

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

Date: Wednesday, February 1, 2017  
Time: 5:00 p.m.  
Place: Tooele City Hall, Large Conference Room  
90 North Main St., Tooele, Utah

**City Council Members Present:**

Chairwoman Debbie Winn  
Scott Wardle  
Dave McCall  
Steve Pruden  
Brad Pratt

**City Employees Present:**

Mayor Patrick Dunlavy  
Glenn Caldwell, Finance Director  
Jim Bolser, Director of Community Development and Public Works  
Michelle Pitt, Recorder  
Roger Baker, City Attorney  
Rachelle Custer, City Planner  
Paul Hansen, City Engineer  
Randy Sant, Economic Development and Redevelopment Agency Director

Minutes prepared by Michelle Pitt

**1. Open Meeting**

Chairwoman Winn called the meeting to order at 5:00 p.m.

**2. Roll Call**

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

**3. Discussion:**

- Resolution 2017-06 A Resolution of the Tooele City Council Authorizing the Mayor to Sign a Contract with Silver Spur Construction for the Broadway Storm Drain Project (400 North to 700 North)  
Presented by Paul Hansen

Mr. Hansen indicated that this is a project that is part of the storm drain plan. The City received 12 bidders for this project. Silver Spur Construction was the low bid at \$557,740.00. The City is familiar with Silver Spur because they did the 2016 waterline upgrade. City staff recommends that Silver Spur be awarded the contract. They won't begin on this project until the weather breaks. This project will take approximately three months to put in place. Mr. Hansen said that he will also ask the Council for a 5% contingency to cover possible unknown utility conflicts or costs.

- Ordinance 2017-06 An Ordinance of Tooele City Amending Tooele City Code Chapter 1-4 Regarding Punishments for Criminal Violations of the City Code  
Presented by Roger Baker

Mr. Baker stated that this ordinance is to modernize some of the language of the City Code that governs punishments. There are punishments scattered throughout the City Code, and this is the chapter that specifies what the penalty would be for committing offenses. Mr. Baker cited one of the proposed changes – there is a section allowing a person to work off their fines by working for the City. This may have been a good idea at one point in time, but there are liabilities in allowing them to work for the City. The court has avenues for offenders to work off their fines. Mr. Baker stated that he and the Human Resources Director are recommending that this section be repealed.

- Meadow Brook Annexation Request  
Presented by Jim Bolser

Mr. Bolser showed a conceptual map to the Council of the proposed annexation. He explained that the property was near Droubay Road and the Carr Fork subdivision. Mr. Bolser stated that the property was being proposed as an annexation into the City for a boy's ranch and a development with 11 five acre properties. Mr. Bolser stated that staff was bringing this proposal to the Council to see if they would like this to progress to a more formal stage. Mr. Bolser stated that one comment from staff is that they would not be in favor of five acre lots as they tend to become mini subdivisions further down the road. Councilman Pruden asked if the east road could be connected through to Ericson Road. Mr. Bolser said that it potentially could. Councilman Pruden asked if this area was annexed, would all those lots have to be connected to the sewer system. Mr. Hansen said that the City has water down Droubay to Arrow Street. He said that the sewer begins in that area as well. If the City annexes this property, they could most easily connect there. Councilman Wardle asked if this project figured in with the annexation plan. Ms. Custer answered that it currently doesn't, and that the City would have to amend the annexation plan. Mr. Bolser said that most five acre lots are for agriculture purposes. There aren't many five acre lots in the City. Councilman Wardle asked if the City annexed and approved the five acre lots, would the owners have animal rights. Ms.

Custer answered that anything larger than one acre would allow full animal rights. Councilman Wardle said that it wasn't a bad buffer on that side. Councilman Pruden said that this developer has a nice product. The developer is the same developer of the girl's home, and it is really nice. Councilman Wardle indicated that he liked the idea of a higher end product coming in to that area. He said that he would hate septic tanks to be put in next to City boundaries. Mr. Hansen said that the County requested that the developers come to the City for annexation.

The Mayor stated that he would oppose the annexation. He said that it is not part of the City's annexation plan, and that five acre lots are not something that say "Tooele City". Five acre lots are only available in the County, not Tooele City. Tooele City should not consider any annexations at this point until they fully realize the 4800 lots at Overlake and the demand that that will put on the City's water and sewer systems. The Mayor indicated that he is in favor of a good spot for the boy's ranch, but he is not in favor of five acre lots and the annexation. There may be a major gas line in this area that may prohibit some building on certain lots. Mr. Baker stated that the City will either need to require sufficient water rights to irrigate the entirety of each five acre lot, or will need to limit the amount of watering based on the amount of water rights they provide the City for each lot. Mr. Bolser said that this is another reason that staff has shared the Mayor's opinion about the five acre lots. Councilman Wardle pointed out that limited water was a stipulation on Mathew Arbshay's development. Councilman Wardle went on to say that he struggled approving something that was not in the annexation plan. Mr. Hansen offered that the City could consider putting this development in the City sewer district, so that they wouldn't put in septic tanks, but require the County to put in their own roads and other improvements for the project. Councilman Pratt said that he didn't like the five acre lots next to a subdivision. Councilman Pruden said that the Mayor made a good point regarding the Overlake lots because those lots are already in the City.

#### **4. Council Reports**

Councilman Pratt: Attended the Communities that Care (CTC) meeting. Councilman Pratt thanked the Council for letting him be back on that committee. He feels that CTC is one of the greatest thing the City does. It is a successful asset in the community. One of the board members, from the Health Department, is concerned and looking in to the electronic cigarette situation and it's use with illegal substances. This is becoming an issue in our community. The Health Department is doing some tracking on this issue. The Health Department complimented this Council and administration in handling the difficulties encountered in smoke shops in our community. The steps the City has taken have been mirrored in other communities. Policies are in place, but they still need to be monitored. Councilman Pratt expressed appreciation to the police chief for their involvement in the classrooms. CTC is doing amazing things to help our youth. CTC is looking at a program to recognize parents and/or teachers that help youth.

Council of Governments (COG): Councilman Pratt attended the recent meeting. They made new assignments to the Wasatch Front Regional Council (WFRC). It was a controversial meeting. There were some suggestions that were thrown to them at the last minute which caused

some excitement. Councilman Pratt took an assignment as a representative to the WFRC, replacing Mayor Marshall. Dispatch fees were discussed at that meeting.

Councilman Wardle: Councilman Wardle said that Cody Deiter provided materials to the COG showing four different proposals for dispatch fees. 1) Move forward without a contract, and pay what the City decides to pay. 2) Sign a contract for fees. 3) Move to a special service district to pay for just the dispatch services, with a price per home at about \$28-\$30 per year. 4) Move all emergency services to a service district - with dispatch. COG will have to have a recommendation at their next meeting in April. Councilman Wardle asked the Council to look at the materials. Councilman Wardle indicated that the contract currently has a built in 8% increase per year. He felt that was not tenable. He said he didn't understand why the County built in increases at 8%. In the April meeting he has been asked to take a decision to the COG meeting. He may ask the Council to decide by Resolution which option to choose.

USU: A new president has been selected. They are finishing the process of the Provost selection. Most frustrations have come out of the development office. Councilman Wardle has discussed this with the new president and feels these issues will get resolved. He expressed appreciation for Mr. Sant's and Scott Snelson's help in keeping the continuity in that project area.

Councilman Pratt added that the Council needs to come back on the dispatch fee situation and whether to create a service district or not. If the City decides to contract with the County for fees, the contract would have to be negotiated with administration. He stated that he could not find any reason that justified the increase every year. The call volume spreadsheet didn't show that call volume had gone up. The Mayor said that the City has been negotiating dispatch fees for at least 11 years. The contract has been negotiated all that time, but the County refuses to list an amount in the contract. About six years ago, there was an amount agreed upon, but it hasn't been listed in the last contract. The Mayor has asked for a number from the past and present sheriff and commissioners, but they will not give a number. The Mayor said he has also asked for an itemized list showing what he was paying for. He was told that they might need the amounts for future expenses and/or equipment but they couldn't justify the amounts then, and they obviously can't now. Councilman Wardle asked what citizens receive in exchange for the taxes and increases. The Mayor said that the City will pay their fair share, but the fees should be based on needs and be justified. The Mayor felt that this could be worked out with the sheriff.

Councilman Pruden: The Arts Council is putting together the Fridays on Vine calendar. They are bringing back some of the past performers. The Arts Council has agreed not to compete with home football games, so thought about having an all day music jam in the park on Labor Day. They will look at the budget to see if there is money for this event. Carol LaForge's summer musical will be Disney's, Little Mermaid.

Councilman McCall: Missed the last library board meeting. He indicated that he attended the last COG meeting, as a citizen, not as a councilmember. While there, he was put in as a member of the WFRC.

Chairwoman Winn: will meet with the North Tooele City Special Service District (NTCSSD) next week. Jeff Hammer is the new chair.

Mr. Hansen added that on the Broadway storm drain, the wastewater department has some areas of the existing sewer line that have been broken or settled over time. He asked if he could come back with an addenda to the project. It would make sense to do the work while Silver Spur is already there, to have them repair that sewer, so that there aren't conflicts. The estimate for this additional work is about \$80,000.

Mr. Hansen also asked if he could bring back a change order to replace the sewer line on Caldwell Drive because the line there has collapsed. The estimate for this project is \$63,000. Mr. Hansen said that the City has money in the budget for these projects.

Mr. Hansen stated that the Kennecott Well has been generating sand. The sand has caused damage to the pump and motor and they need to be replaced. Mr. Hansen told the Council that he will come back with a cost of about \$83,000 to pull and reset the motor and pump. While they have the pump and motor out of the ground, they would like to do some additional development of that well. The additional work would be \$140,000. These costs should be addressed through impact fees, so there are funds there. Mr. Hansen asked if he could get this work started, and then come back with a ratification of the contract in the summer.

Mr. Sant stated that there is a legislative breakfast meeting with the legislators February 13<sup>th</sup> from 7 am – 8 am at the Capitol in the Majority Caucus room. The Council and Mayor will receive an official invite.

##### **5. Close Meeting to Discuss Litigation, and Property Acquisition**

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

Those in attendance during the closed session were: Glenn Caldwell, Roger Baker, Jim Bolser, Mayor Patrick Dunlavy, Michelle Pitt, Randy Sant, Brian Roth, Paul Hansen, Councilman McCall, Councilman Wardle, Councilman Pruden, Councilman Pratt, and Chairwoman Winn.

The meeting closed at 5:57 p.m.

No minutes were taken on these items.

##### **6. Adjourn**

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

The meeting adjourned at 6:49 p.m.

*The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.*

Approved this 15th day of February, 2017

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Debra E. Winn, Tooele City Council Chair