revision would reassign to the same zones, but in different acreage amounts. The application asked to reassign 36.11 acres to the R1-7 PUD for single family zones for 180 units. The reassignment into HDR would be for the remaining 19.67 acres for 314 units. In the concept plan the townhomes were removed and the high density would be entirely apartment buildings. That dropped the total number of units to 494.

Council Member Gochis stated she understands that it is a rezone and the City must respond to it. The City Council respects the rights of the property owner and the concerns of the citizens and what has been brought to the attention of the City. She thanked the public for voicing their concerns to the City Council. She stated that Council Member McCall asked for an increase to

the size of the wall next to the rail road tracks and she thinks that is a good suggestion. She has taken all of this into her consideration for voting on the application.

Mr. Bolser stated the difference in the original application and the amendment application is an additional 12.21 acres in the R1-7 PUD. It is an increase in the single-family dwellings.

Council Member Prat asked what the recommendation from the Planning Commission was on the fencing or wall that would separate the development from the railroad tracks. Mr. Bolser stated the Planning Commission recommendation which was a four to three vote in favor, was to forward a recommendation to City Council for the entirety of the property be zoned to the R1-7 PUD, with two caveats one being that the applicant provide a traffic study, which they have done and two being a six-foot masonry wall along the railroad tracks.

Council Member Pratt stated he has visited the property several times and he noticed a 10 foot cinderblock wall on the back of a business across the railroad tracks and he is concerned with safety. He would love to see a little taller masonry wall along the tracks. It gives two things, public safety and sound barrier. He thinks it's a great application.

Mr. Bolser stated for the public that the City Council has been provided the entirety of the minutes from the Planning Commission hearing and recommendation.

- Subdivision Plat Amendment for Providence at Overlake Subdivision Phase 2 Located at Approximately 400 West 1200 North in the R1-7 Residential Zoning District for the Purposes of Adjusting the Property Boundaries of Seven Lots and a Storm Water Detention Basin Parcel on 1.74 Acres.

Mr. Bolser stated that in the prior summer an application was presented to the Council for the Providence of Overlake Subdivision Phase 2 final plat approval. At that time there was discussion between the City Council, applicant, and North Tooele Service District as how to transition the wider park strip on 400 West out of the district boundaries, just south of the project. It was determined at that time that the developer would provide 5 feet of right-of-way for the transition. The proposed changes were lost in the shuffle and not put through the approval process. It is now being brought forward to finish the approval and complete the process.

- Minor Subdivision Final Plat for Andrew Caldwell Located at 1762 North Broadway in the HDR High Density Residential Zoning District for the Purposes of Splitting One .55 Acre Parcel into 3 Lots

Mr. Bolser stated that this is an application just north of Copper Canyon Elementary, where Broadway Avenue ties into Canyon Drive. There is a large corner lot that was identified years ago for possible commercial use. The applicant is now proposing splitting the lot into three separate lots.

Chairman Pruden asked if it conforms to lot sizes in the zone. Mr. Bolser stated it does.

- Ordinance 2019-03 An Ordinance of the Tooele City Council Reassigning the Zoning Classification to the MDR Medium Density Residential District for .58 Acres of Property Located at 350 North 50 West.

Mr. Bolser stated this is a request in the infill area of the City. The applicant is requesting that it be reassigned to the MDR because he falls just short of the requirement for two duplexes. Under MDR he will meet the requirements for two duplexes.

Chairman Pruden asked if the entrance of the property will be off 50 West. Mr. Bolser stated it will. Chairman Pruden asked if that area of 50 West is drivable. Mr. Bolser stated he believed it is. Not too many years ago 50 West was improved between 200 South and 400 South and this property falls between those.

- Multi-Family Residential Zoning district, Their Allowable Land Uses and Applicable Design Standards and Supplemental Regulations.

Mr. Bolser stated as the City Council may recall there have been some false starts in looking at multi-family housing in the past few years. In the last few months there has been a focused effort in looking at the multi-family zones and how to rework some of the provisions to make them more usable and friendlier, but also adapt them to more modern trends. The existing provisions, particularly the design standards have served the City very well, but time has come for some revisions. This was looked at for a number of purposes. Most specifically the City currently has two multi-family zones, HDR and MDR. Each have specific density limits. With the change in new product types, the proposal includes an additional zone to provide a little denser zone, but also provide the developability of new product types. The new zone was looked at in two ways and it made since to make a third zone. The zones are proposed to move MDR, Medium Density Residential to MR-8, Multi-Family Residential up to 8 units per acre, HDR, High Density Residential to MR-16, Multi-Family Residential up to 16 units per acre and the new zone will be MR-25, Multi-Family Residential up to 25 units per acre. By doing this, the City is not only looking at housing options, but also really examining feedback over the years from residents, applicants, and governing bodies to more easily adapt.

Mr. Bolser stated there were two separate committees that worked on this proposal including Council Member McCall, City staff and Planning Commissioner Hamilton. There was also a subcommittee of Mr. Baker, Mr. Aagard, and himself. The smaller committee worked on providing something to the larger committee that they could embrace, understand and feel good about bringing it to the Council. The Planning Commission reviewed the proposal in their prior meeting and the review appeared to be positive. There is a lot to this proposal. The memo included bullet points of changes and bullet points of items discussed with the Planning Commission.

Chairman Pruden asked if the Council had questions or comments.

Council Member Wardle stated that we often talk about flexibility in the City Code, but how do these changes speak to flexibility to developers? Mr. Bolser gave an example in the proposal where they tried to take provisions that are similar and put them together. In the design standards currently, there is a section for open space and section for common space. They are different areas of the site but serve the same function. It was coming across as a double jeopardy, so they tried to condense those to a single provision that serves a single purpose for the entirety of the product. Another example was there currently are provisions in the code for single family dwellings, two family dwellings, three family dwellings, four family dwellings, and multi-family dwellings. In examining the design standards, two family and single family fell under the same provisions and three, four and multi-family provisions, they fell under the same provisions. It has been simplified to single, two and multi-family. That way the City can avoid the confusion on if a dwelling is three, four, or multi-family.

Mr. Bolser stated that one other thing that was reviewed was how the increasing the density to the 25 units would apply to the development of a site. There was a threshold that created a false ability. Unless a developer really shrinks the units, it wasn't feasible to get all the design requirements, setbacks, landscaping, parking and 25 units. One of the proposed items is a building height limit increased from to 35 feet to 45 feet. Properties will still need to meet design standards to qualify for 25 units per acre, but the increase in building height more easily adds the flexibility needed for 25 units.

Mr. Baker stated in response to Council Member Wardle's question that there were areas where the development burden was lessened specifically in building setbacks and landscaping.

Mr. Bolser stated that in regard to landscaping currently the design standards require plantings based on units. There have been some review of the landscaping by the Planning Commission and some Commissioners have questioned the details such as number of trees required on projects. During the proposal creation City staff looked at what other communities are requiring for design standards. With the current design standard for landscaping and basing the trees off per unit numbers and increase in building height and units would increase the number of trees required. The proposal suggests that the plantings be tied to the linear feet of available space. In terms of set backs and increasing building height makes set backs important. The proposal gives some flexibility with minimums and maximums in the setbacks, and angles of setbacks to give the developers some flexibility in placement of buildings.

Council Member Wardle asked if the proposal will increase developer costs. Mr. Bolser stated he anticipates it will stay the same or go down. Anytime there is more flexibility it provides adaptation to the developer.

Chairman Pruden wanted to say that in regard to what so many call the "Pretty codes" those codes have enhanced the community and resale value of homes. The change illuminated inferior products in the community. Council Member Wardle championed that and Chairman Pruden

appreciates how it has affected the Community in a good way. Council Member Wardle stated that there needs to be long term look at how the codes affect the community and growth.

Council Member McCall stated that the parking requirement was reviewed during Planning Commission and the parking requirements will still need to be met for a developer to go up to 25 units per acre. A lot of other communities are increasing development height and four stories is common. Mr. Bolser stated as a developer tries try to put more units on a single piece of property, they have to decrease the dwelling size to accommodate for parking, required landscaping, setbacks, etc. The only other way to accommodate the needs and provisions in the code is the flexibility in height.

Council Member Wardle stated that he thinks the City is being smart in creating communities. He thinks that it creates good communities and is executable development between sustainability, price, size. As a Council we have to create a community that will be around in 20 to 30 years.

Mr. Bolser wanted to add that there was more of a clear line between multi-family and single-family zones. Currently there are allowable uses in each zone for residential and multi-family. One of the things that was written into the proposal is there are now very clear lines to single family zones and multi-family zones. In the current code single family zones have exceptions for multifamily and vice versa. The proposal tightens that up so that single family uses are only allowable in single family zones and multi-family zones are only allowable in multi-family zones. That will provide clarity not just for the office, but also the community as to what to expect.

Mr. Baker asked Mr. Bolser to describe the manner in which townhomes and condos were addressed. Mr. Bolser stated that in the current Ordinance the definition for townhomes and condos is exactly the same and in fact it is the actual definition for condos. Condos and townhomes work very differently. In a condo the owner only owns the airspace between the walls, but in a townhome the owner owns the footprint of the building as well as a little lot. That was one area where separating the provision made more sense. Now these two provisions have been separated so that townhomes have a provision and condos have a provision. There was also a discussion on lot size. Currently the lot sizes are based on minimum lot size, but it would make the lot size difficult for large units such as a townhome. There have been added provisions in the proposal to specifically state minimum lot sizes based on the type of use.

Chairman Pruden stated he appreciated the staff and the work done to make this proposal. Mr. Bolser stated that although the adoption of the Ordinance is wonderful, it will still need to be applied to the map. There will be two things coming for review, one being the Ordinance for the proposal and a separate Ordinance to put the MR-25 zone on the map and map the other high-density zones. The Planning Commission will be having a hearing on the Ordinances in the next meeting on March 13.

4. **Close Meeting.**

Council Member Pratt moved to close the meeting. Council Member Gochis seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Wardle, "Aye," Council Member Pratt, "Aye," Council Member Gochis "Aye," and Chairman Pruden, "Aye."

Those in attendance during the closed session were: Mayor Debbie Winn, Glen Caldwell, Roger Baker, Jim Bolser, Randy Sant, Paul Hansen, Council Member Wardle, Council Member McCall, Council Member Pratt, Council Member Gochis, and Chairman Pruden.

The meeting closed at 6:17 p.m.

No minutes were taken on these items.

Motion to Reopen the Meeting

Council Member Wardle moved to open the meeting. Council Member McCall seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Wardle, "Aye," Council Member Pratt, "Aye," Council Member Gochis "Aye," and Chairman Pruden, "Aye."

5. **Adjourn**

Council Member Wardle moved to adjourn the meeting. Council Member McCall seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Wardle, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Chairman Pruden, "Aye." The motion passed.

The meeting adjourned at 6:50 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 March, 2019

Steve Pruden, Tooele City Council Chair