

**Tooele City Council
Business Meeting Minutes**

Date: Wednesday, January 16, 2019

Time: 7:00 p.m.

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

City Council Members Present:

Steve Pruden

Brad Pratt

Dave McCall

Scott Wardle

Melodi Gochis

City Employees Present:

Mayor Debbie E. Winn

Jim Bolser, Community Development Director

Chief Ron Kirby, Police Department

Roger Baker, City Attorney

Glen Caldwell, Finance Director

Michelle Pitt, City Recorder

Paul Hansen, City Engineer

Stephen Evans, Public Works Director

Minutes prepared by Kelly Odermott

Chairman Pruden called the meeting to order at 7:02 p.m.

1. Pledge of Allegiance

The Pledge of Allegiance was led by Council Member Pratt.

2. Roll Call

Steve Pruden, Present

Dave McCall, Present

Scott Wardle, Present

Brad Pitt, Present

Melodi Gochis, Present

3. **Election of Council/Chair & Board/Committee Assignments**

Chairman Pruden stated for the benefit of the public, the Council has various duties, they perform, various committees they are on, and assignments within the City and within the community. The Council has gone through those assignments and assigned them to various Council Members. Chairman Pruden opened discussion with the Council Members to determine if the assignments were adequate.

Council Member Pratt stated as per their discussion in the work session, he wanted to propose that the Council maintain the Council Chair and Vice Chair positions, and committee assignments previously assigned.

Council Member Pratt moved to appoint Steve Pruden as Chair, Scott Wardle as Vice Chair, all other assignments as previously assigned with one modification to remove Chairman Pruden from the Utah League of Cities and Towns Legislative Policy Committee and assign Council Member McCall to the committee.

Chairman Pruden asked the Council if there were any comments or questions.

The vote was as follows: Council Member McCall, "Aye," Council Member Wardle, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Chairman Pruden, "Aye." The motion passes.

4. **Mayors Youth Recognition Awards**

Presented by Mayor Winn, Stacy Smart, and Police Chief Ron Kirby.

Mayor Winn welcomed visitors for the Mayor's Youth Awards and introduced Tooele City Police Chief Ron Kirby and thanked him for his collaboration. Ms. Smart highlighted Communities That Care Programs including Second Step, QPR, and Guiding Good Choices.

Ms. Smart, Chief Kirby, and the Mayor then presented the Mayor's Youth Recognition Awards to the following students:

- Justin Palmer
- Victoria Vasquez
- Kayden Swaddling
- Emily Sheppard

5. **Public Comment Period**

Chairman Pruden invited comments from the public, there were none.

Chairman Pruden closed the public comment period.

6. **Resolution 2019-01 A Resolution of the Tooele City Council Consenting to the Mayor's Appointments to the Tooele Valley Museum Advisory Board.**

Presented by Mayor Debbie Winn

Mayor Winn stated it is an honor to appoint seven exceptional individuals to the Tooele Valley Museum Advisory Board. Just over a year ago the City hired a new Director of the Tooele Valley Museum, Stephanie Stats. She has done an exceptional job of organizing and putting together some new displays for the museum. Ms. Stats has asked the City to put together the advisory board again, so that she could get input from the community as to what they would like to see from the museum. There needed to be a minimum of seven.

- Lloyd L. Statz
- Ruth Criner
- Brent Johnson
- Jacob Lyman
- Morgan Rivera
- Carl Justesen
- Kenneth Spence

The Mayor stated that each individual submitted an application for the position, and they represent a wide array of City residents. These individuals have offered to serve on a volunteer basis. The Mayor stated that she will also serve on the Board with Council Member McCall. The plan is to hold some meetings, discuss ways to promote the museum and hopefully shortly be able to present to the Council about using tax money.

Chairman Pruden asked if the Council if there were any comments or questions, there were none.

Council Member Wardle moved to approve Resolution 2019 - 01. Council Member McCall seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Wardle, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Chairman Pruden, "Aye." The motion passed.

7. **Public Hearing and Motion on Resolution 2019-06 A Resolution of the Tooele City Council Approving the Sale of the Dow James Baseball Field to Tooele County School District.**

Presented Mayor Debbie Winn

Mayor Winn stated that the City has a ball field in the Dow James Complex area. For the past years the facility has been used primarily by the Tooele High School Baseball team. In the past

years the City has not charged the school district to use the field and the City has maintained the field, updated the irrigation system, concession stand, and restroom. Since the field is primarily used by the school district, but maintained by the City, the City staff has determined that it is in the best interest of the City to determine the baseball field surplus. The Mayor and Council Member Wardle have met with the Tooele School District Superintendent, Dr. Rogers, and Steve West to discuss options and determine if the school district was interested in purchasing the property. There is an agreement that the School District will purchase the property and the proceeds from the sale can be used in the Parks and Recreation Department to address other needs of the City.

The Mayor received a letter from an individual who could not attend about the ball field. She asked if she should read the letter. Council Pruden stated yes. Before the Mayor read the letter, she addressed the name of the Dow James complex. The complex was named after two people who lost their lives fighting a fire in the County. The letter addressed the name of the Dow James and asked that name not be changed indefinitely. The name is representing two individuals, Lauren E Dow and Danny James who lost their lives August 26, 1975. They were serving for the Tooele County Sheriff's office fighting a wildfire in Stockton Canyon, Stockton Utah. The Letter was signed by Dan Dow, the nephew of Lauren Dow.

Chairman Pruden stated that there is a plaque at the gateway of arch of the property and it is on City property. Mayor Winn stated that the marker is in disrepair and find ways to get a grant or do a fundraiser to get a more permanent plaque.

Chairman Pruden opened the public hearing. There were no comments. Chairman Pruden closed the public hearing.

Council Member Wardle made a comment addressing how the City and School District had very productive talks during this process and it has enhanced the relationship between the entities. It is great when entities can work together.

Council Member Wardle moved to approve Resolution 2019-06 Council Member Pratt seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Wardle, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Chairman Pruden, "Aye." The motion passed.

8. Resolution 2019-04 A Resolution of the Tooele City Council Approving a Form Pole Attachment Agreement for Small Wireless Facilities to Tooele City Utility Poles in the Public Rights-of-Ways.

Presented by Roger Baker

Chairman Pruden asked Mr. Baker to address item 8 and item 9 during the same presentation.

Mr. Baker stated that this is the seventh of seven legislative matters relating to the wireless industry having the right by State and Federal law to put their small antennas on the City light poles, in the City rights-of-way. Previously the Council has passed ordinances that create the legislative scaffolding for the whole program, a franchise agreement allowing for the use of the City rights-of-way and the approved fees with the rights-of-way franchise. Tonight, the Council is being asked to approve a Form Pole Attachment Agreement. It is a type of license or franchise agreement that specifically addresses giving the industry a license to utilize street light poles in the rights-of-way. The last time this was discussed the Council inquired as to why this agreement was necessary if the City already had a franchise agreement. This covers the specifications for the antennas to the poles, requires the industry to consider the structural strength of the poles, the weight capacity of the pole, the potential of interference of the light on the pole and requires compliance with all Federal, State, and City laws. This lays out the procedure to get a permit. It indicates to the industry, their obligation to make the pole ready, called make ready work. It governs the relocation of antennas, addresses inspections by the City, and what to do if there is no permit, indemnification, environmental concerns, and insurance.

Mr. Baker addressed item 9 on the agenda, the fee resolution. The fee resolution was approved in a prior Council meeting, but the new agreement adds several more expenses that the City could charge to the companies interested in small wireless antennas on City poles in the public rights-of-way. Fees addressed include, clarifies a fee for make ready work, pay for inspection fees by the City inspection, unauthorized attachment fee, failure to maintain certain emergency contact information, and failure to timely relocate facilities or remove abandoned facilities.

Mr. Baker stated that these two items will wrap up the legislative actions needed for the program. He showed a slide on the screen to inform meeting attendees what they can expect to see in the way of small wireless facilities. Mr. Baker stated there is still some administrative actions that need to be taken to develop the permit applications and the specifications for attachment to the poles. The specifications were geared more towards power poles and that is not the case in the City. Those will be implemented as a City Administration.

Chairman Pruden asked if the Council had any questions or comments.

Council Member Pratt motioned to approve Resolution 2019-04. Council Member Gochis seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Wardle, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Chairman Pruden, "Aye." The motion passed.

9. Resolution 2019-05 A Resolution of the Tooele City Council Amending The Tooele City Fee Schedule Regarding Small Wireless Facilities Pole Attachments in the Public Rights-of-Way.

Presented by Roger Baker

This item was addressed in the description under agenda item 8.

Council Member Pratt motioned to approve Resolution 2019-05 for a future meeting. Council Member McCall seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Wardle, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Chairman Pruden, "Aye." The motion passed.

10. Readopt Resolution 2018-30 A Resolution of the Tooele City Council Approving the Annexation of 7.85 Acres of Providence Tooele LLC Property into the North Tooele City Special Service District.

Presented by Michelle Pitt

Mrs. Pitt stated this Resolution was brought before the Council and approved on September 5, 2018. It was to annex the property into the North Tooele Service District. At that time the City did not have a signed plat. It has been signed now and the work is ready to be submitted to the Lieutenant Governor's Office. The paperwork is required to be submitted within 30 days of Council approval. The Council is being asked to readopt the Resolution so the paperwork can be submitted.

Chairman Pruden asked the Council if they had any questions or comments, there were one.

Council Member McCall moved to approve Resolution 2018-30. Council Member Gochis seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Wardle, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Chairman Pruden, "Aye." The motion passed.

11. Preliminary Subdivision Plan for Sunset Estates, Phase 8, a 24-lot Subdivision on 10.7 Acres at Approximately 2300 North 400 West.

Presented by Jim Bolser

Mr. Bolser stated that this is the next phase of the Sunset Estates Subdivision. This is a 24-lot subdivision at the corner of 400 West and 2400 North. It continues inching along the construction of those two streets, now heading east towards Home Depot. Aerial and zoning maps were shown on the screen. The property is zoned as R1-10. It is a standard layout subdivision. The Planning Commission has heard this item and forwarded a unanimous positive recommendation to Council including the findings and conditions listed in the Staff Report.

Chairman Pruden asked about the Northwest corner and if it was water retention or a park. Mr. Bolser stated that it is an open space area used with intention of storm water retention. Chairman

Pruden asked if it could be a park? Mr. Bolser stated possibly. Chairman Pruden asked if it would have grass. Mr. Bolser stated that the applicant was in attendance and asked him of the intention for the surface area. The applicant stated that they intend to keep it open with grass, mostly sod. It will be an amenity to use. Once completed the applicant will see if the City would like to take it over.

Chairman Pruden stated he appreciated the way the developer does business.

Chairman Pruden asked if the Council had any questions or comments, there were none.

Council Member Pratt moved to accept the Preliminary Subdivision Plan for Sunset Estates, Phase 8. Council Member Wardle seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Wardle, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Chairman Pruden, "Aye." The motion passed.

12. Preliminary Subdivision Plan for Country View Villas, a 136-lot Subdivision on 26.6 Acres at Approximately 200 East 1000 North.

Presented by Jim Bolser

Mr. Bolser stated this is directly east of Scholar Academy on 100 East. In the fall the Council approved a Zoning Map Amendment for the zoning of this property to a MDR with a PUD overlay to provide some adjustments to the property dimension requirements for this project. This is a cohesive property for a 55 and older community. An aerial view and the Zoning Map of the property were shown on the screen. A layout of the property was shown on the screen. It provides a connection on 870 North and continuation of 200 East heading South. The roads interior will be public roads. The property layout is within the PUD standards. The Planning Commission has heard this and forwarded a positive unanimous recommendation to Council including the conditions and findings noted in the Staff Report.

Chairman Pruden stated that he did have one question. The continuation of 200 East where it stubs on the south, will that eventually be connected to 310 South? Mr. Bolser stated that there is a vacant property to the South that would be landlocked without a stub street to the south. There is an opening toward the East that could potentially be developed as well. The intent of the sub is so that the land is not land locked. Chairman Pruden stated then the land to the south, the developer would be required to make their road connections. Mr. Bolser stated correct.

Council Member Wardle stated that this is a great product and needed in the community.

Chairman Pruden asked the Council if there were any questions or comments, there were none.

Council Member Pratt moved to approve the Preliminary Subdivision Plan for Country View Villas. Council Member Gochis seconded the motion. The vote was as follows: Council Member McCall, “Aye,” Council Member Wardle, “Aye,” Council Member Pratt, “Aye,” Council Member Gochis, “Aye,” Chairman Pruden, “Aye.” The motion passed.

13. Resolution 2019-07 A Resolution of the Tooele City Council Approving an Interlocal Agreement for Tax Increment Participation with the Redevelopment Agency of Tooele City, Utah (“RDA”) for the 1000 North Retail Community Reinvestment Project Area and Authorizing the Mayor to Sign the Same.

Presented by Randy Sant

Mr. Sant stated this interlocal agreement is required by the redevelopment law for the City to participate in tax increment financing. As the Council is aware the Redevelopment Agency created a property off 1000 North that includes 31 acres of property that is owned by the Redevelopment Agency. The proposed development of that property is a commercial development and mixed uses. The agreement asks the City to provide a portion of the property tax increment that will be generated from that project to the Redevelopment Agency to use that revenue to help offset costs to help develop that property. The most important paragraph of the agreement is the one on participation which is items five, six, and seven. This agreement says that the City will agree to remit to the Redevelopment Agency 100% of the property tax that is generated from the project. The Redevelopment Agency will keep 75% and rebate to the City 25% of the property tax. The term is for 20-year period of time or a cap of \$2 million is reached, whichever comes first. If the assessed values and analysis are less than what the assessor assess the property for, this could be paid off earlier than 20 years. This agreement has been reviewed by an outside attorney and Mr. Baker.

Chairman Pruden asked if the Council had any questions or comments, there were none.

Council Member Wardle moved to approve Resolution 2019-07 . Council Member Pratt seconded the motion. The vote was as follows: Council Member McCall, “Aye,” Council Member Wardle, “Aye,” Council Member Pratt, “Aye,” Council Member Gochis, “Aye,” Chairman Pruden, “Aye.” The motion passed.

14. Resolution 2019-08 A Resolution of the Tooele City Council Approving an Interlocal Agreement for Tax Increment Participation with the Redevelopment Agency of Tooele City, Utah (“RDA”) for the Broadway Community Development Project Area and Authorizing the Mayor to Sign the Same.

Council Member Wardle moved to table Resolution 2019-08. Council Member Pratt seconded the motion. The vote was as follows: Council Member McCall, “Aye,” Council

Member Wardle, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Chairman Pruden, "Aye." The motion passed.

15. Resolution 2019-09 A Resolution of the Tooele City Council Approving a Contact with Hansen Allen & Luce for an Update of the Culinary Water System Master Plan.

Presented by Paul Hansen

Mr. Hansen stated the Administration and Staff had previously discussed with the Council the need and funding plans to update the Culinary Water master Plan. The most recent update to the Culinary Water Master Plan was in 2012 but did not include updating of the water model used by the City for future growth and system updates. The company which provided the software for the previous water model no longer supports the model, so the decision has been made to go with a model supported by the Federal Government. The model and Master will take into consideration zoning changes which have been made as well as future growth projections. This study will end with development of a Capital Facilities Plan. With this information in hand, the City will be able to then evaluate modifications to the impact fees and potential water rates.

Chairman Pruden asked the Council if there were any questions or comments, there were none.

Council Member Gochis moved to approve Resolution 2019-09. Council Member McCall seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Wardle, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Chairman Pruden, "Aye." The motion passed.

16. Resolution 2019-10 A Resolution of the Tooele City Council Approving a Contract with Hansen Allen & Luce for an Update of the Wastewater Collection System Master Plan.

Presented by Paul Hansen

Mr. Hansen indicated that this Sanitary Sewer Master Plan request is for an update to the existing collections system Plan but will not address expansion of the reclamation facility. This Plan will also include updating the sanitary sewer collections system computer model and will provide a Capital Facilities Plan which could then be used to consider modifications to the sanitary sewer impact fees.

Chairman Pruden asked the Council if there were any questions or comments, there were none.

Council Member Pratt moved to approve Resolution 2019-10. Council Member McCall seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Wardle, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Chairman Pruden, "Aye." The motion passed.

17. Minutes

Chairman Pruden asked if there were any comments or questions about the minutes from the City Council meeting dated December 19, 2018.

Council Member Gochis stated that there was an error in item 9 title. It says 4000 North and should say 400.

Council Member Gochis moved to approve minutes from the City Council meeting dated December 19, 2018. Council Member McCall seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Wardle, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Chairman Pruden, "Aye." The motion passed.

18. Approval of Invoices

Presented by Michelle Pitt

An invoice in the amount of \$40,063, to Spillman, Inc for the Police Department software.

An invoice in the amount of \$20,187.44 to Mountainland Supply Company, for water meters.

An invoice in the amount of \$24,863.54 to Broken Arrow, to install the water meters.

An invoice in the amount of \$19,999.00 to Diamond Rental for one used TC48 Excavator for the Cemetery.

An invoice in the amount of \$44,623.00 to Nickerson Company, Inc., for repairs to well #13.

An invoice in the amount of \$113,593.00 to Nickerson Company, Inc., for repairs to well #15 and stage assembly, power cable, and motor.

Chairman Pruden asked if the work was finished on the project for the Nickerson Company Invoices. Mr. Hansen stated that this is the approval of the purchase of the supplies needed to make the repairs.

Chairman Pruden asked if the Council if there were any questions or comments, there were none.

Council Member Pratt moved to approve payment of invoices. Council Member McCall seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Wardle, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Chairman Pruden, "Aye." The motion passed.

19. Adjourn

Council Member Wardle moved to adjourn the City Council meeting. Council Member Pratt seconded the motion. The vote was as follows: Council Member McCall, “Aye,” Council Member Wardle, “Aye,” Council Member Pratt, “Aye,” Council member Gochis, “Aye,” Chairman Pruden, “Aye.” The motion passed.

The meeting adjourned at 8:03 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 13th day of February, 2019

Steve Pruden, Tooele City Council Chair