

**Tooele City Council  
Business Meeting Minutes**

**Date:** Wednesday, August 7, 2019  
**Time:** 7:00 p.m.  
**Place:** Tooele City Hall, Council Chambers  
90 North Main Street, Tooele, Utah

**City Council Members Present:**

Brad Pratt  
Dave McCall  
Melodi Gochis  
Scott Wardle  
Steve Pruden

**City Employees Present:**

Mayor Debbie E. Winn  
Jim Bolser, Community Development Director  
Chief Ron Kirby, Police Department  
Matt Johnson, Assistant City Attorney  
Glen Caldwell, Finance Director  
Steve Evans, Public Works Director  
Darwin Cook, Parks Department Director  
Paul Hansen, City Engineer  
Michelle Pitt, City Recorder  
Cylee Pressley, Deputy Recorder  
Shannon Wimmer, Deputy Finance Director

Minutes prepared by Kelly Odermott

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

**1. Pledge of Allegiance**

The Pledge of Allegiance was led by Council Member Wardle.

Chairman Pruden announced that Jami Carter, Library Director had received the Utah Visionary Librarian Award. The City of Grantsville Nominated Ms. Carter for the award. It is her tenth year being with the Library. Chairman Pruden encouraged all to visit the library.

**2. Roll Call**

Steve Pruden, Present  
Scott Wardle, Present  
Dave McCall, Present

Brad Pratt, Present  
Melodi Gochis, Present

**3. Public Comment Period.**

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

Chairman Pruden closed the public comment period.

**4. Resolution 2019-56 A Resolution of the Tooele City Council Approving and Ratifying a Settlement Agreement and Mutual Release with the Aposhian Sod Farms, Inc.**

Presented by Ted Barnes

Mr. Barnes stated it was privilege to be in attendance. The City purchased property in Vernon Utah for water rights in the late 1980's. At the time the property was occupied for sod farming purposes. Around 2012, the City realized they were receiving no rent or benefit from the arrangements on the property, the City determined to terminate the lease. The lease terms allowed determination without cause. The requirement of termination without cause required the City to pay the sod farmer for the value of the mature sod crop in place. There were disputes over the value of the sod. The sod farmer asked for payment in excess of \$3.2 million for the sod. The City could not substantiate the price and the farmer refuse to leave the property. A lawsuit ensued over several years, with two trials. The result was a trial in the end of 2018 that issued a declaration for the value of the sod with a net amount of \$1.281 million. The City had the right over statute to pay over ten years. Both parties were dissatisfied with the declaration and applied to the Court of Appeals. The first payment that was due under court declaration was paid in May 2019. A mediation was sponsored by the Court of Appeals. A resolution of the mediation was for the City to pay the sum of \$840,000 including the \$112,000 already paid and subject to approval from the City Council. Mr. Barnes recommended approval of the settlement agreement.

Chairman Pruden asked if the Council had any questions of comment.

Chairman Pruden asked if the settlement agreement will be paid from the sale of the property?  
Mr. Barnes stated that was his understanding.

**Council Member Wardle motioned to approve Resolution 2019-56.** Council Member McCall seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Council Member Wardle, "Aye," Chairman Pruden, "Aye." The motion passed.

5. **Utah Transit Authority Presentation on Current Services, Community Engagement, and Future Service Planning**

Presented by UTA Trustee Kent Millington

Mr. Millington stated that State Legislature rearranged the governing structure of the UTA, creating a three-member Board of Trustees to run the Authority. Mr. Millington is one of the Trustees and represents Tooele and Utah Counties. He was in attendance at the meeting to make the Council and public aware of the significant bus route changes that will start on Sunday August 11, 2019. Mr. Millington provided a listing and map of all of the route changes to the Council and passed out a route change card to the Council and public in attendance. Mr. Millington stated that the important changes are, the bus routes that serve Tooele to downtown Salt Lake will increase from 1:00am and 1:00pm to 5:00am and 5:00pm, every thirty minutes starting at 5:00am. During the day there will be hourly service to Downtown Salt Lake. At about 3pm until about 6pm, will once again increase to every 30 minutes, from Salt Lake back into Tooele. The cards are being given to the riders during the week so that they are aware of the changes in service. Mr. Millington stated that UTA is grateful to be of service to the growth in Tooele County. UTA hopes that these changes will be responsive to the growth in the County for about a year. UTA is prepared to work with Tooele City to help provide services of the constituents. Mr. Millington stated that as the new schedule is adopted there may be some questions and transitional issues. Mr. Millington asked that people are patient as the system is implemented. UTA feels that once people get used to the schedule it will serve the communities. Mr. Millington stated that currently UTA is currently carrying about 500 people a day on the services in place. With the new increases, it is expected that the ridership will increase. Mr. Millington stated that he would provide the counts to the City as the numbers are determined. Mr. Millington stated that there are advertisements in the newspaper about the new routes. People could also look up information at [rideUTA.com/tooele](http://rideUTA.com/tooele) for more information and the specific schedule.

Chairman Pruden asked if there were questions or comments from Council.

Mayor stated that Tooele City has worked extensively with Tooele County and UTA to increase the services for the residents. The City has taken steps to ensure that residents are taken care of. UDOT cannot build the roads quick enough to keep up with congestion. The Mobility Council that work with Tooele County will help those who are not familiar with UTA, learn how to use UTA services.

6. **Public Hearing on Enterprise Fund Transfer**

Presented by Glenn Caldwell and Shannon Wimmer

Ms. Wimmer stated that the transfer is for the solid waste fund, also known as the garbage fund. An enterprise fund is run as a business and kept separate from the City's general fund. It is part of the City in accounting terms, but a separate fund. Over many years the fund balance has been increasing. The amount of increase has varied from \$8,000 in 2014 to \$100,000 in some of the later years. There are a lot of items that make up the balance of the fund, such as rates that are negotiated, clean up projects and various plans that differ from year to year. Currently the enterprise fund has a balance of approximately \$2.5 million. The fund does not have any capital fund needs other than one truck that is used to deliver garbage cans. There is a provision within Utah state law to make a transfer of funds to participate in all capital needs of the City. That transfer is required to have notification of users and have a public hearing. The transfer will allow the money to be used for the purchase of four new snow plows and completion of the new police department for items that are not allowed to be paid with the bond, such as furnishings and computers. This transfer will go to the capital projects fund and relieves the need to pay for the capital projects out of the general fund. The proposal is to transfer \$2.3 million from the solid waste fund to the capital projects fund.

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

Chairman Pruden opened the public hearing.

Mr. Kevin Park stated that he had a comment about the transfer. He agrees that the money is needed elsewhere, but why was the fund allowed to be built up to \$2.5 million. Why were the waste fees of the City residents not decreased on a regular basis if the fund was being over funded? He stated that there are needs for new police cars, and new snow plows, fire engines. Why weren't these needs planned for? Mr. Park stated that he works for a very large group that has a regular plan for replacement of equipment. He stated that some of the Council Members are not running for reelection, but all of the Council Members have been in office for a few years. Why has this not been planned or why is there not a fiscal policy to replace equipment that needs to be replaced on a regular basis? Tooele City is a fantastic City, but he doesn't like how it is being managed fiscally.

Chairman Pruden stated that Ms. Wimmer stated that the fund goes up and down every year. The Council would not know what the fund balance will be based on the number of projects. The contracts with Ace Disposal have gone down. If the savings are past down to City residents it would be a couple of dollars here or there. It wouldn't be consistent. Chairman Pruden stated he would take the blame, he had not noticed that the fund had grown so big. When he was told that the fund had a large balance, that led to the process that is being performed tonight with the public hearing.

Mr. Park stated that a \$2.5 million balance is not built up in a couple of years. Council Member Wardle stated that the fund six or seven years ago renegotiated a contract with the County for dump transfer fees. At that point the City was paying \$41 a ton for garbage. That contract was

renegotiated down to \$36 a ton. At the same time the disposal costs were going up. The citizens asked for recycling. The City has attempted to keep recycling at a breakeven point and not knowing where money was going to go with contracts. The new contract with the County has an escalator that goes up a point a year. The balances that were created by the contracts will not continue to grow due to the new contract provisions. The context is important with recycling and start-up costs and market conditions on recycling; recycling is going in the hole significantly. That will have to be another adjustment to the fund.

Mr. Park stated that with respect, the City does not build up a \$2.5 million balance in a couple of years. He is not buying it in this size of a City. He is asking the City to have a replacement plan or program and he is not seeing that it is in place. Mr. Park stated that he has a lot of friends who work for the Fire Department and Police Department and he knows the equipment they have. What plan is in place to keep the first responders safe? That is the other piece of this issue. The City needs to plan better.

Council Member Wardle stated that the Council agrees with what was said. Part of this is a difficulty that was placed by prior administrations and how equipment was replaced. How discussion with the general fund and tax increases was dealt with. This year after last year, the residents will see better planning. One of the discussions during the meeting will be about the certified tax rate and if the Council should lower the rate because valuations will go up. The reason the City is in the position it is in, is because the City always held to the valuation and the lowered the certified tax rate, which appears to be a net decrease in taxes. The Council has implemented this year, a capital improvement fund in several departments with an escalator clause for \$10,000 a year if the City holds the certified tax rate. This year is anomaly because housing valuations went up almost \$30,000. This puts the outlier of the certified tax rate that is lower by almost 10%. In the next two years there will be 10 cars replaced and the Fire Department is looking at their next apparatus. The City is talking about how to adjust for fire equipment on 1000 North. Council Member Wardle stated that the City is getting there, but it cannot get from crisis to planning overnight. It will take some time.

Mr. Park stated that he is disappointed that it is today that this is being handled, this should have been handled before. This should have been handled when Mayor Winn was voted in.

Mayor Winn stated that this was started last year.

Mr. Park stated that this is disappointing because some have been on the Council for awhile and its disappointing that this is just being started.

Mayor Winn stated that this fund began when there was \$400,000 in the solid waste 20 years ago. Just after January of 2018, just after taking office, she was made aware of the amount of money in the fund. She asked how to use the money that is doing no good for the City. It took several months to work through the budget increase that happened in 2018, knowing that the

money in the solid waste fund would be moved to purchase equipment. It has taken a lot longer than anyone wanted, but it is a process. The City is trying to clean up a mess that was created over many years. The City is committed to continue to do that.

Ms. Emily Hamilton stated that she was happy to get a public notice in the mail for the reallocation of funds. She stated that she disapproves of how the funds are being allocated. She feels that taxes were just increased and some of the funds could be allocated to things other than computers, desks, and chairs for the police department. She thinks there could be a school zone for children attending Scholar Academy, road improvements, and side walk improvements. She stated that she is sad about the water information she gets in the mail because the City is barely making the EPA standards. An allocation of \$500,000 is concerning when there are other things that the money could be used for. Ms. Hamilton stated that this is the first the public has heard of this even though it has been in worked on for over a year. She stated that she has asked several times for a school zone for Scholar Academy and she has been shot down. She thinks that she could use the portion to put in the school zone. The Council has a lot to answer for. She stated that it will be nice to see change and she doesn't think the Council is doing a good job. She stated that she doesn't think the Council is allocating the money in all the right places and the Council should not vote on it tonight.

Ms. Kori Park stated that she has had the opportunity to work with local governments in California and Illinois. One of the things that she is concerned about with this, is making sure that this is a one-time deal with the allocation. When City's seem to get in trouble it is because they are dependent from taking from one source and giving to another.

Mr. Max Hanvek asked if all the departments are getting capital improvement allocations for the next year? Chairman Pruden stated that snow plows are an anomaly because they are \$250,000 apiece. The City trucks are on average 15 years old and the City is down two that cannot be repaired. The Council decided once the money was found and could be transferred, the Council thought that this was a great way to get the snow fleet ready for the next snow season. \$1 million of the transfer is for the snow plows. The \$500,000 to the police station, when the bond was granted for the police station, the bond does not allow for the proceeds to be used on furniture, desks, chairs, computers, anything inside the building. That is why the Council allocated some of the money for that.

Mr. Hanvek asked if there is in the budget money for capital improvement replacement in future years? Does every department have money set aside for capital improvement? Chairman Pruden stated the departments that need it have a rotation. Council Member McCall stated that there is a rotation, roughly every 10 years all heavy capital equipment will be replaced. That is something that has been talked about and put in the budget. The police department has been doing this for years. The rest of the City will be on the same type of plan.

Mr. Hanvek stated that if the City doesn't there will be another meeting like this. Council Member Wardle stated that there is a technology plan in place for computers. In the current budget and last years budget, the police department has a rotation in. Streets has put in a rotation budget. The hope is that this doesn't happen again. Mr. Hanvek stated that this needs to be done so that furniture and things are paid for. Capital improvement plans need to be in place. There are 10 to 15 new streets in town every month and there will be a bigger workload to make sure things happen.

Mr. Ken Barkdoll stated that he agrees with the comments tonight. He would like to bring up that it sounds like there hasn't been a reserve fund established for the enterprise fund. Once there is a build up of a certain amount, there would need to be refunds to the public for money over the reserve. The fund sounds like it fluctuates a lot and will there be a deficit with recycling. Mr. Barkdoll read from the letter sent out to the public for public hearing about administrative and overhead costs.

Mr. Barkdoll stated that in the letter there is a statement that the City has calculated the costs for the enterprise fund, and he is not sure he believes that the City has calculated these costs correctly. He stated that possibly it would be better to have a third party manage the enterprise fund. Chairman Pruden stated that it would be more expensive because the billing is done through the Finance Department which also does the water and sewer. Mr. Barkdoll asked what the cost difference is? Chairman Pruden stated that he didn't have a number. Those people in the department do multiple tasks and the enterprise fund is one. If the City hired outside to administrate the accounts, billings, there would be costs of office space and personnel. Mr. Barkdoll asked if a third party would not cover that themselves. Council Member Wardle stated that he hears that what is being asked if an audit has been done to see if a third party is cheaper than the City doing the work themselves. Mr. Barkdoll stated that if the City hasn't done an audit then how can it know if a third party would be more expensive.

Chairman Pruden asked Shannon Wimmer to elaborate from the finance department. Ms. Wimmer stated that an independent audit is performed and they qualify that the calculations are reasonable. Chairman Pruden asked Ms. Wimmer if it is more economical to do it the way it has been done or to have a third party bid it out? Ms. Wimmer stated there would be a building and software and it is a bid out process. She is not aware of any City's that have a third party perform these functions.

Chairman Pruden stated that Mr. Barkdoll has a valid point, but other City's do it this same way, but it hasn't been looked at. Mr. Barkdoll state that it seems like there is a lot of things that happen without a lot of thought. There are a lot of things to be done and limited amount of time to do it, but all people have to work within a budget and make cutbacks. Chairman Pruden stated that the City has done cutbacks for many years and didn't raise taxes to the point that nothing else could be cut to not affect services. Mr. Barkdoll asked if there is a public list of the

expenditures or budget? Chairman Pruden stated that the budget is public and can be obtained from the Recorder's Office.

Chairman Pruden stated that one of the reasons the discussion is happening is because the snow plow situation is critical. It takes three months to get a snow plow ordered and built. Currently the City is not ready for another winter like the last one without the snow plows purchased. If there are four brand new ones and the Mayor has been authorized to purchase a used one; the Council is hoping to be ready for winter. Council Member Wardle stated the City is starting to get the capital improvement in place, but last year was ground zero. That is why these hearings are so crucial. When there is a hearing about certified tax rate and Council wants to ask the public do you want them to hold the certified tax rate because the values went up or maintain what the state says and raise every so often.

Mr. Barkdoll stated it sounds like there should be some more deliberation before a vote. Council Member Pruden stated the items are time sensitive.

Ms. Hamilton asked if there is a way to have an open discussion or delaying this for more public comment. There is a need for snow plows and a need for computers in a police department, but these funds could be allocated in several areas and not just one area. She stated that she feels there should be a delay and more voices can be heard. A lot of people don't know that this is happening. She asked the City to delay.

Chairman Pruden asked if there were any other comments, there were none. Chairman Pruden closed the public hearing.

Chairman Pruden asked the Council if there were any other comments.

Council Member Wardle stated that the comments are critical and he loved some of the comments about public notice. He stated that people don't call hm. The Council has talked about the fund transfer since June in all of the budget meetings. The needs have been discussed since May. He stated he didn't know how else to get the information out. He encouraged attendance at City Council Meetings, watch it on Facebook, look at the agenda, especially when it comes to the financial side. Those comments make a difference.

Chairman Pruden shared a story of talking with a Tooele City resident about Fridays on Vine. He stated that this was a long time resident, but they did not know that this activity occurred in the City. He sympathizes that there is a frustration of not everyone knowing what is happening, but the City Council is doing the best they can to lessen impact to the citizens. Chairman Pruden stated that for the most part they do a pretty good job. There are a lot of layers of issues that go on that the public is not aware of. Consequently, the Council is doing the best they can to help everyone across the board.



Council Member Pratt stated that he appreciated the comments. The comments shed a light on needs and things that have to be taken care of. He stated that there is a discussion on taxes in the agenda. Those were talked about at length in the prior year. There were many comments about delaying the tax. Council Member Pratt stated that the staff and Council and Mayor have examined these things carefully. In the prior year there was a tax increase because there had been a delay for 32 years. These things built to the point we see today. It wasn't out of neglect or trying to ignore, but it was out of concern for not wanting to raise taxes. There comes a time where the City falls behind and cannot keep up with the demand. There are new roads and growth in the City. The City starts to fall short because there are more neighborhoods. Council Member Pratt stated that the Council should not delay, but take action and steps to move forward and keep doing that. The number one concern in the Council Meetings is not about moving right now but the citizens. How can the City continue to do that at the rate its growing, but the income is not growing at the same rate? Council Member Pratt stated that this is an opportunity to look at a way to fix the holes, then put in place processes to make sure that doesn't happen again. Sometimes that process might be the adjustment of taxes. The opinion of the Council and the administration in previous years was that was the last resort. It has been considered very carefully. Council Member Pratt stated that if the public has questions; ask.

Council Member Gochis stated she appreciated the comments. This is a process and it takes dialogue to reach a consensus. There was a point that people are not getting the information, but Council Member Gochis stated she thinks that the City does an excellent job in trying to get the information out. Council Member Gochis encouraged the public to take time to attend the meetings. The Council meets the first and third Wednesday of the month. The staff does an excellent job with limited resources. There is never an abundance of money. It is difficult to raise taxes and to have a desire to raise them again. There was a discussion with the independent auditors that the City should maintain the certified tax rate. That is a 10.3 increase and the City should continue to that in order to keep providing services. By law the City has to provide health and safety issues. There has not been money to replace capital equipment, but the City staff found a way to do it. There are employees that donate their leave because they cannot take time off due to the burden of doing their jobs. Council Member Gochis thanked those in attendance.

**Council Member Pratt motioned to approve transfer of funds of the Enterprise transfer.**

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

**7. Public Hearings Regarding Adopting the Final Budget for Tooele City for Fiscal Year 2019-2020 and Adopting the Certified Tax Rate for Fiscal Year 2019-2020**

Presented by Mayor Debbie Winn

Chairman Pruden stated that the agenda items 8 and 9 are going to be tabled. The Council will take public comment on the items, but will not vote on the resolutions. There will be a budget

work session on August 14, at 5:00 pm at City Hall. This will be a discussion for the final budget.

**Council Member McCall motioned to table agenda items 8 and 9 about adopting the certified tax rate and final budget.** Council Member Gochis seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Council Member Wardle, "Aye," Chairman Pruden, "Aye." The motion passed.

Chairman Pruden asked Mayor Winn to explain the changes in certified tax rate.

Mayor Winn stated that the certified tax rate does not compensate for inflation. The State Tax Commission sets the certified tax rate. Property taxes are based on the rate and the home valuations. Those taxes go to the City, School District, County and other municipalities. Mayor Winn stated that the tax rate that was in place 21 years ago is more than the tax rate that was approved in 2018. When she became Mayor and worked with the Council, they became aware of the place the City was at because the taxes were low. The City had not listened to the financial experts. Last year the City started at 114% tax increase, but was able to drop it to 82%, but it was stated publicly that to stay ahead the City would need to maintain the certified tax rate.

Mayor Winn stated that if the house was worth the same today as it was a year ago then the public would pay the same amount of tax. Throughout the state, with the home shortage, home values increased. When the value goes up, the tax rate goes down. The certified tax rate went down 10.3%. The last couple of years the certified taxes decreased by 4.5%, 7%, 8%, and the 10% was unprecedented. The City has to start the budget process before the certified tax rate is announced. When the rate dropped so drastically, it was a surprise. Mayor Winn stated that the residents are not paying 10% more than they did last year, but because the way the certified tax rate dropped, the City has to tell residents that it is a tax increase. The City is digging out of a hole, trying to cut within departments while trying to maintain the services that the City is obligated to do and the services that are optional, such as parks or the pool. Mayor Winn stated that they are not perfect, but they are doing their best. If this 10% tax increase is passed and the home is worth \$230,000 the increase will be \$37 this year. Is that worth it to dig out of a hole? It matters that the constituents become involved and help the Council make the best decisions they can. It is hard to have a target on your back, but it is worth it to serve the public.

Chairman Pruden opened the public hearing.

Ms. Kori Park stated that a couple things were mentioned, concerts in the park, parks and the pool. These are all very nice things to have, but there need to be safety zones, and to keep taxes low. There need to be hard choices. The swimming lessons at the pool are extremely affordable and parents could pay a few more dollars. Ms. Park stated that she was going to make a ridiculous comparison. Some people really enjoy going to the concerts in the park, but she really

enjoys travelling. How about there be a Tooele travel group so people can pay for her to go on a vacation. It is the same kind of deal, there are expenses for a concert in a park at the expense of others. Chairman Pruden clarified that the funding for the concerts in the park was voted on by Tooele City citizens. That is paid out of P.A.R. Tax fund and is voted on every 10 years. It is \$.10 on a \$100 out of sales tax. That can only be used for those type of things. Ms. Parks stated that there has been inflation. The prices of homes have gone up and that takes part of inflation. Sales tax has a portion go to the City and the City should receive more from that as the prices in the stores go up.

Mr. Joe Roundy stated that his property taxes went up \$80,000 and it is not just Tooele City asking for that money. When does it end? Why are there all these talks about money, how did the City get \$4.5 million tax breaks for a strip mall? The City does not need to give tax breaks. The City is so broke. Why the tax breaks? He stated he would like to see more responsible spending. For the last tax break there was \$300,000 spent for hot dog stands. \$150,000 at Dow James, \$150,000 at Red Del Papa and the City turned around and sold them. Why is the police department \$8 million? Grantsville got away with \$3.2 million. Let's be responsible and live within a budget. How does the tax rate go down? Who set the rate? Mayor Winn stated that was set by the State. Mr. Roundy stated that his taxes never went down. Between the inflation on the houses and all the building that should cover all that is needed. Tooele City's Main Street looks like trash and the only place worse in the State is Grantsville. The cemetery the fence is rusted over. The police station is being put on garden street, which is an alley. It should have been put on Main Street to make it look better.

Mr. Park stated that it is tough for him to comment because he doesn't know what the Council will do. He applauded the Council for tabling the issue because he believes that there needs to be more discussion. He stated that he doesn't have a whole lot of comments because he doesn't know what the council will do.

Council Member Wardle stated that the public hearing is about, is should the City adopt the baseline tax rate that the State has lowered or does the Council hold to the certified tax rate done in fiscal year 2018/2019. Those are the bottom and the ceiling. If the City does not adopt the prior year tax rate, that leaves budget cuts. If the City adopts the prior year tax rate, that will leave an adequate budget. The City can do anything in between.

Mr. Park asked what the tax rate was for fiscal year 2018/2019. Council Member Pratt stated .003334. The new rate for fiscal year 2019/2020 is .003024. The difference between the two is 10.25%. If the City holds the certified tax rate from the prior year and does not adopt the new tax rate, that represents 10.25%. Mr. Parks clarified that the Council is looking for comments on which rate should be adopted. If the 2019/2020 rate is adopted the City will have lower taxes. If the City does not accept the new tax rate the tax will stay the same in 2019/2020. Council Member Wardle stated that the value of the homes went up, therefore the taxes went up. Mr. Parks stated that there is a lot more in sales tax revenue and garbage fees. The Council has to be

cautious when saying there is no tax increase, because people are constantly paying more in taxes because the home valuations have increased.

Council Member Pratt stated the reason the certified tax rate went down is because the City did increase in size. The revenue that would come in to the City would have gone up 10.3%. In order for that revenue to stay level, the certified tax rate went down. If the property did not increase in value, then the certified tax rate for fiscal year 2019/2020 would be less. The City cannot help that property values went up. It is all relative to the property values.

Ms. Hamilton asked if there is an in between? She stated that if the tax is kept where it is, but having last year be a new starting chapter. It was stated that there could be other avenues. She stated that there is a neglect of aesthetics in the area. She wants there to be an in between to lead slowly up to the certified tax rate. Costs are going up. She would really love to have improvements that need to happen. She discussed her issues with not having a school zone at Scholar Academy.

Mr. Clyde Salisbury stated that he went to pay his taxes because he is concerned about tax increases. He is on a fixed income. He asked at the County if the solution to pay the taxes is to get another job at 70 or 80 years old to pay the taxes. He doesn't care if the City has trails, or streets, he cares about being able to live. He stated that it seems that people are getting taxed out of their homes. There is nothing for the senior people to stop this from going up and up.

Mayor Winn reminded the seniors, veterans, and disabled individuals that there are provisions put in place by the Utah State Legislature called Tax Abatements. All of those forms are online or Mayor Winn will print them out for who ever needs them. The application is taken to the County. The County administers the program. There are tax breaks in each category. The abatements must be applied for every year.

Mr. Russ Niche stated that he went to the County Accessors Office earlier in the day because he had some concerns. He stated that there was discussion that the taxes keep increasing. He is a new resident and this is a new concept to him. He stated that if this is going to keep go up, will he be out of his house because he can't pay the taxes. He asked how long the taxes are going to go up. He stated that he is from California and Washington, but if a person is renting, the rent is controlled so there can't be more than 5% increase in rent. The Council is stating that it is 100% increase. He lives in Overlake and is in a new home. His home is new tax revenue for the City. There has got to be a plan to budget. He stated that he is concerned and is appreciative of the service from the Council.

Council Member McCall stated that most of the Council are over 60 years of age. Everything that has been talked about doesn't just affect the public, it also affects the Council Members. Last year when the problems were discovered the Council have been taking action to get things back together. Some people have a problem with how things have happened. There has been a

lot of confusion with the City and the County. Are there tax agreements with companies that come in, so that they will come into the community? They do. The Council has been trying for years to bring more business to Tooele, but it takes time. There are populations and growth, but there aren't enough people for certain business such as Costco and Olive Garden. The Council is doing the best they can with the problems that have been discovered. If there had been a 114% in the last year and there wouldn't be a discussion today. But it will take time to get to where we need to be. There will be more discussion to determine where the tax needs to be. Council Member McCall stated that this job is hard when it involves taxes.

Mr. Nichols asked if there was a projected plan for taxes. Council Member Wardle stated that there was a plan, but it blew up. The plan was to hold the certified tax rate and then it decreased. The City has no control over the decrease and now there is a debate to determine what to do.

Council Member Pratt stated that an issue that needs to be addressed is that when looking at the property tax notice, Tooele City is only a portion of the taxes. The Council only controls Tooele City portion. The school district is the largest portion.

Chairman Pruden stated that on Wednesday August 14 at 5:00 pm will be a tax discussion. It is not an open discussion, but there may be comments from the public.

Mr. Ken Barkdoll asked about management putting out fires. He asked about updating the long-term plan. If people can see the results of what is being paid for, it is a little more palatable. People do not want to pay anymore than taxes and we want to see the money paid, used wisely. There needs to be adjustments, but there is a goal and it's made widely known there may be more cooperation.

Chairman Pruden closed the public hearing.

**8. Resolution 2019-58 A Resolution of the Tooele City Council Adopting the Certified Tax Rate for Fiscal Year 2019-2020.**

This item was tabled under agenda item 7.

**9. Resolution 2019-57 A Resolution of the Tooele City Council Adopting the Final Budget for Tooele City for the Fiscal Year 2019-2020**

This item was tabled under agenda item 7.

**10. Public Hearing and Motion on Ordinance 2019-18 An Ordinance of the Tooele City Council Amending the Tooele City Zoning Map for Property in the Lexington Greens at Overlake Development Located Near 600 West 1200 North.**

Presented by Jim Bolser

Mr. Bolser showed a slide of the property on the screen and stated that the property is currently a vacant property. The Council recently approved phase 1 of the Lexington Greens project which is directly north of the rezone. The property is along Franks Drive as it transitions from 400 West to 600 West. The property is currently zoned R1-7 Residential, as are the surrounding properties, excluding property to the south that is zoned commercial. The subject application is a request to rezone the property to the MR-16 Multi Family Residential zone. A conceptual map of the project was shown on screen to demonstrate the types of uses the developer anticipates for the project. The MR-16 Multi Family Residential zone does not allow single family dwellings. The Planning Commission has heard this item, held a public hearing, and forwarded a unanimous positive recommendation.

Chairman Pruden stated that the developer had been granted a few minutes to explain the concept plan for the project.

Mr. Gerry Tulley shared a brief presentation with the Council about the concept plan and types of uses the developer was anticipating. A slide show of the presentation is attached as Exhibit 1.

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

Chairman Pruden opened the public hearing.

Mr. Justin Brady asked the Council about a vote that they made in regards to not approving more multi-family residential properties within the City until infrastructure needs were investigated. Council Member McCall stated that it would be a case by case basis except Overlake. Mr. Brady asked why was Overlake allowed to have the zoning approvals. Council Member Wardle stated that it's because it is under a settlement agreement. Mr. Brady stated that the concern for holding off on multi-family was the concern for infrastructure. Chairman Pruden stated that it is only the older part of the City. Mr. Brady asked if the City is confident that the newer part of the City has the infrastructure to withstand the units. Chairman Pruden stated that Overlake was originally designed to hold 6,200 homes and the infrastructure is good. Mr. Brady stated that he has read the General Plan for the City and has done a GRAMA request. The General Plan that he has found is 20 years old and how is the infrastructure being reviewed to make sure it is adequate? Mayor Winn stated that the City has retained an engineering company that has been used for several years to determine the needs of new development when there is a request for development. Currently the company is reviewing all infrastructure in the whole City to determine if City can grow and manage it.

Mr. Brady asked if that will be updated in the General Plan. Mayor Winn stated that Mr. Bolser, Community Development Director is already working with the Planning Commission to get that together.

Chairman Pruden closed the public hearing.

**Council Member McCall motioned to approve Ordinance 2019-18.** Council Member Pratt seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Council Member Wardle, "Aye," Chairman Pruden, "Aye." The motion passed.

**11. Ordinance 2019-19 An Ordinance of Tooele City Adopting an Updated Purchasing Policy and Procedure**

Presented by Michelle Pitt

Ms. Pitt, stated that the current policy was adopted in 1993. A lot has changed in 26 years in purchasing practices. The proposed policy has been reviewed numerous times. It meets current State laws and the Utah Procurement Code. Ms. Pitt asked for the approval of the policy.

Chairman Pruden thanked the staff for the work to get the proposal done.

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

**Council Member Pratt motioned to approve Ordinance 2019-19.** Council Member Wardle seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Council Member Wardle, "Aye," Chairman Pruden, "Aye." The motion passed.

**12. Resolution 2019-55 A Resolution of the Tooele City Council Approving Insurance Coverage for Insurance Period 2019-2020**

Presented by Michelle Pitt

Ms. Pitt stated that in 2018 there was a solicitation for proposals from insurance providers for the liability, automobile, and property insurance. There were three bidders and the City chose the Utah Local Governments Trust. That was a savings of over \$43,000. The City also saved throughout the year with the \$1,000 deductible on liability claims compared to the previous \$10,000 deductible. The Utah Local Governments Trust committed to hold the liability premium for three years and City would like to take advantage of that by renewing with them. The total for the insurance premiums is \$183,279.72 for the year.

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

**Council Member McCall motioned to approve Resolution 2019-55.** Council Member Gochis seconded the motion. The vote was as follows: Council Member McCall, “Aye,” Council Member Pratt, “Aye,” Council Member Gochis, “Aye,” Council Member Wardle, “Aye,” Chairman Pruden, “Aye.” The motion passed.

**13. Resolution 2019-59 A Resolution of the Tooele City Council Approving a Contract with Impact Contractors Inc. for the Demolition of the Obsolete Waste Water Treatment Facility.**

Presented by Steve Evans

Mr. Evans stated that there are some safety concerns over the 20-year-old waste water treatment plant, which is no longer used. Impact Contractors is a local company and is the low bid. They are also removing obsolete tank 2 and tank 3. This is a demo in place. There are seven buildings that will be demoed. The contract came in at \$64,975 with a 5% contingency of \$3,250 for unforeseen circumstances.

Chairman Pruden asked Mr. Evans to share why this contract is so low. Mr. Evans stated that the company owner is a member of the community and is invested in the community. Mr. Evans shared a story from the owner of the company and why he would like to take on this project. The individual wanted to know if his son had played around in the facility with the dangers that are there and he discussed it with his wife. His son confirmed that he had played in the facility. The owner stated he wants to clean it up for the community.

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

**Council Member Gochis motioned to approve Resolution 2019-59.** Council Member McCall seconded the motion. The vote was as follows: Council Member McCall, “Aye,” Council Member Pratt, “Aye,” Council Member Gochis, “Aye,” Council Member Wardle, “Aye,” Chairman Pruden, “Aye.” The motion passed.

**14. Resolution 2019-60 A Resolution of the Tooele City Council Authorizing the Mayor to Sign a Contract with Broken Arrow Construction for the Droubay Road Storm Drain Project (Vine Street to Smelter Road)**

Presented by Paul Hansen

Mr. Hansen stated that one of the funds that the City has is the stormwater enterprise fund. With that fund the City has begun installing storm drains in many of the streets. This has eliminated flooding that has occurred in many homes. This project is the next step of that. The City has two current storm water drains in progress, which the Council has approved and this would be a



continuation of that. Currently there is water that comes off Buzinis Way crosses Vine Street and flows into the golf course. The water is not regulated and with the development of the property between Vine Street and the golf course, it is necessary to mitigate the water. This project was put out for bid. There were three bids received back. The lowest bid was from Broken Arrow. Their price was a little below what was estimated. The City is recommending awarding the contract to Broken Arrow in the amount of \$609,553.17 with a 5% contingency of \$30,500 only to be used if there are conditions that vary from what is expected.

Council Member Pratt asked if this award is awarded when would the project be completed. Mr. Hansen stated the contract termination date is October 30, 2019.

Council Member McCall asked if the project will widen the road? Mr. Hansen stated that it is not under this project.

**Council Member Wardle motioned to approve Resolution 2019-60.** Council Member McCall seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Council Member Wardle, "Aye," Chairman Pruden, "Aye." The motion passed.

## 15. Minutes

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

**Council Member McCall motioned to approve minutes from the City Council July 17, 2019.** Council Member Gochis seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Council Member Wardle, "Aye," Chairman Pruden, "Aye." The motion passed.

## 16. Approval of Invoices

Presented by Michelle Pitt

An invoice in the amount of \$85,023.28, to Tooele County Sherriff Office for dispatch fees for April, May, and June

An invoice in the amount of \$20,210.41, to Mountainland Supply for water meters and water cables.

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

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

The meeting adjourned at 9:15 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 21st day of August, 2019

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Steve Pruden, Tooele City Council Chair