

**Tooele City Council and
Tooele City Redevelopment Agency of Tooele City, Utah
Business Meeting Minutes**

Date: Wednesday, November 1, 2017
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
Debbie Winn

City Employees Present:

Mayor Patrick Dunlavy
Jim Bolser, Community Development and Public Works Director
Chief Ron Kirby, Police Department
Roger Baker, City Attorney
Glen Caldwell, Finance
Michelle Pitt, City Recorder
Lisa Carpenter, Deputy City Recorder
Paul Hansen, City Engineer
Heidi Peterson, Communities That Care Director

Minutes prepared by Amanda Graf

Chairwoman Winn called the meeting to order at 7:00 p.m.

1. Pledge of Allegiance

The Pledge of Allegiance was led by Councilman Pratt

2. Roll Call

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

3. Mayor's Youth Recognition Awards

Presented by Mayor Dunlavy, Heidi Peterson, and Chief Ron Kirby

Mayor Dunlavy welcomed everyone to the meeting. He stated that they consider it an honor to be able to recognize the youth with the Mayor's Youth Recognition awards. He expressed appreciation to the youth for all they do for the community, in their schools, homes, and churches. The youth are fantastic and a great asset to the community. The Mayor introduced Heidi Peterson, who is the Tooele City Communities That Care Director, and Chief Ron Kirby from the Tooele City Police Department.

Ms. Peterson gave some background information about the Communities That Care Department. The Mayor's Youth Recognition is part of the Communities that Care program. Because Tooele has great leadership that values families the programs they have are available at no cost to the community. More information about the programs can be found by visiting the City's website.

Ms. Peterson highlighted some of the programs offered by the Communities that Care department:

Guiding Good Choices is a parenting class that runs five weeks. It is recommended for all families. Parents gain tools to help their children navigate pressures they face.

QPR is another program in place in the City. QPR stands for question, persuade, and refer. The program teaches about three step process that helps people recognize the warning signs that comes with suicide. Since its inception they have trained over 4,500 people in the last 3.5 years to recognize the warning signs of suicidality. The program lasts an hour and a half.

Second Step is an evidence-based prevention program offered for students in Kindergarten through 8th grade. Students are taught how to handle difficult pressures like anxiety and stress. They learn the importance of making good friends and how to set appropriate goals to help them navigate their futures. The police officers go into the sixth grade classes in the Spring and teach them the importance of saying no to drugs and alcohol.

Each of the students that were nominated for the Mayor's Youth Award received a bag that includes prizes and donations from local agencies and businesses.

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

- Kaylyn Greenhalgh
- Evan Mecham
- Randee Tormondsen
- Susan Holmes

Mayor Dunlavy recognized the students for their efforts and expressed appreciation for all of their hard work. It is an honor to be able to meet such outstanding students in the community. He wanted the students to know how special they are and how proud they are of them. He expressed appreciation to their parents, siblings, grandparents, and other individuals who support them.

4. Public Comment Period

Chairwoman Winn invited comments from the audience; there were not any. Chairwoman Winn closed the public comment period.

5. Public Hearing & Motion on Ordinance 2017-27 An Ordinance of Tooele City Enacting Street Improvement Standards for Certain In-fill Overlay District Streets

Presented by Jim Bolser

Current City Code provisions stipulate that if you develop property, which as defined in the Code would include a new building permit on an unimproved lot for a primary structure, the property owner that is performing the construction and development is responsible for improving the street rights-of-way adjacent to the property. These improvements include the asphalt, driving surface, curb and gutter, park strip, and sidewalk. A few City Council meetings ago some citizens expressed concern regarding this provision for specific parts of the community that are not subject to larger development. They are individual small lots, or long lots that are being split in half and sold off as individual properties for an individual home. The cost of doing full right-of-way improvements makes it cost prohibitive for property owners in these areas. This is a concern Mr. Bolser sees frequently in his office when individuals come in to find out about the requirements to build a home on their lots and learn how much infrastructure they'd be required to develop in order to do so.

On the screen shown at the meeting was one of the two in-fill areas, Area A, which straddles Main Street from 400 South to 600 North. Area B, as shown on the screen at the meeting, which is on either side of Area A. As a result of the discussion the Council requested the staff look into ways that they can address the concern. The area of concern specifically dealt with 150 West. These streets have often been referred to as alleys because they are very narrow; but they are actually dedicated local-class City streets. They simply don't have the infrastructure and right-of-way to fully meet the requirement of a local-class street.

As staff looked at the issue they recognized that 150 West is not the only local-class street that has this same characteristic and issue. 50 West and Garden Street are very similar in characteristics to 150 West. City staff decided to address all three streets. The proposal is to create two sub-class streets to the local-class street right-of-way dedication. The first is an intermediate local-class street which would be defined as Garden Street North of Vine Street. The right-of-way requirement would be 30 feet of asphalt and curb and gutter on each side but no park strip and no sidewalk. 30 feet of asphalt was selected for two reasons: it's the minimum width on city code and it's what's already been constructed in that area.

The second part of the proposal would be to create another class of street known as a secondary local-class road. This would be for 50 West and 150 West. The right-of-way requirement for this class of street would be 26 feet width of asphalt, no curb and gutter, no park strip, and no sidewalk. 26 feet width is the minimum width required for fire protection to be able to access properties.

In summary, this ordinance would adopt into the Code these two subcategories with their defined improvements. This ordinance would not affect the vertical construction; those requirements remain the same. This includes the thickness of the asphalt, the base, the sub-base, and the construction of the road. The Planning Commission has held a public hearing on this ordinance and has forwarded a unanimous positive recommendation.

Chairwoman Winn asked the Council if they had any questions or concerns; there weren't any.

Chairwoman Winn opened the public hearing and invited comments from the audience; there were not any comments. Chairwoman Winn closed the public hearing.

Councilman McCall moved to approve Ordinance 2017-27. Councilman Pratt seconded the motion. The vote was as follows: Councilman McCall, "Aye," Councilman Pruden, "Aye," Councilman Pratt, "Aye," Councilman Wardle, "Aye," Chairwoman Winn, "Aye." The motion passed.

6. Ordinance 2017-28 An Ordinance of Tooele City Amending Tooele City Code Section 11-1-4 Regarding Commercial Handbills

Presented by Roger Baker

This ordinance was an assignment the Council gave him to research what could be done to address advertising materials that are stuffed in bags and thrown on the streets, driveways, curbs and gutters, and lawns of the residences of the City. The proposal defines the materials as commercial handbills. The ordinance would prohibit those materials from being thrown onto public or private properties. In the two City Council work meetings they have refined the proposal. They originally prohibited items A through G as listed in the draft city code amendment contained in the City Council packets, but after discussion decided to eliminate items F and G, prohibiting only items A through E. They will not prohibit materials being placed on windshields of parked cars or items attached on a doorknob or deposited on the porch.

The purpose of this ordinance is to protect the general health, safety, and welfare of the City including the aesthetics of the City. It is proposed to be enforced through criminal prosecution as an infraction, which is the lowest of all of the criminal offenses. There's no possibility of jail time but there is the possibility of a fine. The intent is not to limit individuals' freedoms, but to improve the look of the City. It's also important to note that this Ordinance does not regulate speech. This ordinance is not prohibiting individuals from speaking, or getting their message across. This ordinance is conveying that the manner in which they distribute their message by throwing their materials at peoples' properties is inappropriate.

Chairwoman Winn asked the Council if they had any questions or concerns; there weren't any.

Chairwoman Winn expressed her appreciation to Mr. Baker for his work on this ordinance.

Councilman Pruden expressed that this ordinance will be very helpful for undesired and unsolicited items ending up in the curb and gutter.

Councilman Wardle noted that they need to replace the recital to exclude items F and G.

Mr. Baker confirmed that they have requested in an open meeting that Mr. Baker replaces the redline page in their page with the corrected reline page with prohibited acts A through E and eliminating prohibiting acts F and G.

Councilman Pruden moved to approve Ordinance 2017-28. Councilman McCall seconded the motion. The vote was as follows: Councilman McCall, "Aye," Councilman Pruden, "Aye," Councilman Pratt, "Aye," Councilman Wardle, "Aye," Chairwoman Winn, "Aye." The motion passed.

7. **Resolution 2017-23 A Resolution of the Tooele City Council Establishing Fees for Various Administrative Appeals**

Presented by Roger Baker

Providing an administrative appeals process is a benefit to the public so they can have a quick, objective, and inexpensive appeals process available to them. This process does come at a cost to the City and it's appropriate for the City to defray and recoup that cost by assessing a small appeal fee from people who wish to challenge a city administrative decision. In Mr. Baker's research of the City Code he found that very few appeals provide for an appeal fee; at least a dozen appeals provided for in the Code do not provide for an appeal fee. Mr. Baker presented the appeal fee structures of about two dozen cities of various sizes and various types of administrative appeals.

The land use appeals regarding zoning, conditional use permits, etc., would have a \$150 appeal fee. This is a similar fee that is already in place for nuisance abatement appeals. For animal appeals, as in instances where an animal has been found to be dangerous or potentially dangerous, the appeal fee would be \$75. Special event permit decisions, water violation decisions, and parking citation appeals would incur a fee of \$25. A higher fee would be in place for appeals of decisions made regarding pre-treatment of waste water discharge permits. They impose requirements on an industry that is discharging pollutants to the City's water treatment reclamation facility. Those appeals are complicated and would involve a much more detailed and complex appeal and appeal hearing. The recommended fee for these appeals would be \$500. All of these fees are to help recoup the costs of the appellate process but are not intended to exceed the administrative cost of the appeals process.

Chairwoman Winn asked the Council if they had any questions or concerns; there weren't any.

Councilman Pratt moved to approve Resolution 2017-23. Councilman Wardle seconded the motion. The vote was as follows: Councilman McCall, "Aye," Councilman Pruden, "Aye," Councilman Pratt, "Aye," Councilman Wardle, "Aye," Chairwoman Winn, "Aye." The motion passed.

8. **Minutes**

Councilman Pruden moved to approve the minutes from the City Council Meeting dated October 18, 2017. Councilman McCall seconded the motion. The vote was as follows: Councilman McCall, "Aye," Councilman Pruden, "Aye," Councilman Pratt, "Aye," Councilman Wardle, "Aye," Chairwoman Winn, "Aye." The motion passed.

9. **Invoices**

Presented by Michelle Pitt

There were no invoices to be presented.

10. **Adjourn**

Councilman Pruden moved to adjourn the meeting. Councilman Pratt seconded the motion. The vote was as follows: Councilman McCall, "Aye," Councilman Pruden, "Aye," Councilman Pratt, "Aye," Councilman Wardle, "Aye," Chairwoman Winn, "Aye." The motion passed.

The meeting adjourned at 7:43 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 November, 2017.

Debra Winn, Tooele City Council Chair