

Tooele City Council Business Meeting Minutes

Date: Wednesday, June 21, 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

Tony Graf

Dave McCall

City Council Members Excused:

Justin Brady

City Employees Present:

Mayor Debbie Winn

Adrian Day, Police Department Chief

Roger Baker, City Attorney

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

Andrew Aagard, Community Development Director

Kami Perkins, Human Resource Director

Minutes prepared by Katherin Yei

Vice-Chairman Hansen called the meeting to order at 7:13 p.m.

1. Pledge of Allegiance

The Pledge of Allegiance was led by Vice-Chairman Hansen.

2. Roll Call

Tony Graf, Present

Ed Hansen, Present

Maresa Manzione, Present

Dave McCall, Present

Justin Brady, Excused

3. Mayor's Community Recognition Awards

Mayor Winn presented the Community Recognition award to Peter and Louise Remose.

4. Public Comment Period

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

5. Public Hearing & Motion on Resolution 2023-46 A Resolution of the Tooele City Council Adopting a Proposed Tax Rate for Fiscal Year 2023-2024

Presented by Shannon Wimmer, City Finance Director

Ms. Wimmer presented the proposed max tax rate for fiscal year 2023-2024. They will officially adopt this on August 16.

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

Council Member Manzione motioned to approve Resolution 2023-46; A Resolution of the Tooele City Council Adopting a Proposed Tax Rate for Fiscal Year 2023-2024. Council Member Graf seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye." The motion passed.

6. Public Hearing & Motion on Resolution 2023-47 A Resolution of the Tooele City Council Adopting a Tentative Budget for Tooele City for Fiscal Year 2023-2024

Presented by Shannon Wimmer, Finance Director

Ms. Wimmer presented the tentative budget. This allows them to continue to fund the City July 1, as they continue to go through truth and taxation.

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

Council Member Graf motioned to approve Resolution 2023-47; A Resolution of the Tooele City Council Adopting a Tentative Budget for Tooele City for Fiscal Year 2023-2024.

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

7. Public Hearing & Motion on Resolution 2023-48 A Resolution of the Tooele City Council Approving Budget Amendments for Fiscal Year 2022-2023

Presented by Shannon Wimmer, Finance Director

Ms. Wimmer presented the final budget amendments for fiscal year 2022-2023. There were some large number adjustments.

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

Council Member McCall motioned to approve Resolution 2023-48 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 Manzione, "Aye," Council Member McCall, "Aye." The motion passed.

8. Public Hearing & Motion on Ordinance 2023-30 An Ordinance of Tooele City Reassigning the Land Use Designation for Approximately 2 Acres of Property Located at 602 West 3 O'clock Drive from High Density Residential (HDR) to Regional Commercial (RC)

Presented by Andrew Aagard, Community Develop Director

Mr. Aagard presented a Land Use Map Amendment for the property located at the intersection of 3 O'clock Drive and SR-36. The property is zoned MR-12, Multi-family. The land use designation is HDR, High density residential. The applicant wishes to change it to RC, Regional Commercial. They are looking to put a convenience store with gasoline services. Staff suggests the Planning Commission includes the entirety of the property in the amendment. The Neighborhood Commercial zone does allow service stations as well. The Planning Commission recommended approval of community commercial. The Planning Commission did also recommend the parcel next to this property in the land use change.

The City Council asked the following:

Is the applicant ok with Community Commercial?

How can they combat light pollution to residents in the area?

Mr. Baker addressed the Council. The Planning Commission recommended to include additional land, including additional access. The Conditional Use Permit process could address that as an impact.

Mr. Aagard addressed the Council. They can put something on the lights to direct glare of the lights into the site.

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

Council Member McCall motioned to approve Ordinance 2023-30; An Ordinance of Tooele City Reassigning the Land Use Designation for Approximately 4 Acres of Property Located at 602 West 3 O'clock Drive from High Density Residential (HDR) to Community Commercial. Council Member Manzione seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye." The motion passed.

9. Public Hearing & Motion on Ordinance 2023-31 An Ordinance of Tooele City Reassigning the Land Use Designation for Approximately 0.39 Acres of Property Located at 105 East 1000 North from Regional Commercial (RC) to Medium Density Residential (MDR)

Presented by Andrew Aagard, Community Development Director

Mr. Aagard presented a Land Use Map amendment for the property located 105 E 1000 N. There is an existing single-family home. It is currently zoned RR-1. The current Land Use designation is Regional Commercial. The applicant would like to change the designation to medium density residential. The applicant would like to subdivide .39 acre to maintain the house on its own property. The Planning Commission recommends approval of this item.

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

Council Member Manzione motioned to approve Ordinance 2023-31; An Ordinance of Tooele City Reassigning the Land Use Designation for Approximately 0.39 Acres of Property Located at 105 East 1000 North from Regional Commercial (RC) to Medium Density Residential (MDR). Council Member McCall seconded the motion. The vote was as follows: Council Member Hansen, “Aye,” Council Member Graf, “Aye,” Council Member Manzione, “Aye,” Council Member McCall, “Aye.” The motion passed.

10. 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 (was tabled on 05/03/2023)

Presented by Andrew Aagard, Community Development Director

Mr. Aagard presented a reassignment of Approximately 0.39 Acres of Property Located at 60 South Main Street from GC General Commercial to MU-G Mixed Use General. This item was tabled to allow the City to work with the Downtown Alliance concerning permitting of residential uses in the downtown alliance. The property is located in an existing building located 60 south main street. It is zoned GC, General Commercial. The land use map was changed to Mixed-Use. The subject property is to rezone to MU-G, allowing a residential treatment center in the upper facility.

The Council asked the following:

Are accessory dwelling units are allowed with a conditional use permit in General Commercial?

Mr. Aagard addressed the Council. It allows living quarters and a treatment facility.

The applicant addressed the Council. They currently have a group living designation. This application is to have an option to have eight residential areas above their facilities. They are not mandated to live there.

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

11. Ordinance 2023-24 An Ordinance of Tooele City Amending the Tooele City Personnel Policies and Procedures Manual

Presented by Kami Perkins, Human Resources Director

Ms. Perkins presented changes to the Tooele City Personnel Policies and Procedures Manual. They are anticipated to have little to no impact to general employees and are primarily addressing editorial revisions, editorial changes needed due to recent changes in law, and a change in benefit eligibility eliminating health insurance option for elected city council members.

A summary of the changes includes the following:

Section 2: Equal Employment Opportunity & Workplace Accommodations. Editorial revisions noting City compliance with new legislation: Federal Pregnant Workers Fairness Act (PWFA) and Providing Urgent Maternal Protections for Nursing Mothers (PUMP) Act. The provisions required under these laws were already required under Utah State law.

Section 14: Outside Employment. Editorial revisions.

Section 29: Benefits. Removes part-time Council Members' ability to participate in the Tooele City Group Health or Waiver program. It adds cash-in-lieu/waiver information to policy and makes editorial revisions to Section 125 plan narrative; adds information regarding Health Savings Plan (HSA) eligibility and employer contributions; makes revisions to the Utah Retirement System benefit regarding Tier 2 benefit protection contracts to comply with Utah State law requiring benefit protection for sworn police officers and firefighters whose line-of-duty long-term disability benefits extend beyond workers compensation, if applicable; and, includes information regarding eligibility for exemption from vesting requirements of the Tier 2 plan for certain eligible employees.

Section 30: Retiring & Retiree Benefits. Modifies the Public Safety Mental Health Retiree Benefit provision due to changes to Utah Code Title 54, Chapter 21 passed in the 2023 legislative session including expansion of coverage to certain non-sworn positions; clarifies that Tooele City will comply with the provisions of the law by providing eligible retirees with mental health benefits through Tooele City's Employee Assistance Program for three years following their date of retirement and thereafter with access to a peer support specialist/program if requested.

Council Member McCall motioned to approve Ordinance 2023-24; An Ordinance of Tooele City Amending the Tooele City Personnel Policies and Procedures Manual. Council Member Manzione seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye." The motion passed.

12. Resolution 2023-38 A Resolution of the Tooele City Council Adopting the Modified Public Employees Health Program (PEHP) IRC Section 125 Cafeteria Prototype Plan for Tooele City's Cash-In-Lieu / Waiver Program

Presented by Kami Perkins, Human Resources Director

Ms. Perkins presented the modified PEHP IRC section 125 cafeteria prototype plan for Tooele City's cash-in-lieu/waiver program. This is the paperwork/plan document side of the cash-in-lieu waiver program, allowing the City to run the program and be in compliance with the IRS.

Council Member Hansen motioned to approve Resolution 2023-38 A Resolution of the Tooele City Council Adopting the Modified Public Employees Health Program (PEHP) IRC Section 125 Cafeteria Prototype Plan for Tooele City's Cash-In-Lieu / Waiver Program. Council Member McCall seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye." The motion passed.

13. Resolution 2023-49 A Resolution of the Tooele City Council Approving an Agreement with RH Borden and Company LLC for Sewer Line Transmissive Acoustics Assessment Services

Presented by Jamie Grandpre, Public Works Director

Mr. Grandpre presented an agreement with RH Borden and Company LLC for sewer line transmissive acoustics assessment services. Last summer, they were able to do the south part of town with great results. The resolution is for the middle part of town, 265,000 feet of pipe and 1000-man holes in the amount of \$57,700.

Council Member Manzione motioned to approve Resolution 2023-49 A Resolution of the Tooele City Council Approving an Agreement with RH Borden and Company LLC for Sewer Line Transmissive Acoustics Assessment Services. Council Member McCall seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye." The motion passed.

14. Resolution 2023-50 A Resolution of the Tooele City Council Approving an Agreement with TecServ, Inc. for Computer Network Maintenance Services

Presented by Chris Neilson, IT Director

Mr. Nielson presented a contract with TecServ, Inc. They will be reducing the number of hours, covering 5 hours a week of service.

Council Member Graf motioned to approve Resolution 2023-50 A Resolution of the Tooele City Council Approving an Agreement with TecServ, Inc. for Computer Network Maintenance Services. Council Member McCall seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Manzione, "Aye," Council Member McCall, "Aye." The motion passed.

15. Resolution 2023-51 A Resolution of the Tooele City Council Approving a Change Order #2 with Broken Arrow Inc. for the 2022 Seventh Street Road and Utility Improvement Project

Presented by Paul Hansen, City Engineer

Mr. Hansen presented a change order with Broken Arrow Inc. for the seventh street road and utility improvement project. They are needing to work on the storm drains and run underground power conduit for Rocky Mountain Power. The cost is \$54,904.83. They will need to make modifications to the duct bank for the telecommunication devices. They are asking for \$65,000 with a \$500,000 contingency paid from the storm drain fund.

Council Member McCall motioned to approve Resolution 2023-51 with the contingency and adjustment as stated. Council Member Hansen seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye" Council Member Manzione, "Aye," Council Member McCall, "Aye." The motion passed.

16. Invoices & Purchase Orders

There are no invoices to approve.

17. Minutes

There are no changes to the minutes

Council Member Graf 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 Manzione, "Aye," Council Member McCall, "Aye." The motion passed.

18. Adjourn

Vice-Chairman Hansen adjourned the meeting at 8:12pm.

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 5th day of July, 2023

Ed Hansen, City Council Vice-Chair