

## Tooele City Council Work Meeting Minutes

**Date:** Wednesday, October 6, 2021

**Time:** 5:30 p.m.

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

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

Melodi Gochis

Ed Hansen

Justin Brady

Maresa Manzione

Tony Graf

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

Matt Robinson

### **City Employees Present:**

Mayor Debbie Winn

Jim Bolser, Community Development Director

Adrian Day, Police Department Chief

Darwin Cook, Parks and Recreation Director

Roger Baker, City Attorney

Shannon Wimmer, Finance Director

Jamie Grandpre, Public Works Director

Paul Hansen, Tooele Engineer

Michelle Pitt, City Recorder

Holly Potter, Deputy City Recorder

Jared Steward, Economic Development Coordinator

Kami Perkins, HR Director

Minutes prepared by Katherin Yei

### **1. Open City Council Meeting**

Chairwoman Gochis called the meeting to order at 5:30 p.m.

### **2. Roll Call**

Melodi Gochis, Present

Ed Hansen, Present

Justin Brady, Present

Maresa Manzione, Present

Tony Graf, arrived at 5:34

### **3. Mayor's Report**

Mayor Winn stated there is a high positive rate of Covid-19, but the trend is coming down. She stated there's no one under the test to stay because everybody's doing good and encourages people to be careful and stay safe. She stated Skyline has some areas where the asphalt was really sloughing off on the walking trails. She stated they have killed the weeds and crack seal. They have reached out to several companies to do some slurry seal on some of the roads in the City. She stated the Council put in the budget to fix the future Park's Building. She stated a structural engineer gave a report of the building with everything structural being fine. There has been an issue with trespassing and creating a mess. She stated a gate has been installed and the roof and brick will be repaired. She stated Rocky Mountain Power is working to get power to the building for lighting and cameras. She stated England Acres has been a long process, but Phase 2 of the Pavilion, parking lot, and playground is underway.

### **4. Council Member's Report**

Council Member Hansen stated he went to the Arts Festival and the Rock Show.

Council Member Brady stated he attended the RDA meeting, Kiwanis Installation Banquet, and responded to emails from citizens.

Council Member Graf stated he attended Kiwanis Installation Banquet, County Council Meeting, answered many emails and phone calls regarding the mosquito abatement and the candidate luncheon. He stated a music teacher reached out about getting the proper permission to hold classes in her home

Council Member Manzione stated she attended Kiwanis Installation Banquet, Art festival, RDA meeting, Utah League of City and towns conference, and the Planning Commission meeting.

Chairman Gochis stated she attended the Arts Festival, Annual Utah League of City and towns conference, Emergency Management training, Kiwanis Installation Banquet, and the "Meet the Candidates" events.

### **5. Resolution 2021-93 A Resolution of the Tooele City Council Supporting Tooele City's Utah Main Street Program Community Designation Application and Participation**

*Presented by Jared Stewart, Economic Development Coordinator*

Mr. Stewart stated Utah launched the Utah Main Street Program. He stated there is some dedicated funding and grants worth \$300,000 for communities. He stated to qualify for the program, the City has to fill out an application and create a committee. He stated Tooele has to show community support to be able to qualify.

Chairman Gochis stated about registering with Historic preservation society.

Mr. Stewart stated he has reached out to the Historic CLG grant that is due on January that allows Tooele to apply and hire a consult to create a historic alliance. He stated it could benefit the downtown alliance.

Council Member Brady asked if there is someone from the State or City that is a part of the committee.

Mr. Stewart stated in the bylaws there is a max of 15 members with one member being from the City Council. He stated Council Member Hansen has been attending the meetings thus far.

Mayor Winn stated CLG stands for Certified Local Government.

**6. Resolution 2021-94 A Resolution of the Tooele City Council Acknowledging Mayor Winn's Reconstitution of the Tooele City Downtown Alliance and Appointments of Alliance Committee Members**

*Presented by Jared Stewart, Economic Development Coordinator*

Mr. Stewart stated they had created an application to join the committee and there has been six applicants. He stated this is the formal process to approve those applicants.

Council Member Hansen stated the meeting was successful with lots of participation.

Mayor Winn stated the group is enthusiastic and wants to make change.

Mr. Stewart stated the applicants include John Gossi, Maggy Von Dragon, Marcus Madena, Judy Snyder, Dominick Santistevan, and Tyson Hamilton.

**7. Discuss Illegal Camping Ordinance**

*Presented by Roger Baker, City Attorney*

Mr. Baker stated there are many people living in tents that have created safety concerns. He stated they want to respect property rights, mindful of public health and safety concerns. The question is how they balance and regulate those two things. He stated to deal with the issue on public property they can out-right-ban, unless have approval. He stated there are limitations on private property and suggests limiting camping activities to three consecutive days and three days a month total.

Council Member Hansen stated he would break the three-day rules. He would like to see something longer.

Mr. Baker stated they want to find a good balance.

Council Member Graf stated he is thinking about property rights of the community. He stated he thinks more than three days would help mitigate activities and reunions.

Council Member Manzione asked if there has been a problem with people staying long-term on private property or just public property.

Mr. Baker stated there are been some of both. He stated they have been able to handle people living on public property. He stated their biggest concern is tent encampments on private properties, which they can't control and regulate.

Chairman Gochis stated she would like to add campers and trailers into the resolution.

Mr. Baker stated there is a double impact with families living in a trailer and the homes, but they are only getting a payment for one impact. He stated there is an ordinance that disallows living in an RV, anywhere but in an RV park. He stated it has not been used much, especially during Covid.

Council Member Brady asked if there is a process in place to come in and get a permit.

Mr. Baker stated this an example that the City Council would pass the legislative and the administration would write a policy and implement it.

### **8. Discussion of New Development Request for Water Credit via Payment in lieu of Conveyance for a New Commercial Development on 1000 N. 200 W.**

Presented by Debbie Winn, Mayor

Mayor Winn stated her officer received a letter from Freeman Level Business and Real Estate Attorneys representing John Potter. It is in regards to the property located on 1000 North and 200 West, South of the bowling alley area. She stated they desire to expand the City's Economic Development by building a small hotel, retail, and some restaurants. She stated any development needs to convey water rights to the City. She stated City Code allows the Council to sell the water to them via and payment in lieu of instead of bringing the water. She stated they pay \$15,000 per acre foot. She stated they are estimating needing 20 acre-feet of water. The City Code allows this for two purposes including a property owner in the infill development wants to subdivide from one lot to two lots, they are able to use it for residential use. The other opportunity is for business only. She stated there are not water-rights available to purchase on the open-market.

Council Member Graf asked if there is a way to restrict the water shares so they are only able to use it for the intended project and not re-sell them on the open market.

Mr. Baker stated they are not selling them a saleable commodity. They are simply paying the City a fee to be excused from complying with the ordinance. He stated they do not asses the fee until they submit an application. He stated the water shares are not transferable to any other location.

Council Member Graf asked if the applicant decided to change their plans after paying the fee, is the City still obligated to take a fee in lieu of water shares for it.

Mr. Baker stated they could refund the money at that point or require additional shares.

Council Member Manzione asked how much water they will need; is it enough to amount or is it based on what then is developed and how do we specify that.

Mr. Baker stated the policy that the City Council has put in place analyzes the economic development benefits of that the business brings that wouldn't discretion pay for all the water rights they need.

Council Member Brady asked if there can be a time frame on the project.

Mr. Baker stated the Council could put a timeline on the project, they would have to bring the water. He stated they have not needed to do that before.

Chairwoman Gochis stated for the future process to ask the development to use water-wise fixtures.

Mr. Baker stated the best way to do that is to enact it in the City Code as apart of the requirement.

Council Member Hansen asked if they already have those requirements while they are building.

Mr. Bolser stated it is not a formal requirement.

Council Member Hansen stated he is in favor of this project.

Mayor Winn stated as they met with them, they encouraged them to submit a letter and make that request.

Mr. Baker stated the water rights chapter allows a developer to demonstrate through perulative or historical evidence that their actual water usage will be less than we anticipate it to be. He stated it is to their benefit to use the fixture because it could potentially lessen the water right cost.

Chairwoman Gochis

## **9. Closed Meeting - Litigation, Property Acquisition, and/or Personnel**

There is no closed meeting.

## **10. Adjourn**

**Chairwoman Gochis adjourned the meeting at 6:40 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 20<sup>th</sup> day of October, 2021

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Melodi Gochis, City Council Chairwoman