

**Tooele City Council and Redevelopment Agency  
Business Meeting Minutes**

**Date:** Tuesday, January 7, 2020

**Time:** 7:00 p.m.

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

**City Council Members Present:**

Scott Wardle

Melodi Gochis

Ed Hansen

Tony Graf

Justin Brady

**City Employees Present:**

Mayor Debbie Winn

Jim Bolser, Community Development Director

Captain Day, Police Department

Roger Baker, City Attorney

Steve Evans, Public Works Director

Darwin Cook, Parks Department Director

Glenn Caldwell, Finance Director

Paul Hansen, City Engineer

Michelle Pitt, City Recorder

Cylee Pressley, Deputy Recorder

Minutes prepared by Kelly Odermott

Council Member Wardle called the meeting to order at 7:00 p.m.

**1. Pledge of Allegiance**

The Pledge of Allegiance was led by Council Member Tony Graf.

**2. Roll Call**

Scott Wardle, Present

Melodi Gochis, Present

Ed Hansen, Present

Tony Graf, Present

Justin Brady, Present

**3. Selection of City Council/Redevelopment Agency Chair and Vice Chair Positions.**

Council Member Wardle opened the nominations for City Council Chairman and City Council Vice Chairman.

**Council Member Gochis nominated Council Member Wardle as Council Chairman.**

Council Member Hansen seconded the motion. The vote was as follows: Council Member Gochis, "Aye," Council Member Hansen, "Aye," Council Member Brady, "Aye," Council Member Graf, "Aye," Chairman Wardle, "Aye." The motion passed.

**Council Member Hansen nominated Council Member Graf as the Vice Chairman of the Council.** Council Member Brady seconded the motion. The vote was as follows: Council Member Gochis, "Aye," Council Member Hansen, "Aye," Council Member Brady, "Aye," Council Member Graf, "Aye," Chairman Wardle, "Aye." The motion passed.

Chairman Wardle opened the nominations for the Chairman and Vice Chairman of the Redevelopment Agency.

**Council Member Graf nominated Council Member Gochis for Chairwoman of the Redevelopment Agency.** Council Member Brady seconded the motion. The vote was as follows: Council Member Gochis, "Aye," Council Member Hansen, "Aye," Council Member Brady, "Aye," Council Member Graf, "Aye," Chairman Wardle, "Aye." The motion passed.

Chairman Wardle turned the time over to RDA Chairwoman Gochis for the nomination of Vice Chairman of the Redevelopment Agency.

Chairwoman Gochis opened the nominations for the Vice Chairman of the Redevelopment Agency.

**Board Member Brady nominated Council Member Hansen for the Vice Chairman of the Redevelopment Agency.** Board Member Graf seconded the motion. The vote was as follows: Board Member Wardle, "Aye," Board Member Hansen, "Aye," Board Member Brady, "Aye," Board Member Graf, "Aye," Chairwoman Gochis, "Aye." The motion passed.

**4. Mayor's Youth Recognition Awards.**

Presented by Mayor Winn, Stacy Smart, Communities that Care Coordinator, and Captain Day.

Mayor Winn welcomed visitors for the Mayor's Youth Awards and introduced Tooele City Captain Day and thanked him for his collaboration. Ms. Smart highlighted Communities That Care Programs including Second Step, QPR, and Guiding Good Choices.

Ms. Smart, Captain Day, and the Mayor then presented the Mayor's Youth Recognition Awards to the following students:

- George Makris
- Belle Millett
- Madeline Snarr
- Rachel Thomas

5. **Public Comment Period.**

Chairman Wardle opened the public comment period.

Mr. Nate Thomas stated that he wanted to encouraged the Council to look at the long lasting effects they have on the City when approving development in the City. He stated that decisions that are made need to be made with the best interest of the City in mind. He asked the Council to consider ingress and egress of streets and how streets line up for emergency services, snow removal, and water lines.

Chairman Wardle closed the public comment period.

6. **Resolution 2020-01 A Resolution of the Tooele City Council Reappointing Michelle Y. Pitt as City Recorder of Tooele City for a Term of Two Years.**

Presented by Council Member Scott Wardle

Chairman Wardle stated that the City Charter states that this reappointment must be done every two years. It is an appointment of the City Council and Ms. Pitt has been wonderful serving as the City Recorder. The City is very lucky to have her.

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

**Council Member Gochis motioned to approve Resolution 2020-01.** Council Member Hansen seconded the motion. The vote was as follows: Council Member Gochis, "Aye," Council Member Hansen, "Aye," Council Member Brady, "Aye," Council Member Graf, "Aye," Chairman Wardle, "Aye." The motion passed.

Ms. Cylee Presley, Deputy Recorder did the swearing in, of Ms. Pitt as the City Recorder.

Mayor Winn stated that the appointment is made by the City Council at the advice of the Mayor. She stated that she advised the City Council to reappoint Ms. Pitt to her position. She is a professional in every form to that word. She takes her job seriously in keeping all the records of the City. She is also the City purchasing agent and makes sure that the rules are followed, so that when purchases are made, they are done legally and correctly. Mayor Winn stated that she appreciates Ms. Pitts' service to the city.

7. **Ordinance 2020-01 An Ordinance of the Tooele City Council Establishing the Dates, Time, and Place of its Public Meetings in 2020.**

Presented by Michelle Pitt

Ms. Pitt stated that by City Charter and City Code the Council must set the dates, times, and place of City Council meetings. This ordinance will set the date and place of the meetings. The work meetings will be at 6pm and business meetings at 7pm at 90 North Main Street, Tooele. There needs to be one public meeting each month, unless noticed otherwise. The dates in the ordinance are as follows; January 7<sup>th</sup>, February 5<sup>th</sup> & 19<sup>th</sup>, March 4<sup>th</sup> and 18<sup>th</sup>, April 1<sup>st</sup> and 15<sup>th</sup>, May 6<sup>th</sup> and 20<sup>th</sup>, June 3<sup>rd</sup> and 17<sup>th</sup>, July 1<sup>st</sup> and 15<sup>th</sup>, August 5<sup>th</sup> and 19<sup>th</sup>, September 2<sup>nd</sup> and 16<sup>th</sup>, October 7<sup>th</sup> and 21<sup>st</sup>, November 4<sup>th</sup> and 18<sup>th</sup>, December 2<sup>nd</sup> and 16<sup>th</sup>.

The City Council can make changes as they see necessary with proper notice.

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

**Council Member Hansen motioned to approve Ordinance 2020-01.** Council Member Brady seconded the motion. The vote was as follows: Council Member Gochis, "Aye," Council Member Hansen, "Aye," Council Member Brady, "Aye," Council Member Graf, "Aye," Chairman Wardle, "Aye." The motion passed.

8. **Resolution 2019-86 A Resolution of the Tooele City Council Amending the Tooele City Fee Schedule for Water and Sewer Modeling Fees Associated with New Developments.**

Presented by Steve Evans

Mr. Evans stated that rule 309511 Hydraulic modeling Requirements of the Utah Rules of Administration, authorized by UCA 19-4-104 requires municipalities to conduct water modeling for new development that impact a municipalities' water system. The resolution approves the passing on to new developments the costs that incurred by the City to conduct the required water and sewer modeling for those developments. The proposed water and sewer modeling fees are based on a third party actual time and cost and estimates the actual time and cost for the modeling within Tooele City. The proposed fees are as follows;

\$1000 for a lot split on a new water main line  
\$2000 for lots more than three and less than 10  
\$2500 for 11 to 50 lots  
\$3000 for 51 to 100 lots  
\$3000 plus \$10 dollars a lot for any developments over 101.

Council Member Hansen inquired as to what a lot split is? Mr. Bolser stated that a lot split is splitting a lot and with the split a new water main line has to be put in.

Council Member Brady asked if the City is currently paying the difference? Mr. Evans stated the City is.

Chairman Wardle asked if there were any other comments or questions from Council Members, there were none.

**Council Member Brady motioned to approve Resolution 2019-86.** Council Member Gochis seconded the motion. The vote was as follows: Council Member Gochis, "Aye," Council Member Hansen, "Aye," Council Member Brady, "Aye," Council Member Graf, "Aye," Chairman Wardle, "Aye." The motion passed.

9. **Subdivision Preliminary Plan Request by Perry Homes, LLC for Overlake 2A Consisting of 90 Lots Located at Approximately 2000 North 400 West in the R1-7 Residential Zoning District.**

Presented by Jim Bolser

Mr. Bolser stated this is a request for the ongoing development of the remaining Overlake development owned by Perry Homes. The property is north of 2000 North and West of 400 West. The property is zoned R1-7 Residential. Directly south of the property are lots that are part of the 1L phase of the development and is the prior phase of the development by the developer. The intent of the phasing of the project is to develop the properties in a three phase plan. The Planning Commission has reviewed this project and forwarded a unanimous positive recommendation.

Council Member Brady stated this property is in the vicinity of the North Tooele Special Service District and asked how a project becomes part of the Service District. Mr. Bolser stated that it is in the area of the Service District, but this is not an area that is inside the boundaries currently. It is standard practice and policy by City staff, that any development that is in the area of the Service District-is discussed with the applicant regarding inclusion in the Service District. It is ultimately up to the applicant to join the district and there is an annexation process that is done if they chose to be included. Chairman Wardle asked if the party has already agreed to not join the service district due to the settlement agreement? Mr. Bolser stated that Perry homes has been offered to be included with the Service District, as have all other developers in the area and they have decided to not be included with the Service District.

Council Member Graf asked that since the development is not going to be part of the service district, how is the continuity of the development fixtures addressed? Mr. Bolser stated that by not being in the North Tooele City Special Service District the developer has to comply with the standards that are established for the rest of the City. If the development chooses to be part of the Service District there are other standards that the applicant has to follow. It is a slightly different design standard.

Chairman Wardle asked if the changes in design standards that were approved in previous years for the City were closer to the design standards initially used in the Service District. Mr. Bolser stated that there has been a lot of discussion in his eight years with the City over the standards by the Service District and the City. Revisions have had to be made because the product that was previously placed in the Overlake area was no longer available for more recent installations and repairs. The City has worked with the Service District Board to come up with standards that are more long lasting and can be applied inside and outside the district.

Council Member Brady asked if the funds from the Service District are used to maintain the public areas that are not part of the District? Mr. Bolser stated the money that is allotted to the Service District is only used by the District in the District's area.

Chairman Wardle asked Mr. Bolser to explain the zoning in the Overlake area to the public. Mr. Bolser stated that prior to 2015, the Overlake Development was originally planned as the Overlake Master Development. There was an assigned P zone that is the zoning for the Overlake project. It was developed under a development agreement that designed the parameters that assigned the standards of the development. Following the conclusion of the litigation, part of the settlement agreement stated that any area that was not already platted under the Overlake Development agreement would be removed from that P zone and assigned the R1-7 Residential zone. The properties can then request to be included in a different zone through a rezone request which are approved by the City Council.

Council Member Gochis stated that she really liked the masonry wall and it is a nice compliment and keep the general aesthetic similar and well groomed. Council Member Brady asked if the development can ever be annexed into the Service District? Mr. Bolser stated that they can be annexed at any time. Council Member Brady asked what requirements are needed to annex a development? Mr. Baker stated that if the property owner desires to be annexed into the District they could, but there would be no advantage because the standards for public improvements have already been set and built. In addition, as more properties are sold and developed it becomes more complicated due to the number of people involved in the annexation. Chairman Wardle asked about the language in the settlement agreement. Mr. Baker stated that the settlement agreement did require the City to remove the areas in question from the Service District. Now that has been done, the developer could ask to be part of the Service District but its unlikely.

Council Member Gochis asked if the Perry development has a separate HOA? Mr. Bolser stated that Perry Homes has an established HOA from the 1L development that was required for the double frontage features of the development that staff understands will be extended throughout their developments.

Chairman Wardle wanted to comment that Perry Homes has been excellent to work with. The quality of their homes and design aesthetic has partnered well with the City.

Chairman Wardle asked the Council if there were any questions or comments.

**Council Member Gochis motioned to approve Subdivision Preliminary Plan Request for Perry Development, LLC for Overlake 2A.** Council Member Hansen seconded the motion. The vote was as follows: Council Member Gochis, "Aye," Council Member Hansen, "Aye," Council Member Brady, "Aye," Council Member Graf, "Aye," Chairman Wardle, "Aye." The motion passed.

**10. Minor Subdivision request by Kevin Boyle for Desert Cove Subdivision Consisting of 5 lots Located at 242 East 400 north in the R1-7 Residential Zoning District.**

Presented by Jim Bolser

Mr. Bolser stated this is a redevelopment project, rather than a new development. It is directly to the northeast of the former Harris Elementary School site at 400 North and First Street. There are five lots involved. Two lots will have frontage onto First Street. The existing home on the corner will remain. It has been set up in the design of the property lines, the creation of new properties will not create any violations of setback ordinances for existing structures. There are three lots that run down the east side of the project. The front lot will have frontage on to 400 North. The two lots in the back of the development will be flag lots and lot three will be property owner of the flag and access. There will be a granted easement for access to both lots using the one flag staff. This is a minor subdivision with no anticipated public improvement upgrades. The Planning Commission has reviewed this and forwarded a unanimous positive recommendation.

Council Member Hansen asked if the access road to the back lots will be privately maintained? Mr. Bolser stated yes, that is correct.

**Council Member Graf motioned to approve minor subdivision request by Kevin Boyle for Desert Cove Subdivision.** Council Member brady seconded the motion. The vote was as follows: Council Member Gochis, "Aye," Council Member Hansen, "Aye," Council Member Brady, "Aye," Council Member Graf, "Aye," Chairman Wardle, "Aye." The motion passed.

**11. Subdivision Final Plat Request by Bach Homes for Copper Canyon Phase 9 Consisting of 36 Lots Located at Approximately 600 West Tooele Boulevard in the R1-7 PUD Residential Zoning District.**

Presented by Jim Bolser

Mr. Bolser stated that this is the next step in the Copper Canyon development project. This is just south of 1000 North and west of 200 West. The railroad runs to the north and west of the property. Copper Canyon does not follow the phasing plan numerically, but more geographically, the next phase to be built is phase nine. There is an extension of Tooele Boulevard. There is fencing requirements on the residential side and railroad side where it abuts

the railroad. There is an extension of the walking trail through the heart of the development and the Parks Department has reviewed that for compliance with development agreements. The Planning Commission has reviewed this item and forwarded a unanimous positive recommendation.

Chairman Wardle asked if the Council had any comments or questions.

Council Member Gochis stated that she is pleased with the walking trail and cement wall against the railroad tracks.

Chairman Wardle stated that again this has been a great development to watch through the development. This has been a quality project.

**Council Member Graf motioned to approve Subdivision Final Plat request by Bach Homes.** Council Member brady seconded the motion. The vote was as follows: Council Member Gochis, "Aye," Council Member Hansen, "Aye," Council Member Brady, "Aye," Council Member Graf, "Aye," Chairman Wardle, "Aye." The motion passed.

**12. Public Hearing and Motion on Ordinance 2019-35 An Ordinance of the Tooele City Council Amending Tooele City Zoning Map for Property at Approximately 2100 North Main Street.**

Presented by Jim Bolser

Mr. Bolser stated that this is a Zoning Map Amendment. It is immediately on the east side of the SR-36 right-of-way. It sits immediately north of 2000 north and directly across from Mountain West Medical Center. The property has a split zone, on the western side if the property it is within the GC General Commercial zoning and the eastern side of the property is within the LI Light Industrial zone. The applicant is seeking to bring this property into a single classification of the LI Light Industrial zone. The Planning Commission has reviewed this with a public hearing and received several negative comments as well as comments from the applicant. Following the public hearing by the Planning Commission the vote was five in favor and two opposed to the motion for a positive recommendation. The Council has directly received public comments that will be part of the public record as attachments.

Chairman Wardle opened the public hearing and there were no comments. Chairman Wardle closed the public hearing.

Chairman Wardle invited the applicant to speak to the Council. This item became an open discussion between the Council and applicant about the use of the property, visibility, construction, security, landscaping, and appearance. The main concern by the Council was the appearance of the buildings and how that would look on SR-36 and the gateway to the City.



The applicant Kelly Gallagher gave the following introduction and responses to the numerous inquiries about the appearance, use, security, design, landscaping and other inquiries by the Council Members during the discussion.

Mr. Gallagher stated that he has been building storage facilities for over 30 years. He has been on multiple boards in regards to storage facility standards. His company makes an attempt to make the storage units attractive. The facility is a fortress style facility, so that the outside wall is the back wall of the units. No roll up doors can be viewed from the outside of the facility excluding the front entrance gates. All lights in the facility point down and away from the streets outside the facility. The applicant is in contract to purchase a small piece of property between SR-36 and the building, excluding the Middle Canyon drainage ditch, that will be used for landscaping. The facility is shut down between 10:00pm and 6:00am and no one will be able to enter. The applicant is trying to accommodate the City for appearance and design. Mr. Gallagher provided the Council with a design picture of what facility will look like and a map of the structures on the property. These two items are included with the minutes as attachments.

Chairman Wardle asked if there was any way to condition a rezone so that what was represented by the applicant is what would be constructed. Mr. Baker responded that if the Council were included to approve this rezone petition, he would advise the Council to include in the vote as conditions of approval all of Mr. Gallagher's representations.

The conclusion of the discussion resulted in the City Council requesting from the applicant, more design renderings of what the storage units will look like on the SR-36 side, the north side, the south side coming over the viaduct, from the 2000 North intersection, and at night. The Council asked the applicant to have design plans for the landscaping.

The item will be brought back in the February 5<sup>th</sup> meeting for a first reading and February 19<sup>th</sup> for a second reading.

Chairman Wardle mentioned that the split zoning needs to be addressed in this area by the Council. Mr. Bolser stated that will be reviewed during the General Plan revisions.

**Council Member Graf motioned to table the decision on Ordinance 2019-35.** Council Member Hansen seconded the motion. The vote was as follows: Council Member Gochis, "Aye," Council Member Hansen, "Aye," Council Member Brady, "Aye," Council Member Graf, "Aye," Chairman Wardle, "Aye." The motion passed.

### **13. Minutes**

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

**Council Member Gochis motioned to approve minutes.** Council Member Brady seconded the motion. The vote was as follows: Council Member Gochis, "Aye," Council Member Hansen, "Aye," Council Member Brady, "Aye," Council Member Graf, "Aye," Chairman Wardle, "Aye." The motion passed.

#### 14. Approval of Invoices

Presented by Michelle Pitt

An invoice in the amount of \$27,033, Ken Garff West Valley Ford, for a Ford Escape for Code Enforcement.

An invoice in the amount of \$30,308.40, Delle DMC, for 36 new Delle Laptop Computers.

Ms. Pitt added that the computers will be for the new building. 29 of those computers are replacements and seven computers are for positions that do not have computers. 14 computers are being taken from the old building to new building. The computers will be put on a replacement program for the future.

Council Member Graf asked about the company and if it is Dell Computers. Ms. Pitt stated that it is. Mr. Hansen stated that this is one of many invoices that the Council will be seeing in regards to the new police department. This is part of the budget.

Council Member Brady asked about the bond paying for the furnishing? Mr. Hansen stated that it is primarily from the bond, but the impact fees can be applied to the fixed in furnishings. Council Member Hansen asked about the transfer from the solid waste transfer. Mayor Winn stated that there is money from the transfer but that has not been used yet.

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

#### 15. Adjourn

**Chairman Wardle adjourned the meeting.**

The meeting adjourned at 8:45 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 5th day of February, 2020

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Scott Wardle, Tooele City Council Chair