

Tooele City Council Business Meeting Minutes

Date: Wednesday, May 3, 2023

Time: 7:00 p.m.

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

City Council Members Present:

Ed Hansen

Justin Brady

Maresa Manzione

Tony Graf

Dave McCall

City Employees Present:

Mayor Debbie Winn

Andrew Aagard, Community Development Director

Adrian Day, Police Department Chief

Shannon Wimmer, Finance Director

Michelle Pitt, City Recorder

Holly Potter, Deputy City Recorder

Jamie Grandpre, Public Works Director

Paul Hansen, City Engineer

Darwin Cook, Parks and Recreation Director

Jared Stewart, Economic Development Director

Chris Nielson, I.T. Director

Roger Baker, City Attorney, via phone

Minutes prepared by Katherin Yei

Chairman Brady called the meeting to order at 7:08 p.m.

1. Pledge of Allegiance

The Pledge of Allegiance was led by Chairman Brady.

2. Roll Call

Tony Graf, Present

Ed Hansen, Present

Justin Brady, Present

Maresa Manzione, Present

Dave McCall, Present

3. Mayor's Community Recognition Award

Presented by Debbie Winn, Mayor

Mayor Winn presented the Mayor's Community Recognition Award to the following:

Tanner Lay
Gabiella Castino
Addison Thaline

4. Public Comment Period

The public hearing was opened. No one came forward. The public hearing was closed.

5. Public Hearing & Motion on Ordinance 2023-18 An Ordinance of Tooele City Adopting a Wastewater Impact Fee Facilities Plan and a Wastewater Impact Fee Analysis, and Amending Tooele City Code Chapter 4-15

Presented by Jamie Grandpre, Public Works Director

Fred Philpot presented a Wastewater Impact Fee Facilities Plan and a Wastewater Impact Fee Analysis. The information provided throughout the plan and analysis helps amend the Ordinance. Mr. Philpot reviewed the impact fee process, the 90-day waiting period, the service area, level of service, existing facilities, buy-ins, future facilities, and financing of wastewater. The impact fee breaks down to treatment in the amount \$3,203 and collection in the amount of \$1,528.

The public hearing was opened. No one came forward. The public hearing was closed.

Council Member Manzione motioned to approve Ordinance 2023-18 An Ordinance of Tooele City Adopting a Wastewater Impact Fee Facilities Plan and a Wastewater Impact Fee Analysis, and Amending Tooele City Code Chapter 4-15. Council Member Hansen seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye." The motion passed.

6. Public Hearing on the Community Development Block Grant (CDBG) Second Public Hearing

Presented by Jared Stewart, Economic Development Director

Mr. Stewart presented the Community Development Block Grant (CDBG). This is the second public hearing. This is for the Sewer Improvement project in the Broadway area. This project is for the CIPP sewer pipe improvements on 5 lines. There will not be any excavation of sewer lines. There is \$400,000 available to replace sewer lines in neighborhoods who need it.

The Council asked the following:
Did the City have to match funds?

Mr. Stewart addressed the Council. Mr. Grandpre did budget to match at \$225,572.

The public hearing was opened. No one came forward. The public hearing was closed.

7. Public Hearing & Motion on Resolution 2023-30 A Resolution of the Tooele City Council Approving Budget Amendments for Fiscal Year 2022-2023

Presented by Shannon Wimmer, Finance Director

Ms. Wimmer presented budget amendments for fiscal year 2022-2023. The majority of the amendments are for grants that the City has received. As well as utility adjustments for the aquatic center.

Council Member Manzione tabled this item until after item 9 in the agenda allowing the Council to review the budget amendments. Chairman Brady seconded. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye." The motion passed.

This item was revisited at 7:42 pm. The Council received exhibit A, the budget amendments.

Ms. Wimmer shared the following:

ARPA funds reallocation, \$5,500 donation for Wigwam, grant funds received, water rights approved, leave payouts, unexpected utilities, street funds by overtime and road salt for the winter.

The public hearing was opened. No one came forward. The public hearing was closed.

Council Member Hansen motioned to approve Resolution 2023-30; A Resolution of the Tooele City Council Approving Budget Amendments for Fiscal Year 2022-2023. Council Member Manzione seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye." The motion passed.

8. Resolution 2023-27 A Resolution of the Tooele City Council Consenting to Mayor Winn's Appointment of Andrew Aagard to the Position of Director of the Community Development Department

Presented by Debbie Winn, Mayor

Mayor Winn presented the appointment of Andrew Aagard to the position of Director of the Community Development Department.

Council Member McCall motioned to approve Resolution 2023-27. Council Member Hansen seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye." The motion passed.

9. Swearing in of Andrew Aagard as the New Community Development Director

Ms. Pitt swore in Andrew Aagard as the new Community Development Director.

10. Public Hearing & Motion on Ordinance 2023-16 An Ordinance of Tooele City Reassigning the Land Use Designation for Approximately 25 Acres of Property Located at Approximately 450 South Tooele Boulevard from Regional Commercial to Light Industrial
Presented by Andrew Aagard, Community Development Director

Mr. Aagard presented a Land Use Map amendment for the property located near 450 South Tooele Boulevard. The zoning needs to change in order to conduct their business. It has a designation of RC, Regional Commercial. They are requesting a LI, Light Industrial. The small piece of RC is a City Well. The Planning Commission did hear this item and forwarded a positive recommendation.

The public hearing was opened. No one came forward. The public hearing was closed.

Council Member Manzione motioned to approve Ordinance 2023-16; An Ordinance of Tooele City Reassigning the Land Use Designation for Approximately 25 Acres of Property Located at Approximately 450 South Tooele Boulevard from Regional Commercial to Light Industrial. Council Member McCall seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye." The motion passed.

11. Public Hearing & Motion on Ordinance 2023-17 An Ordinance of Tooele City Reassigning the Zoning for Approximately 25 Acres of Property Located at Approximately 450 South Tooele Boulevard from RD Research and Development to LI Light Industrial
Presented by Andrew Aagard, Community Development Director

Mr. Aagard presented a Zoning Map Amendment for the property located 450 South Tooele Boulevard. They are requesting to change the zoning to LI, Light Industrial.

The public hearing was opened. No one came forward. The public hearing was closed.

Council Member Hansen motioned to approve Ordinance 2023-17; An Ordinance of Tooele City Reassigning the Zoning for Approximately 25 Acres of Property Located at Approximately 450 South Tooele Boulevard from RD Research and Development to LI Light Industrial. Council Member McCall seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye." The motion passed.

12. Public Hearing & Motion on Ordinance 2023-19 An Ordinance of Tooele City Reassigning the Land Use Designation for Approximately 0.28 Acres of Property Located at 248 North Garden Street from Medium Density Residential to Community Commercial
Presented by Andrew Aagard, Community Development Director

Mr. Aagard presented a Land Use Designation for the property located at 248 North Garden Street. The property is vacant land. It is zoned R1-7 and has a medium-density residential. It was discussed to have Garden Street as a buffer zone. The applicant is requesting the CC, Community Commercial for a laundromat or salon. The Planning Commission heard the item and has recommended the approval.

The public hearing was opened.

Kalani Mascherino addressed the Council with concerns of traffic, parking, and current business use.

The public hearing was closed.

The Council shared concerns of traffic and parking on Garden street. As well as putting commercial in a residential area.

Council Member Manzione motioned to deny approval of Ordinance 2023-19; An Ordinance of Tooele City Reassigning the Land Use Designation for Approximately 0.28 Acres of Property Located at 248 North Garden Street from Medium Density Residential to Community Commercial. Council Member McCall seconded the motion. The vote was as follows: Council Member Hansen, “Aye,” Council Member Graf, “Aye,” Council Member Brady, “Aye,” Council Member Manzione, “Aye,” Council Member McCall, “Aye.” The motion passed.

13. Public Hearing & Motion on Ordinance 2023-20 An Ordinance of Tooele City Reassigning the Zoning for Approximately 0.39 Acres of Property Located at 60 South Main Street from GC General Commercial to MU-G Mixed Use General

Presented by Andrew Aagard, Community Development Director

Mr. Aagard presented a rezoning for the property located near 60 South Main Street for the Beacon House. It bares the GC, General Commercial zone with the request to change it to MU-G, Mixed Use General. The Land Use Map was recently amendment to MU-G Mixed Use General. The Planning Commission heard the item and has recommended the approval.

The Council shared concerns of the zoning change allowing anything that fits in Mixed-Use General. Allowing residential treatment facility in the area of the Downtown Overlay, may bring unwanted behavior and affect the goal of the Downtown Alliance. The Council shows interest in having residential area in the above apartments in the downtown area.

The Council asked the following questions:

Is there another zone that can differentiate between residential and treatment facilities?

Can they add a condition approving residential, but not allowing the living-treatment aspect?

Did the Council just add the ability to have the treatment facility in this zone?

Mr. Aagard addressed the Council. This is one of the possible uses. Even if the applicant does not go through with the residential treatment, this zone will allow residential use. There is not another zone. Mixed zone does allow a wide mix of residential areas. The applicant has a couple of options with a treatment facility. The City Council can approve a conditional zoning change but it becomes a hard thing to keep track of. The Council did just approve an amendment to allow residential treatments in the Mixed-Use General.

Mr. Baker addressed the Council. There was a discussion when changing the City Code, if the Council would like to look at the entire area or a single parcel, and his recollection is that the Council chose to rezone only this parcel rather than the whole block. The Council can impose conditions on the zone, but that can be difficult to do. The best way to track a conditional zone amendment is to amend the ordinance, allowing the conditions to be built into the ordinance.

Mayor Winn addressed the Council. Staff would like to continue to work with the Down Town Alliance to create a zone to give them what they are looking for.

The public hearing was opened.

The Public shared concern about the possible trouble that surrounds the treatment facilities.

The public hearing was closed.

Council Member McCall motioned to table this item for two months allowing the City to work with the Downtown Alliance. Council Member Graf seconded the motion. The vote was as follows: Council Member Hansen, “Nay,” Council Member Graf, “Aye,” Council Member Brady, “Aye,” Council Member Manzione, “Aye,” Council Member McCall, “Aye.” The motion passed.

14. Five Star Minor Subdivision Request by Cameron Dortch to Create 4 Industrial Lots and 4 Accompanying Railroad Parcels for Approximately 19.4 Acres Located at Approximately 1471 West L Avenue

Presented by Andrew Aagard, Community Development Director

Mr. Aagard presented a Minor Subdivision request for the property located in the Peterson Industrial Depot approximately at 1471 West L Avenue. It is zoned to PID. The applicant is wanting to separate the parcel into four individual lots to be able to sell each individual building. There is no new development. Staff is recommending approval. Planning Commission has heard this item and is recommending approval.

Council Member Manzione motioned to approve Five Star Minor Subdivision Request by Cameron Dortch as presented. Council Member Hansen seconded the motion. The vote was as follows: Council Member Hansen, “Aye,” Council Member Graf, “Aye,” Council Member Brady, “Aye,” Council Member Manzione, “Aye,” Council Member McCall, “Aye.” The motion passed.

15. Resolution 2023-36 A Resolution of the Tooele City Council Tentatively Adopting the Budget Officer's Tentative Budget for Tooele City Fiscal Year 2023-2024, and Establishing the Time and Place of a Public Hearing to Consider its Adoption

Presented by Debbie Winn, Mayor

Mayor Winn presented the Budget Officer's Tentative Budget for Tooele City Fiscal Year 2023-2024. The public hearing will be held June 21, 2023. They propose to add a work meeting to have a budget discussion. Budgets will be available for the public to review.

Council Member Graf motioned to approve Resolution 2023-36 A Resolution of the Tooele City Council Tentatively Adopting the Budget Officer's Tentative Budget for Tooele City Fiscal Year 2023-2024, and Establishing the Time and Place of a Public Hearing to Consider its Adoption. Council Member Manzione seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye." The motion passed.

16. Resolution 2023-24 A Resolution of the Tooele City Council Approving the Form of a Lease Agreement with Hoot Owl Leasing LLC for a Cell Tower Site

Presented by Roger Baker, City Attorney

This item was tabled.

Chairman Brady motioned to table this item. Council Member Graf seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye." The motion passed.

17. Resolution 2023-29 A Resolution of the Tooele City Council Approving a Franchise Agreement with All West/Utah for Cable Television Services

Presented by Roger Baker, City Attorney

Mr. Baker presented a franchise agreement with All West/Utah allowing them to provide cable television services using its fiberoptic cables. Mr. Baker asked the Council to include a condition allowing the City to charge the maximum franchise fee Utah State Code allows them to charge, which he believed is 5% of gross revenues.

Council Member Manzione motioned to approve Resolution 2023-29 A Resolution of the Tooele City Council Approving a Franchise Agreement with All West/Utah for Cable Television Services, including adding the franchise Utah State Code allows them to charge. Council Member McCall seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye." The motion passed.

18. Resolution 2023-25 A Resolution of the Tooele City Council Approving an Agreement with Hansen Allen & Luce for a Lead and Copper Rule Service Line Inventory

Presented by Jamie Grandpre, Public Works Director

Mr. Grandpre presented an agreement with Hansen Allen & Luce for a Lead and Copper Rule Service Line Inventory for the water department. The State of Utah has given the City an October date to submit a service line inventory. The cost is \$38,000.

The Council asked the following questions:

How does the company figure out where and what the lines are?

Mr. Grandpre addressed the Council's questions. The state wants the City to know from Meter to Main. This is this initial portion of this project. The City is working with the company to do it. There are some old lead pipes still in the system.

Council Member Hansen motioned to approve Resolution 2023-25. Council Member McCall seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye." The motion passed.

19. Resolution 2023-31 A Resolution of the Tooele City Council Approving and Ratifying an Agreement with Broken Arrow Construction to Install a Duro-Last Membrane Roof on the Public Works Shop Building

Presented by Jamie Grandpre, Public Works Director

Mr. Grandpre presented an agreement with Broken Arrow Construction to install a Duro-last membrane roof on the Public Works Shop Building. The roof has been redone twice in the past. The cost is \$62,550. Materials have taken longer than anticipated.

Council Member Manzione motioned to approve Resolution 2023-31. Council Member Hansen seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye." The motion passed.

20. Resolution 2023-34 A Resolution of the Tooele City Council Approving a Change Order with Beck Construction & Excavation, Inc., for the Main Street Parking Project

Presented by Jamie Grandpre, Public Works Director

Mr. Grandpre presented a change order with Beck Construction & Excavation, Inc., for the Main Street Parking Project. The parking stalls near Tooele Boulevard and Main Street are being put in. The original agreement was for a small portion of concrete near those parking stalls. They are looking to put stamp concrete along multiple spots on Main Street. The cost for stamp concrete is \$66,133.55; the colored concrete is \$8,451.75, totaling of \$74,585.30. The money is from a grant from the County.

Council Member Hansen motioned to approve Resolution 2023-34 A Resolution of the Tooele City Council Approving a Change Order with Beck Construction & Excavation, Inc., for the Main Street Parking Project. Council Member McCall seconded the motion. The vote was as follows: Council Member Hansen, “Aye,” Council Member Graf, “Aye,” Council Member Brady, “Aye,” Council Member Manzione, “Aye,” Council Member McCall, “Aye.” The motion passed.

21. Resolution 2023-35 A Resolution of the Tooele City Council Approving a Contract with PNL Construction, Inc. for the Iron Street Sewer Line & Manhole Replacement Project
Presented by Paul Hansen, City Engineer

Mr. Hansen presented a contract with PNL Construction, Inc. for the Iron Street Sewer Line & Manhole Replacement Project. With the Army Depot being over 80 years, some of the infrastructure needs to be updated. The project was put out into bid with PNL Construction submitting a bid in the amount of \$339,620. Due to the age of the area, administration is asking for 5% contingency. This project will be paid through sewer funds and ARPA funds.

Council Member McCall motioned to approve Resolution 2023-35 A Resolution of the Tooele City Council Approving a Contract with PNL Construction, Inc. for the Iron Street Sewer Line & Manhole Replacement Project with a 5% contingency. Chairman Brady seconded the motion. The vote was as follows: Council Member Hansen, “Aye,” Council Member Graf, “Aye,” Council Member Brady, “Aye,” Council Member Manzione, “Aye,” Council Member McCall, “Aye.” The motion passed.

22. Resolution 2023-33 A Resolution of the Tooele City Council Approving and Ratifying an Agreement with Dave’s Custom Concrete for the Pratt Aquatics Center Concrete Park Strip Project

Presented by Darwin Cook, Parks & Recreation Director

Mr. Cook presented an agreement with Dave’s Custom Concrete for the Pratt Aquatics Center Concrete Park Strip Project. In 2019, a project to remove rocks in front of the pool. Designed with stamp concrete at entrance ways and brush concrete filling the rest. They will be keeping the trees in place. They received three bids with Dave’s Custom Concrete.

Council Member Manzione motioned to approve Resolution 2023-33. Council Member McCall seconded the motion. The vote was as follows: Council Member Hansen, “Aye,” Council Member Graf, “Aye,” Council Member Brady, “Aye,” Council Member Manzione, “Aye,” Council Member McCall, “Aye.” The motion passed.

23. Resolution 2023-26 A Resolution of the Tooele City Council Adopting the Voter Participation Area Map

Presented by Michelle Pitt, City Recorder

Ms. Pitt presented the Tooele City Council Voter Participation Area Map. During the 2019 general session, House Bill 119 was adopted requiring municipalities to divide the City into four

areas of substantially equal population for the purpose of obtaining signatures for initiatives and referenda. The City adopted a voter participation area map in 2020, but since then County made updates to their voting precinct boundaries. Ms. Pitt explained that the map being presented to the Council today included the County's changes. As well as, equally divided the City into four contiguous and compact areas of equal population.

Chairman Brady motioned to approve Resolution 2023-26. Council Member Hansen seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye." The motion passed.

24. Resolution 2023-32 A Resolution of the Tooele City Council Authorizing an Interlocal Election Agreement with Tooele County for 2023 Tooele City Elections

Presented by Michelle Pitt, City Recorder

Ms. Pitt presented an Interlocal Election Agreement with Tooele County for 2023 Tooele City Elections. The Tooele County Clerk's office has traditionally helped with the elections. The estimated is cost is \$2 per ballot or \$33,938 per election.

Council Member Graf motioned to approve Resolution 2023-32; A Resolution of the Tooele City Council Authorizing an Interlocal Election Agreement with Tooele County for 2023 Tooele City Elections. Council Member Manzione seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye." The motion passed.

25. Invoices & Purchase Orders

Ms. Pitt presented the following invoices and purchase orders:

Tooele Motor Company for 2020 RAM 5500 white brush truck for the Fire Department in the amount \$64,400.

CJ Trucking and Excavating to replace waterlines and existing fire hydrants in the amount of \$53,837.50.

Rocky Mountain Power to relocate a power pole for the 7th Street roadway improvement project in the amount of \$39,945.00

Council Member Hansen motioned to approve the Invoices and Purchase orders. Chairman Brady seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye." The motion passed.

26. Minutes

There are no changes to the minutes.

Council Member Manzione motioned to approve Minutes. Council Member McCall seconded the motion. The vote was as follows: Council Member Hansen, “Aye,” Council Member Graf, “Aye,” Council Member Brady, “Aye,” Council Member Manzione, “Aye,” Council Member McCall, “Aye.” The motion passed.

27. Adjourn

Chairman Brady adjourned the meeting at 9:06pm.

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 17th day of May, 2023

Justin Brady, City Council Chair