

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

Date: Wednesday, December 7, 2022

Time: 5:30 p.m.

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

City Council Members Present:

Justin Brady

Maresa Manzione

David McCall

Tony Graf

Ed Hansen

City Employees Present:

Mayor Debbie Winn

Jim Bolser, Community Development Director

Adrian Day, Police Department Chief

Roger Baker, City Attorney

Shannon Wimmer, Finance Director

Michelle Pitt, City Recorder

Holly Potter, Deputy City Recorder

Jami Grandpre, Public Works Director

Paul Hansen, City Engineer

Jared Stewart, Economic Development Director

Minutes prepared by Katherin Yei

1. Open City Council Meeting

Chairman Brady called the meeting to order at 5:30 p.m.

2. Roll Call

Justin Brady, Present

Maresa Manzione, Present

David McCall, Present

Tony Graf, Present

Ed Hansen, Present

3. Mayor's Report

Mayor Winn reported on the following:

The City Library is now open over 52 hours Monday-Saturday.

Staff attended Ken's Gym ground breaking with the tentative schedule of being finished in August 2023.

4. Council Member's Report

The Council Members reported on the events they attended during the week.

5. Discussion Items

A. Internal Audit Report

Presented by Johnathon Jensen, WSRP Certified Public Accountants

Mr. Jensen presented the Internal Audit Report done by WSRP Certified Public Accountants. They identified risk and controls, identifying 29. As the testing concluded, no significant issues had been identified. They do recommend the City has a formal process in place to properly document when items become in service. Testing will continue throughout remote parts of the City where there is cash exchange.

B. Water Fee-in-Lieu Guidelines

Presented by Jared Stewart, Economic Development Director

Mr. Stewart presented guidelines for water fee-in-lieu. A few items listed in the guidelines for considerations include the following: Capital investment, expected sales tax, acreage, job creation, new business or expansion, and expended industry. There is discussion on approving these items through resolution.

The Council had a discussion and asked the following questions:

What is the average of 120% for wage?

Are there other Cities that have guidelines?

Is there a structure in place, to make sure they are following the guidelines with business performance?

Is there something in place to help monitor the amount used and if they go over the amount they paid for?

When a business wants to come to the community, are they surprised by the water steps taken within the community?

It does not have to be all or nothing, but it does give the City a starter point. This is a case by case situation. They would like to see case studies within the document to help guide the discussion and decision.

Mr. Stewart addressed the Council. 120% of average wage is \$30 an hour. The City wants to encourage quality of life and keeping residents in Tooele. Many other Cities are apart of water districts and are not direct water providers. The did try to put in past business that the City has granted fee-in-lieu, but each business is different. They are able to track water usage through meters, but not guide what is used through business performance. There is value in helping a business grow. These guidelines could be shared with potential developers. It is something new, but the City does try to communicate early in the process so there is not a surprise.

Mr. Baker addressed the Council regarding other Cities. The communities that are direct water providers, they often include the water rights in the impact fee. When the City provides

incentives, they make every effort to make sure they are post-performance incentives. The City code does allow the City to bill businesses for the additional water used over the amount paid for. It holds the business accountable for water use. Mr. Baker recommended the fee-in-lieu policy be updated allowing the Council to have more discretion. As well as, incorporate these guidelines to have it all in one place. The fee is not set to establish market value, but encourage developers to find other water resources. Paying the City for water rights was intended to be a last resort.

Mayor Winn spoke on the potential document for when a request comes. Every business needs to be considered independently. If the City does not allow water-in-lieu, businesses won't come. They want to be able to have a base line that identifies all of the topics. The City is in a unique position by allowing water fee-in-lieu.

C. New Commercial Development by Gardner Batt

Presented by Jared Stewart, Economic Development Director

Mr. Stewart presented a new commercial development by Gardner Batt. The development has 3 phases. Phase 1 is the smallest approximation of water, acre per feet. The question the Council needs to consider is if they should approve by phase or as a whole business park development.

The Council asked the following questions:

There could be heavy water users. Is there a way to track that? Time becomes complicated when there is a long-time line.

Mr. Stewart addressed the Council. If there is a request for additional water than what was approved, Gardner Batt will come to the City to request more water.

The applicant spoke to the Council. The initial quote had a mix up in the site plan. They have reworked the site plan and recalculated the water use. The phasing is strategic based on working with UDOT and infrastructure. Phase one can be built as is. Phase two needs additional infrastructure. Phase three is working with UDOT. The plan is to break ground in early spring with a 12-month build. The tenant leasing is a huge factor in how fast they move. The amount they are requesting is the minimum amount. A portion of the asked water amount, is for irrigation usage.

Mayor Winn addressed the Council. The RDA has looked at this idea for the business park. Not knowing what businesses will come, they guarantee water to the developers; allowing them to come back for additional water. The question is, how many acre/feet are they willing to allow the business to start with, before coming back for additional when business fill the buildings. The requirement for outdoor landscape does need to be reduced and is being revised.

The Council is comfortable approving phases. They need to show that the City will see the phases through.

D. Land Use Map Amendment Request by Craig Mills to Reassign Approximately 97.383 Acres Located at 1825 South 11th Avenue from the Regional Commercial Land Use Category to the Industrial Land Use Category

Presented by Jim Bolser, Community Development Director

Mr. Bolser presented a Land Use Map Amendment for the trailer park property located behind the County Jail. This property was inherited by the City from the Army base. The zoning map identifies it as RR-1, Rural Residential. The Land Use identifies it as Regional Commercial with the request to change it to Industrial. The applicant would like to expand the trailer park. The Army Depot will be providing utility service to the site. The applicant would have to work with the Army Depot for additional utilities or put in money to line the systems to this property. There are a number of public safety concerns, including fire, for the site. The City code does not allow construction or expansion of mobile home parks. The I, Industrial, does have a conditional use allowance for a campground to be constructed; which an RV park can arguably be considered a camp ground.

The Council asked the following questions:

Is there going to be conformity to what is constructed?

Has a formal application been done?

Mr. Bolser addressed the Council. The property owner did start constructing additional RV pads without permits. The City did halt that work. There are some conformity issues based on history. The Planning Commission will see this application. Then the Council would see it again. The Army is not looking to expand utilities for this property.

The Council shared not being in favor of this item.

6. Closed Meeting - Litigation, Property Acquisition, and/or Personnel

There is no closed meeting.

7. Adjourn

Chairman Brady adjourned the meeting at 6:44 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 21st day of December, 2022

Justin Brady, City Council Chair