

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

Date: Wednesday, September 4, 2019
Time: 5:00 p.m.
Place: Tooele City Hall, Large Conference Room
90 North Main St., Tooele, Utah

City Council Members Present:

Steve Pruden
Scott Wardle
Dave McCall
Brad Pratt
Melodi Gochis

City Employees Present:

Mayor Debbie Winn
Roger Baker, City Attorney
Glenn Caldwell, Finance Director
Michelle Pitt, Recorder
Jim Bolser, Community Development Director
Steve Evans, Public Works Director
Paul Hansen, City Engineer
Darwin Cook, Parks and Recreation Director
Ron Kirby, Police Chief
Kami Perkin, Human Resource Director

Minutes prepared by Michelle Pitt

1. Open Meeting

Chairman Pruden called the meeting to order at 5:00 p.m.

2. Roll Call

Steve Pruden, Present
Scott Wardle, Present
Brad Pratt, Present
Dave McCall, Present
Melodi Gochis, Present

3. Discussion:

The agenda was changed to accommodate the Utah Housing Authority, who was in attendance but needed to leave for a meeting in Salt Lake.

- Impact Fee Waiver for Affordable Housing
Presented by Roger Baker

Mr. Baker said that he was presenting preliminary information to the Council for their consideration of an impact fee waiver for affordable housing. In the current City Code, it says that the City can waive up to \$5,000 in impact fees per dwelling unit for affordable housing. The Ordinance was enacted in 1996. Mr. Baker asked if the Council thought that after 23 years it was time to examine whether this amount is a correct level of affordable housing incentives through impact fee waivers. Mr. Baker said that Salt Lake City recently announced a policy decision to waive all impact fees for affordable housing. Park City has a \$5,000 waiver. He indicated that he asked the Utah League of Cities and Towns if they had any data regarding impact fee waivers. They indicated they don't. Chairman Pruden said he would like the Legislature to do something across the board, suggesting an appropriate amount that should be waived. Mr. Baker answered that the league would probably oppose supporting that because it would result in a State mandate, instead of letting individual Cities decide on the amount of waiver they would like to offer. Mr. Bolser said that impact fees include sewer at \$4,609, water at \$2290, public safety at \$377.88, and parks at \$2168, for a total of \$9,444.88. He added that a developer would have to apply for the waiver.

Mayor Winn said that she drove out to see some single family homes that were built quite a while ago. She said she was impressed with how well they've been maintained by the homeowners. The City Code does not have a definition of what low income housing is and who would be eligible. The City would need to work with government agencies, like the housing authority, to help qualify people to get in to a home where they wouldn't be able to qualify otherwise. The housing authority is looking at building 12 homes. The Mayor added that this waiver could be a great asset to those struggling to get in to a home, and to the City.

Council Member Wardle asked if and how the waiver would be a rebate to the owner rather than the builder. If the intent is to make it more affordable for the homeowner, how does the City make sure it is passed on to the homeowner? Mr. Baker answered that it could be noted on the deed that the buyer is getting the benefit of that savings, not the owner.

DeAnn Christiansen, Director of the Tooele County Housing Authority, introduced herself and two members from the Utah Housing Authority, Scott Harmon and Susan Van Arsdell. Ms. Van Arsdell explained that the goal is a rent to own program designed for people that are 60% of the median income or less. The impact fee waiver reduces the cost and reduces the cost burden. The plan allows people to rent the home for 15 years, with compliance procedures in place. At the end of 15 years, they have the protective right of option to purchase the home. The housing authority makes it affordable after the 15 year rent period.

Scott Harmon showed some pictures of homes that were built within the state and indicated that the homes they would build in Tooele would be similar. He further explained that the homes are 1400 square feet, 4 bedrooms, and 2 baths. Rent would be \$900. The estimated sale price would

be \$170,000 in 15 years. The market value today is \$270,000 for the same sized home. The housing authority is their partner, and manage the program during the 15 year period. The housing authority makes sure that the homes remain in high quality.

Ms. Christiansen said that Senate Bill 34 requires cities to put things in place to provide affordable housing. Mr. Baker said that SB 34 requires the City to have affordable housing plans. The Bill provides a menu of multiple suggestions, and each City is required to have at least three items out of that menu provided by the State.

Chairman Pruden asked Roger to put together options and recommendations of amounts that may be offered as waivers.

Council Member Wardle asked for information about what other cities are doing about affordable housing and waiving fees.

Council Member McCall stated that the City is going to have to move in a direction to provide affordable housing, and this could be one of those options, and at a less burden on the City. He added that he asked the League of Cities and Towns to define affordable housing. They can't.

Mr. Baker indicated that he would provide more information for the Council. The Council agreed that the Code needed to be amended to be specific about who qualifies, and how they qualify.

- Ordinance 2019-21 An Ordinance of Tooele City Council Amending Tooele City Code Section 1-6-4(7) Regarding the Mayor's Duties as City Budget Officer Presented by Council Member Scott Wardle

AND

- Ordinance 2019-22 An Ordinance of Tooele City Enacting Tooele City Code Section 1-8-3 Regarding Financial Reports Presented by Council Member Scott Wardle

AND

- Ordinance 2019-23 An Ordinance of Tooele City Amending Tooele city Code Chapter 1-14 Regarding the Duties of the Director of Finance Presented by Council Member Scott Wardle

Council Member Wardle presented all three Ordinances together, stating that they were similar in that they are housekeeping items. He stated that when the Council was considering the adoption of the purchasing policy, he looked at the State Code. He feels that these proposed changes brings the City in to compliance with State Code. He summarized some of the changes, such as, allowing the Mayor to approve transfers within departmental budgets, and that the Council should be getting monthly budget reports from the Recorder, not the Finance Director.

Ms. Pitt asked if Ordinance 2019-22 could be amended to be gender-neutral. The Council agreed, and will make that change in the next meeting. Mr. Baker will add the gender changes in the City Code.

- Condominium Plat for Porter's Place Subdivision Creating Six Condominium Duplex Style Units at Approximately 596 South Coleman Street on 0.98 Acres in the R1-7 Residential Zone
Presented by Jim Bolser

AND

- Subdivision Final Plat for the Hunters Meadow Subdivision Consisting of 53 Lots on 14.065 Acres Located at Approximately 760 West 700 South in the R1-7 Residential Zoning District
Presented by Jim Bolser

Mr. Bolser stated that some time ago the Council approved the Porter's Place Development as a three lot subdivision. He explained that the subdivision faces Coleman Street. The property owners would like to establish condominium uses on those lots. This plat establishes the condominium boundaries, and is the next step in this development. There is a section of property in the rear which ties in to the Hunter Meadows Subdivision. This property is zoned R1-7 with two points of access. The developer has an arrangement in place with the irrigation company that they will pipe the ditch in order to discharge their storm water in to the ditch. There is documentation from the irrigation company that this agreement is in place and the developer is working with the irrigation company on the design plans. The pipe is proposed to be installed across the length of the Hunters Meadow's property, but won't go all the way to 900 West from the west side of the proposed development.

The Council asked if the property owner along 700 South would also agree to complete the road improvements along their property, so that it could be done all at once. Mr. Hansen indicated that the City had reached out to the property owner, but has not been successful in getting him to agree to complete the improvements at this time.

Chairman Pruden said that those small segments of road, such as the American Way Connection, tend to accumulate garbage, or become parking lots for things like ATVs. Mr. Hansen said that the City would like to loop the waterline under the American Way road extension which would require cooperation from the irrigation company. Chairman Pruden asked staff to make connections with the developer and the irrigation company to see if they would agree to complete the roads all at once rather than dig things up multiple times. Council Member Wardle said it could be a safety issue.

Kami Perkins joined the meeting at 5:30 p.m.

Mr. Bolser went on to say that some people have property lines on the other side of the Porter Place property line, connecting with the Hunters Meadow property. They have

made sure that the developer has an agreement with the Hunters Meadow property owners.

- Ordinance 2019-20 An Ordinance of the Tooele City Council Reassigning the Zoning Classification to the RR-1 Residential Zoning District for 3 Acres of Property Located at 705 North 100 West
Presented by Jim Bolser

Mr. Bolser stated that the Council discussed this item at their last meeting. He asked the Council if they had any questions; the Council had none.

- Potential Annexation Request
Presented by Jim Bolser

Mr. Bolser stated that he met with a property owner's representative for the Jack Tomlin's Trust. The trust owns property that is primarily in the City limits, but there is a portion of property that is not in the City's limits. There are some potential purchasers for this property and they would like to sell the entire piece of property. Mr. Bolser asked the Council if they would entertain the annexation of this small portion of property since about 2/3 of the property is already in the City. The City is already obligated to provide water and sewer to this property so it wouldn't cause an additional impact. Mr. Bolser explained that the reason this property is in the City, is that the City worked out arrangements with the Army to take over the Depot area. In order to do that, the area had to be annexed in to the City. There were some property owners that were not interested in being annexed which left a little peninsula that was not annexed at the time.

Mr. Baker asked if this area is already in the City's annexation plan. Mr. Bolser answered that it is, so the City won't have to amend the annexation plan.

The Council indicated they would like to annex this portion of property.

- Resolution 2019-65 A Resolution of the Tooele City Council Approving a Settlement Agreement and General Release with Charles and Crystal Lawrence
Presented by Roger Baker

Mr. Baker said that this agreement will allow a new subdivision to have a looped waterline. The waterline will cut across the north end of the golf course. The City would participate in the cost of that waterline at a cost of \$40,000.00. The City would receive a waterline easement at the completion of development.

- Resolution 2019-66 A Resolution of the Tooele City Council Amending the Tooele City Fee Schedule to Add a Golf Course Pavilion Rental Fee
Presented by Darwin Cook

Mr. Cook stated that a pavilion has been completed at the golf course. People have started to ask if they can rent the pavilion for events. This Resolution would set a fee so

that the public can rent the facility at \$200 a day. If the use is over 9:00 pm, there would be an additional fee of \$50 per hour. It also includes an offset fee for those that don't use the golf course's catering services at \$2 per chair.

Council Member McCall said that he didn't have a problem charging for use of the facility, but asked about special menus like roasting a pig. Could the golf course caterers do that, and if they couldn't, why would they be charged an offset fee? He stated that the catering services needed to be able to provide what the renters wanted. The Mayor stated that when the City had the tent, that offset fee was charged when outside food was brought in. This offset fee wouldn't be anything new. The Mayor added that people won't pay the offset fee if they're not using the tables and chairs. Mr. Cook said that when there is a tournament, there is not a rental fee. Council Member Pratt asked if the clubhouse would be open so that there was access to the restrooms. Mr. Cook said that it would be open.

Council Member Wardle asked why the fee was so much more than what is charged for other rentals, like the pool. Mr. Cook said that it was because the City doesn't want this to be the place to go to for events because golf is still going on. Council Member Wardle asked how the \$200 amount was determined. Chairman Pruden asked for research of what other cities charge, or justification for the \$200 amount. Council Member Wardle also asked for like comparisons.

Council Member Gochis asked what the capacity was, and if there was sufficient parking if there's a wedding and tournament at the same time. Council Member McCall stated that in the future the City needs to look at parking issues. Mr. Cook said that 200-240 is the capacity. Mr. Cook said that they won't schedule a wedding and tournament at the same time. Tournaments take priority. Council Member Wardle recommended that be included in the Ordinance or policy. Mr. Baker said it should be in the golf course policy.

It was decided to bring this matter back to the Council in October. Mr. Baker reminded staff and the Council that legally, when the City provides a service, we're only able to charge the cost of providing that service. He added that this is different because it's a good, not a service which allows the City to set the rate.

- Budget Item for Animal Control Vehicle
Presented by Mayor Debbie Winn

The Mayor stated that when the budget was discussed, the animal control vehicle was taken out of the budget. The day following the budget adoption, the animal control vehicle went out of service. The vehicle is a 2006 with over 100,000 miles. It has been repaired and is back on the road. The City just hired another animal control employee, who needs a vehicle.

Chief Kirby indicated that the vehicle was down for five days. Animal Control handles about 120 animal control calls a month. They are very active and busy. The Mayor stated that \$35,000 was originally put in the budget for an animal control vehicle. It is

desperately needed. The Chief added that the \$35,000 includes the cage, radio, and light bar for the vehicle. The Mayor recommended the payment come from the 41 fund, or from the snow plow trucks budget, because they came in under budget.

The Mayor indicated she would bring a budget adjustment request to the Council.

Chairman Pruden turned the time over to RDA Chairman Pratt for this portion of the meeting.

- RDA Resolution 2019-15 A Resolution of the Redevelopment Agency of Tooele City, Utah, Approving an Agreement for Snow Removal from Public Streets and Rights-of-Way Within Peterson Industrial Depot & Ninigret Depot
Presented by Mayor Debbie Winn

Mayor Winn stated that the previous agreement with the Peterson Industrial Depot (PID) for snow removal within the depot has worked very well. The contract has expired. The City put this out to bid, but received no bids back. In looking at the cost of vehicles, staff members, and overtime, Staff feels the City is getting a good deal with PID and recommends that the Board renew this agreement.

- Budget Study Groups
Presented by Chairman Steve Pruden

A form was passed out listing groups of departments, and areas for the Council to sign up for which group they would like. Chairman Pruden said that there were 16 spots, making about 3 groups for each Council member. After the Council chooses the groups, they will work out a time to meet with them.

4. Close Meeting to Discuss Litigation and Property Acquisition

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.”

The meeting closed at 6:07 p.m.

Those in attendance during the closed session: Mayor Winn, Paul Hansen, Michelle Pitt, Jim Bolser, Steve Evans, Glenn Caldwell, Roger Baker, Chief Ron Kirby, Kami Perkins, Darwin Cook, Council Member Wardle, Council Member Pratt, Council Member McCall, Council Member Gochis, and Chairman Pruden.

No minutes were taken on the closed meetings.

5. Adjourn

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.”

The meeting adjourned at 6:51 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 18th day of September, 2019

Steven Pruden, Tooele City Council Chairman