

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

Date: Wednesday, September 6th, 2017

Time: 7:00 p.m.

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

City Council Members Present:

Debbie Winn, Chairwoman

Steve Pruden

Brad Pratt

Dave McCall

Scott Wardle

City Employees Present:

Mayor Patrick Dunlavy

Roger Baker, City Attorney

Jim Bolser, Community Development and Public Works Director

Brian Roth, Parks and Recreation Director

Chief Ron Kirby, Police Department

Michelle Pitt, City Recorder

Glenn Caldwell, Finance

Paul Hansen, City Engineer

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 Mark Watson

2. Roll Call

Scott Wardle, Present

Brad Pratt, Present

Steve Pruden, Present

Dave McCall, Present
Debbie Winn, Present

3. Public Comment Period

Chairwoman Winn welcomed BSA Troup 1701 to the meeting.

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

4. Ordinance 2017-19 An Ordinance of Tooele City Amending Tooele City Code Chapter 5-6 Regarding Home Occupations

Presented by Roger Baker

In the 2017 Utah Legislative Session they passed Senate Bill 81 which changed the rules statewide for home occupation businesses that are operated out of a home. The new rule is that a city can license these businesses but cannot charge them a business license fee. Tooele City charges \$40/year for licenses for home occupation businesses.

The only way the City can charge a home occupation a business a license fee is if the City can demonstrate empirically that the business being licensed creates a greater impact than a regular home otherwise would. In the City Council's packet is information regarding why this is an extremely difficult thing to demonstrate. For every business that operates out of a home one can find a home that doesn't have a home business that creates the same effect, for example, someone working in their personal woodshop.

This ordinance is written to comply with Senate Bill 81 which requires an amendment to the City Code regarding the business license fee section.

Chairwoman Winn asked the Council if they had any questions or comments on this item; there were no concerns.

Councilman McCall moved to adopt Ordinance 2017-19. Councilman Pratt seconded the motion. The vote was as follows: Councilman Wardle, "Aye," Councilman Pratt, "Aye," Councilman Pruden, "Aye," Councilman McCall, "Aye," and Chairwoman Winn, "Aye." The motion passed.

5. Resolution 2017-37 A Resolution of Tooele City Council Accepting the Completed Public Improvements Associated with the Strawberry Water Users Subdivision

Presented by Paul Hansen

Tooele City Code requires that once public improvements have been completed by a subdivider for the development of new property that the subdivider comes to the City to certify that those improvements are complete and in place. This specific subdivision is located north of the railroad overpass between approximately 2200 North and 2400 North and from SR 36 over to 400 East which is where the medical office buildings are located. The public improvements are not required along SR 36 as that is a state highway and the state did not want curb and gutter, sidewalks, or other improvements along the highway. In accordance with city ordinance this is being brought to the City Council for acceptance.

Chairwoman Winn asked the Council if they had any questions or comments on this item; there were no concerns.

Councilman Pratt moved to adopt Resolution 2017-37. Councilman Wardle seconded the motion. The vote was as follows: Councilman Wardle, "Aye," Councilman Pratt, "Aye," Councilman Pruden, "Aye," Councilman McCall, "Aye," and Chairwoman Winn, "Aye." The motion passed.

6. Resolution 2017-32 A Resolution of the Tooele City Council Authorizing the Disposal of Lost or Mislaid Personal Property

Presented by Police Chief Ron Kirby

Chief Kirby will discuss items six and seven together as they are very similar items. Item number six is a resolution to allow the police department to dispose of lost and mislaid unclaimed properties. The items were listed in the City Council packet. Most of the items listed are of little or no value. According to the law, they need the Council's permission to dispose of the property.

The police department was approached by the West Valley City Fire Department regarding the unclaimed bicycles. They have a program where they repair bicycles, sell them, and donate the proceeds to the University of Utah Burn Center. The City will donate their bicycles to this program. The rest of the unclaimed items will be disposed of or donated to Deseret Industries.

Item number seven on the agenda is regarding fire arms and ammunition. The state crime lab is doing some research and studies. They have requested that agencies around the State donate firearms that have little to no value to them for testing. Most firearms go back to owners after they have had them for an appropriate amount of time. If they are evidence they are often destroyed.

Chairwoman Winn asked the Council if they had any questions or comments on this item; there were no concerns.

Councilman McCall moved to adopt Resolution 2017-32. Councilman Pratt seconded the motion. The vote was as follows: Councilman Wardle, "Aye," Councilman Pratt, "Aye," Councilman Pruden, "Aye," Councilman McCall, "Aye," and Chairwoman Winn, "Aye." The motion passed.

7. Resolution 2017-33 A Resolution of the Tooele City Council Authorizing the Disposal of Property No Longer Needed as Evidence

Presented by Police Chief Ron Kirby

See item number six for a description of this Resolution.

Chairwoman Winn asked the Council if they had any questions or comments on this item; there were no concerns.

Councilman Wardle moved to adopt Resolution 2017-33. Councilman McCall seconded the motion. The vote was as follows: Councilman Wardle, "Aye," Councilman Pratt, "Aye," Councilman Pruden, "Aye," Councilman McCall, "Aye," and Chairwoman Winn, "Aye." The motion passed.

8. Resolution 2017-38 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 Police Chief Ron Kirby

This item is similar to agenda item number nine and will be discussed in conjunction with item number eight. Item number nine is a resolution of the Tooele City Council approving and ratifying an interlocal agreement between Tooele City and Tooele County for 2017 Bryne Justice assistance grant funds.

This is a routine grant that is received yearly. It's not a huge grant. The amount of the grant the year is \$14,555. The police department is proposing to use this grant money to purchase less lethal equipment. This equipment allows the department to safely take a suspect into custody who is violent without having to use deadly force. For example, you might have a suspect who is armed but non-compliant. Rather than use deadly force officers can use this equipment.

The device is called a launcher. It launches a foam or soft 40 millimeter round that is meant to hurt and distract the suspect so as to take them safely into custody. This becomes part of the other less lethal equipment they have such as tasers, pepper spray, etc. They plan to buy five of the launchers, one for each patrol team, and an extra that will be available as a back-up.

Part of the grant requires they enter into an interlocal agreement with Tooele County which is item number nine on the agenda. They are aware of the grant and approve of how the money is being spent.

Chairwoman Winn commented that it's nice to hear that not only is the police department applying for grant money to help them purchase equipment but that they are purchasing something that will save lives and help them to do their job.

Chairwoman Winn asked the Council if they had any questions or comments on this item; there were no concerns.

Councilman Wardle moved to adopt Resolution 2017-38. Councilman Pratt seconded the motion. The vote was as follows: Councilman Wardle, "Aye," Councilman Pratt, "Aye," Councilman Pruden, "Aye," Councilman McCall, "Aye," and Chairwoman Winn, "Aye." The motion passed.

9. **Resolution 2017-40 A Resolution of the Tooele City Council Approving and Ratifying an Interlocal Agreement between Tooele City and Tooele County for 2017 Byrne Justice Assistance Grant Funds**

Presented by Police Chief Ron Kirby

Chairwoman Winn asked the Council if they had any questions or comments on this item; there were no concerns.

Councilman Pratt moved to adopt Resolution 2017-40. Councilman McCall seconded the motion. The vote was as follows: Councilman Wardle, "Aye," Councilman Pratt, "Aye," Councilman Pruden, "Aye," Councilman McCall, "Aye," and Chairwoman Winn, "Aye." The motion passed.

10. **Resolution 2017-39 A Resolution of the Tooele City Council Approving a Lease-Purchase Agreement with TCF Equipment Finance for the Purchase of a Toro Groundmaster 4100-D**

Presented by Brian Roth

The Parks Department is asking for approval for financing for a large area rotary mower for the parks system. They currently have four of these large mowers that are anywhere in age from 10 to 16 years old. They have lost the use of two of those mowers in the past month; they're getting old and worn out. The Department needs to start replacing the mowers. They are requesting funds to purchase one of the mowers at this time.

Chairwoman Winn asked the Council if they had any questions or comments on this item.

Councilman Pruden asked them how soon they'd get the mower and Mr. Roth responded they'd get it tomorrow.

Councilman Pruden moved to adopt Resolution 2017-39. Councilman McCall seconded the motion. The vote was as follows: Councilman Wardle, "Aye," Councilman Pratt, "Aye," Councilman Pruden, "Aye," Councilman McCall, "Aye," and Chairwoman Winn, "Aye." The motion passed.

11. **Resolution 2017-42 A Resolution of the Tooele City Council Approving an Audit Agreement with WSRP Certified Public Accountants**

Presented by Glenn Caldwell

The State requires the City has an annual audit every year. It has to be performed by a certified accounting firm. The WSRP Company has submitted a letter of intent which is a contract that states what they will do in regarding to their reports, the codification, etc. They also request that the City is honest and forthright and prepares everything and gets it to them on a timely basis so they can complete their audit. The amount they will get paid is \$50,500.

Chairwoman Winn asked the Council if they had any questions or comments on this item; there were no concerns.

Councilman Pratt moved to adopt Resolution 2017-42. Councilman Pruden seconded the motion. The vote was as follows: Councilman Wardle, "Aye," Councilman Pratt, "Aye," Councilman Pruden, "Aye," Councilman McCall, "Aye," and Chairwoman Winn, "Aye." The motion passed.

12. Vista Linda Phase 1 and Phase 2—Final Plat Request

Presented by Jim Bolser

Three weeks ago at the last City Council meeting this project was before them for the preliminary plan. The developers have been quite responsive in preparing their final plat application which is the last step prior to recording the plat and beginning construction of the development . This project is located just north of Skyline Drive and Droubay Road. It is where Droubay Road ends to the north from Skyline Drive at approximately 240 South Droubay Road. This project will extend Droubay Road north to where the dirt road widens out. It will extend west to where it would meet the development located west of it. It will extend east to where it meets the subdivision to the east of it. It is a 17 lot subdivision and has met all of the requirements for plat approval. The Planning Commission has reviewed this plat and has forwarded a unanimous positive recommendation for their consideration. Phase 1 is west of Droubay; Phase 2 is east of Droubay.

Chairwoman Winn asked the Council if they had any questions or comments on this item; there were no concerns.

Councilman Pruden moved to approve the Final Plat Request for the Vista Linda Subdivision Phases 1 and 2. Councilman McCall seconded the motion. The vote was as follows: Councilman Wardle, "Aye," Councilman Pratt, "Aye," Councilman Pruden, "Aye," Councilman McCall, "Aye," and Chairwoman Winn, "Aye." The motion passed.

13. Minutes

Councilman Wardle moved to approve the minutes from the City Council Meeting dated August 16, 2017 and the special business meeting accepting the election canvas on August 23rd, 2017.

Councilman Wardle moved to accept the minutes. Councilman Pratt seconded the motion. The vote was as follows: Councilman Wardle, "Aye," Councilman Pratt, "Aye," Councilman Pruden, "Aye." Councilman McCall voted "Aye," but recused himself from voting to accept the August 23rd minutes as he was not in attendance at that meeting. Chairwoman Winn voted "Aye." The motion passed.

14. Invoices

Presented by Michelle Pitt

An invoice in the amount of \$22,669.00 for Young Chevrolet for a 2017 Chevrolet Express work van was presented.

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

15. Adjourn

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

The meeting adjourned at 7:26 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 20th day of September, 2017.

Debra E. Winn, Tooele City Council Chair