

**Tooele City Council  
Business Meeting Minutes**

**Date:** Wednesday, August 21, 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:**

Jim Bolser, Community Development Director

Chief Ron Kirby, Police Department

Roger Baker, City Attorney

Glenn 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

Jami Carter, City Librarian

**City Employees Excused:**

Mayor Debbie Winn

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 City Librarian, Jami Carter.

**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. **Youth Advocate of the Year**

Presented by Jamie Slade, Prevention Specialist, Valley Behavioral Health

Ms. Slade invited Sandy Medina, Council Member Pratt to present the award with her.

Ms. Slade invited Courtney VanDerwerken to accept the award. A letter was read to acknowledge Ms. VanDerwerken's accomplishments. See Exhibit 1.

5. **Canvas Primary Results**

Presented by Michelle Pitt

Ms. Pitt stated that Tooele City had a primary election on August 13, 2019 for three City Council positions. There were eight candidates for the positions. There are 14,488 registered voters and there were 3,571 ballots. That is about a 25% turnout. Two candidates were eliminated and that leaves six candidates to run in the general election on November 5, 2019. Ms. Pitt stated that she had reviewed the results and they are true and correct as stated by the Tooele County Clerk's Office.

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

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

Presented by Glenn Caldwell

Mr. Glenn Caldwell stated two weeks ago there was a public hearing to discuss the budget. The Council has worked the past two weeks to modify the budget. Mr. Caldwell stated that he thinks there is a really good budget.

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

**Council Member Wardle motioned to approve Resolution 2019-57.** 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.

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

Presented by Glenn Caldwell

Mr. Caldwell stated the tax rate will be .003205, that is a 6% increase over the certified tax rate. That is \$5,787,000 generated in tax dollars.

**Council Member McCall motioned to approve Resolution 2019-58.** 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.

8. **Public Hearing and Motion on Ordinance 2019-13 An Ordinance of the Tooele City Enacting Tooele City Code Chapter 7-14a Regarding Accessory Dwelling Units**

Presented by Roger Baker

Mr. Baker stated that Utah is experiencing a deficit of about 50,000 homes. There are 50,000 more families than houses in Utah. This is commonly referred to as the Housing Gap. 80% of the 50,000 families are from Utah. Allowing accessory dwelling units is one part of the solution in closing the Housing Gap. An accessory dwelling unit is a small second dwelling on the property of the main dwelling. A basement apartment is an example of an internal ADU. An ADU can also be attached or built separate from the main house on the same lot. In addition to ADUs, the Council has been forward thinking in enacting other strategies to close the Housing Gap, such as incentivizing infill development, permitting higher densities where appropriate, and by reformatting the Broadway zoning district.

Mr. Baker stated that it has been his privilege to work with the Council on this housing and land use policy for the City. He stated that it is a good policy and a sound policy, which will benefit the residents of Tooele City. This policy will provide new income streams for Tooele City residents to take advantage of. It will allow Tooele residents to age in place. The policy will provide an element of social stability for both home owners and ADU residents. This policy offers a gentle approach to density. The ordinance itself lists more than 20 benefits of ADUs.

Chairman Pruden thanked Mr. Baker, Mr. Aagard, and Mr. Bolser for all the work on this ordinance.

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

Chairman Pruden opened the public meeting, there were no comments. Chairman Pruden closed the public hearing

Council Member McCall asked if there will an announcement to the public about this new ordinance. Mr. Baker stated he could work with the Mayor and staff to determine if the Administration would like to communicate the information to the public more formally, perhaps through the 90 North main newsletter.

**Council Member Pratt motioned to approve Ordinance 2019-13.** 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.

**9. Resolution 2019-63 A Resolution of the Tooele City Council Approving an Audit Agreement with WSRP Certified Public Accountants**

Presented by Glenn Caldwell

Mr. Caldwell stated that there needs to be an annual CPA audit. The past several years the City has used been WSRP. They are extremely capable. The agreement to provide services is to audit all City financial statements, prepare financial reports for all funds, account for the pensions liabilities, review the post-employment benefit plan and prepare all notes required for supplemental reports. WSRP to conduct the audit to GAAS standards. Tooele City is responsible to have City employees prepare all schedules for the audit. The bid for the audit is \$51,500.

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

**Council Member Pratt motioned to approve Resolution 2019-63.** 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.

**10. Resolution 2019-61 A Resolution of the Tooele City Council Authorizing the Application for and Acceptance of Edward Byrne Justice Assistance Grant Funding for Police Department Equipment.**

Presented by Chief Ron Kirby

Chief Ron Kirby stated that the two resolutions go together and would be presenting both. This is a grant that is received most years. It is the Edward Byrne Grant and this year's amount is \$17,899. This is a federal grant to law enforcement agencies for the purpose of buying

equipment. The department is proposing the purchase of two items with the grant funds. One is a DART system simulator. It is an electronic firearms training package that will allow the department to electronically train the officers for firearms. This allows officers to be put in situations to determine the use of force. The other item is a package of simunition guns, which fire simulated ammunition similar to paint balls. As the officer's train they are firing actual projectiles which leave a paint type mark. This allows officers to train in simulated situations like under fire or use of deadly force.

Chief Kirby commented that these two items are not just items to train officers with their guns. In the media there has been a lot of discussions about use of force. The department is keenly aware of those national debates and this is part of the overall effort to reduce uses of force, particularly deadly force. In, looking in the department, with use of force it is a last option. In California legislation was passed that only allow officers to use force when necessary. The United States Supreme Court has adopted a standard that officers can use force whenever it is reasonable. That is a fine line to determine when to use force. It is very difficult for officers to make these legal determinations in the heat of the moment. Training allows officers to learn the least amount of force in the quick scenarios. In the department the use of force is always something that is used in an attempt to minimize, prevent or prevent harm or injury to the public, officers, or suspect. The use of force is the protection to life. Chief Kirby stated that the suspect dictates the level of force by their actions. Situations are complex and the training tools will help minimize the uses of force, but also give the officers' training to learn when to use force. This is part of an overall package the department uses to teach to reduce force. The officers also receive de-escalation training, dealing with mentally ill, and defensive tactics. Other equipment that is used to protect life are the 40 mm projectile launcher, tasers, pepper spray, pepper balls, and the asp batons. These new devices are part of a training program to help officers determine the use of force.

Chief Kirby stated that part of the grant requirement is that the City receive approval from Tooele County to spend the funds. The City has received the approval from the County.

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

**Council Member McCall motioned to approve Resolution 2019-61.** 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. Resolution 2019-62 A Resolution of the Tooele City Council Approving and Ratifying and Interlocal Agreement Between Tooele City and Tooele County for the 2019 Bryne Justice Assistance Grant Funds**

Presented by Chief Ron Kirby

This was discussed under agenda item 10.

**Council Member Gochis motioned to approve Resolution 2019-62.** 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.

## **12. Minutes**

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

**Council Member Gochis motioned to approve minutes from the City Council August 7, 2019.** 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.

## **13. Approval of Invoices**

Presented by Michelle Pitt

An invoice in the amount of \$152,227.23, to Landscapes Unlimited, LLC for Elton Park Irrigation Project

An invoice in the amount of \$175,000, to Utah State University for the final installment payment for the science building.

An invoice in the amount of \$354,074.24, to L.N. Curtis for fire department breathing apparatus, face pieces, and cylinders.

An invoice in the amount of \$430,478.80, to Mountain West Trucking Center, Inc, for the purchase of four Mack Granite Snow Plows. This is not for the snow plow, dump bed, or salter. Those items will be an additional \$97,000 for each truck.

Council Member Wardle asked if these meet the specifications that were talked about, because these seem lower than the original amounts. Mr. Evans stated that this is per the state contract. Council Member McCall asked if the trucks will be available before the winter. Mr. Evans stated they take time to build.

An invoice in the amount of \$62,763.99, Tooele City Arts Council, for the Fourth of July Celebration.

An invoice in the amount of \$22,929.66, to Bibliotheca LLC, self checkout kiosks at the library. Part of this will be paid by a grant, but payment must be made before the grant can pay.

**Council Member Pratt motioned to approve invoices.** 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. 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 7:31 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