

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

**Date:** Wednesday, October 20, 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

Minutes prepared by Katherin Yei

**1. Open City Council Meeting**

Council Member Brady called the meeting to order at 5:34 p.m.

**2. Roll Call**

Tony Graf, Present

Melodi Gochis, Present

Ed Hansen, Present

Justin Brady, Present

Maresa Manzione, Present

**3. Mayor's Report**

Mayor Winn stated the bonds have been released and accepted for the Overlake project. She stated the light on 1280 North and Main Street intersection has had some lane changes that the City was unaware of. She stated UDOT changed the traffic pattern to one left hand turn, the Middle Lane is a Straight Arrow, and the right turn is right only.

She stated for the past several weeks, the reclamation plant has been cleaning out some of the big tanks, but the vacor truck has holes in the tank. She stated they have hired another company to come and empty the tanks. They did find a truck to lease for five years with a cost of \$53,000 per year. She stated there is money in the budget under the sewer funds and storm drain. She stated with the approval from the Council, they will get a contract put together and bring it back for official approval.

Chairwoman Gochis stated she supports buying a new truck.

Council Member Hansen asked what the new truck would cost.

Mayor Winn stated it would be over a half million dollars.

Council Member Hansen asked if the maintenance is covered.

Mr. Grandpre stated the general maintenance is the Cities responsibility.

Council Member Hansen asked if there was a time allotment for using the trucks. He stated he doesn't want to go over the time and have to pay more than what they could buy a truck for.

Mr. Grandpre stated he was unsure if there was a time allotment.

Mayor Winn stated they will check what is allowed under the lease.

Council Member Graf asked if the price is competitive or because of the demand. And if it is less than demand if they are able to do less than five years to see if something changes.

Council Member Manzione asked about an early cancelation without fee.

Mayor Winn stated currently they gave a five, six, or seven-year lease. She stated after the five-year lease, they can purchase the vehicle for \$250,000 at that point. She stated a new truck would be \$95,000 a year for a 5-year lease and to purchase it outright would be \$446,000. She stated they felt this was the best way to use the funds.

Council Member Brady asked what the price was to contract it out.

Mayor Winn stated \$200 per hour. She stated they will get additional information to the Council.

Council Member Graf asked how many hours they anticipate usage per year.

Mayor Winn stated they will get them an approximate number for that as well.

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

Council Member Hansen stated he listened to the Planning Commission meeting.

Council Member Brady stated he attended the fall cleanup, attended the school board meeting, and met with the Council about the tree ordinance.

Chairman Gochis stated she attended the fall cleanup, the Children's Justice Center Event, meet the candidate luncheon, and viewed Planning Commission meeting.

Council Member Graf stated he attended the Children's Justice Center Event, Ribbon cutting for Insane Diesel, Candidate Debate, visited with many citizens regarding the old debris at the old hotel, and public safety.

Council Member Manzione stated ribbon cutting for Insane Diesel, the school board meeting, fire prevention open house, the Children's Justice Center Event, Economic Development Class, Planning Commission Meeting, the fall cleanup, and met with many business owners and citizens.

Mayor Winn stated there are two leans on the property. They are trying to get a loan to cleanup and develop the property. She stated they connected the owners with potential investors that may be able to participate. She stated they gave an estimate bids for cleanup with it being over \$1,000,000. She stated they could get a permit to knock the building down, but it could leave debris all over the road. The property will have a fence to help trespassing.

**5. RDA Resolution 2021-10 A Resolution of the Redevelopment Agency of Tooele City Approving an Agreement for Snow Removal from Public Streets and Rights-of-Way Within Peterson Industrial Depot and Ninigret Depot**

*Presented by Debbie Winn, Mayor/RDA Executive Director*

Mayor Winn stated the snow removal agreement is with Peterson Industrial Depot for the public roads on the depot. She stated the contract is for \$1,500 from October to April to remove all snow on the public roads. They keep track of the hours they push snow. At the end of the contracted months, they meet to pay additional funds or to receive funds back if needed. She stated the resolutions is to renew the contract for one year.

**6. RDA Resolution 2021-11 A Resolution Authorizing the Extension of Collection of Tax Increment for Two Years in the Army Depot Project Area Impacted by the COVID-19 Emergency**

*Presented by Debbie Winn, Mayor/RDA Executive Director*

Mayor Winn stated everyone was impacted with the pandemic. Some of the financial growth was suspended because developers and businesses had to defer rent payments and put their projects on hold or delayed. She stated the RDA areas set specific requirements that allowed an extension until December 31, 2023. She stated with Senate Bill 6001, they are able to extend that an additional two years to 2025. She stated they will be able to complete some of the projects

including the sewer project. She stated they did bring this forward to Tooele County and Tooele County School District.

Chairwoman Gochis asked if there will be more changes.

Mayor Winn stated she is not sure of there will be additional changes because every legislative meeting there are changes. She stated they are working on getting all of the facts to continue to pay bond payments and make the best recommendations.

### **7. Discussion on a Potential City Code Text Amendment to Section 7-4-9 Regarding Parking Lot Landscaped Islands**

*Presented by Jim Bolser, Community Development Director*

Mr. Bolser stated that this proposal is looking at the landscape islands, specifically in parking lots, where the balance between the benefits and drawbacks of requiring these islands seem to tip towards being more of a drawback. He stated one of the issues was how to weave in when they could be required verses not. He stated based on the ownership or the use of any one particular piece of property could be a problematic way to go about it so the staff has put together a potential amendment to the City Code text using a different method. He stated they have done it based on size of the parking lot, incorporating terms that determine parking lots that would be exempt from the requirement regardless of use the parking lot is associated with. It makes a separation based on an effort to try to quantify where the balance point lies where the benefits outweigh the drawbacks. He stated with this proposal, if the parking lot has less than 75 spots, they are not required to provide landscaped islands separating rows of parking. He stated if a parking lot is a part of a phased development and the overall development would have more than 75 spaces then the phase would be considered to have more than 75 spaces and would need to comply with the requirement.

Council Member Manzione stated she is in favor of it. She asked if there are examples of 75 spaces and what is the background.

Mr. Bolser stated an example is the City Hall is about 50 spaces. He stated they are trying to find a good balance and 75 seemed to be it.

Council Member Hansen asked if there was an advantage to it.

Mr. Bolser stated there are environmental advantages, it helps with traffic flow and safety, the aesthetic, and providing an area for snow storage. He stated the disadvantages are the opposite in a smaller lot.

Council Member Hansen asked if it is a newer thing.

Mr. Bolser stated the original ordinance for landscape in parking lots was created when the parking chapter in the City Code was redone about two years ago

Council Member Brady asked how you determine how many spots are required.

Mr. Bolser stated there are calculations listed in the City Code that are based on the use and/or size they're associated with.

Council Member Manzione asked in an industrial environment, would they have smaller parking lots. She stated she sees benefits of having islands in many parking lots, but in an industrial area there is not much benefit.

Mr. Bolser stated in an industrial area, they generally have smaller parking lots and requirements. He stated there are exceptions to the rule and uses, many that would fall under typical industrial uses. Their parking calculation deals with employee numbers.

Chairman Gochis asked if the change to the code would affect the projects already in the works. Mr. Bolser stated schools are exempt from local design standards by state law. He stated if the Council shows support, they will have to do a formal process of review and adoption. He stated once it is adopted, it can be applied to active applications where it is a relaxation to the requirements.

## **8. Discussion of Home Occupations – Musical Instruction and Practice**

*Presented by Roger Baker, City Attorney*

Mr. Baker stated a member of the public recently reached out and gave feedback to the City Council on the restrictions for home occupations for music instruction. He stated in-home musical instruction is not allowed if there are more than two music students at a time. He suggested the easiest approach to changing the ordinance would be to eliminate music instruction as a prohibited use. He stated another approach would be to make a tiered program depending on the number of students. He stated they can allow a permitted use for up to seven children, eight and above would require a conditional use permit to examine the potential adverse impacts of the proposed use on its neighbors. He stated some things be examined including a traffic and parking plan, limit the proximity to other music instruction in-home businesses, and subject them to existing City noise ordinances. He stated the Council could discuss other approaches.

Council Member Graf stated he wants to take out any ambiguity, so that other businesses can participate. He stated maybe there is a time frame they can limit them to being open, instead of open all day.

Mr. Baker stated there are two potential problems including lengthy days of instruction and misusing the purpose. He stated the second one can be approached by having definitions, for example, for “music instruction,” and putting limits on hours. He stated they can also leave it to the conditional use process, where the Planning Commission puts the time limits on.

Council Member Graf stated it would be helpful to see the definition of what music instruction is.

Mr. Baker stated he did not check to see if it was already defined in the City Code.

Council Member Brady asked to clarify having seven children at one time. He stated the process does not have any conditional use permit options because they cannot have any musical instruction.

Mr. Baker stated it is not an option because musical instruction is not allowed as an at home-occupation.

Council member Brady stated the conditional use process is in place, but they should set the number and then have to have a conditional use permit. He stated it will benefit both sides. Mr. Baker stated as the number of students increases, the impact becomes greater and greater. He stated there is no magic number, but that he used the in-home daycare and preschool ordinance as an analogy and model for this draft; the Council could choose a different number.

Council Member Hansen stated they don't want to over complicate things.

Council Member Brady asked how to keep it simple but also protect the neighbors.

Council Member Manzione stated there was a comment about not being able to have another business within 300 feet, which might be an over reach.

Chairman Gochis stated this person is anticipating having multiple keyboards in the home, with 5-8 students per class.

Chairman Gochis received an email from Adrian Khanum and read the concerns regarding the 300 feet minimum.

Mr. Baker stated she raises a good point about the 300 feet. He stated he borrowed it from the day care section. The goal is to prevent noise-generating music instruction home occupations from clumping together and causing a noise problem.

Council Member Manzione stated it would only be applied to a business that requires a conditional use permit, not any home-business that has less than seven students. Mr. Baker stated that is correct.

Council Member Graf stated that addresses the issue. He stated you wouldn't want a neighborhood having that because of parking and potential safety.

Chairwoman Gochis stated her concern is by having only one business per 300 feet, it is a first come, first serve process.

Mr. Baker stated every person could have a home-business if it is less than seven students. He stated he would suggest some kind of separation for the intensive uses of more than seven students.

Council Member Graf stated there is a restriction for childcare that looked at parking and safety. He stated whether you are dropping kids off for music instruction or daycare, there is not much difference. He stated seven is a good number because it helps balance.

Chairwoman Gochis asked if someone wanted to have a daycare, but there is a music business, would that person still be allowed to have a daycare in the same neighborhood.

Mr. Baker stated as long as it is a different business, they would not be subject to the separation requirement, and can have it.

Chairwoman Gochis stated you would still get the same traffic and congestion. She stated it is still an issue.

Council Member Manzione stated it would adjust the conditional use permit process because you have to submit studies on how it will affect the neighborhood.

Mr. Baker stated all home occupations have the assumptions that they will not be used to the extreme. He stated there will be some neighborhoods that have a higher intensity than others.

Mr. Baker asked for any feedback or conditions before bringing it back for a formal vote.

Council Member Brady stated he likes how it is written.

Council Member Graf stated he would like to see a basic definition of what the business is.

Mr. Baker stated he will talk to Chairwoman Gochis about bringing it back as a formal discussion and a vote.

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

There was no closed session.

### **10. Adjourn**

**Chairwoman Gochis adjourned the meeting at 6:39 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 3<sup>rd</sup> day of November, 2021

---

Melodi Gochis, City Council Chairwoman