

Tooele City Council Business Meeting Minutes

Date: Wednesday, December 20, 2023

Time: 7:00 p.m.

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

City Council Members Present:

Ed Hansen

Maresa Manzione

Dave McCall

Justin Brady

Tony Graf

City Employees Present:

Mayor Debbie Winn

Adrian Day, Police Department Chief

Michelle Pitt, City Recorder

Loretta Herron, Deputy City Recorder

Roger Baker, City Attorney

Jared Stewart, Economic Development Director

Darwin Cook, Parks and Recreation Director

Andrew Aagard, Community Development Director

Paul Hansen, City Engineer

Minutes prepared by Katherin Yei

Chairman Brady called the meeting to order at 7:00 p.m.

1. Pledge of Allegiance

The Pledge of Allegiance was led by Chairman Brady.

2. Roll Call

Ed Hansen, Present

Maresa Manzione, Present

Dave McCall, Present

Justin Brady, Present

Tony Graf, Present

3. Public Comment Period

The public hearing was opened.

Rachel Yei shared concerns in regards to the animal shelter changes, including the loss of volunteer program and making it a kill shelter.

Christine Hills shared concerns to the ADU rules and guidelines in regards to the required square footage.

Tony Graf shared his gratitude to the Council, staff, and his opportunity to serve.

The public hearing was closed.

The City Council addressed the public's concerns. The staff and Council can look at the ADU required square footage. The City made the decisions to move the animal shelter to the police department for public safety.

4. Recognition of Tony Graf's Service

Presented by Council Chair Justin Brady

Chairman Brady recognized Tony Graf for his service on the City Council.

5. Public Hearing and Motion on Ordinance 2023-43 An Ordinance of Tooele City Amending Tooele City Code Chapter 7-19 Regarding Subdivisions

Presented by Roger Baker, City Attorney

Mr. Baker presented an amendment to City Code Chapter 7-19 in regards to subdivisions in response to Senate Bill 174. The bill requires the City to overhaul its subdivision application, approval, and appeal processes. City Councils are no longer involved in the subdivision approval process, recognizing that legislative bodies have a role in establishing subdivision rules, but not in administering subdivision applications under those rules. The preliminary subdivision will be approved by the Planning Commission. Preliminary subdivision appeals will be decided by a panel of three members with qualifications in a planning, development, or related fields. The final subdivision will be approved by a committee of the Public Works Director, Community Development Director, and City Engineer, with the signature of two of them required for approval. Final subdivision appeals are dictated by state law and will be heard by a committee of three engineers; one selected by the City, one selected by the sub-divider, and a third selected by the first two. A minor subdivision be treated like a final subdivision for approvals and appeals. The preliminary and final processes are merged into a final subdivision approval process. The enactment deadline for implementation of SB 174 and these amendments is February 2024.

The public comment was opened.

Howard Schmidt shared his thoughts on this process stream lining things a bit for developers, expressing his support for the changes.

The public hearing was closed.

Council Member Hansen motioned to approve Ordinance 2023-43; An Ordinance of Tooele City Amending Tooele City Code Chapter 7-19 Regarding Subdivisions. Council

Member Manzione seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye," Council Member Graf, "Aye," and Chairman Brady, "Aye." The motion passed.

6. Ordinance 2023-44 An Ordinance of Tooele City Amending Tooele City Codes Chapters 7-11A-18 Regarding Multi-Family Residential Building Materials, 7-11A-12 Regarding Multi-Family Residential Landscaping Standards and 7-11A-25 Regarding Deviations from Multi-Family Residential Design Standards

Presented by Andrew Aagard, Community Development Director

The notice for the public hearing did not go out in time for this item.

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

7. Ordinance 2023-45 An Ordinance of Tooele City Amending the Tooele City Annexation Policy Plan, an Element of the Tooele City General Plan

Presented by Andrew Aagard, Community Development Director

The notice for the public hearing did not go out in time for this item.

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

8. Ordinance 2023-46 An Ordinance of Tooele City Reassigning the Land Use Designation for Approximately 6.9 Acres of Property Located at 1232 West Utah Avenue from Light Industrial (LI) to Industrial (I)

Presented by Andrew Aagard, Community Development Director

The notice for the public hearing did not go out in time for this item.

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

9. Preliminary Subdivision Plan Request for Millennial Park Phase 2 for Property Located at 300 West 400 North in the MR-16 Zoning District on 1.75 Acres

Presented by Andrew Aagard, Community Development Director

Mr. Aagard presented a preliminary subdivision plan for Millennial Park phase 2. It is zoned MR-16, Multi-Family Residential. The applicant proposes to subdivide the parcel into 25 lots. It will include various amenities for the development, including a private road maintained the HOA. Staff is recommending approval with the conditions listed in staff report.

Council Member Manzione motioned to approve Preliminary Subdivision Plan Request for Millennial Park Phase 2 for Property Located at 300 West 400 North in the MR-16 Zoning District on 1.75 Acres. Council Member McCall seconded the motion. The vote was as follows: Council Member Hansen, “Aye,” Council Member Manzione, “Aye,” Council Member McCall, “Aye,” Council Member Graf, “Aye,” and Chairman Brady, “Aye.” The motion passed.

10. Preliminary Approval of the Proposed Harris Community Village Condominium Plat for Property Located at 251 North 1st Street in the MR-8 Multi-Family Residential Zoning District

Presented by Andrew Aagard, Community Development Director

Mr. Aagard presented a preliminary approval for the proposed Harris Community Village condominium plat. It is zoned MR-8, Multi-Family Residential. They have requested the plat to create unique ownership of the buildings. It is necessary for Tooele Housing Authority to fund the project. Staff is recommending approval. Tooele Housing Authority will maintain ownership.

Council Member Hansen motioned to approve the Preliminary Approval of the Proposed Harris Community Village Condominium Plat for Property Located at 251 North 1st Street in the MR-8 Multi-Family Residential Zoning District. Council Member McCall seconded the motion. The vote was as follows: Council Member Hansen, “Aye,” Council Member Manzione, “Aye,” Council Member McCall, “Aye,” Council Member Graf, “Aye,” and Chairman Brady, “Aye.” The motion passed.

11. Minor Subdivision Request for the Kelly White Subdivision Proposed to be Located at 738 West McKellar Street in the MR-8 Multi-Family Residential Zoning District

Presented by Andrew Aagard, Community Development Director

Mr. Aagard presented a minor subdivision request for the Kelly White subdivision. It is zoned MR-8, Multi-Family Residential. He has submitted the application to address the nonconforming issue on the property. There is an existing non-conforming structure on the property. They are enlarging the lot to meet requirements.

Council Member Graf motioned to approve a Minor Subdivision Request for the Kelly White Subdivision Proposed to be Located at 738 West McKellar Street in the MR-8 Multi-Family Residential Zoning District. Council Member McCall seconded the motion. The vote was as follows: Council Member Hansen, “Aye,” Council Member Manzione, “Aye,” Council Member McCall, “Aye,” Council Member Graf, “Aye,” and Chairman Brady, “Aye.” The motion passed.

12. Resolution 2023-104 A Resolution of the Tooele City Council Authorizing Payment of a Fee In Lieu of Water Rights Conveyance for Holiday Oil

Presented by Jared Stewart, Economic Development Director

Mr. Stewart presented a request from Holiday Oil located near 3 O'clock Drive authorizing payment of a fee in lieu of water rights conveyance. They are requesting 8-acre feet of water for the conveyance store and car wash. They are estimating 13-15 jobs, \$15 Million in new sales tax, and approximately \$3,900 in new property tax annually to Tooele City.

The City Council shared concerns for the car wash and water use. The Council discussed approving the fee in lieu for the conveyance store but not the carwash. If the applicant would like to continue with the carwash, they will need to purchase water on the open market.

The applicant addressed the Council. The car wash element is a adds value to the store. They would like to discuss their next step and asked for this item to be tabled.

Council Member Manzione motioned to table Resolution 2023-104; A Resolution of the Tooele City Council Authorizing Payment of a Fee In Lieu of Water Rights Conveyance for Holiday Oil until the applicant brings it back. Council Member Hansen seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye," Council Member Graf, "Aye," and Chairman Brady, "Aye." The motion passed.

13. Invoices & Purchase Orders

Ms. Pitt presented the following invoices and purchase orders for approval:

Mountainland Supply for water meters in the amount of \$62,281.67

Ken Garff Ford for five 2023 Ford Explorer for the police department in the amount of \$233,440

Ratification of CIB Bond for fire station number 3 in the amount of \$98,000

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

14. Minutes; December 5, 2023 Canvass Meeting, December 6, 2023 MBA Meeting, December 6, 2023 Work Meeting, December 6, 2023 Business Meeting

There are no changes to the minutes

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

Council Member Graf abstained from the vote.

12. Adjourn

Chairman Brady adjourned the meeting at 7:44pm.

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 3rd day of January, 2024

Justin Brady, City Council Chair