

**Tooele City Council
Business Meeting Minutes**

Date: Wednesday, July 7, 2021

Time: 7:00 p.m.

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

City Council Members Present:

Tony Graf
Melodi Gochis
Ed Hansen
Justin Brady
Maresa Manzione

City Employees Present:

Mayor Debbie Winn
Jim Bolser, Community Development Director
Chief Ron Kirby, Police Department Chief
Steve Evans, Public Works Director
Roger Baker, City Attorney
Shannon Wimmer, Finance Director
Darwin Cook, Parks and Recreation Director
Michelle Pitt, City Recorder
Cylee Pressley, Deputy City Recorder

Minutes prepared by Katherin Yei

Chairwoman Gochis called the meeting to order at 7:07 p.m.

1. **Pledge of Allegiance**

The Pledge of Allegiance was led by Matt Robinson.

2. **Roll Call**

Tony Graf, Present
Melodi Gochis, Present
Ed Hansen, Present
Justin Brady, Present
Maresa Manzione, Present

3. Resolution 2021-66 A Resolution of the Tooele City Council Consenting to Mayor Debra E. Winn's Appointment of Caption Adrian Day as Tooele City Chief of Police

Presented by Debbie Winn, Tooele City Mayor

Mayor Debbie Winn asked Chief Kirby to come to the front. She stated her appreciation for his many years of service within the community. She addressed the City Council to appoint Captain Adrian Day as the Tooele City Chief of Police. She stated they did put out the application nationwide with Captain Day being the best choice.

Council Member Hansen motioned to approve resolution 2021-66. Council Member Graf seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Chairwoman Gochis, "Aye." The motion passed.

Caption Adrian Day was sworn in by Michelle Pitt, Tooele City Recorder.

4. Public Comment Period

There were no public comments.

5. Public Hearing & Motion on Ordinance 2021- 20 An Ordinance of Tooele City Reassigning the Land Use Designation From Medium Density Residential (MDR) & Regional Commercial (RC) to High Density Residential (HDR) for Approximately 29.3 Acres of Property Located at Approximately 2800 North 400 East

Presented by Jim Bolser, Community Development Director

Mr. Bolser stated the application is to adjust the Land Use Map, which is the step that would be required prior to amending zoning. He stated the subject property is in the north east corner of the community. He stated the subject property currently has three land use designations on the property, dividing it effectively in quarters. He stated the consideration is for two areas be reassigned to the High-Density Residential land use area. The first is the eastern half currently assigned the Medium Density Residential and the second is approximately 3 acres of the Regional Commercial land use area. The applicant had submitted a concept plan for discussion. Mr. Bolser stated the applicant was present and could further explain. He stated the Planning Commission did review it before the Council and has forwarded a positive recommendation with a 6 to 1 vote.

Chairman Gochis asked what the condition was the Planning Commission approved it under. Mr. Bolser stated the motion passed with a six to one vote without any specific conditions on the motion.

Council Member Brady stated his concern was the island that will be created within the Medium Density Residential area. He stated there has been multiple applications for this area and asked if this was different from those.

Mr. Bolser stated the other applications are the properties immediately to the south. He stated there are six properties in this area and between the two applications on file it involves the four middle parcels with one left at each end.

Council Member Hansen asked if the roads are going to SR-36 to get out of the property. Mr. Bolser stated he believes so. He stated he believes the applicant had spoken with the proposed applicant to the south, but at this time, can only provide a proposal for the two parcels that he represents. Mr. Bolser stated there are existing roadways including, 400 East and 600 East that could potentially be extended north to this project as well. He stated there are other options for roadways and any development on any of these parcels would be obligated to provide the necessary infrastructure, be that water, sewer, storm, power, roads, etc.

Council Member Hansen asked if the City would be required to build the road at 600 East if he built there.

Mr. Bolser stated they might have to. He stated as they look at the development reviews specifically, a traffic study will be required. He stated they would be looking for how much access is needed and from where.

Chairman Gochis asked about water.

Mr. Bolser stated they will be obligated to provide water system that includes connection from existing source to this site. He stated similarly sewer out of this site, as well as providing water rights to satisfy the demand of the development.

Chairman Gochis asked if the developer has to have water rights or is it just that they are required to.

Mr. Bolser stated they will be required to. He stated he will allow the developer to comment on the status of the water.

Chairman Gochis invited the developer to speak.

Mr. Sydney Allsop stated he represents Loanstar on this project. He stated they are asking for MR-25 because of a height restriction. He stated the apartment buildings would rent well; as well as support the commercial on Highway 36. He stated there will be a leasing office and a clubhouse and amenities on-site for families.

Chairman Gochis asked if the units will be for sale or rent and if they have the water rights for this project.

Mr. Allsop stated the seller has water rights that they will acquire with the transaction if the land use and zoning is approved and they have under contract other water rights as needed.

Council Member Manzione stated she hates to see the general commercial cut down.

Mr. Allsop stated though they want to put commercial on the property, they notice at 10 to 15, they get to deep and are not as successful. He stated they want to provide a successful and vibrant commercial area.

Council Member Manzione stated they also want a vibrant commercial area.

Council Member Hansen asked if they will be the builder on the commercial.

Mr. Allsop stated they will be the developer for the entire project and hold onto the project once it's done.

Chairman Gochis stated that with the zoning of MR-25, there is a potential of 725 units. She asked if that is what the developer was planning.

Mr. Allsop stated they will be restricted by the surface area that the unit count is going to require. He stated that'll come through when they go into the zoning and planning. He stated the concept shows what we believe we can get.

Chairman Gochis stated there is limited access from this area and asked what plan they had for roads and transportation.

Mr. Allsop stated once they move to the next step, they will provide a traffic study. He stated they have not initiated that study yet.

Council Member Brady stated he understands Tooele County is to the East and the North. He stated he does not want to be unfair to the County residents in building apartments building there, when they had originally zoned for something different.

Mr. Bolser stated that it was one of the difficult things for this area. He stated there are a few things to discuss: do they continue down that same road with the non-residential zoning in place now and hope for additional success? Or do they start looking at a different proposal that may be more appropriate for the land use in this area? He stated it is an open area that he has proposals for.

Council Member Brady stated his concern is the rezoning to high density, the rest of the property is likely going to follow. He stated he does not want to see high density of just apartments in one area. He stated this area would be a perfect area for an RSD so it does not just focus on apartments.

Council Member Manzione stated with higher density comes more traffic. She stated her big concern is here is traffic and would like to see a traffic study before approving the amendment.

Chairman Gochis stated it needs to be walkable to the amenities of the businesses. She stated no one will be able to walk to local stores in Tooele without a trail system or sidewalk. She asked if that could be included in the traffic study.

Mr. Bolser stated the Council could make recommendations of what they would like to see from the applicant.

Chairman Gochis stated she does want a firmer answer on the water for this project. She asked if the developer was working towards bringing water or if they already had it.

Mr. Allsop stated they do have it in the contract to buy the property and will close if they are approved for zoning. He stated they do not want to spend the money if they are a different density.

Chairman Gochis stated she does not want to make a change on the land use if we don't have a firm plan for water.

Mr. Allsop stated he does not want to spend millions of dollars on the water until he knows what he has.

Council Member Hansen asked if there is water coming then.

Mr. Allsop stated they do have water on contract.

Council Member Graf stated he has some concerns about regional commercial. He stated one of the things that's important when building high density is transportation. He stated there is use of the express bus to Salt Lake and the intertown bus within the City. He stated if you have higher high density in this type of situation, optimally, you'll have close connections to public transportation. He stated he doesn't like creating an island of medium density residential because to the north, they would probably have to go to the high density.

Chairman Gochis stated that area is a buffer zone between what is considered agricultural and asked what the County zoning was there.

Mr. Bolser stated he was not familiar in depth with the County Zoning Map, but believes that it is the same as the existing development to the northeast, with the ultimate plan being large lot residential.

Chairman Gochis stated a County resident approached the City about the safety of residents because of machines that work agriculture in the fields.

Council Member Graf stated a recurring theme of green and open spaces is important to the City. He stated when there is a high concentration of people, they do not want a concrete jungle.

Mr. Allsop stated they will follow code, but will work with the City on open space.

Chairman Gochis opened the public hearing.

Council Member Brady motioned to deny 2021-20. Council Member Manzione seconded the motion.

Chairman Gochis asked if that would allow the applicant to make changes and come back.

Mr. Bolser stated by denying it, the applicant would need to start the process over with a new application since a decision had been made. If the Council was interested in allowing the applicant to provide the Council with some additional information on their questions they could table the discussion and allow them to do so without having to repeat any steps.

Council Member Manzione withdrawn her second.

Council Member Graf stated they would like to see conceptual plans that integrate green and open space and walking paths.

Mr. Allsop asked what they are looking for in the trails. He stated they could easily add to the City's trail system.

Council Member Manzione stated a traffic study is warranted.

Council Member Graf motioned to Table 2021-20 with the conditions discussed with the developer. Council Member Hansen seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Naye," Council Member Manzione, "Aye," Chairwoman Gochis, "Aye." The motion passed.

6. Public Hearing & Motion on Ordinance 2021-21 An Ordinance of the Tooele City Council Reassigning the Zoning Classification to the MR-25 Multi-Family Residential Zoning District for Approximately 4.3 Acres of Property Located at Approximately 740 West McKellar Street

Presented by Jim Bolser, Community Development Director

Mr. Bolser stated this is a Zoning Map Amendment. He stated the subject property is the west end of the current MR-8, Multi-Family Residential designation. He stated there are a combination of projects in this area under that zoning designation, including townhomes, smaller lot single-family dwellings and an existing trailer home development. He stated the applicant was present to provide some additional context. He stated the Planning Commission did hear this item and held their own public hearing. He stated after a robust discussion about the differences of whether or not this could develop more appropriately as MR-25 as requested or MR-16, they forwarded a negative recommendation for the application at hand by a 4 to 3 vote.

Chairman Gochis stated there is a Union Pacific Railroad crossing there. She asked if that was blocked off or people could cross it?

Mr. Bolser stated it was blocked off and warranted another consideration. He stated a gentleman had requested information at the prior Council introduction discussion about this current mapping and those concerns were given to the Planning Commission. He stated those concerns were as follows: the mapping was correct and how an extension through Tooele Boulevard would work. He stated they receive information directly from the County Recorder's Office on a monthly basis. He stated if you measure from the edge of the Union Pacific right-of-way line to the closest corner of this parcel, it's approximately 88 feet. He stated there is room to get Tooele Boulevard through there, which would occur with development.

Chairman Gochis stated she had concerns about the traffic on Coleman Street that residents have brought forward. She asked if the developer had done a traffic study.

Council Member Brady asked how many parking stalls are required.

Mr. Bolser stated it is the same for all multi-family units; two spaces per unit and one space for every four units to be designated as guest parking.

Council Member Brady stated it seems that vehicles park on the street. He stated he shares concerns with Chairman Gochis. He stated he feels that it is not an appropriate area for MR-25; MR-16 would be a better fit.

Chairman Gochis invited the developer forward.

Mr. John Aubrey introduced himself and stated he was happy to answer questions.

Chairman Gochis stated she believes MR-25 is too high density for this area. She stated her concerns for traffic getting in and out of the development. She asked if they will be doing a traffic study.

Mr. Aubrey stated they will be doing a traffic study, but have not yet because they want to know what density they will be approved for. He stated when you look at a report from the transit authority, it has been stated on average a single-family home will have ten car trips per day and an apartment unit will have four cars per day. He stated he calculated with an MR-8, there would be 340 car trips, where as an MR-25 would be a proposed 390 car trips. He stated they want to partner with the City and meet their needs. He stated if they want apartments, they would need MR-25; if they wanted townhomes, they can do MR-16.

Mr. Aubrey stated when they met with the Planning Commission they had two concerns, the traffic and apartments not fitting in at that location. He stated he heard that the City might be building a park north of this site and would be happy to partner with them to build that.

Chairman Gochis stated she was unsure if that is a location for a park.

Council Member Manzione stated she spoke with Mr. Cook earlier that day and it is a location they will be putting a park.

Mr. Baker stated there is not a confirmed plan yet, but there are plans beginning to develop. He stated it remains something they expect to become a park.

Council Member Manzione stated she believes that is not the place for MR-25 because of the traffic and not being considerate to the neighbors.

Mr. Aubrey stated they have not done a traffic study yet, but in his experience coming and going from that property, there are not more than three cars on that road.

Chairman Gochis stated the Planning Commission recommended an MR-16. She asked if he desired they consider MR-25 or is willing to table this and bring back a proposal as an MR-16.

Mr. Aubrey stated if the Council preferred MR-16, they would be okay with that.

Chairman Gochis asked Mr. Bolser if he would have to do a new application for that.

Mr. Bolser stated if they tabled it with the purpose of the developer coming back with an MR-16 proposal, they would need to check to see if the notices sent out to the community and the public hearings were sufficient for MR-16. He stated it might have to go back to the Planning Commission step, but an entire new application won't be necessary.

Mr. Aubrey stated MR-25 is going to be too much and they can build townhomes under MR-16, but asked if they have filled the need for rental units. Mr. Bolser stated they are compliant with the State of Utah requirements for moderate income housing as of the last study adopted with the new General Plan in December, which is based on cost of housing compared to family income. He stated Tooele does not have something in house that shows where we are for those specific needs on a day-to-day basis.

Council Member Manzione stated there is a shortage of housing all around, but we must balance the need with what is in the City and MR-25 does not fit in that neighborhood. She stated though we may need the rentals, we must find a balance.

Mr. Aubrey stated they are equally happy to provide townhomes in the MR-16.

Council Member Brady stated it is not townhomes verses apartments, but it is the density in this area that is the concern.

Council Member Hansen stated if they went down in units based on the concept plan, he would only be two building too many.

Mr. Aubrey stated they do have another concept plan for townhomes that they did not turn in.

Council Member Graf stated the Northlake Elementary School parking lot becomes slow moving. He stated the impact of the traffic on MR-25 with Coleman Street outweighs the higher density.

Mr. Aubrey stated they want to work with the City and would be happy to develop under MR-16.

Mr. Baker stated they have an application that is asked to be voted on. He stated if they wanted to entertain a variation, the Council has two options. He stated they can table it, and Mr. Bolser and himself will discuss further options with the applicant to amend their application or they can issue a decision on the application at hand.

Chairman Gochis asked if they need to hold another public hearing. Mr. Baker stated they would.

Chairman Gochis opened the public hearing.

Chairman Gochis motioned to table 2021-21 until they have additional information and an amended application. Council Member Brady seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Chairwoman Gochis, "Aye." The motion passed.

7. Resolution 2021-49 A Resolution of the Tooele City Council Consenting to the One-Time Incorporation of Stipends Paid to Specific City Employees by the Redevelopment

Agency of Tooele City (RDA) to Employee Regular Rates of Pay by Tooele City Corporation

Presented by Shannon Wimmer, Finance Director

Ms. Wimmer stated the adoption of the resolution gives authority to the City to move some of those salaries that were previously paid out of the RDA to the City's budget. She stated this is being done in anticipation of the RDS sunset and give some consistency in the City's budget.

Council Member Manzione motioned to approve 2021-49. Council Member Hansen seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Chairwoman Gochis, "Aye." The motion passed.

8. Resolution 2021- 74 A Resolution of the Tooele City Council Approving an Agreement with Nelson Brothers Construction Company for the Water Reclamation Facility 2021 Upgrades, Phase 1

Presented by Paul Hansen, Tooele City Engineer

Mr. Hansen stated the Council has three projects that are either recently completed or in process, the second deals with upgrades to the filter process that's in works, and the third is phase one upgrades. He stated many of the elements have become deteriorated over the last 20 years; the water that flows through that plant is quite caustic, and quite corrosive and damaging to the processing equipment. He stated they put it out for public bid and received bids from three contractors, the lowest bid being Nelson Brothers Construction with a submitted cost of \$827,024. He stated Nelson Brothers Construction has worked for the city in the past. He stated where they typically ask for a 5% contingency, they are asking for additional contingency of 15%.

Council Member Brady motioned to approve 2021-74. Council Member Hansen seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Chairwoman Gochis, "Aye." The motion passed.

9. Subdivision Plat Amendment Request by Lexington Townhomes, LLC for the Purpose of Amending the Lexington at Overlake Subdivision to Combine Lots 103 & 108 into a Single Lot 201 on 6.39 Acres in the MR-16 Multi-Family Residential Zoning District

Presented by Jim Bolser, Community Development Director

Mr. Bolser stated the subject property is on the south end of the Lexington at Overlake subdivision, a part of the overall Lexington Greens project. He stated the applicant bought these two lots and wants to make it a more cohesive development on them so he is looking to make it a single lot. He stated the application is simply to take the two separate lots and combine it to

make it one lot. He stated the Planning Commission has heard this application and forwarded a unanimous positive recommendation.

Council Member Graf motioned to approve the Subdivision Plat Amendment. Council Member Manzione seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Chairwoman Gochis, "Aye." The motion passed.

10. Minutes: June 16, 2021 Work & Business Meeting

No changes needed to be made to the minutes from June 16, 2021.

Council Member Manzione motioned to approve minutes from June 16, 2021. Council Member Hansen seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Chairwoman Gochis, "Aye." The motion passed

11. Invoices

Presented by Michelle Pitt, Tooele City Recorder

Ms. Pitt presented the following invoices to the Council for approval:

Nickerson Company Inc for Pump motors for wells #7, #9, #11, and Kennecott in the amount of \$103, 567.

Nickerson Company Inc for repair and replacement of the pump for the water waste plant in the amount of \$24, 320.

Council Member Hansen motioned to approve invoices with an extra pump added to the pump. Council Member Manzione seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member Brady, "Aye," Council Member Manzione, "Aye," Chairwoman Gochis, "Aye." The motion passed.

12. Adjourn

Chairwoman Gochis adjourned the meeting at 8:45pm

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 21 day of July, 2021

Melodi Gochis, City Council Chairwoman