

North Tooele City Special Service District

Administrative Control Board Business Meeting Minutes

Thursday, August 27, 2020

Conference Room 224, Tooele City Hall

90 North Main, Tooele, Utah

Board Members Present: Jeff Hammer, Amanda Graf, Jed Winder, Travis Brady, Katrina Call, Maresa Manzione

Others Present: Justin Brady, Tooele City Council
Chris Springer, Jensen Family Landscaping
Jim Bolser, Tooele City

Minutes Prepared by Elisa Jenkins

The meeting was called to order by Chair Hammer at 8:15 p.m.

1. Open Forum for Public Comment

No one was present from the public to make any comments.

2. Approval of Minutes from Meeting Held June 25, 2020

Ms. Manzione moved to approve the minutes from the meeting held June 25, 2020. Mr. Travis Brady seconded the motion. All members present voted "Aye".

3. Tooele Community Development Representative

Presented by Jim Bolser

Mr. Bolser stated that the City has received the preliminary plat for the 2nd phase of the Drewmore subdivision.

4. City Council Report

Presented by Councilman Justin Brady

Councilman Brady stated that at some point in the past there was a standard written by the District that was given to City administration. He has spoken to Mayor Winn regarding this standard and she indicated that it is almost complete. The City will give this standard to the developers so they know what is expected of them in regards to the District.

Councilman Brady stated that the Drewmore development gave a verbal agreement at the City Council meeting stating that they would join the District but since that meeting, the developer has changed his mind and said he was not going to join the District.

Mayor Winn has asked Councilman Brady to ask the board their thoughts on the 5ft park strip that is part of the Drewmore Development that would include grass trees and shrubs, she asked if the District would only want grass or if rocks trees and shrubs would be acceptable? There is a possibility that the City could rezone this development to be out of the District so the District would not have to maintain it, then the District would have no financial obligation. The homeowners would then be responsible to maintain the area which might not have the same District standards. The developer has told the City that even though he is not joining the District he made a proposal to make a one-time donation of \$12,575.50 for phase one and \$12,000.86 for phase 2, to help with maintenance costs for ten years. Councilman Brady also stated that none of the lots are double frontage lots. The City will maintain the detention basin in this development. There are three lots that are facing Aaron Blvd. Mayor Winn indicated that she understands the situation that the District is in and the City would like to help with some of the issues.

Ms. Graf asked if this development was rezoned if that means that homeowners would be responsible for maintenance in the park strip.

Councilman Brady said yes. The developer said he would still put in trees and shrubs.

Mr. Bolser noted that the detention basin is on the corner of Berra Blvd and Aaron Blvd. Phase 1 goes from the church on the north to the detention basin, Phase 2 would go from there south to Providence.

Ms. Graf said she would like to have this development rezoned out of the District so they would not have to maintain it.

Mr. Winder noted that this is a main street. This area would have different light poles if it was rezoned.

Ms. Manzione said that the new City light poles are similar to the District standards.

Ms. Graf noted that there are no double frontage lots in this development.

Mr. Winder asked if the back of these lots are facing Aaron and Berra Blvd?

Mr. Bolser said no. He stated that all the lots in Phase 1 and Phase 2 will either have the front property line on the road or a side property line on the road as currently designed. None of them will have a rear property line on the road. He said that there is a difference between a double frontage lot and corner lot. A corner lot is a front and side lot a double frontage lot is a front and rear lot that face roads.

Mr. Bolser noted that there are some double frontage lots in Tooele that are not maintained as much as the City would like. He said since the approval of these older developments, the City Council has passed an ordinance that requires any double frontage lots to have an HOA to maintain them.

Mr. Travis Brady said since there are no double frontage lots, he would like to see the development taken out of the District. The District has had to raise taxes this year and they will have to raise it again to pay for maintenance that will be added.

Mr. Winder asked if there was a chance this developer could still join the District. He asked what the costs are for him to join?

Mr. Travis Brady indicated more expensive street lights and street signs.

Mr. Bolser stated that for this subdivision specifically, this is a standardized park strip, which is 5 ft of sidewalk and 5 ft of landscaping. An upgraded park strip like on 2000 North is different.

Ms. Manzione asked if the District's street lights and street signs are more than \$24,000 which is what the developer wants to donate?

Mr. Bolser does not know the costs associated with the street lights and street signs.

Chair Hammer would be interested to know what the costs are.

Mr. Bolser said that he could find out for the next meeting. It might be too late for this project.

Councilman Brady said the developer would like a decision as soon as possible. He thinks that the donation from the developer was associated with water costs.

Mr. Winder asked if Councilman Brady knows if the developer is joining the HOA. Councilman Brady said that Mayor Winn did not know. Mr. Bolser did not know either he would have to find out.

Mr. Hammer asked if this development is taken out of the District, would it have to be part of an HOA.

Mr. Bolser said that because there are no double frontage lots it would not have to be part of an HOA as far as the City is concerned. He also said that he doesn't think that the development needs to be taken out of the District to change which avenue to go. Because it is a standardized park strip it would be the homeowner's responsibility to take care of it, he doesn't think anything is gained by removing them from the District but it is up to the Board what they would like to do.

Mr. Manzione noted that the developer does not want to join the District because of the added costs but there are no added costs because the homeowner maintains the park strips. She asked if there are there street lights and street signs that would need to be put in that would cost more?

Mr. Bolser said that there will be some street signs and street lights on the interior of the subdivision and some along Aaron Blvd.

Ms. Manzione said that the benefit for this development joining the district would be that the District would collect the tax, and the interior of the subdivision would have district standard street lights and signs. Is this where the cost would come in?

Ms. Bolser said that because the developer already has a vested development approval the City would have to talk to the City's legal counsel to see if the City could force them to upgrade the street signs and street lights, it would be the question of the tax.

Mr. Hammer asked if the development could join later?

Mr. Bolser said if they were to join later, there would be a mixture of standardized infrastructure vs. upgraded infrastructure of District lights and signs. As maintenance begins the new standard would take place. Ms. Bolser said if they decide to join the District at any point, they could do the maintenance upgrading as it as needed.

Ms. Manzione feels like it is costing the developer more to make a donation than it would cost to join the District. She asked if the developer understands?

Mr. Bolser said that staff has had conversations with the developer. They have not had recent conversations that the Council and the Mayor has had. He is not sure what the developer understands.

Mr. Hammer feels like it is it worth asking the developer to join the District.

Mr. Bolser said there is no harm in asking. The question is more of a policy statement.

Chair Hammer said that might be setting a bad precedence.

Ms. Graf made a motion to ask the Tooele City Council to remove the Drewmore Development from the North Tooele City Special Service District.

The motion did not carry. Ms. Graf withdrew her motion.

Mr. Bolser said that the City would have to consult legal counsel to see if the developer can change because he already has a vested development. He also said that it is not a rezoning process that would remove them from the District it would be annexation process.

Ms. Graf made a motion to ask the Tooele City Council to annex the Drewmore Development from the North Tooele City Special Service District.

The motion did not carry.

Mr. Winder is not clear what the District would have to maintain?

Chair Hammer said that maintenance of the grass and water, because it was platted in the District.

Mr. Bolser said that is not correct because it is a standardized park strip. The District does not have maintenance of standardized park strips. The question would be if they want to control what is in the park strip. The only maintenance that the District is responsible for in a standardized park strip is if it is a double frontage lot. The District can let it be as it is or opt into have control over what goes in the park strip. If the Overlake HOA has their own landscape standards that is what would have to be complied with. That would be a private enforcement.

Ms. Graf noted that if the District does nothing, they are responsible for the light poles but not the park strips.

Mr. Bolser said yes, the District would also be responsible for street signs.

Councilman Brady read an email from the developer.

Mr. Bolser said their needs to be some clarification with the developer, because the email from the developer does not make sense of what is required.

Ms. Graf made a motion for the North Tooele Special Service District to keep the Drewmore subdivision as it is so the water would be the responsibility of the homeowner. The District would maintain the light poles and street signs. Mr. Travis Brady seconded the motion.

The motion did not carry.

Ms. Manzione said that they cannot control what goes in the park strip so why would the District have to maintain the light poles and street signs.

Mr. Bolser stated that the light poles and street signs are an automatic within the District because of the interlocal agreement between the City and the District.

Ms. Graf moved to annex the Drewmore Subdivision out of the North Tooele Special Service District. Mr. Brady seconded the motion. The vote was as follows: Mr. Hammer, "Aye", Mr. Travis Brady, "Aye", Mr. Winder, "Aye", Ms. Call, "Aye", Ms. Manzione, "Nay". Motion Passes.

Ms. Manzione says that she is uncomfortable voting because there is too much confusion.

Councilman Brady said that the staff report says that the park strip would be turned over to the NTCSSD. Mr. Bolser said there has been a wide range of understanding between what is the Districts responsibility and what it the City's responsibility. He said that statement in the staff report is incorrect. The City has received more clarification from their legal counsel.

5. Maintenance Coordinator's Report on Past and Present Actions

Presented by Amanda Graf

Ms. Graf said that there were some day burners on 400 West that were fixed. Ms. Graf received an email about some blinking lights which she forwarded to Ms. Baker. Ms. Manzione said that the blinking lights have not been fixed and gave Ms. Graf a few more lights that are blinking. Ms. Graf will follow up with Ms. Shilo Baker.

6. Treasurer's Report

Presented by Travis Brady

a. Status of Budget/Expenses for Fiscal Year 2020

Mr. Brady emailed a copy of the Combined Income Statement, Budgets, and Account Balances to the Board members prior to the meeting. A copy of this is included with these minutes as Exhibit A. Mr. Brady reviewed the statements with the board. He will follow up with the paperwork to increase the tax rate by 30.5%.

Vice Treasurer's Report

Presented by Jed Winder

b. Approval of Invoices and Reimbursements

Mr. Winder presented the following invoices for payment:

- Elisa Jenkins in the amount of \$92.00 for secretarial services.
- Jensen Family Landscape for ten weeks of lawn maintenance in the amount of \$8,190.00.
- Transcript Bulletin in the amount of \$14.30 for notice of budget hearing.
- Jensen Family Landscape for miscellaneous maintenance and sprinkler repair in the amount of \$6,292.00.

Mr. Springer indicated that they found out that a meter had not been installed on 2000 North. The City has since taken care of it and installed the meter.

Mr. Brady asked how often the sprinklers get replaced?

Mr. Springer said that most of what they replaced last month have been there for twenty years.

Ms. Manzione moved to approve the invoices as presented. Mr. Hammer seconded the motion. All members present voted "Aye".

7. Chair Report

Presented by Jeff Hammer

Mr. Hammer said that Mr. Baker has sent a letter to the homeowner on 400 West that removed the fence slats that the board discussed in the last meeting. The homeowner has 30 days to replace the slats or the NTCSSD will replace them and bill the homeowner.

Mr. Hammer asked Mr. Bolser who maintains the detention basins within the NTCSSD boundaries? Mr. Bolser indicated that if it a standardized requirement of the development it would remain under City maintenance, unless there was an upgrade with an approval. Mr. Hammer asked if the Providence development detention basin an upgrade? Mr. Bolser said no. Mr. Hammer asked if the Sunset Estates detention basin is an upgrade? Mr. Bolser said no, it

will remain under City maintenance. The City waters the detention basin on 400 W but the NTCSSD mows it.

Chair Hammer said that there is a Board Vacancy Announcement that was written up for the vacant board position. A copy is included with the minutes as Exhibit B. Chair Hammer suggested removing the wording of “drainage and flood control and recreation properties”. This vacancy announcement will be put on the City’s website.

8. Resolution No. 2020-04; A Resolution of the North Tooele City Special Service District Administrative Control Board Adopting the Final Budget for the Fiscal Year 2020-2021.

Ms. Manzione moved to approve Resolution No. 2020-04; Mr. Hammer seconded the motion. All members present voted “Aye”.

Mr. Hammer reminded the board that the next meeting will be held September 24, at 8:00 p.m.

9. Adjourn

Ms. Manzione moved to adjourn the meeting. The meeting adjourned at 9:06 p.m.

Approved this 24th day of September 2020.