

**Tooele City Council and the Tooele City Redevelopment Agency
Work Meeting Minutes**

Date: Wednesday, November 16, 2022

Time: 5:30 p.m.

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

City Council Members Present:

Justin Brady

Maresa Manzione

Ed Hansen

Tony Graf

City Council Members Excused:

David McCall

City Employees Present:

Mayor Debbie Winn

Jim Bolser, Community Development Director

Adrian Day, Police Department Chief

Roger Baker, City Attorney

Shannon Wimmer, Finance Director

Darwin Cook, Parks and Recreation Director

Michelle Pitt, City Recorder

Holly Potter, Deputy City Recorder

Jami Grandpre, Public Works Director

Jared Stewart, Economic Development Director

Minutes prepared by Katherin Yei

1. Open City Council Meeting

Chairman Brady called the meeting to order at 5:30 p.m.

2. Roll Call

Justin Brady, Present

Maresa Manzione, Present

Tony Graf, Present

Ed Hansen, Present

David McCall, Excused

3. Mayor's Report

Mayor Winn reported on the following:

City hall is in need of carpet replacement and additional cubicles for new staff positions.

Requesting funds from the 41 Fund Auto and Truck line item.

The Council is in support of the additions.

4. Council Member's Report

The Council Members reported on the events they attended during the week.

5. Discussion Items

A. Boys & Girls Clubs Remodel Request

Presented by Debbie Winn, Mayor

Mayor Winn presented the Boys and Girls Club remodel request. Their building does need a fire suppression system with a cost of \$50,000. They have asked the City to help with some additional funds. There are some funds from the City ARPA funds to help fund the project. They are also requesting \$6,870 for the building permit fees.

The Council is in support of the requests.

B. Ordinance 2022-40 an Ordinance of the Tooele City Council Amending Tooele City Code Section 7-1-5 and Chapter 7-15 Regarding Fair Housing and Residential Facilities for Persons with a Disability

Presented by Roger Baker, City Attorney

Mr. Baker presented an ordinance on amending Tooele City code section 7-1-5 and chapter 7-15. The number of people that can live in one home is defined in the City code. A family is defined as an individual, two or more people related by blood or marriage, or four unrelated people. The Americans with Disabilities Act does state that they have the right to housing on an equal basis with non-disabled people, and the government may have to allow a reasonable accommodation. The science has shown for a group of disabled people to provide for each other, the clinically effective level of support is about eight people. For homes like this, they have asked the City for special accommodations allowing more than four unrelated disabled people to live together as a family. If there is a need and it is demonstrated, the City can allow it. Ordinance 2022-40 is to amend the definition of the word family and add up to eight disabled unrelated persons. The staff is also recommending amendments to the chapter to supplement and fill in gaps in the ordinance.

The Council asked the following questions:

Even with the addition of eight people, they will still have to apply for a permit?

Would they be required to have ADA access?

Would the definition be changed throughout the entire Ordinance or is this specific to title 7?

Are the State certifications or license only needed for homes over 8 people?

Is the plan to bring this to a business meeting?

Mr. Baker addressed the Council's questions. The disabled persons would have to follow the same opportunities and guidelines everyone else has. The building does incorporate a number of ADA standards. If the disabled family builds a new house, they would have to follow the

building codes. Title 7 addresses use; title 4 addresses building standards. A family that has a disabled child is not regulated as a group home, but just as a family. Those group homes are regulated by the State and require licensure and certifications. State law does require this land use ordinance amendment to go through Planning Commission and a public hearing. Then the Council will hear it, have its own public hearing, and vote on the item.

C. Gardner Batt Water Rights Fee-in-Lieu Request

Presented by Jared Stewart, Economic Development Director

Mr. Stewart presented a request from Gardner Batt for the property located on 1000 North. They are requesting 14.22 acre/feet of water fee-in-lieu for the first phase of the development. They do not have a user for the building yet, but are confident they will fill the building quickly. The request would create a cap of 14.22 acre/feet. They would pay the fee when the building permits are issued. These applications bring up a question of how the Council would like to approve these requests in the future.

Mayor Winn addressed the Council. There are many unknown variables when these applications come forward. There was a policy for tax increment the City used for incoming businesses. If the business brings in a certain amount of capital investment, there can be fee-in-lieu for a certain amount of acre/feet. The City would like to see trees and landscapes in the parks and public areas instead of industrial areas where they won't be taken care of.

The Council discussed the following:

These requests are a chicken and egg situation. They would like to see the fee-in-lieu by resolution. The Council would like to see a schedule or policy for fee-in-lieu. The City should also look at minimizing landscape and irrigation within industrial areas.

Mr. Stewart addressed the Council. As the staff has reviewed the application, the amount listed for irrigation is high in this application. They will bring this item back as a resolution.

D. Pratt Aquatic Center Fees

Presented by Darwin Cook, Parks & Recreation Director

Mr. Cook presented updated fees for the Pratt Aquatic center regarding the non-resident fees.

E. Drysdale Parking

Presented by Justin Brady, City Council Chair

Chairman Brady presented the Council's ability to add parking restrictions within the City. The concern came about because of the parking on the road on Drysdale creating a safety hazard and a one lane road.

Mayor Winn shared concern of safety and fire trucks getting in and out of the neighborhood.

The Council shared their support of painting one-side of the road due to safety in the neighborhood.

Mr. Baker addressed the Council in regards to an administrative act. The Council would need to review the transportation master plan. It can look at the policy question of painting the curb red. It then becomes the decision of the Mayor to move forward in painting the curb red.

F. Ordinance 2020-26 an Ordinance of Tooele City Amending Section 4-8-2.1 of the Tooele City Code Relating to In-Fill area Street Requirements

Presented by Jim Bolser, Community Development Director

Mr. Bolser presented a discussion for the in-fill area street requirements. The streets that are affected are 150 West, 50 West, and Garden Street. These are local class roads, but the roads are below standards. There are substantial upgrades and improvements to be made if they were to become local class roads. The intent of the in-fill overlay is to have intentional lower standards to encourage development. It does not address the right-of-way standards. There is an ordinance that identifies intermediate class roads and secondary class roads. Two separate standards were created. The intermediate class roads are identified to require a 30-foot asphalt width, and curb and gutter on both sides. The secondary class roads identify the road under 26-feet, a right-of-way has to be dedicated and provide 26 feet of asphalt. In 2020, the Council adopted Ordinance 2022-26, updating the standards for secondary class roads to remove the asphalt requirement and only require the right-of-way dedication. There are a few options moving forward. If the Council likes how it is currently being done, there needs to be no further action. The staff can add some of the requirements back in, rewritten, to make sense for the current roads.

The Council would like to see something happen with this item. If possible, would like to see a difference between the multi-family developments and a single-family home requirement for this area.

Mr. Bolser addressed the Council. A new development does add a safety issue for every person added to the neighborhood. A new development with improvement requirements does need to make improvements to their half of the road, but on a small road like these it could also require improvements to the far side of the road. Part of the discussion is figure out if they can divide it from one person versus a development.

Mayor Winn addressed the Council. As a starting point, let's identify the difficult areas. The City needs access and asphalt for safety reasons.

6. Closed Meeting - Litigation, Property Acquisition, and/or Personnel

There is no closed meeting.

7. Adjourn

Chairman Brady adjourned the meeting at 6:55 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 7th day of December, 2022

Justin Brady, City Council Chair