

PUBLIC NOTICE

Notice is hereby given that the Tooele City Council will meet in a Business Meeting on Wednesday, December 4, 2024 at the hour of 7:00 p.m. The meeting will be held in the Tooele City Hall Council Chambers, located at 90 North Main Street, Tooele, Utah. The complete public notice is posted on the Utah Public Notice Website www.utah.gov, the Tooele City Website www.tooelecity.gov, and at Tooele City Hall. To request a copy of the public notice or for additional inquiries please contact Michelle Pitt, City Recorder at (435)843-2111 or michellep@tooelecity.gov.

We encourage you to join the City Council meeting electronically by visiting the **Tooele City YouTube Channel**, at <https://www.youtube.com/@tooelecity> or by going to YouTube.com and searching "Tooele City Channel". If you are attending electronically and would like to submit a comment for the public comment period or for a public hearing item, please email cmpubliccomment@tooelecity.gov anytime up until the start of the meeting. Emails will be read at the designated points in the meeting.

AGENDA

1. **Pledge of Allegiance**
2. **Roll Call**
3. **Public Comment Period**
4. **Public Hearing & Motion on Resolution 2024-92** A Resolution of the Tooele City Council Approving Budget Amendments for Fiscal Year 2024-2025
Presented by Shannon Wimmer, Finance Director
5. **Audit Presentation**
Presented by Larson and Company, Certified Public Accountants
6. **Ordinance 2024-34** An Ordinance of the Tooele City Council Ratifying the Approval of Ordinance 2024-21 and Re-approving the Annexation Petition of Howard Schmidt, Annexing 61.16 Acres of Land Into the Tooele City Corporate Limit, and Assigning the R1-8 Residential Zoning District to the Annexed Property
Presented by Michelle Pitt, City Recorder
7. **Resolution 2024-93** A Resolution of the Tooele City Council Amending the Tooele City Fee Schedule Regarding Appeals of Land-Use Related Civil Citations and Reviews
Presented by Roger Baker, City Attorney
8. **Resolution 2024-94** A Resolution of the Tooele City Council Approving an Agreement with S.F.T. Concrete for the Tooele Library Stamped Concrete Project
Presented by Chase Randall, Library Director
9. **Invoices & Purchase Orders**
Presented by Michelle Pitt, City Recorder

10. Minutes

- ~November 20, 2024 Work Meeting
- ~November 20, 2024 Business Meeting

11. Adjourn

Michelle Y. Pitt, Tooele City Recorder

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations should notify Michelle Y. Pitt, Tooele City Recorder, at 435-843-2111 or michellep@tooelecity.gov, prior to the meeting.

TOOELE CITY CORPORATION

RESOLUTION 2024-92

A RESOLUTION OF THE TOOELE CITY COUNCIL APPROVING BUDGET AMENDMENTS FOR FISCAL YEAR 2024-2025.

WHEREAS, the City Council finds it necessary and prudent to re-open the 2024-2025 fiscal year budget to make amendments, pursuant to U.C.A. §§10-6-124, -128, in order to more efficiently utilize funds to be received, said amendments being shown in the attached Exhibit A; and,

WHEREAS, the City Council convened a duly-noticed public hearing on December 4, 2024, pursuant to the requirements of U.C.A. §§10-6-113, -114:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that the budget amendments for fiscal year 2024-2025 as shown on Exhibit A, which is attached hereto and made a part hereof, are hereby approved.

This Resolution shall be effective immediately upon passage, without further publication, by authority of the Tooele City Charter.

Passed this ____ day of _____, 2024.

TOOELE CITY COUNCIL

(For)

(Against)

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

ABSTAINING: _____

MAYOR OF TOOELE CITY

(For)

(Against)

_____	_____
-------	-------

ATTEST:

Michelle Y. Pitt, City Recorder

S E A L

Fiscal Approval: _____
Shannon Wimmer, Director of Finance

Approved as to Form: _____
Roger Evans Baker, City Attorney

Exhibit A

Budget Amendments

TOOELE CITY CORPORATION
BUDGET AMENDMENTS
FISCAL YEAR ENDING 06/30/2024

11/20/24
7:24 PM

	ACCT NUMBER			ACCOUNT NAME	CURRENT	AMENDMENT	AMENDED		
ROAD C									
15	78	3870	000	CONTRIBUTION FROM PRIVATE SOURCES	0	(79,840)	(79,840)	Payments received from Perry Homes for 3100 JUB Inspections	
	78	4415	313009	3100 N. INSPECTIONS	0	79,840	79,840		
PAR TAX									
16	21	3890	000	APPROPRIATION FROM FUND BALANCE	(215,500)	(8,000)	(223,500)	Overage on budget for Red Del Papa irrigation project	
	21	4511	732000	3100 N. INSPECTIONS	115,000	8,000	123,000		
CAPITAL PROJECTS									
17	41	3890	000	APPROPRIATION FROM FUND BALANCE	(8,265,217)	(4,080)	(8,269,297)	Overage on boiler for Library and permit fees	
	41	4620	721000	BUILDING IMPROVEMENTS	160,000	4,080	164,080		
LIBRARY									
18	10	3340	111	UTAH STATE LIBRARY GRANTS	0	(757)	(757)	Record ARPA grant funds for FY25	
	10	4580	271000	BUILDING OPERATION & MAINTENANCE	30,000	757	30,757		
POLICE									
19	10	3890	000	APPROPRIATION FROM FUND BALANCE	(778,713)	(25,500)	(804,213)	Flock cameras, yearly maintenance and four new cameras	
	10	4211	311000	PROFESSIONAL & TECHNICAL	24,000	25,500	49,500		
CAPITAL PROJECTS									
20	41	3890	000	APPROPRIATION FROM FUND BALANCE	(8,269,297)	(7,500)	(8,276,797)	Scissor lift for police station	
	41	4620	741003	MACHINERY & EQUIPMENT	0	7,500	7,500		
CAPITAL PROJECTS									
21	41	3890	000	APPROPRIATION FROM FUND BALANCE	(8,276,797)	(500,000)	(8,776,797)	Updated projects for FY2025	
	41	4620	615000	SPECIAL PROJECTS	56,000	500,000	556,000		
ANIMAL SHELTER/CD/POLICE									
22	10	4253	111000	REGULAR EMPLOYEES	577,718	38,398	616,116	Adjust budgets for restructuring of employees to other departments and leave payouts for employees final pay	
	10	4253	131000	EMPLOYEE BENEFITS	15,985	10,274	26,259		
	10	423	132000	MEDICAL AND LIFE INSURANCE	0	4,728	4,728		
	10	4620	111000	REGULAR EMPLOYEES	766,000	41,350	807,350		
	10	4620	131000	EMPLOYEE BENEFITS	210,548	11,789	222,337		
	10	4620	1320000	MEDICAL AND LIFE INSURANCE	218,358	19,927	238,285		
	10	4211	111000	REGULAR EMPLOYEES	4,337,018	(75,020)	4,261,998		
	10	4211	131000	EMPLOYEE BENEFITS	1,808,362	(20,790)	1,787,572		
	10	4211	132000	MEDICAL AND LIFE INSURANCE	1,080,148	(23,572)	1,056,576		
	10	4253	111000	REGULAR EMPLOYEES	616,116	6,564	622,680		
	10	3890	000	APPROPRIATION FROM FUND BALANCE	(8,776,797)	13,648	(8,763,149)		
COMMUNITY DEVELOPMENT									
23	10	3414	000	BUILDING REVIEW FEES	(650,000)	(45,000)	(695,000)		Commercial building review fees and payments
	10	4620	311000	PROFESSIONAL & TECHNICAL	60,000	45,000	105,000		
AQUATIC CENTER									
24	10	3890	000	APPROPRIATION FROM FUND BALANCE	(8,763,149)	(8,570)	(8,771,719)	Reclass swim team fees to swim team expense account	
	10	4562	483019	TSC SWIM CLUB	0	8,570	8,570		

TOOELE CITY CORPORATION

ORDINANCE 2024-34

AN ORDINANCE OF THE TOOELE CITY COUNCIL RATIFYING THE APPROVAL OF ORDINANCE 2024-21 AND RE-APPROVING THE ANNEXATION PETITION OF HOWARD SCHMIDT, ANNEXING 61.16 ACRES OF LAND INTO THE TOOELE CITY CORPORATE LIMIT, AND ASSIGNING THE R1-8 RESIDENTIAL ZONING DISTRICT TO THE ANNEXED PROPERTY.

WHEREAS, on August 21, 2024, the City Council approved Ordinance 2024-21: “An Ordinance of the Tooele City Council Approving the Annexation Petition of Howard Schmidt, Annexing 61.16 Acres of Land into the Tooele City Corporate Limit, and Assigning the R1-8 Residential Zoning District to the Annexed Property”; and,

WHEREAS, the State of Utah has deemed the City’s delivery of Ordinance 2024-21 and associated documents to be untimely and has required re-approval of the Canyon Springs annexation ordinance, which is accomplished by way of this ratification and re-approval ordinance (see State of Utah correspondence attached as Exhibit A; Ordinance 2024-21 and its exhibits are incorporated herein by this reference as Exhibit B); and,

WHEREAS, the annexation of additional land into Tooele City is governed by Utah Code Chapter 10-2 Part 4 (§10-2-401 *et seq.*), Tooele City Code Chapter 7-24, and Tooele City’s Annexation Policy Plan (2024); and,

WHEREAS, Tooele City has received the annexation petition (“Petition”) of Howard Schmidt (“Petitioner”), dated April 25, 2024, in accordance with UCA § 10-2-403 and TCC Chapter 7-24, seeking to annex approximately 61.16 acres of property (the “Property) into the Tooele City corporate limits; and,

WHEREAS, the parcel affected by the Ordinance is No. 03-031-0-0014; and,

WHEREAS, the City Council approved Resolution 2024-45 on June 5, 2024, which Resolution accepted the Petition for further consideration, as provided in UCA § 10-2-405(1); and,

WHEREAS, on July 10, 2024, the Tooele City Planning Commission considered the Petition and voted to forward its recommendation to the City Council, as required by TCC §7-24-1; and,

WHEREAS, by Ordinance 2023-45, the City Council adopted an updated Annexation Policy Plan, a document required by UCA §10-2-401.5, which plan includes the Property as eligible for annexation; and,

WHEREAS, at the recommendation of the City Administration, and at the request of the City Council, the Petitioner obtained professional engineering and other studies regarding the anticipated impacts of the Canyon Springs annexation on City utility,

infrastructure, and fiscal systems; and,

WHEREAS, on July 3, 2024, the City Recorder certified the Petition, as required by UCA §10-2-405(2); and,

WHEREAS, as required by UCA §10-2-407(3)(b)(ii)(A), the City Council convened a required public hearing on July 17, 2024, and accepted public comments, protests and objections, including from affected entities (reference UCA §§10-2-401, 406, and 407); and,

WHEREAS, pursuant to TCC §7-24-3, any annexation approval is conditioned upon the Petitioner executing an Annexation Agreement with the City; and,

WHEREAS, on August 21, 2024, the City Council approved Resolution 2024-60, approving an Annexation Agreement for the Canyon Springs annexation; and,

WHEREAS, the Canyon Springs Annexation and general annexation concepts have been discussed in public City Council meetings as indicated above; and,

WHEREAS, pursuant to Tooele City Code §7-24-1(1)(f), a successful annexation petition must be approved by at least a two-thirds (2/3) majority vote of the City Council; and,

WHEREAS, the City Administration believes that all the procedural requirements of both the Utah Code and Tooele City Code for the approval of an annexation have been satisfied:

WHEREAS, on July 17, 2024, the City Council convened a duly-noticed public hearing:

NOW, THEREFORE, BE IT ORDAINED BY THE TOOEELE CITY COUNCIL that:

1. The Annexation Petition is hereby approved, subject to the conditions stated in this Ordinance and in the Annexation Agreement; and,
2. Petitioner shall immediately execute the approved Annexation Agreement; and,
3. As required in the Annexation Agreement, Petitioner shall execute an agreement with Tooele County for the paving of the trail referenced in the Agreement; and,
4. Subsequent to Petitioner executing both agreements referenced immediately above, but within 30 days of approval of this Ordinance, the City Recorder is hereby directed to file electronically with the Utah Lieutenant Governor a Notice of Impending Boundary Action meeting the requirements of the UCA §67-1a-6.5(3), together with a copy of the final local entity plat; and,
5. The property annexed under this Ordinance, as described in the Petition, shall receive the R1-8 Residential zoning district designation under authority of TCC §7-24-2 and the Annexation Agreement; and,

6. The annexation approved by this Ordinance shall take effect, according to UCA §10-2-425(4), on the date of the Lieutenant Governor's issuance of a Certificate of Annexation and recordation of the Certificate and the local entity plat with the Tooele County Recorder; and,
7. All aspects of this Ordinance, with the exception of the effective date of the annexation for State of Utah purposes under UCA §10-2-425(4), shall take effect immediately upon passage of this Ordinance, without further publication, by authority of the Tooele City Charter; and,
8. Ordinance 2024-21, and all actions taken and approval given, is hereby ratified and re-approved, and incorporated herein, together with its exhibits, by reference.

IN WITNESS WHEREOF, this Ordinance is passed by the Tooele City Council
this ____ day of _____, 2024.

TOOELE CITY COUNCIL

(For)

(Against)

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

ATTEST:

Michelle Pitt, City Recorder

S E A L

Approved as to Form:

Roger Evans Baker, Tooele City Attorney

Exhibit A

State of Utah Correspondence

Michelle Pitt

From: noreply@salesforce.com on behalf of Lt. Governor: Annexations
<annexations@utah.gov>
Sent: Wednesday, November 20, 2024 11:06 AM
To: Michelle Pitt
Subject: [External]RE: Your Submission to the Lt. Governor's Office

Hello,

Pursuant to UCA 67-1a-6.5(2)(b) The Office of the Lt. Governor has identified the following discrepancies and/or deficiencies regarding this boundary action submission and is unable to issue the applicable certificate at this time.

Discrepancies/Deficiencies:

1. The Notice of Impending Boundary Action is not signed (please see UCA 67-1a-6.5). Please ensure that the Notice of Impending Boundary Action meets the requirements of UCA 67-1a-6.5(3) when submitted.
2. The Notice of Impending Boundary Action submission cannot be accepted because it was filed is outside the 60 day limit described in Utah Code 10-2-425(2)(a). A new ordinance/resolution must be adopted/pass and a new Notice of Impending Boundary Action must be submitted in order for it to be considered for certification.

Once the discrepancies and/or deficiencies listed above are cured and a new application submitted through the Annexations/Boundary Actions submission portal, the certificate process can continue.

Please contact our office if you have any questions. Additionally, please contact the Utah Geospatial Resource Center for legal description or plat map questions or issues at 801-538-3665.

Best,

Annexations
801-538-1481
Lieutenant Governor's Office
350 N. State St. Suite 220
Salt Lake City, UT 84114

Visit our website <https://demosite.utah.gov/gov-entity/> for more information about municipal certifications.

----- Original Message -----

From: Lt. Governor: Annexations [annexations@utah.gov]
Sent: 11/19/2024, 11:27 AM
To: michellep@tooelecity.gov

Exhibit B

Ordinance 2024-21 and All Exhibits,
Incorporated Herein by this Reference

TOOELE CITY CORPORATION

RESOLUTION 2024-93

A RESOLUTION OF THE TOOELE CITY COUNCIL AMENDING THE TOOELE CITY FEE SCHEDULE REGARDING APPEALS OF LAND-USE RELATED CIVIL CITATIONS AND REVIEWS.

WHEREAS, Utah Code §10-3-718 authorizes the City Council to exercise administrative powers, such as establishing city fees and regulating the use of city property, by resolution; and,

WHEREAS, under the Council-Mayor form of municipal government, established and governed by the Tooele City Charter (2006) and Utah Code §10-3b-201 et seq., the Mayor exercises all executive and administrative powers; however, it has been the practice of Tooele City for all fees proposed by the Mayor and City Administration to be approved by the City Council; and,

WHEREAS, on August 21, 2024, the City Council approved Ordinance 2024-23 and amended Tooele City Code Chapters 7-1, 7-3, 7-5, 7-15, 7-15a, and 7-25 to include civil citations and penalties for chapter violations; and,

WHEREAS, it is necessary to establish civil citation appeal fees for inclusion in the Tooele City Fee Schedule; and,

WHEREAS, the City Administration recommends the following appeal fees, based on a consideration of the progressive civil citation penalties (i.e., increasing with each violation) and general impressions of the cost to hear appeals and conduct reviews:

- Chapter 7-1 (General Provisions): already set at \$25
- Chapter 7-3 (Legal Nonconforming Uses): recommend \$50
- Chapter 7-5 (Conditional Uses): recommend \$50
- Chapter 7-15 (Residential Facilities for the Disabled)—reasonable accommodation review: recommend \$150
- Chapter 7-15 (Residential Facilities for the Disabled)—civil citations: recommend \$100
- Chapter 7-15a (Residential Facilities for the Elderly)—reasonable accommodation review: recommend \$150
- Chapter 7-15a (Residential Facilities for the Elderly)—civil citations: recommend \$100
- Chapter 7-25 (Signs): recommend \$50

WHEREAS, all of the recommended fees are calculated to recoup a portion of the City's costs to administer the referenced reviews, and are anticipated to underrepresent those costs; and,

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that the Tooele City Fee Schedule is hereby amended to add the above referenced civil citation and other appeal and review fees.

This Resolution shall become effective upon passage, without further publication, by authority of the Tooele City Charter.

IN WITNESS WHEREOF, this Resolution is passed by the Tooele City Council this ____ day of _____, 2024.

TOOELE CITY COUNCIL

(For)

(Against)

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

ATTEST:

Michelle Y. Pitt, City Recorder

S E A L

Approved as to Form: _____
Roger Evans Baker, City Attorney

TOOELE CITY CORPORATION

RESOLUTION 2024-94

A RESOLUTION OF THE TOOELE CITY COUNCIL APPROVING AN AGREEMENT WITH S.F.T. CONCRETE FOR THE TOOELE LIBRARY STAMPED CONCRETE PROJECT.

WHEREAS, the City Administration has determined to replace turf sod park strips with colored, stamped concrete at the Tooele City Library (the Tooele Library Stamped Concrete Project, or Project); and,

WHEREAS, compliance with the notice and bidding procedures of UCA §11-39-101 *et seq.* and UCA §72-6-101 *et seq.* is not required for the Project because the Project cost does not reach the statutory cost threshold; and,

WHEREAS, the City has complied with the requirements of the Tooele City Purchasing Policies and Procedures; and,

WHEREAS, S.F.T. Concrete submitted the lowest responsive responsible bid, at \$59,800 (see bid results attached as Exhibit A); and,

WHEREAS, City Council approval is required for all agreements in excess of the statutory cost threshold of \$30,000 established in TCC §1-5-10 (see *also* TCC §1-6-4, §1-14-4, §1-22-4); and,

WHEREAS, the proposed Agreement is attached as Exhibit B; and,

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that the agreement with S.F.T. Concrete for the Project, in the amount of \$59,800, is hereby approved, and that the Mayor is authorized to sign the agreement on behalf of the City.

This Resolution shall become effective upon passage, without further publication, by authority of the Tooele City Charter.

IN WITNESS WHEREOF, this Resolution is passed by the Tooele City Council this day of _____, 2024.

TOOELE CITY COUNCIL

(For)

(Against)

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

ATTEST:

Michelle Y. Pitt, City Recorder

S E A L

Approved as to Form: _____
Roger Evans Baker, City Attorney

Exhibit A

Bid Results

Library Stamped Concrete Project, Bid Results

CONTRACTOR	BID AMOUNT
Dave's Custom Concrete	\$72,000.00
Silver Spur Construction	155,031.00
Arrow Landscaping	\$95,892.75
RC. Enterprise	\$98,342.00
Beck	\$144,513.00
S.F.T	\$59,800.00

Exhibit B

Agreement



AGREEMENT

TOOELE CITY CORPORATION, a municipal corporation of the State of Utah, (hereinafter “City”), and S.F.T. Concrete (hereinafter “Contractor”) enter into this Agreement on the ___ day of _____, 2024 (the “Effective Date”).

Now, therefore, in consideration of the promises contained in this Agreement, the City and the Contractor agree to the following:

1. Services (Scope of Work). The Contractor shall provide the following services to the City:

The Tooele Library Stamped Concrete Project consists of the demolition and offsite disposal of approximately 5,300 square feet of existing sod, and the furnishing and installation therein of new colored, stamped concrete together with concrete curb tree wells, and concrete pads for picnic tables and related appurtenances.

2. Disclaimer of Right of Control. Contractor shall perform its duties competently. The City disclaims any right to control the Contractor’s performance of the Services.
3. Compensation.
 - a. Rate. The City shall pay the Contractor the lump sum amount of **\$59,800** for fully performing the Services, pursuant to invoice.
 - b. Total Cost Contract. This Agreement is a “Total Cost Contract.” The contract Rate includes all costs and expenses associated with the provision of the Services.
 - c. No Benefits. The parties specifically agree that as an independent contractor, Contractor neither claims nor is entitled to benefits accorded City employees.
4. Term of Agreement. Contractor shall fully perform the Services by **May 30, 2025**.
5. Termination. The City may terminate this Agreement at any time. Should the City terminate this Agreement prior to the Services being fully performed, the City shall pay for those Services performed.
6. Indemnification and Insurance.
 - a. Contractor Liability Insurance. Contractor shall obtain and maintain liability insurance in the amount of at least \$1,000,000. Contractor shall list the City as an additional insured on endorsements issued under its liability insurance policy. Contractor shall require that all of its subcontractors list the City as an additional insured on endorsements issued under their respective liability insurance policies, with respect to the Services rendered under this Agreement.
 - b. Contractor Indemnification. Contractor shall indemnify and hold the City and its agents harmless from all claims of liability for injury or damage caused by any intentional or negligent act or omission of Contractor and/or its agents and subcontractors arising out of or related to this Agreement.
 - c. Contractor Workers’ Compensation Insurance. Contractor shall purchase and maintain workers compensation insurance for all of its employees. In the alternative, assuming

eligibility, Contractor may obtain a Workers' Compensation Coverage Waiver from the Utah Labor Commission. Contractor shall verify that all its subcontractors have purchased and do maintain workers compensation insurance for their employees or have obtained an exclusion, and shall indemnify the City against claims resulting from a failure to obtain and maintain the insurance.

- d. Performance and Payment Bonds. Contractor shall obtain performance and payment bonds in form amount sufficient to the City.
 - e. Evidence of Contractor Insurance. Contractor shall provide written evidence of liability insurance, including all Contractor and subcontractor endorsements, workers compensation insurance or exclusion, and payment and performance bonds to the City within ten (10) days of the Effective Date. The City will not make any payments under this Agreement until it receives from Contractor the evidence required under this section.
 - f. Status Verification Indemnification. Contractor shall indemnify and hold the City and its agents harmless from all claims resulting from any violation of immigration status verification obligations contained in U.C.A. §63G-11-103 et seq.
 - g. Post-Retirement Release. Contractor shall release the City from all claims related to any alleged violation of State of Utah post-retirement employment rules, and shall complete and return to the City the attached certification and release.
 - h. Governmental Immunity. The City is a governmental entity subject to the Utah Governmental Immunity Act ("Act"; U.C.A. Chapter 63G-7), and does not waive any procedural or substantive defense or benefit provided by the Act or by comparative legislative enactment, including UCA §63G-7-604 regarding limitation of judgments. Any indemnity and insurance obligations incurred by the City under this agreement are expressly limited to the amounts identified in the Act.
7. Business License. If required by Tooele City Code §5-1-1 *et seq.*, Contractor shall obtain a Tooele City business license.
8. Complete Agreement. This Agreement is the only agreement or understanding between the parties, and may be modified or amended only by a written document signed by both parties.
9. Waiver of Jury Trial. The Parties irrevocably waive any and all right to trial by jury in any legal proceeding arising out of or relating to this contract and the transactions contemplated.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the Effective Date.

TOOELE CITY CORPORATION

CONTRACTOR

Debra E. Winn, Tooele City Mayor

Signature
Print Name/Title:_____

Attest:

Michelle Y. Pitt, Tooele City Recorder

SEAL

Approved as to form:

Roger Evans Baker, Tooele City Attorney

(Revised 10/25/2024)



UTAH RETIREMENT SYSTEMS POST-EMPLOYMENT/POST-RETIREMENT RESTRICTIONS ACT CERTIFICATION & RELEASE

Tooele City is a Utah Retirement System (URS) participating agency. As a participating agency, post-retirement employment/vendor/contractor rules apply. Post-retirement employment means returning to work either on our payroll or as a vendor/contractor for a URS participating employer following your retirement date with the Utah Retirement Systems. Different standards apply depending on whether you return to work within one year or after one year from your retirement date with URS.

You must separate from employment (including part-time and vendor/contractor arrangements) with any participating employer for one year following your retirement date with URS, unless eligible exclusions apply.

You are responsible for understanding post-retirement employment rules and ensuring there is no violation of such rules by providing services to Tooele City Corporation. **If you have any questions, call the URS office at 801-366-7770 or 800-695-4877 before you begin any work for or provide any services to Tooele City.**

CHECK APPLICABLE BOX:

- Contractor (a sole proprietor) certifies that he or she is NOT a Utah State Retirement Systems (URS) retiree and acknowledges that should he/she retire from the URS system in the future, he/she assumes all responsibility for compliance with post-retirement reemployment restrictions, notifications, and/or penalties that may occur at any time in the future.
- Contractor (on behalf of a partnership, LLC, company, or corporation) certifies that NO officer or principal is a Utah State Retirement Systems (URS) retiree and acknowledges that should he/she retire from the URS system in the future, he/she assumes all responsibility for compliance with post-retirement reemployment restrictions, notifications, and/or penalties that may occur at any time in the future.
- Contractor certifies that following contractor(s), officer(s) or principal(s) of the business ARE Utah State Retirement Systems (URS) retiree(s). Contractor further certifies that the URS office has been properly notified of post-retirement reemployment of such individuals. Contractor assumes all responsibility for compliance with post-retirement reemployment restrictions, notifications, and or/penalties that may occur at any time in the future if found to be in violation. URS Retirees:

Name: _____ Social Security Number: _____

Name: _____ Social Security Number: _____

[State law requires that the City, through Human Resources, provide such information to URS.]

As a condition of doing business with Tooele City, you hereby accept responsibility and waive all claims of joint liability against Tooele City for any violations of the URS post-retirement re-employment/vendor/contractor rules.

Contractor Signature

Date

Tooele City Council Work Meeting Minutes

Date: Wednesday, November 20, 2024
Time: 6:30 p.m.
Place: Tooele City Hall, Council Chambers
90 North Main Street, Tooele, Utah

City Council Members Present:

Justin Brady
Ed Hansen
Melodi Gochis
Maresa Manzione
David McCall

City Employees Present:

Mayor Debbie Winn
Adrian Day, Police Department Chief
Michelle Pitt, City Recorder
Loretta Herron, Deputy City Recorder
Matthew Johnson, Assistant City Attorney
Andrew Aagard, Community Development Director
Shannon Wimmer, Finance Director
Kent Page, City Planner
Kami Perkins, HR Director

Minutes prepared by Alicia Fairbourne

1. Open City Council Meeting

Chairman Brady opened the meeting at 6:30 p.m.

2. Roll Call

Justin Brady, Present
Melodi Gochis, Present
Ed Hansen, Present
Maresa Manzione, Present
Dave McCall, Present

3. Mayor's Report

Mayor Debbie Winn reminded participants that several special events would be held beginning Saturday, November 30, 2024.

- Small Business Saturday, Downtown Shopping, and Frosty's Quest, held from 10:00 a.m. to 5:00 p.m. Attendees who visited a participating store could return a full punch card for a chance to win one of three, \$500 grocery gift cards
- Santa Parade would be held at 2:00 p.m.
- Following the parade, Santa would be at the Ritz Theater from 3:00 p.m. to 5:00 p.m.
- Tooele City Tree Lighting Ceremony would be held at 5:30 p.m. at the Veteran's Memorial Park

Mayor Winn wished constituents a Happy Thanksgiving.

4. Council Members' Report

Council Member McCall attended the Arts Council and the Children's Justice Center meeting.

Council Member Hansen attended the Switchpoint Community Resource Center meeting. He noted the waiting list had been reduced and residents from other towns were being added.

Council Member Gochis congratulated Council Member McCall for leading the Veteran's Day program. She had also attended a Veteran's Day event at Tooele High School, and a patriotic concert at Excelsior Academy. She noted that although she had a prior commitment at the time of the Children's Justice Center meeting, she did receive the reports and notes and was up to speed with the events.

Council Member Manzione thanked Council Member McCall for the Veteran's Day program. She mentioned that she appreciated that the Veteran's Day banners on Main Street were up longer and thanked those who had a part in displaying those. She thanked the Planning and Zoning Commission for their discussions for the future of the City. She noted she had spent some time with the Economic Development Director, along with a company that was considering Tooele for its next location.

Chairman Brady attended a weekly meeting with Mayor Winn and staff.

5. Discussion Items

A. 2025 Workers Compensation Insurance Update

Presented by Kami Perkins, HR Director

Ms. Perkins presented information regarding the 2025 Workers Compensation Insurance. She highlighted the renewal process, cost projections, and the City's low experience modifier, which reduced the premium from \$117,000 to approximately \$100,000 for 2025. Ms. Perkins emphasized the City's commitment to safety culture, investments in training, and personal protective gear, and the reduction in workplace injuries. She attributed success to a combination of leadership, employee engagement, and proactive measures to maintain a safe working environment.

6. Closed Meeting

~Litigation, Property Acquisition, and/or Personnel

There was no need for a closed meeting.

7. Adjourn

Chairman Brady adjourned the meeting at 6:53 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 ____ day of December, 2024

Justin Brady, City Council Chair

90 N. Main St.
Tooele, UT 84074

Tooele City Council Business Meeting Minutes

Date: Wednesday, November 20, 2024

Time: 7:00 pm

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

City Council Members Present:

Justin Brady
Melodi Gochis
Ed Hansen
Maresa Manzione
Dave McCall

City Employees Present:

Mayor Debbie Winn
Adrian Day, Police Department Chief
Michelle Pitt, City Recorder
Loretta Herron, Deputy City Recorder
Darwin Cook, Parks and Recreation Director
Andrew Aagard, Community Development Director
Shannon Wimmer, Finance Director
Kent Page, City Planner
Matthew Johnson, Assistant City Attorney

Minutes prepared by Alicia Fairbourne

Chairman Brady called the meeting to order at 7:00 p.m.

1. Pledge of Allegiance

The Pledge of Allegiance was led by Chairman Brady.

2. Roll Call

Justin Brady, Present
Melodi Gochis, Present
Ed Hansen, Present
Maresa Manzione, Present
Dave McCall, Present

3. Mayor's Golf Tournament Youth Recreation Grant Awards

Mayor Debbie Winn presented information regarding the Youth Golf Tournament and gave special recognition to the sponsors of the program. She invited the sponsors to join her to present the awards. There were 14 recipients of the grant money.

Clerk's note: the award recipients and amount awarded are attached as Exhibit A.

4. Public Comment Period

Chairman Brady opened the floor for public comment at 7:22 pm.

There being no public comments, Chairman Brady closed the public comment period at 7:22 pm.

5. Public Hearing and Motion on Ordinance 2024-32 to consider a Land Use Map Amendment Request by Wagstaff Investments to Change the Land Use Designation for Approximately 2.1 Acres Located at the NE Corner of Franks Drive and 1000 North from Regional Commercial to Community Commercial

Presented by Andrew Aagard, Community Development Director

Mr. Aagard presented the rezone proposal for the land located at the North East corner of Franks Drive at 1000 North. In the process of reviewing the development plans, the Regional Commercial (RC) Zone would require a substantial landscape buffer of 30 feet. The best way to resolve this would be to request a rezone to General Commercial (GC) Commercial (RC) Zone, which would require only a 15-foot landscape buffer. He noted that the item was presented to the Planning Commission, who voted unanimously a positive recommendation.

Chairman Brady opened the floor for public comment at 7:25 pm. There were no comments from the public. Chairman Brady then closed the public comment.

Motion: Council Member Manzione motioned to approve Ordinance 2024-32; An Ordinance of Tooele City Reassigning the Land Use Designation for Approximately 2 Acres of Property Located at the North East Corner of the Intersection of Franks Drive And 1000 North from Regional Commercial (RC) to Community Commercial (CC). Council Member Gochis seconded the motion. The vote was as follows: Chairman Brady, "Aye"; Council Member Gochis, "Aye"; Council Member Hansen, "Aye"; Council Member Manzione, "Aye"; Council Member McCall, "Aye". There were none opposed. The motion passed.

6. Public Hearing and Motion on Ordinance 2024-33 to Consider a Zoning Map Amendment Request by Wagstaff Investments to Re-Assign the Zoning for Approximately 2.1 Acres Located at the NE Corner of Franks Drive and 1000 North from RC Regional Commercial to GC General Commercial

Presented by Andrew Aagard, Community Development Director

Council Member Gochis asked what was required in the 15-foot buffer. Mr. Aagard stated it was a landscape buffer, which required to have one tree per 30 feet of frontage, but was not required to be spaced at 30 feet.

Chair Brady opened the floor for public comment at 7:28 pm. There were no comments from the public. Chairman Brady then closed the public comment.

Motion: Council Member Hansen motioned to approve Ordinance 2024-33; An Ordinance of Tooele City Reassigning the Zoning for Approximately 2 Acres of Property Located at the North East Corner of the Intersection of Franks Drive and 1000 North from Regional Commercial (RC) to General Commercial (GC). Council Member McCall seconded the motion. The vote was as follows: Chairman Brady, "Aye"; Council Member Gochis, "Aye"; Council Member Hansen, "Aye"; Council Member Manzione, "Aye"; Council Member McCall, "Aye". There were none opposed. The motion passed.

7. **Resolution 2024-91** A Resolution of the Tooele City Council Amending the Tooele City Fee Schedule Regarding Business Regulation Civil Citation Appeal Fees
Presented by Matthew Johnson, Assistant City Attorney

Mr. Johnson noted Council approved Resolution 2024-22 in August, which allowed an alternative way to enforce business regulations, which allowed civil citations in addition to criminal citations which were already in place. He explained this also brought the ability to appeal those civil citations and the need to approve a \$25 appeal fee, which was noted in the Fee Schedule.

Motion: Council Member McCall motioned to approve Resolution 2024-91; A Resolution of the Tooele City Council Amending the Tooele City Fee Schedule Regarding Business Regulation Civil Citation Appeal Fees. Council Member Manzione seconded the motion. The vote was as follows: Chairman Brady, "Aye"; Council Member Gochis, "Aye"; Council Member Hansen, "Aye"; Council Member Manzione, "Aye"; Council Member McCall, "Aye". There were none opposed. The motion passed.

8. **Invoices and Purchase Orders**
Presented by Michelle Pitt, City Recorder

Ms. Pitt introduced Alicia Fairbourne, who was hired to fill the position of minutes clerk.

Ms. Pitt discussed an invoice for an awning at the rail cars at the Tooele Valley Museum for the amount of \$40,180.25. She noted a grant from the Tooele County Tourism Tax Grant was awarded in the amount of \$24,000 towards the awning.

Motion: Council Member Gochis motioned to approve the invoice as stated. Council Member Hansen seconded the motion. The vote was as follows: Chairman Brady, "Aye"; Council Member Gochis, "Aye"; Council Member Hansen, "Aye"; Council Member Manzione, "Aye"; Council Member McCall, "Aye". There were none opposed. The motion passed.

9. **Minutes**

- ~November 6, 2024 Work Meeting
- ~November 6, 2024 Business Meeting

There were no changes or corrections to the minutes.

Motion: Council Member Hansen motioned to approve the November 6, 2024 Work Meeting Minutes and November 6, 2024 Business Meeting Minutes. Council Member McCall seconded the motion. The vote was as follows: Chairman Brady, "Aye"; Council Member Gochis, "Aye"; Council Member Hansen, "Aye"; Council Member Manzione, "Aye"; Council Member McCall, "Aye". There were none opposed. The motion passed.

10. **Adjourn**

The meeting adjourned at 7:33 pm.

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 _____ day of December, 2024

Justin Brady, City Council Chair

GRANT RECIPIENTS	
Organization	Amount
Boys & Girls Clubs of Greater Salt Lake – Tooele Club	\$1,000
Elite FC	\$1,000
Little Legends Softball 10U	\$500
Little Legends 12U	\$500
TC United FC	\$1,000
Tooele Baseball	\$2,000
Tooele County Crushers	\$500
Tooele Education Foundation	\$1,000
Tooele Jr High PTSA	\$1,000
Tooele Valley Theatre	\$1,000
Tooele Youth Football	\$2,000
Utah State University Extension	\$1,000
Junior Golf Program at Oquirrh Hills Golf Course	\$2,500
Leadership Scholarships for Local High School Seniors (Three \$500 Scholarships.)	\$1,500