

**Tooele City Council  
Special Business Meeting Minutes**

Date: Wednesday, March 8, 2017  
Time: 5:00 p.m.  
Place: Tooele City Hall, Large Conference Room  
90 North Main St., Tooele, Utah

**City Council Members Present:**

Chairwoman Debbie Winn  
Scott Wardle  
Dave McCall  
Steve Pruden  
Brad Pratt

**City Employees Present:**

Roger Baker, City Attorney  
Michelle Pitt, Recorder  
Paul Hansen, City Engineer

Mayor Patrick Dunlavy, Excused

Minutes prepared by Michelle Pitt

**1. Open Meeting**

Chairwoman Winn called the meeting to order at 5:00 p.m.

**2. Roll Call**

Debbie Winn, Present  
Scott Wardle, Present  
Dave McCall, Present  
Steve Pruden, Present  
Brad Pratt, Present

**3. Resolution 2017-09 A Resolution of the Tooele City Council Approving an Interlocal Agreement with Tooele County for Wastewater Treatment Services for Deseret Peak Complex and Utah Motorsports Complex**

Presented by Roger Baker

Mr. Baker explained that the Mayor suggested this special meeting so that the terms of the proposed agreement, which requires Tooele County to take action before March 15<sup>th</sup>, could be

discussed and approved prior to the March 15<sup>th</sup> Council meeting. If the County breaches the agreement, the Council won't be in a position of approving the agreement on the same date that the County breaches. Mr. Baker said that there has been quite a bit of discussion about this agreement already. An hour before the meeting, Councilman Wardle had made some suggestions to Mr. Baker regarding the Section that allows for the City to terminate for cause. Mr. Baker indicated that he added language to the agreement that if the County fails to deliver notice to the tenants to Deseret Peak and Utah Motorsports Campus regarding wastewater service, it would also be grounds for the City to terminate. It puts the responsibility on the County to take care of those tenants. The changes also includes a time limit of about March 15<sup>th</sup>, or 45 days from the date of the agreement, for the County to notify the tenants. Mr. Baker stated that the County has five business days after the agreement is terminated to let the tenants know who is picking up the service. Mr. Baker stated that he even wrote the letter of notice for the County, and it is included as an exhibit to the agreement. The agreement has an effective date of February 1<sup>st</sup>. Councilman Pratt said that it is very important for the County to notify the tenants because the tenants are being left in the dark.

Councilman Wardle stated that with this agreement, the Council is agreeing to provide service through December 31<sup>st</sup>, with no extensions. The County has agreed to that by letter and agreement. The County has been given minutes and a resolution from the Council's February meeting allowing the County to electively choose what they wanted to do. The County is fully aware that the City is not providing service beyond the December date. If the County is not able to provide service, it is not the City's problem. Councilman Wardle went on to say that there is a lack of communication between the commissioners, and a lack of communication between any entities besides the City. Tooele City has been transparent. The County is paying the same charge as they would if they were in City limits, plus a 15% charge. The County is also paying the amounts in arrears owed to the City. Councilman Pratt added that if parts of the agreement are not met by the County, the December date will change. The date will be shortened to April 15<sup>th</sup> if the County doesn't have their interlocal agreement with whoever is going to provide service after December 31<sup>st</sup>. The County is aware of these agreements. Mr. Baker stated that the County did not provide proof of water rights, so they have 45 days from February 1<sup>st</sup> to provide that. Councilman Wardle said that the City has tried to communicate openly and effectively as possible.

Mr. Baker indicated that he will make the changes discussed, will attach the new one to the Resolution, and will get it to the County Attorney tonight. The Council requested that copies also be forwarded to each of the commissioners.

Councilwoman Winn asked what the date was that the County is required to sign the agreement. Mr. Baker indicated that there wasn't a date specifying when they have to sign it. If the County refuses to sign it, it will be the same as the County withdrawing their acceptance of the City's offer, and the City will withdraw the agreement. Councilman Wardle said that the County had requested more time than the March 15<sup>th</sup> date to enter into the new interlocal agreement with a third party, but the Council will not grant an extension.

The Council members thanked Mr. Baker and Councilman Wardle for the work that they did on the agreement and resolution.

Councilman Pratt added that he has had citizens ask him why the City is providing service outside of the City. They have asked him to please not provide services outside of the City.

**Other Business:**

Councilman McCall said that he was approached by Drew Hall regarding comments that were made at the January 18<sup>th</sup> meeting. Councilman McCall said that he had said some things in that January meeting that were not on point. He said that the comments were not directed to Mr. Hall, any other developer in the City, or any City employee. He apologized for making those comments, hoped Mr. Hall could forgive him, and indicated it would not happen again.

**4. Adjourn**

**Councilman Wardle moved to adjourn the meeting.** Councilman Pruden seconded the motion. The vote was as follows: Councilman McCall “Aye,” Councilman Wardle “Aye,” Councilman Pruden “Aye,” Councilman Pratt “Aye,” and Chairwoman Winn “Aye.”

The meeting adjourned at 5:17 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 15th day of March, 2017

---

Debra E. Winn, Tooele City Council Chair